



**ORDINARY MEETING OF COUNCIL
TO BE HELD ON TUESDAY, 13 OCTOBER 2009 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 under the link to business papers

APOLOGIES

DECLARATIONS OF INTEREST

CONFIRMATION OF REPORTS TO BE CONSIDERED IN CLOSED MEETING

ADDRESS THE COUNCIL

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

DOCUMENTS CIRCULATED TO COUNCILLORS

CONFIRMATION OF MINUTES

Minutes of Ordinary Meeting of Council

File: S02131

Meeting held 22 September 2009

Minutes numbered 181 to 197

MINUTES FROM THE MAYOR

PETITIONS

GENERAL BUSINESS

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

GB.1 **Disclosure of Interests Returns Register** **1**

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File: S02167

To table Council's Disclosure of Interests Returns Register in accordance with the Local Government Act.

Recommendation:

That the tabling of the Disclosure of Interests Returns Register be noted.

GB.2 **Representation on Community Committees/Organisations** **3**

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File: S02355

For Council to make appointments to community committees/organisations for 2009/2010.

Recommendation:

That Council make appointments to community committees/organisations as required and that the community committees and organisations be informed of Council's representatives.

GB.3 **Policy for the Payment of Expenses and Provision of Facilities to Councillors** **6**

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File: S03779

To recommend the adoption of a revised Policy for the Payment of Expenses and Provision of Facilities to Councillors.

Recommendation:

That the revised Policy for the Payment of Expenses and Provision of Facilities to Councillors be adopted.

GB.4 Expression of Interest - Investment Advisory Services 37

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File: S07683

To report on the outcome of the expression of interest (EOI) for provision of Investment Advisory Services.

Recommendation:

That Denison Financial Advisory Pty Ltd be appointed to provide Council's investment advisory services for a term of two years from 1 December 2009 on the basis of the terms outlined in their EOI submission and that a further report be submitted to Council upon the completion of the investment policy and strategy review by Denison.

GB.5 Companion Animals Plan 2006 - 2011 Second Review 44

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File: S02449

To review implementation of Ku-ring-gai's Companion Animal Management Plan 2006-2011. The review provides updated statistics on each key area within the Plan, identifies the implementation status of each strategic action within the Plan and makes recommendations for any necessary modifications to the Management Plan.

Recommendation:

That Council continue to implement the Companion Animal Management Plan in accordance with its established strategies and goals.

GB.6 Compliance Audit of Recently Completed Developments 51

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File: FY00100/2

To report on an audit of three recently completed residential flat developments to determine the number and type of non-compliances detected.

Recommendation:

That the report be received and the results of the compliance audit be noted.

GB.7 Development Directions for the B2 Lands at South Turramurra 70

.
File: S02846

For Council to consider the direction of the future development of the abandoned B2 Road Corridor, South Turramurra.

Recommendation:

That Council develop the subject land for residential housing with the Department of Planning under a new Memorandum of Understanding that would seek the Department to compulsorily acquire the unformed road as part of the road closure. Funding for the development phase of the project be borrowed against the Infrastructure and Facilities Reserve with interest and any profit from the project be directed to the creation of an indoor aquatic and leisure facility at West Pymble Pool.

GB.8 Ku-ring-gai Council Climate Change Policy 98

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File: S06055

To report to Council on the consultation of the draft Climate Change Policy and recommend Council adopt the draft Climate Change Policy and targets.

Recommendation:

That Council adopt the draft Climate Change Policy and set a corporate emission target of 20% by 2020 based on year 2000 emissions and 90% by 2050. That Council adopts an aspirational community target to commit to reducing Greenhouse Gas Emissions. Funding for programs to meet the targets in the short to medium term would be derived from the Infrastructure and Facilities Reserve.

GB.9 Council Lands for Proposed Land Reclassification 193

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File: S07624

To determine those Council sites within the area covered by the draft Ku-ring-gai Local Environmental Plan (Town Centres) 2008 which are to be reclassified to Operational land.

Recommendation:

That Council determines the lands to be reclassified and request the Ku-ring-gai Planning Panel to prepare the requisite planning proposal and draft LEP.

GB.10 Community Strategic Plan 2030

266

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File: FY00019

For Council to adopt the draft Community Strategic Plan 2030 for Ku-ring-gai.

Recommendation:

That Council adopt the draft Community Strategic Plan 2030.

GB.11 Electricity Supply Commencing 1 July 2010 - Options

300

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File: S02249

To seek Council approval for participation in group tender for large use sites electricity supply, including street lighting, for 5 year period commencing 1 July 2010.

Recommendation:

That Council formally joins the group tender facilitated by SSROC for supply of electricity for large use sites.

GB.12 36 Bungalow Avenue, Pymble - Connection to Council Drainage Easement

306

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File: SD1

Ward: Wahroonga

To consider a request by the owners of 36 Bungalow Avenue, Pymble, to alter the terms of the Council drainage easement over downstream properties to permit discharge into a Council pipeline.

Recommendation:

That the proposal be approved subject to Conditions A. to C. noted in the recommendations.

EXTRA REPORTS CIRCULATED AT MEETING

MOTIONS OF WHICH DUE NOTICE HAS BEEN GIVEN

NM.1 Cancellation of Media Monitor Service

311

File: EM00005/6

Notice of Motion from Councillor Tony Hall dated 6 October 2009

I refer to the Council's advice dated 30 September 2009 that the media service contracted by Council for some years principally for the use of the Mayor of the Day, called Media Monitors Pty Ltd cost the Council in the financial year 2008/9 \$7,361.76. Council otherwise relies on a weekly monitoring of media report which provides an excellent service to the Mayor and Councillors, since its inception in 1988.

I move:

"That this Council cancel the services of Media Monitors forthwith as this expense in the sum of \$7,361.76 for the financial year 2008/9 cannot be justified to our Ratepayers."

BUSINESS WITHOUT NOTICE - SUBJECT TO CLAUSE 241 OF GENERAL REGULATIONS

QUESTIONS WITHOUT NOTICE

INSPECTIONS COMMITTEE - SETTING OF TIME, DATE AND RENDEZVOUS

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DISCLOSURE OF INTERESTS RETURNS REGISTER

EXECUTIVE SUMMARY

PURPOSE OF REPORT:

To table Council's Disclosure of Interests Returns Register in accordance with the Local Government Act.

BACKGROUND:

The Act requires that the Disclosure of Interests Returns Register be tabled at the first meeting after 30 September 2008.

COMMENTS:

The Register will be tabled at the meeting.

RECOMMENDATION:

That the tabling of the Disclosure of Interests Returns Register be noted.

PURPOSE OF REPORT

To table Council's Disclosure of Interests Returns Register in accordance with the Local Government Act.

BACKGROUND

As Councillors are aware, Section 449 of the Local Government Act 1993 requires the lodgement of returns disclosing interests of Councillors and Designated Persons.

Under Section 450A(2)(b) of the Act, returns for the period ending 30 June 2009 must be tabled at the first Council meeting held after the last day of lodgement (30 September 2009).

COMMENTS

Not applicable.

CONSULTATION

Not applicable.

FINANCIAL CONSIDERATIONS

Not applicable.

CONSULTATION WITH OTHER COUNCIL DEPARTMENTS

Not applicable.

SUMMARY

Not applicable.

RECOMMENDATION

That the tabling of the Disclosure of Interests Returns Register be noted.

Geoff O'Rourke
Senior Governance Officer

John McKee
General Manager

REPRESENTATION ON COMMUNITY COMMITTEES/ORGANISATIONS

EXECUTIVE SUMMARY

PURPOSE OF REPORT:

For Council to make appointments to community committees/organisations for 2009/2010.

BACKGROUND:

Not applicable.

COMMENTS:

Council is represented on a number of community bodies, which include community organisations of which Council is a stakeholder and Advisory Committees for various government departments.

RECOMMENDATION:

That Council make appointments to community committees/organisations as required and that the community committees and organisations be informed of Council's representatives.

PURPOSE OF REPORT

For Council to make appointments to community committees/organisations for 2009/2010.

BACKGROUND

Not applicable.

COMMENTS

Council is represented on the following community bodies and committees. Council is required to nominate representatives for each of these bodies.

Committee/Organisation	Number to be appointed
The Ku-ring-gai Police and Community Safety Committee	1
Ku-ring-gai Meals on Wheels Inc	1 Plus 1 Alternate
Eryldene Trust	2
Hornsby/Ku-ring-gai Bushfire Management Committee	1 Plus 1 Alternate
Metropolitan Public Libraries Association	1
Rural Fire Service District Liaison Committee	1
Hawkesbury/Nepean Local Government Advisory Group	1 plus 1 Alternate
Northern Sydney Regional Organisation of Councils (NSROC)	Mayor plus 1 plus 1 Alternate
Ku-ring-gai Youth Development Service Inc Management Committee	1
Sydney Adventist Hospital, Wahroonga Community Reference Group	2 plus 1 Alternate
Rosedale Road Steering Committee	2
KOPWA (Ku-ring-gai Old Peoples Welfare Association)	1

CONSULTATION

All Departments have reviewed the list of committees and bodies currently requiring representation.

FINANCIAL CONSIDERATIONS

Not applicable.

CONSULTATION WITH OTHER COUNCIL DEPARTMENTS

Not applicable.

SUMMARY

Councillor representation on the external committees identified in this report is an important component of representing Council and the community's views on a range of matters relevant to Ku-ring-gai.

RECOMMENDATION

- A. That Council make appointments to community committees/organisations as listed in the report.
- B. That the community committees/organisations be informed of Council's representatives.

Geoff O'Rourke
Senior Governance Officer

John McKee
General Manager

POLICY FOR THE PAYMENT OF EXPENSES AND PROVISION OF FACILITIES TO COUNCILLORS

EXECUTIVE SUMMARY

PURPOSE OF REPORT:

To recommend the adoption of a revised Policy for the Payment of Expenses and Provision of Facilities to Councillors.

BACKGROUND:

On 11 August 2009 Council resolved that the revised Policy for the Payment of Expenses and Provision of Facilities to Councillors be endorsed for placing on public exhibition.

COMMENTS:

The revised Policy was exhibited in the period 21 August to 18 September 2009.

RECOMMENDATION:

That the revised Policy for the Payment of Expenses and Provision of Facilities to Councillors be adopted.

PURPOSE OF REPORT

To recommend the adoption of a revised Policy for the Payment of Expenses and Provision of Facilities to Councillors.

BACKGROUND

On 11 August 2009 Council resolved that the revised Policy for the Payment of Expenses and Provision of Facilities to Councillors be endorsed for placing on public exhibition.

COMMENTS

The revised Policy was exhibited in the period 21 August to 18 September 2009. The Policy is attached.

CONSULTATION

Section 253 of the Local Government Act 1993 requires that the Policy be placed on public exhibition inviting submissions for at least 28 days.

An advertisement was placed in the North Shore Times on 21 August and the Policy was available on Council's website during the exhibition period 21 August to 18 September 2009.

No submissions were received.

FINANCIAL CONSIDERATIONS

As the monetary limits throughout the Policy have been increased by the CPI of 1.3% there is the potential for a minor increase in costs to Council.

CONSULTATION WITH OTHER COUNCIL DEPARTMENTS

The General Manager was involved in the preparation of the revised Policy.

SUMMARY

The revised Policy for the Payment of Expenses and Provision of Facilities to Councillors has been exhibited and no submissions were received. The Policy may now be adopted.

RECOMMENDATION

That the revised Policy for the Payment of Expenses and Provision of Facilities to Councillors be adopted.

John Clark
Director Corporate

Attachments: Policy for the Payment of Expenses and Provision of Facilities to Councillors, Draft August 2009 - 2009/128412



Ku-ring-gai Council

Policy for the Payment of Expenses and Provision of Facilities to Councillors

Draft August 2009

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1.0	08/03/05	Original			
2.0	27/02/07	Major revision following DLG Circular 06-57			
2.1	30/07/08	Annual revision following DLG Circulars 07-22 and 08-03			
2.2		Annual revision			

POLICY FOR THE PAYMENT OF EXPENSES AND PROVISION OF FACILITIES TO COUNCILLORS

Part 1 - INTRODUCTION

Title and Commencement of the Policy

- 1.1 This is the Policy for the Payment of Expenses and Provision of Facilities to Councillors of Ku-ring-gai Council.

In this Policy, unless otherwise stated, the expression “Councillor” refers to all Councillors of Ku-ring-gai Council including the Mayor and Deputy Mayor.

In this Policy the expression “year of term” means the twelve (12) month period commencing on the date of election to Council of a Councillor and every subsequent twelve (12) month period of the term of office.

Purpose of the Policy

- 1.2 The purpose of this Policy is to ensure that there is accountability and transparency in the reimbursement of expenses incurred or to be incurred by the Councillors. The Policy also ensures that the facilities provided to assist and support the Councillors to carry out their civic functions are reasonable.

Objectives and Coverage of the Policy

- 1.3 The objective of this Policy is to describe those expenses incurred or to be incurred by, and the facilities provided to, the Councillors the cost of which shall be met by Council.

This Policy also aims to uphold and demonstrate the following key principles:

- **Conduct.** Councillors must act lawfully, honestly and exercise a reasonable degree of care and diligence in carrying out their functions under the *Local Government Act 1993* (“the Act”) or any other Act.

- **Participation, equity and access.** The provisions of the Policy are to be non-discriminatory and used in an equitable manner to enable the full participation by Councillors from different walks of life. The provisions of the Policy shall also be at an appropriate level to encourage members of the community, particularly under-represented groups such as those in primary caregiver roles, to seek election to Council by ensuring that they would not be financially or otherwise disadvantaged in undertaking the civic functions of a Councillor.

The Policy shall also take into account and make reasonable provision for the special needs of Councillors to allow access to the appropriate parts of Council premises, and facilities, and maximise participation in the civic functions and business of Council.

- **Accountability and transparency.** The details and range of benefits provided to the Councillors are to be clearly stated and be fully transparent and acceptable to the local community.
- **Reasonable expenses.** Councillors shall only be reimbursed for expenses reasonably incurred in the performance of their role as a Councillor.

Only those entitlements specifically described in this Policy shall be provided by Council.

Making and Adoption of the Policy

- 1.4** This Policy is made pursuant to Sections 252 - 254 of the Local Government Act 1993. These sections are set out in clause 1.6.

The Policy is to be adopted by Council annually, within 5 months after the end of each financial year.

Prior to adoption public notice must be given and public submissions invited for 28 days. Council must then consider all submissions received and make any appropriate changes to the Policy.

Public notice is not necessary if the proposed changes are insubstantial, i.e. if there are only minor changes to the wording of the Policy, changes to monetary provisions or rates that are less than 5% or minor changes to the standard of equipment and facilities to be provided. Public notice, however, is required prior to each annual adoption process even if there is no proposed change to the Policy.

Reporting Requirements

- 1.5 Section 428 of the Act and clause 217 of the *Local Government (General) Regulation 2005* ("the Regulation") require Council to include in each Annual Report a copy of this Policy and details of the cost of implementing the Policy. Copies of this legislation are set out in clause 1.6.

Legislative Provisions

- 1.6 The relevant legislative provisions are set out below. In this legislation the expression "year" means the period from 1 July to the following 30 June.

Local Government Act 1993

252 Payment of expenses and provision of facilities

- (1) Within 5 months after the end of each year, a council must adopt a policy concerning the payment of expenses incurred or to be incurred by, and the provision of facilities to, the mayor, the deputy mayor (if there is one) and the other councillors in relation to discharging the functions of civic office.*
- (2) The policy may provide for fees payable under this Division to be reduced by an amount representing the private benefit to the mayor or a councillor of a facility provided by the council to the mayor or councillor.*
- (3) A council must not pay any expenses incurred or to be incurred by, or provide any facilities to, the mayor, the deputy mayor (if there is one) or a councillor otherwise than in accordance with a policy under this section.*
- (4) A council may from time to time amend a policy under this section.*
- (5) A policy under this section must comply with the provisions of this Act, the regulations and any relevant guidelines issued under section 23A.*

253 Requirements before policy concerning expenses and facilities can be adopted or amended

- (1) A council must give public notice of its intention to adopt or amend a policy for the payment of expenses or provision of facilities allowing at least 28 days for the making of public submissions.*
- (2) Before adopting or amending the policy, the council must consider any submissions made within the time allowed for submissions and make any appropriate changes to the draft policy or amendment.*

- (3) Despite subsections (1) and (2), a council need not give public notice of a proposed amendment to its policy for the payment of expenses or provision of facilities if the council is of the opinion that the proposed amendment is not substantial.*
- (4) Within 28 days after adopting a policy or making an amendment to a policy for which public notice is required to be given under this section, a council is to forward to the Director-General:
 - (a) a copy of the policy or amendment together with details of all submissions received in accordance with subsection (1), and*
 - (b) a statement setting out, for each submission, the council's response to the submission and the reasons for the council's response, and*
 - (c) a copy of the notice given under subsection (1).**
- (5) A council must comply with this section when proposing to adopt a policy each year in accordance with section 252 (1) even if the council proposes to adopt a policy that is the same as its existing policy.*

254 Decision to be made in open meeting

The council or a council committee all the members of which are councillors must not close to the public that part of its meeting at which a policy for the payment of expenses or provision of facilities is adopted or amended, or at which any proposal concerning those matters is discussed or considered.

428(pt) Annual reports

- (1) Within 5 months after the end of each year, a council must prepare a report as to its achievements with respect to the objectives and performance targets set out in its management plan for that year.*
- (2) A report must contain the following:
 - (f) the total amount of money expended during the year on mayoral fees and councillor fees, the council's policy on the provision of facilities for use by councillors and the payment of councillors' expenses, together with a statement of the total amount of money expended during that year on the provision of such facilities and the payment of such expenses,**

Local Government (General) Regulation 2005

217(pt) Additional information for inclusion in annual reports

- (1) *For the purposes of section 428(2)(r) of the Act, an annual report of a council is to include the following information:*
- (a) details (including the purpose) of overseas visits undertaken during the year by councillors, council staff or other persons representing the council (including visits sponsored by other organisations),*
 - (a1) details of the total cost during the year of the payment of the expenses of, and the provision of facilities to, councillors in relation to their civic functions (as paid by the council, reimbursed to the councillor or reconciled with the councillor), including separate details on the total cost of each of the following:*
 - (i) the provision during the year of dedicated office equipment allocated to councillors on a personal basis, such as laptop computers, mobile telephones and landline telephones and facsimile machines installed in councillors' homes (including equipment and line rental costs and internet access costs but not including call costs),*
 - (ii) telephone calls made by councillors, including calls made from mobile telephones provided by the council and from landline telephones and facsimile services installed in councillors' homes,*
 - (iii) the attendance of councillors at conferences and seminars,*
 - (iv) the training of councillors and the provision of skill development for councillors,*
 - (v) interstate visits undertaken during the year by councillors while representing the council, including the cost of transport, the cost of accommodation and other out-of-pocket travelling expenses,*
 - (vi) overseas visits undertaken during the year by councillors while representing the council, including the cost of transport, the cost of accommodation and other out-of-pocket travelling expenses,*
 - (vii) the expenses of any spouse, partner or other person who accompanied a councillor in the performance of his or her civic functions, being expenses payable in accordance with the Guidelines for the payment of expenses and the provision of facilities for Mayors and Councillors for Local Councils in NSW prepared by the Director-General from time to time,*
 - (viii) expenses involved in the provision of care for a child of, or an immediate family member of, a councillor, to allow the councillor to undertake his or her civic functions,*

403 Payment of expenses and provision of facilities

A policy under section 252 of the Act must not include any provision enabling a council:

- (a) to pay any councillor an allowance in the nature of a general expense allowance, or*
- (b) to make a motor vehicle owned or leased by the council available for the exclusive or primary use or disposition of a particular councillor other than a mayor.*

Also, under Section 248A of the Act Council must not, unless otherwise permitted, pay an annual fee to a Councillor for any period during which the Councillor is suspended from civic office or the right to be paid any fee is suspended.

Under Section 254A of the Act Council may resolve that an annual fee not be paid to a Councillor or the amount reduced if the Councillor is absent, with or without leave, from meetings of the Council for a period not more than 3 months or in any circumstances prescribed by regulation. A fee must not be paid if the period of absence exceeds 3 months.

Under clause 404 of the Regulation a prescribed circumstance for non-payment or reduction of a Councillor's annual fee is where payment would adversely affect the Councillor's entitlement to a pension, benefit or allowance and the Councillor is agreeable to the non-payment or reduction.

A Councillor may elect not to accept any entitlement under this Policy, except that the Mayor and every Councillor must be paid the appropriate minimum fees determined by the Local Government Remuneration Tribunal (unless the provisions of Section 254A of the Act apply). Payment of the appropriate minimum fees determined by the Remuneration Tribunal is a requirement of Sections 248 (4) and 249 (4) of the Act.

Other Government Policy Provisions

- 1.7 This Policy has been prepared with reference to other Government and Council Policy provisions as follows:
- Department of Local Government Circular No. 08-03, 18 January 2008, *Findings from Review of Councillor Expenses and Facilities Policies*
 - Department of Local Government Circular No. 07-22, 28 May 2007 *Updated Guidelines for the Payment of Expenses and Provision of Facilities to Mayors and Councillors*
 - Department of Local Government Circular No. 05/08, 9 March 2005 *Legal Assistance for Councillors and Council Employees*
 - ICAC Publication *No Excuse for Misuse*, November 2002
 - Ku-ring-gai Council *Code of Conduct*.

DRAFT

Part 2 - PAYMENT OF EXPENSES

GENERAL PROVISIONS

Payment of Allowances and Expenses Generally

- 2.1 An annual fee is paid to each Councillor by Council. The fee is the amount fixed by Council under Division 5 of Part 2 of Chapter 9 of the Act in accordance with the appropriate determination of the Local Government Remuneration Tribunal.

This Policy is intended to cover most situations where a Councillor reasonably incurs expenses in discharging the functions of civic office. The annual fee paid to each Councillor is generally not intended to offset those costs.

The payment of allowances and reimbursement of expenses under this Policy shall only be in respect of costs directly associated with discharging the functions of civic office.

Reimbursement and reconciliation of expenses

Claims for reimbursement of expenses shall be submitted no later than 12 months after the expenses were incurred. Claims shall be submitted to the General Manager or delegate in a form and manner acceptable to the General Manager in the circumstances to enable full assessment of the claim. Tax invoices and receipts are to be supplied when available to support claims.

Claims for travelling expenses under this Policy shall include details of:

- Date and place of departure
- Date and place of arrival
- Distance travelled
- Fares and parking fees paid
- Amount claimed as travelling allowances
- Total amount of claim

The rate of calculation of the amount payable for travel in a Councillor's own car shall be the rate payable for claims by staff in the Local Government (State) Award.

Where travel out of the Sydney metropolitan area can be undertaken by air, the amount payable for travel in a Councillor's own car shall be no more than the corresponding air fare and taxi fares to and from the airport.

Council shall, where possible pay expenses directly by account or through the corporate credit card. However it shall be necessary for Councillors to pay unexpected expenses and then seek reimbursement.

Once expenses of attending a conference, seminar or training course have been finalised, accounts shall be forwarded to Councillors for any expenses payable by them. Such accounts are to be repaid in full within Council's normal terms, i.e. 30 days. Any arrangements to finalise an account by periodic payment may only be approved by Council.

An employee delegated by the General Manager shall assess all claims made under this Policy. The employee shall review a claim against the provisions of this Policy and make a recommendation to the General Manager. The General Manager shall then determine the claim. Approved claims, in part or in whole, shall be paid within seven (7) days.

Should a determination be made that a claim should not be paid, the General Manager shall explain such decision to the Councillor and should the Councillor still believe that the claim should be paid, in part or in full, it shall be considered that a dispute exists.

In the event of a dispute at any time regarding this Policy, the parties to the dispute shall provide a written report on the nature of the dispute. The General Manager shall submit such reports to the next meeting of Council to have the dispute determined by a resolution of Council having regard to this Policy, the Act and any other relevant law. The decision of Council shall be binding on all of the parties.

Payment in advance

Councillors may request payment in advance in anticipation of expenses to be incurred in attending conferences, seminars and training courses. Councillors may also request an advance payment for the cost of any other service or facility covered by the policy, where the service or facility is not ordinarily acquired by Council. However, Councillors must fully reconcile all expenses against the cost of the advance. Within one (1) week of incurring the cost and/or returning home the Councillor shall submit the details to the General Manager for verification and pay back to Council any unspent money. The level of the supporting documentation is to be commensurate with the nature of the expenditure. The maximum value of a cash advance is \$519.

Establishment of Monetary Limits and Standards

- 2.2 Monetary limits prescribed in this Policy set out the maximum amount payable in respect of any facility or expense. Any additional cost incurred by a Councillor in excess of any limit set shall be considered a personal expense that is the responsibility of the Councillor. All monetary amounts stated are **exclusive of GST**.

Where applicable the standard of any equipment, facility or service to be provided shall be to the maximum standard prescribed in this Policy.

Spouse and Partner Expenses

- 2.3 In this clause *accompanying person* means *a person who has a close personal relationship with a Councillor and/or provides carer support to the Councillor*.

In limited circumstances Council shall meet certain costs incurred by a Councillor on behalf of their spouse, partner or accompanying person that are properly and directly related to the role of the Councillor, such as costs associated with attendance at functions that are of a formal or ceremonial nature when accompanying Councillors within metropolitan Sydney. Examples include, but are not limited to, Australia Day award ceremonies, citizenship ceremonies, civic receptions and functions for charities, community service and sporting groups supported by Council.

Costs and expenses incurred by the Councillor on behalf of their spouse, partner or accompanying person shall be reimbursed if the cost or expense relates specifically to the ticket, meal and/or direct cost of attending the function. Each Councillor is entitled to a maximum of \$415 per year of term for external payments in respect of these types of expenses.

In addition Council shall meet limited expenses of spouses, partners or accompanying persons associated with attendance at the Local Government and Shires Associations' annual conferences. These expenses are limited to the cost of registration and the official conference dinner. Expenses such as travel expenses, any additional accommodation expenses and the cost of any accompanying persons program shall not be met by Council.

Costs associated with spouses, partners or accompanying persons attending other conferences, seminars and training courses shall not be met by Council.

Also, Council shall meet limited expenses of spouses, partners or accompanying persons of the Mayor, or a Councillor representing the Mayor, when attending an official function of Council or carrying out an official ceremonial duty while accompanying the Mayor or the Mayor's representative outside Council's area, but within New South Wales. Such circumstances could include charitable functions or award ceremonies to which the Mayor has been invited to attend. These expenses are limited to the ticket, meal and/or direct cost of attending the function.

In all cases under this clause peripheral expenses of spouses, partners or accompanying persons such as grooming, special clothing and transport are not considered reimbursable expenses.

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EXPENSES FOR COUNCILLORS

Attendance at Conferences, Seminars and other Training Expenses

2.4 Council shall meet expenses incurred by Councillors attending conferences, seminars and training courses in any of the following circumstances:

- Attendance authorised by resolution of Council
- Attendance at conferences which are included in Council's Annual Program of Conferences and funds are provided in the adopted Management Plan and where the prior authority of the Mayor and General Manager has been obtained
- Attendance on a study tour involving domestic travel where the study forms part of a Task Force project plan and funds are available in the Task Force budget to be established and where the prior authority of the Mayor and General Manager has been obtained
- Attendance at day long industry seminars or workshops as the need arises subject to the availability of funds and only where local or domestic travel is involved and where the prior authority of the Mayor and General Manager has been obtained.

Where the Mayor is seeking approval to attend a conference, seminar or training course the authority of the Deputy Mayor and the General Manager is required where applicable.

Requests from individual Councillors for attendance at conferences, seminars and training courses shall be in writing outlining the benefits for Council and the community.

After return from a conference, the Councillor/s or an accompanying staff member shall provide a written report to Council on the aspects of the conference relevant to Council business and/or the community. Such a report is not required for the Annual Conferences of the Local Government and Shires Associations.

If requested Council shall make all necessary arrangements for the attendance of Councillors at the conference, seminar or training course. Where the Councillor is being accompanied by another person, Council shall also make all of the necessary arrangements for that person. Council shall meet only those costs relating to the attendance of that person as set out in clause 2.3.

Council shall meet the following costs for attendance at approved conferences, seminars and training courses:

Registration fees

Council shall meet the cost of the registration fee set by the organiser, including costs of related official lunches and dinners, and associated tours where they are relevant to the business and interests of Council.

Accommodation

Councillors shall be accommodated in the hotel where the conference, seminar, or training course is being held or the nearest hotel to it that is of a similar standard, or as authorised by the host organiser where the conference is not located within the Sydney metropolitan area. Accommodation shall be provided at the rate of a double room.

Transportation

Councillors attending a conference, seminar or training course shall travel by the most direct route and the most practical and economical mode of transport, subject to any personal medical considerations. Any time and costs incurred in undertaking activities not related to attendance at the conference, seminar or training course shall not be included in any expenses paid by Council.

For conferences, seminars and training courses out of the Sydney metropolitan area Council shall meet the cost of an economy class air ticket or Council shall reimburse transportation expenses as detailed below whichever is the lesser amount.

Council shall reimburse transportation expenses by a Councillor with the Councillor's own vehicle. For travel within a Council-owned vehicle, actual costs incurred shall be reimbursed.

Council shall meet the cost of transferring Councillors from their place of residence to the airport and return or meet the cost of taxi fares, whichever is the lesser amount.

Council shall meet the cost of transferring Councillors from the airport to the hotel and return at the conclusion of the conference, seminar or training course, such costs not to exceed the cost of taxi fares.

Should a Councillor be accommodated in a hotel not being the site of the conference, seminar or training course, and the Councillor is travelling in a non Council-owned vehicle, Council shall meet the cost of the Councillor travelling from the hotel to the site of the conference, seminar or training course and return each day, such costs not to exceed the cost of taxi fares.

Where in conjunction with attendance at a conference, seminar or training course a Councillor visits another Council in the course of discharging the functions of civic office or to further knowledge of local government, and the Councillor is travelling in a non Council-owned vehicle, Council shall meet the cost of transfer of the Councillor from the hotel to the Council premises visited and return, such costs not to exceed the cost of taxi fares.

Meals

Council shall meet the cost of breakfast, lunch and dinner for Councillors where any of the meals are not provided as part of the conference, seminar or training course. Council shall also meet the reasonable cost of drinks accompanying the meals.

Bar Service

Council shall meet the cost of any expenses incurred at a bar located within the conference hotel or the accommodation hotel only when special guests have been invited for drinks at the request of the Mayor or the leader of Council's delegation.

Other costs

Council shall meet other reasonable out of pocket or incidental expenses associated with attending conferences, seminars or training courses, such as telephone or facsimile calls, refreshments, other meals, internet charges, laundry and dry cleaning, newspapers, taxi fares and parking fees up to a maximum amount of \$52 per day.

Local Travel Arrangements, Attendance at Dinners and Other Non-Council Functions

- 2.5** Travelling expenses shall be paid for travel on official business of Council in the Sydney metropolitan area. Transport to and from the Council administration building or other sites for meetings when the Councillor's own mode of transport is not available may be provided. Councillors may, where necessary, be provided with a taxi voucher for transportation purposes on Council business.

Council shall meet the cost of parking fees and road tolls but not the cost of traffic or parking fines. Claims for reimbursement under this provision shall be supported with an explanation of the need for the travel in relation to official Council business.

Council shall meet the cost of Councillors' attendance at functions that are of a formal or ceremonial nature within the Sydney metropolitan area, including functions for charities, community service and sporting groups supported by Council or of which Council is a financial member. Council shall also meet the cost of Councillors' attendance at dinners and other non-council functions which provide briefings to Councillors from key members of the community, politicians and business where the function is relevant to Council's interest. Council shall meet the cost of any component of the ticket to the function that is a donation to a registered charity but shall not meet the cost of any component of the ticket that is a donation to a political party, candidate's electoral fund or other private benefit. Each Councillor is entitled to a maximum of \$415 per year of term for external payments in respect of the types of expenses described in this paragraph.

Council will also meet the cost of the Mayor or a Councillor representing the Mayor attending a function or carrying out a ceremonial duty when undertaking the role of the Mayor within New South Wales. This includes functions or award ceremonies for charities, community service and sporting groups to which the Mayor has been invited to attend. These expenses are limited to the ticket, meal and/or direct cost of attending the function.

Travel Outside the Sydney Metropolitan Area including Interstate and Overseas Travel

- 2.6** For any proposed travel by a Councillor on Council related business not otherwise addressed in clauses 2.4 and 2.5 the approval of Council in non-confidential session of a Council meeting is required. Approval shall be granted subject to any conditions Council so determines. Council shall meet only those expenses that Council so determines.

Telephone Costs and Expenses

2.7 Telephone/Facsimile

Council shall meet the cost of providing a telephone landline for any telephone/facsimile machine provided under this Policy. Council shall meet the cost of landline rental and all Council business outgoing calls, to a maximum cost of \$103 per month.

Mobile telephone

Council shall meet the cost of a mobile telephone either:

- a Council provided mobile telephone (including vehicle kit) and mobile telephone service to the value of \$1037, for which Council shall pay rental and calls charged against that service, to a limit of \$208 per month for Council business calls and \$20 per month for incidental personal calls, provided that the number is available to be given out for general public information; or
- if the Councillor provides their own mobile telephone and mobile telephone service, Council shall reimburse the cost of rental plus the cost of those calls certified by the Councillor as being Council business calls charged against that service, to a limit of \$208 per month for calls.

In addition Council shall meet data costs in respect of mobile telephones up to a limit of 100 megabytes per month. For Councillor-owned mobile telephones the amount payable by Council under this provision shall not exceed the amount paid under contracts entered into by Council for Council-owned mobile telephones.

Internet

- 2.8 Council shall meet the cost of providing and maintaining an internet connection at the residence of the Councillor as well as a wireless broadband connection.

Care and Other Related Expenses

2.9 Care of relatives

In this clause, *relative* shall have the same meaning as set out in the Dictionary in the Act;

Relative, in relation to a person, means any of the following:

- (a) *the parent, grandparent, brother, sister, uncle, aunt, nephew, niece, lineal descendant or adopted child of the person or of the person's spouse;*
- (b) *the spouse or de facto partner of the person or of a person referred to in paragraph (a).*

Where a Councillor has responsibilities for the care and support of any relative, Council shall reimburse the actual cost incurred by the Councillor to engage professional care for the relative whenever considered necessary by the Councillor in order for the Councillor to discharge the functions of civic office.

The total amount paid to a Councillor under this provision shall not exceed \$2,075 per year of term.

Special requirements of Councillors

Council shall meet reasonable expenses associated with any special requirements of a Councillor, such as disability and access needs, in order to discharge the functions of civic office.

The total amount paid to a Councillor under this provision shall not exceed \$2,075 per year of term.

Insurance Expenses and Obligations

2.10 Council shall meet the cost of providing the following insurance cover for Councillors on a 24 hour basis while discharging the functions of civic office including attendance at meetings of external bodies as Council's representative:

- Public Liability insurance
- Professional Indemnity insurance
- Personal Accident insurance

Council shall pay the insurance policy excess in respect of any claim made against a Councillor arising from Council business where any claim is accepted by Council's insurers, whether defended or not.

Legal Expenses and Obligations

2.11 Council shall, if requested, indemnify or reimburse the reasonable legal expenses to a maximum of \$207,462 of:

- a Councillor defending an action arising from the performance in good faith of a function under the Act; or
- a Councillor defending an action in defamation provided the statements complained of were made in good faith in the course of exercising a function under the Act; or

- a Councillor for proceedings before the Local Government Pecuniary Interest and Disciplinary Tribunal or an investigative body provided the subject of the proceedings arises from the performance in good faith of a function under the Act and the Tribunal or investigative body makes a finding substantially favourable to the Councillor.

Legal expenses incurred in relation to proceedings arising out of the performance by a Councillor of his or her functions under the Act shall be distinguished from expenses incurred in relation to proceedings arising merely from something that a Councillor has done during his or her term in office. For example, expenses arising from an investigation as to whether a Councillor acted corruptly by using knowledge of a proposed rezoning for private gain is not covered by this provision.

Council shall not meet the costs for any legal assistance in respect of legal proceedings initiated by a Councillor in any circumstances.

Council shall not meet the costs of any enquiry, investigation or hearing initiated at the request of, or to any legal proceedings taken by, Council itself.

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ADDITIONAL EXPENSES FOR THE MAYOR

Allowances and expenses

- 2.12** An additional annual fee is paid to the Mayor by Council. The fee is the amount fixed by Council under Division 5 of Part 2 of Chapter 9 of the Act in accordance with the appropriate determination of the Local Government Remuneration Tribunal.

This Policy is intended to cover most situations where the Mayor reasonably incurs additional expenses in discharging the functions of Mayoral office. The annual fee paid to the Mayor is generally not intended to offset those costs.

There are no other Mayoral allowances and expenses in this Part.

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Part 3 - PROVISION OF FACILITIES

GENERAL PROVISIONS

Provision of Facilities Generally

- 3.1 Unless otherwise stated, where a facility may be provided by Council in accordance with this Policy and a Councillor chooses to accept the facility, it shall be provided by Council with all establishment, routine maintenance, operating, training, replacement and insurance costs being met by Council, subject to any limits specified and adequate funds being allocated and available in Council's adopted Management Plan.

All facilities provided shall be of adequate capacity and functionality to allow the role of Councillor to be fully undertaken.

Private Use of Equipment and Facilities

- 3.2 Councillors shall not generally obtain private benefit from the provision of equipment and facilities. This includes receipt of a travel bonus or other benefit arising from a loyalty scheme. However, incidental personal use of Council equipment and facilities may occur from time to time without requiring reimbursement of the cost by a Councillor. No entitlement under this Policy shall be treated as being a private benefit that requires a reduction in the Mayoral fee or the Councillors fee.

Unless otherwise authorised in this Policy, if a Councillor does obtain a private benefit for the use of a facility provided by Council the Councillor shall be invoiced for the amount of the private benefit with repayment to be in accordance with Council's normal terms. The value of the private benefit shall be determined by Council in non-confidential session of a Council meeting.

Equipment, facilities and services provided under this Policy shall not be used to produce election material or for any other political purposes.

EQUIPMENT AND FACILITIES FOR COUNCILLORS

Equipment and Facilities at the Council Administration Building

- 3.3** Councillors shall be provided with equipment and facilities at the Council administration building. Equipment provided under this clause remains the property of Council. The following equipment and facilities shall be provided at the Council administration building:

Councillors' Room and resources

A room furnished for use by all Councillors shall be provided by Council. Included in the Councillors' Room shall be:

- A computer, printer and peripherals for use by all Councillors
- A website directory of relevant local government internet sites
- A technical library
- Councillors' robes for official, civic and ceremonial use.

Executive Assistant

A qualified and experienced Executive Assistant shall be provided to support all Councillors. The Executive Assistant shall be responsible to the General Manager.

Correspondence Processing

Council shall post all correspondence for Councillors relative to the discharge of the functions of civic office. Council shall provide letterhead for use by Councillors in replying to correspondence.

Council shall provide follow up procedures for correspondence by Councillors. Such follow-up for correspondence is to be carried out by the General Manager or delegate.

Copies of all correspondence by Councillors including facsimile transmission sheets shall be placed in folders in the Councillors' Room for reference by all Councillors.

Correspondence by Councillors relative to the discharge of the functions of civic office is considered official correspondence of Council where the matter is referred to the General Manager for attention. The correspondence shall be attached to the appropriate Council file for registration, attention and reply.

Meals and Refreshments

Prior to, during or after Council, Forum and Committee meetings the Councillors shall be provided with a suitable meal including refreshments. The standard of the meal provided shall be determined by the Mayor in consultation with the General Manager.

Car Parking

Three (3) car parking spaces shall be provided for Councillors in the Council car park at the Council administration building except on Committee meeting nights, public meetings and Council meeting nights when a further six (6) car parking spaces shall be allotted in the same car park.

Equipment and Other Items Required to be Returned

- 3.4** Upon election to office Councillors shall be provided with certain equipment and other items that shall be returned when the Councillor ceases to hold office. The following equipment and other items shall be provided under this clause:
- Facsimile/telephone machine to the maximum cost of \$519
 - Personal computer, peripherals and software to the maximum cost of \$4149
 - Security card to enable entry to Council's administration building
 - Car parking stickers to enable the Councillor to park in any Council car park at any time for an unlimited period when discharging the functions of civic office. A list of Council's car parks shall be supplied also. No time restriction shall be imposed on an identified Councillor's private vehicle whilst parked in a parking space located at the Council administration building and the adjacent car parking area.

Other Items Not Required to be Returned

- 3.5** Upon election to office and where applicable throughout the term of office Councillors shall be provided with items of a consumable nature or which otherwise are not required to be returned when the Councillor ceases to hold office. The following items shall be provided under this clause:
- Name badge
 - Minor items of stationery to the maximum cost of \$103 each year of term
 - 100 Christmas cards each year of term

- A copy of clippings (weekly) from the newspapers relating to matters affecting local government in general and Ku-ring-gai in particular
- 500 business cards each year of term
- Corporate attire and presentation gifts for use in connection with civic functions, e.g. tie, scarf, spoon etc.
- Street Directory
- Refreshments/meals when undertaking official Council business (satisfactory explanation of official Council business required to support claims)
- Facsimile transmission sheets
- A raincoat and one pair of protective footwear for site inspections during inclement weather
- Replacement consumables, such as tapes, inks, and toner (not including paper) for the continued operation of the equipment provided in clause 3.4.
- 5,000 sheets of plain white paper per year of term.
- Printed copy of the current relevant Local Government and Planning Legislation
- Briefcase to the maximum cost of \$208
- Dictaphone (either hand held or desk variety) and cassettes to the maximum cost of \$208
- Filing cabinet for Council Business Papers and other Council correspondence to the maximum cost of \$311
- Bookcase to the maximum cost of \$208

ADDITIONAL EQUIPMENT AND FACILITIES FOR THE MAYOR

Equipment and Facilities at the Council Administration Building

- 3.6** The Mayor shall be provided with additional equipment and facilities at the Council administration building. Equipment provided under this clause remains the property of Council. The following equipment and facilities shall be provided at the Council administration building:

Mayoral Office and resources

Council shall provide:

- A furnished office
- A computer, printer and peripherals
- Mayoral letterhead
- Mayoral robes for official, civic and ceremonial use
- Mayoral Chain of Office for official, civic and ceremonial use.

Executive Assistant

A qualified and experienced Executive Assistant shall be provided with equivalent experience, responsibilities and skills to that of the General Manager's Executive Assistant. The Executive Assistant shall provide support to the Deputy Mayor in the absence of the Mayor.

Car parking

An allocated parking space shall be provided at the Council administration building.

Equipment and Other Items Required to be Returned

- 3.7** Upon election to office the Mayor may be provided with certain equipment and other items that shall be returned when the Mayor ceases to hold office. The following equipment and facilities shall be provided under this clause:

- Mayoral vehicle up to the standard of a Holden Statesman Caprice. The Mayoral vehicle shall be fully maintained by Council for the use by the Mayor for official, civic and ceremonial functions and appropriate use arising out of or in the course of the Mayor's official, civic and ceremonial functions. A petrol card shall be supplied to fuel the Mayoral vehicle at Council's cost for official use only.

- Mobile telephone costs additional to that provided under clause 2.7. The call limits referred to in clause 2.7 shall be increased by \$103 per month, making a total of \$311 per month and the data allowance shall be increased by 100 megabytes per month, making a total of 200 megabytes per month.

Other Items Not Required to be Returned

3.8 Upon election to the office and where applicable throughout the term of office the Mayor shall be provided with items of a consumable nature or which otherwise are not required to be returned when the Mayor ceases to hold office. The Mayor shall receive all of the items listed for Councillors under clause 3.5 and the following:

- Name badge
- Refreshments/meals when undertaking the role of Mayor (satisfactory explanation of official Mayoral business required to support claims)
- An additional 100 Christmas cards each year of mayoralty, making a total of 200 cards during each year of mayoralty.
- An additional 250 Business cards each year of mayoralty, making a total of 750 cards during each year of mayoralty.
- Additional corporate attire and presentation gifts e.g. Council ties, scarves, spoons, cuff links, etc for own use and presentations as appropriate and gifts suitable for younger persons.

Part 4 - OTHER MATTERS

Acquisition and Returning of Facilities and Equipment by Councillors

- 4.1 Upon ceasing to hold office a Councillor may purchase any Council equipment held by the Councillor at the depreciated value of the equipment as recorded in the Council's books of accounts at the time of ceasing to hold office if, in the opinion of the General Manager, the item is not required for Council purposes. This clause does not include a vehicle.

Status of the Policy

- 4.2 This Policy was prepared having regard to Department of Local Government Circular No. 07-22 dated 28 May 2007 *Updated Guidelines for the Payment of Expenses and the Provision of Facilities to Mayors and Councillors*.

This Policy was adopted by Ku-ring-gai Council at its meeting held on ???, Minute no. ???. The Policy shall only be amended at a subsequent meeting of Council, subject to compliance with the Act.

EXPRESSION OF INTEREST - INVESTMENT ADVISORY SERVICES

EXECUTIVE SUMMARY

PURPOSE OF REPORT:

To report on the outcome of the expression of interest (EOI) for provision of Investment Advisory Services.

BACKGROUND:

All investments are made in accordance with the Local Government Act 1993, Section 625, Investment Order dated 31 July 2008 by Minister for Local Government, Trustee Act 1925 No 14 and Local Government (General) regulation 2005 – Clause 212.

Expression of interest for investment advisory services for a two year term closed on 11 August 2009.

COMMENTS:

The expression of interest was evaluated in accordance with the evaluation criteria detailed in the specification.

RECOMMENDATION:

That Denison Financial Advisory Pty Ltd be appointed to provide Council's investment advisory services for a term of two years from 1 December 2009 on the basis of the terms outlined in their EOI submission and that a further report be submitted to Council upon the completion of the investment policy and strategy review by Denison.

PURPOSE OF REPORT

To report on the outcome of the expression of interest (EOI) for provision of Investment Advisory Services

BACKGROUND

All investments are made in accordance with:

1. Local Government Act 1993, Section 625 which states:
 - (1) A council may invest money that is not, for the time being, required by the council for any other purpose.*
 - (2) Money may be invested only in a form of investment notified by order of the Minister published in the Gazette.*
 - (3) An order of the Minister notifying a form of investment for the purposes of this section must not be made without the approval of the Treasurer.*
 - (4) The acquisition, in accordance with section 358, of a controlling interest in a corporation or an entity within the meaning of that section is not an investment for the purposes of this section.*
2. Local Government Act 1993 – Investment Order dated 31 July 2008 by Minister for Local Government (**Attachment A**).
3. Trustee Act 1925 No 14 – which defines the legal responsibilities of the Trustee (that is Councils) and the need for accountability as follows:
 - 14A (2) *A trustee must, in exercising a power of investment:*
 - (a) if the trustee's profession, business or employment is or includes acting as a trustee or investing money on behalf of other persons, exercise the care, diligence and skill that a prudent person engaged in that profession, business or employment would exercise in managing the affairs of other persons, or*
 - (b) if the trustee is not engaged in such a profession, business or employment, exercise the care, diligence and skill that a prudent person would exercise in managing the affairs of other persons.*
 - 14C (1) *Without limiting the matters that a trustee may take into account when exercising a power of investment, a trustee must, so far as they are appropriate to the circumstances of the trust, if any, have regard to the following matters:*
 - (a) the purposes of the trust and the needs and circumstances of the beneficiaries,*
 - (b) the desirability of diversifying trust investments,*
 - (c) the nature of, and the risk associated with, existing trust investments and other trust property,*

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- (d) the need to maintain the real value of the capital or income of the trust,*
- (e) the risk of capital or income loss or depreciation,*
- (f) the potential for capital appreciation,*
- (g) the likely income return and the timing of income return,*
- (h) the length of the term of the proposed investment,*
- (i) the probable duration of the trust,*
- (j) the liquidity and marketability of the proposed investment during, and on the determination of, the term of the proposed investment,*
- (k) the aggregate value of the trust estate,*
- (l) the effect of the proposed investment in relation to the tax liability of the trust,*
- (m) the likelihood of inflation affecting the value of the proposed investment or other trust property,*
- (n) the costs (including commissions, fees, charges and duties payable) of making the proposed investment,*
- (o) the results of a review of existing trust investments in accordance with section 14A (4).*

14C (2) *A trustee may, having regard to the size and nature of the trust, do either or both of the following:*

- (a) obtain and consider independent and impartial advice reasonably required for the investment of trust funds or the management of the investment from a person whom the trustee reasonably believes to be competent to give the advice,*
- (b) pay out of trust funds the reasonable costs of obtaining the advice.*

4. Local Government (General) Regulation 2005 – Clause 212 states:

(1) The responsible accounting officer of a council:

- (a) must provide the council with a written report (setting out details of all money that the council has invested under [section 625 of the Act](#)) to be presented:*
 - (i) if only one ordinary meeting of the council is held in a month, at that meeting, or*
 - (ii) if more than one such meeting is held in a month, at whichever of those meetings the council by resolution determines, and*
- (b) must include in the report a certificate as to whether or not the investment has been made in accordance with the Act, the regulations and the council's investment policies.*

(2) (2) The report must be made up to the last day of the month immediately preceding the meeting.

Council's two year investment advisory services agreement, currently provided by CPG Research and Advisory Pty Ltd, expired on 1 April 2009. Since the date of expiration Council has been on a month to month arrangement. The EOI for a two year term closed on 11 August 2009 and six (6) EOIs were received.

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EOIs were received from the following organisations:

1. CPG Research & Advisory Pty Ltd
2. Denison Financial Advisory Pty Ltd
3. Oakvale Capital Ltd
4. Structured Credit Research and Advisory Pty Ltd
5. E.L. & C. Baillieu Stockbroking Ltd
6. Laminar Advisory

Under Clause B.3 of the specification, within two months of appointment the advisor will be required to review Council's current investment policy.

COMMENTS

EOI Evaluation

Proponents were given the option that the fee may be a fixed payment or a percentage of the value of investments under advice. An evaluation of the EOIs by the Director Corporate, Manager Finance and an external consultant was undertaken. It should be noted that this evaluation represents a consolidated weighted average view of all EOI evaluation panel members.

For each EOI a "weighted score" was determined using the following evaluation criteria:

1. Independent advice regarding selection of investments which best suit overall objective of maximising returns within the constraints of investment policy and legislation.
2. Timing of advice for new and existing investments.
3. Capability to review current investment policy within two months.
4. Capability to review existing portfolio within 2 months.
5. Continuous monitoring of portfolio performance.
6. Reporting capability.
7. Advisor identification.
8. Key personnel.
9. Key contact.
10. Capacity to provide advice regarding new loans, structuring and optimisation of existing loan portfolio.
11. Other value added services.
12. All advice must be independent (this criteria is mandatory).
13. 2 year agreement for investment advice (this criteria is mandatory).

The weighted score was used to guide the selection of the preferred proponent. Interviews and referee checks were also undertaken.

Confidential **attachment B** provides details of the EOI Evaluation Panel selection criteria results.

In accordance with the Local Government Act 1993 and the Local Government (General) Regulation 2005, in the opinion of the General Manager, the attachment relates to business of a kind referred to in section 10(A) 2(d) of the Act, and should be dealt with in a part of the meeting closed to the media and public.

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Section 10(A) 2(d) of the Act permits the meeting to be closed to the public for business relating to:

- (i) prejudice the commercial position of the person who supplied it, or*
- (ii) confer a commercial advantage on a competitor of the council, or*
- (iii) reveal a trade secret,*

The matter is classified confidential because it contains information on pricing and commentary on performance of companies, all of which could prejudice the commercial position on the person who supplied it and on balance, discussion in open meeting would be contrary to the public interest.

It is proposed to appoint Denison Financial Advisory Pty Ltd for a term of two (2) years from 1 December 2009, with any extension of the contract being by agreement of both parties in writing. Denison Financial Advisory Pty Ltd offers the best value, providing the greater potential to increase Council's interest on investments return. Performance will depend on Council's investment policy and subsequent investment strategy and related risk profile.

Denison is a Corporate Authorised Representative of Alpha Structured Investments Pty Limited ("ASI"). ASI's core business includes the provision of investment research, advisory and asset consulting services to wholesale financial planning networks/dealer groups around Australia. Denison's scope of activities under its appointment as Authorised Representative of ASI is strictly limited to Advisory Services.

CONSULTATION

Referee checks were undertaken on preferred proponents and comments received have been detailed in the confidential attachment.

FINANCIAL CONSIDERATIONS

Council's existing budget for investment advisory services is \$30,000 per annum. If the appointment of an advisor from the EOI process results in a contract in excess of that budget amount, adjustments will be made in the September quarterly budget review to address any increase in costs. It is anticipated however, that if there are any increases in costs they will be more than offset by additional income from interest on investments.

CONSULTATION WITH OTHER COUNCIL DEPARTMENTS

No consultation with other Council departments was required.

SUMMARY

Council's two year investment advisory services agreement, currently provided by CPG Research and Advisory Pty Ltd, expired on 1 April 2009. It is proposed to appoint Denison Financial Advisory

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Pty Ltd for a term of two (2) years from 1 December 2009, with any extension of the contract being by agreement of both parties in writing.

Denison Financial Advisory Pty Ltd offers the best value, providing the greater potential to increase Council's interest on investments return. Performance will depend on Council's investment policy and subsequent investment strategy and related risk profile.

RECOMMENDATION

- A. That Denison Financial Advisory Pty Ltd be appointed to provide Council's investment advisory services for a term of two (2) years from 1 December 2009 on the basis of the terms outlined in their EOI submission.
- B. That the Common Seal be affixed to any necessary documents.
- C. That a further report be submitted to Council, upon the completion of the investment policy and strategy review by Denison.

Tino Caltabiano
Manager Finance

John Clark
Director Corporate

Attachments:

- 1. Local Government Act 1993 - Investment Order dated 31 July 2008 - 2009/164864
- 2. Investment Advisory Service EOI Evaluation (Confidential)

LOCAL GOVERNMENT ACT 1993 – INVESTMENT ORDER

(Relating to investments by councils)

I, the Hon. Paul Lynch MP, Minister for Local Government, in pursuance of section 625(2) of the *Local Government Act, 1993* and with the approval of the Treasurer, do, by this my Order, notify for the purposes of section 625 of that Act that a council or county council may only invest money (on the basis that all investments must be denominated in Australian Dollars) in the following forms of investment:

- (a) any public funds or securities issued by or guaranteed by, the Commonwealth, any State of the Commonwealth or a Territory;
- (b) any debentures or securities issued by a council (within the meaning of the *Local Government Act 1993* (NSW));
- (c) mortgage of land in any State or Territory of the Commonwealth (restricted to first mortgages over land with a Loan to Value ratio of no greater than 60%);
- (d) interest bearing deposits with, or any debentures or bonds issued by, an authorised deposit-taking institution (as defined in the *Banking Act 1959* (Cwth)), but excluding subordinated debt obligations;
- (e) any bill of exchange which has a maturity date of not more than 200 days; and if purchased for value confers on the holder in due course a right of recourse against a bank which has been designated as an authorised deposit-taking institution by the Australian Prudential Regulation Authority;
- (f) a deposit with the Local Government Financial Services Pty Ltd
- (g) a deposit with the New South Wales Treasury Corporation or investments in an Hour-Glass investment facility of the New South Wales Treasury Corporation.

All investment instruments (excluding short term discount instruments) referred to above include both principal and investment income.

Transitional Arrangements

- (i) Subject to paragraph (ii) nothing in this Order affects any investment made before the date of this Order which was made in compliance with the previous Ministerial Order dated 15 July 2005, and such investments are taken to be in compliance with this Order.
- (ii) Paragraph (i) only applies to those investments made before the date of this Order and does not apply to any restructuring or switching of investments or any re-investment of proceeds received on disposal or maturity of such investments, which for the avoidance of doubt must comply with this Order.

Dated this 31st day of July

2008


Hon PAUL LYNCH MP
Minister for Local Government

COMPANION ANIMALS PLAN 2006 - 2011 SECOND REVIEW

EXECUTIVE SUMMARY

PURPOSE OF REPORT:

To review implementation of Ku-ring-gai's Companion Animal Management Plan 2006-2011. The review provides updated statistics on each key area within the Plan, identifies the implementation status of each strategic action within the Plan and makes recommendations for any necessary modifications to the Management Plan.

BACKGROUND:

The Companion Animal Management Plan was adopted in March 2006. It was developed in cooperation with the former Companion Animals Advisory Committee to facilitate the management of companion animals (dogs and cats) within Ku-ring-gai.

COMMENTS:

Implementation of the Plan is generally progressing in accordance with the adopted timeframes and goals.

RECOMMENDATION:

That Council continue to implement the Companion Animal Management Plan in accordance with its established strategies and goals.

PURPOSE OF REPORT

To review implementation of Ku-ring-gai's Companion Animal Management Plan 2006-2011. The review provides updated statistics on each key area within the Plan, identifies the implementation status of each strategic action within the Plan and makes recommendations for any necessary modifications to the Management Plan.

BACKGROUND

The Companion Animal Management Plan was developed to facilitate the management of companion animals within Ku-ring-gai. The Plan was developed by Council in response to a recommendation from the NSW Department of Local Government that local Council's develop management plans to facilitate the administration of the requirements of the NSW Companion Animals Act 1998. Ku-ring-gai's Plan was adopted in March 2006 and is a five year management plan, subject to review.

This is the second review.

COMMENTS

The Management Plan contains strategic actions designed to produce agreed outcomes that are to be measured against stated performance indicators. The strategic actions are grouped into four broad action areas which are community services, environmental protection, education and compliance.

The Management Plan requires that statistics be kept on a monthly and annual basis. Additionally, key areas and specific programmes within the Plan are to be evaluated. The seven key areas of the Plan are;

- total number of animal complaints received by Council
- companion animal registration
- animals seized
- dog attacks
- roaming dogs
- barking dogs
- leash free areas

This review;

- provides updated statistics on each key area within the Management Plan
- identifies the implementation status of each strategic action in the Management Plan
- makes recommendations for any modifications to the Management Plan

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Statistics

Table 1	June 2005			December 2007			December 2008		
	Dogs	Cats	Total	Dogs	Cats	Total	Dogs	Cats	Total
Total number of animals	9777	1952	11729	11527	3812	15339	13071	4609	17680
Animals identified only	9507	1715	11222	11038	3337	14375	12132	3784	15916
Animals not registered *	270	237	507	489	475	964	939	825	1764
Percentage registered	97	87	95	95	87	93	92	82	90

(*over 6 months of age)

Table 1. The number of dogs and cats in the Ku-ring-gai local government area between June 2005 and December 2008.

Customer Request System							
Table 2	02/03	03/04	04/05	05/06	06/07	07/08	08/09
Dog attack	*	*	*	31	61	88	80
Aggressive dog	133	111	106	6	0	0	0
Pick up dog	351	299	240	151	166	195	175
Stray roaming dog	*	*	*	72	69	14	0
Nuisance roaming dog	*	*	*	127	172	135	140
Barking dog	236	235	243	231	279	257	261
Companion animal	61	39	37	125	41	4	0
Dead animal - domestic	0	1	38	21	15	26	19
Other	315	197	198	150	153	162	99
Total complaints	1096	882	862	914	956	881	774

* accurate figures not available

Table 2. Complaints lodged with Council re animal control matters from 1 July 2002 to 30 June 2009.

Analysis of **Table 2** shows that the overall number of complaints received by Council has been decreasing over the past 2 years, since the peak of 2006/07.

However, the number of dog attack complaints has increased significantly. This may be in part explained by "aggressive dog" complaints now being registered as "dog attacks" in line with industry standards. Further to this "nuisance roaming dogs" are often reported as "dog attacks". Also noteworthy (**Table 1**) is that the total number of identified companion animals in Ku-ring-gai has doubled since 2002, yet the total number of complaints has decreased by some 30% over the

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same period. Much of this must be attributed to Council's continuing education programs which promote responsible pet ownership, together with the proactive patrols of the local parks by Council's rangers.

Status of strategic actions identified in the management plan

Action	Status	Comment
Ku-ring-gai Companion Animal Management Plan 2006-11	Published	Operational in the areas of community services, education, ranger services and environmental protection.
Companion Animal Advisory Committee	Dissolved	The Companion Animal Advisory Committee was disbanded in line with a new adopted committee structure.
"Dogs day out" "Colour your canine"	Ongoing	Dogs day out held on 25 May 2008. Colour your canine held on 13 March 2008. Dogs day out scheduled for 31 May cancelled due to weather. A community dog biathlon, a new initiative, is planned for later in the year.
Upgrade of Ku-ring-gai dog off-leash facilities	Ongoing	20 dog off-leash areas established in Ku-ring-gai. An annual upgrade budget of \$50,000 per year has been allocated for off lead areas. St Ives Showground off leash training facility has been up graded and is now fully fenced. Bicentennial Park will be up-graded this year. Turramurra Memorial is being trialled as a off lead area.
Relationships developed with animal welfare organisations	Established	Regular liaison and networking with animal welfare agencies.
School programme on companion animals and companion animal safety	Ceased temporarily due to absence of qualified person to conduct program. Will recommence late in 2009.	Presentations given by the Companion Animal Management Officer to primary school students. Council handbook for pet owners distributed to the children.
Public education Programs targeting specific companion animal issues	To be implemented later this year	Information seminars on 'Responsible Pet Ownership and the Law' and 'Lead a healthy and Active Lifestyle with your Dog' program.
Companion animal fact	Published	Five fact sheets on companion

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Action	Status	Comment
sheets		animals available at Council and through main and branch libraries. Additional fact sheets will be developed over the life of the plan.
Pet owners handbook	Published	Available at Council and through main and branch libraries. Pound contact information has been updated.
Companion animal Information website	On-going	Information reviewed and renewed regularly. Available at www.kmc.gov.au
Position descriptions for area rangers and companion animal management officer	Established	Operational outputs have been established for each job description.
Standard operating procedures (SOP's) for area rangers and companion animals management officer	Established	SOPs for searching the NSW companion animal register, declaring a dog dangerous or restricted, and handling complaints re dog attack, dog barking, roaming, seizure, nuisance and nuisance cats, have been developed and are now operational.
Continuing education for area rangers and companion animals management officer	On going	Officers attend courses such as those conducted by Dogs NSW. Tutorials given by veterinarians and expert dog handlers. Rangers and other staff attended 'safe dog handling course' in April 2009.
Pound service of high standard and with an animal re-homing focus	On going	Thornleigh Animal Hospital is the pound service provider to Kuring-gai. It provides a high quality service and is veterinary supervised.
Encourage companion animal owners to minimise impacts on wildlife	Ongoing	Education through handbook and facts sheets. Enforcement of on leash legislation.
Establish a customer service computer based list of frequently asked questions	Established Council's new intranet service will facilitate access to the information	The FAQs have been compiled and are on the Intranet so as to assist customer service enquirers with information.
Attend Council's "Unite for pets" meetings	Ongoing	Maintain representation.
Develop Council code of	Being developed	Information regarding non

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Action	Status	Comment
practice for animals other than companion animals kept in the Ku-ring-gai local government area		companion animals will be posted on the web site.
Ensure all companion animals are registered	Ongoing - annual targets achieved	The Companion Animal Management Plan target of 87% for registered companion animals in 07/08 was achieved. Currently, registrations are 90.3% of identified animals which is the Companion Animal Management Plan target level for 08/09. It is not possible to achieve a 100% registration rate.
Adopt a wildlife response program for nuisance sick and/or injured wildlife	Established	All responses for sick/injured wildlife to be directed to external professional and community based wildlife services. Contacts for these organisations posted on the web site.
Develop a response data base for wildlife problems	Established	List of relevant external contact organisations posted on Council intranet for use by customer service personnel.
Provide effective control of feral cats, rabbits and foxes	On going	Cat pickups are necessary for trapped feral cats to ensure that the cat does not have a microchip and is in fact feral. Rabbits and foxes are dealt with by staff in Operations. Eradication programs (baiting) for foxes are conducted bi-annually and rabbit control (bio-releases) is on-going.

CONSULTATION

No consultation is required.

FINANCIAL CONSIDERATIONS

There are no specific financial considerations associated with adoption of this policy. General annual budget allowance for this cost centre dictates expense of individual activities. Private sponsorship is generally sought for community education programs such as Dogs Day Out.

CONSULTATION WITH OTHER COUNCIL DEPARTMENTS

This review was drafted in consultation with staff from Parks and Operations. It was tabled for comment by senior members of Ranger Services. The review has been endorsed for submission to full Council.

SUMMARY

Ku-ring-gai's Companion Animal Management Plan has now been in operation for over two years. The task of implementing the Plan mainly lies with the Ranger Services Group within the Development and Regulation department.

Areas in the Ku-ring-gai Companion Animal Management Plan that are operating well include community services and education. Significant outcomes have already been achieved and further programs and strategies are to be implemented later this year. Education seminars on responsible pet ownership and the law will be run in conjunction with the Northern Suburbs Dog Training Club. Ku-ring-gai Council has established twenty off leash areas, with another trial area at Turramurra Memorial Park. Quality companion animal information is available in a handbook, five fact sheets and extensive webpage information. Significant community events include "Dogs day out" and "Colour your canine" have been held.

The schools education programme has temporarily ceased. This is due to the absence of a qualified member of staff to deliver the program. It will recommence in the near future following appropriate training.

A code of practice for non companion animals kept in the Ku-ring-gai Local Government area is being drafted from existing guidelines established by the Department of Local Government.

RECOMMENDATION

That Council continue to implement the Companion Animal Management Plan in accordance with its established strategies and goals.

Andrew Clark
**Companion Animal
Management Officer**

Anne Seaton
**Manager Compliance &
& Regulation**

Michael Miocic
**Director
Development & Regulation**

COMPLIANCE AUDIT OF RECENTLY COMPLETED DEVELOPMENTS

EXECUTIVE SUMMARY

PURPOSE OF REPORT:

To report on an audit of three recently completed residential flat developments to determine the number and type of non-compliances detected.

BACKGROUND:

Council at its meeting of 26 August 2008 resolved that future development compliance audits focus on residential flat buildings.

This report provides the audit findings of three recently completed residential flat developments to determine the level of compliance at the completion of construction work.

COMMENTS:

Non-compliances generally related to waste management and landscaping matters, together with a lack of documentation to Council detailing certification.

RECOMMENDATION:

That the report be received and the results of the compliance audit be noted.

PURPOSE OF REPORT

To report on an audit of three recently completed residential flat developments to determine the number and type of non-compliances detected.

BACKGROUND

In accordance with the resolution of Council of 26 August 2008, an audit of three recently completed residential flat developments within the Ku-ring gai Local Government area was required to establish the number and type of typical non-compliances found at the time of completion.

The audits were undertaken on three separate residential flat developments consisting of a 1x2 and 3-Storey development with basement car parking, 1x4-storey development with basement car parking and 1x5-storey development with basement car parking.

The three developments were all privately certified.

Development type	Address	Certified by
Residential flat building comprising 2 & 3 storeys	1405 Pacific Highway Warrawee Known as (2C Winton Street, Warrawee)	Construction Certifiers Pty Ltd
Residential flat building comprising 4 storeys	589 Pacific Highway Killara & 32 Marian Street, Killara	Dix Gardner Pty Ltd
Residential flat building comprising 4 storeys	3 Munderah Street, Wahroonga	Barry Johnson & Associates Pty Ltd

METHODOLOGY

Standard auditing criteria were established prior to inspections being undertaken. The criteria provides a common basis upon which to compare the developments for the purposes of the compliance audit.

The criteria common to each audit, included checks against the following considerations:

- whether a construction certificate was issued and a copy held by Council on file with associated documentation
- whether amended plans have been provided to Council/PCA as required by conditions of development consent (ie) landscape plans, hydraulic plans, etc
- whether the development has been constructed in accordance with the approved plans
- whether the works are in accordance with schedule of external finishes
- whether the completed landscaping is in accordance with approved plans, including required retention of trees
- whether stormwater disposal measures have been implemented as approved and whether the system is functional
- whether re-construction of footpaths, roadways and vehicular crossings has been undertaken

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- whether all conditions of consent required to be observed prior to the issue of the final occupation certificate have been complied with
- whether all other conditions of consent have been complied with
- whether there were any unauthorised works observed during the inspection
- whether waste management facilities have been provided in accordance with the consent
- whether visitor parking has been provided and appropriately signposted

FINDINGS

Full details showing the results of the individual audits are annexed to this report.
In summary, the findings are as follows:

2C Winton Street, Warrawee

The built form, external finishes, stormwater controls and landscaping of the development were consistent with the consent.

The extent of non-compliance determined during the inspection was:

1. the basement waste facility was changed to a vehicle wash bay and the waste facility not provided; and
2. one Eucalyptus saligna (Bluegum) that was newly planted had died.

These areas of non-compliance were discussed with the developer at the time of inspection and action has been taken to have them rectified.

32 Marian Street, Killara

Internal access to the development was not granted by the owners at the time of the inspection, therefore, only the external fabric of the development could be assessed.

The built form and finishes of the development was generally consistent with the consent.

The stormwater controls and landscaping implemented on the site have been certified as being in accordance with the approved design.

The extent of non-compliance determined during the inspection was:

1. a section of footpath at the eastern end of the footpath in Marian Street had not been fully reinstated;
2. unrestricted access to waste facilities in the basement was prevented due to the insufficient height of the basement opening to allow a waste collection vehicle to enter; and
3. there was insufficient turning area within the basement carpark for a waste collection vehicle to turn around and exit the development in a forward direction.

The matter of the reinstatement of the footpath is being followed up with the developer.

The matter of restricted access to collect waste from within the basement of the development has been pursued by service of an order on the current owners of the development.

3 Munderah Street, Wahroonga

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The built form, external finishes, stormwater controls and landscaping of the development were consistent with the consent.

There were no matters of non-compliance or unauthorised works noted during the inspection of the development.

FINANCIAL CONSIDERATIONS

There are no costs associated with the audit other than staff time diverted from other duties.

CONSULTATION WITH OTHER COUNCIL DEPARTMENTS

Engineering, Landscape and Compliance Officers from Council's Development and Regulation department were consulted and involved in the audit process.

SUMMARY

Only one of the three residential flat developments demonstrated full compliance with the development consent.

Apart from the areas of non-compliance listed, there was generally a high level of compliance of the built form, external finishes, stormwater control and landscaping.

The developments are mostly occupied and are being maintained in a satisfactory manner.

Council's Development Compliance Officers are pursuing the outstanding matters at 2C Winton Street, Warrawee and 32 Marian Street, Killara to ensure compliance with the development consents.

RECOMMENDATION

That the report be received and the results of the Compliance Audit be noted.

T Cooper
Team Leader
Compliance Health & Building

A Seaton
Manager
Regulation & Compliance

M Miocic
Director
Development & Regulation

Attachments:

- 1. Audit Report 2C Winton Street, Warrawee - 2009/164175**
- 2. Audit Report 32 Marian Street, Killara - 2009/164182**
- 3. Audit Report 3 Munderah Street, Wahroonga - 2009/164178**

AUDIT TYPE: Residential Flat Building
AUDIT DATE: 5 May 2009
PROPERTY ADDRESS: 1405 Pacific Highway, Warrawee (at time of application). Now known as 2C Winton Street Warrawee
WARD: Comenarra
DEVELOPMENT APPLICATION NUMBER: DA0706/05
APPROVAL DATE: 11 November 2005
DESCRIPTION OF APPROVAL: Demolition of structures and construction of a residential flat building
APPLICANT: Bozord, Baneshjoo & Parsenejad - c/o Glendinning Minto & Associates Pty Ltd
OWNER: Mr Bahram Bozorg, Mrs Mitra Bozorg, Mr Rahim Daneshjoo & Mrs Mahshad Parsenejad
CONSTRUCTION CERTIFICATE ISSUE DATE: 11 April 2007
PRINCIPAL CERTIFYING AUTHORITY: John Tsiontsis of Construction Certifiers Pty Ltd – 58 Ludgate Street, Roselands 2196
FINAL OCCUPATION ISSUE DATE: 19 November 2008

	YES	NO	COMMENTS:
CONSTRUCTION CERTIFICATE ISSUED AND COPY ON FILE WITH ASSOCIATED DOCUMENTATION:	Yes		Documentation provided to Council as required by Consent
AMENDED PLANS PROVIDED TO COUNCIL/PCA AS REQUIRED BY CONDITIONS (IE landscape plan, hydraulic plans etc)	Yes		Amended landscape plan provided and satisfactory. Amended hydraulic plan provided and satisfactory. Further amendments were undertaken during the course of works that were to the satisfaction of Council engineer.

HAS THE DEVELOPMENT BEEN CONSTRUCTED IN ACCORDANCE WITH THE APPROVED PLANS RELATING TO THE APPROVAL:	Yes		The elevations and floor layouts have generally been constructed in accordance with the approved plans.
WORKS IN ACCORDANCE WITH SCHEDULE OF EXTERNAL FINISHES:	Yes		The works are in accordance with the schedule of external finishes.
LANDSCAPING IN ACCORDANCE WITH APPROVED PLAN (including trees):	Yes		Landscape works generally in accordance with the amended landscape plan. However, 1 of the 2 Eucalyptus salignas (Bluegum), as required by point 4 of condition 77, has died since being planted.
STORMWATER DISPOSAL MEASURES IMPLEMENTED AND FUNCTIONING CORRECTLY:	Yes		Stormwater retention, detention & drainage works undertaken in accordance with amended council approved hydraulic plans. Implemented and functioning to the satisfaction of Council engineer.
RE-CONSTRUCTION OF FOOTPATH, ROADWAY AND VEHICULAR CROSSING UNDERTAKEN (As required by conditions of consent)	Yes		Footpath, roadway and vehicular crossing, including the neighbouring vehicular crossing, have been constructed to the satisfaction of Council engineer. Damage to existing infrastructure repaired to the satisfaction of Council engineer.
CONDITIONS OF CONSENT REQUIRED TO BE COMPLIED WITH PRIOR TO THE ISSUE OF THE FINAL OCCUPATION CERTIFICATE COMPLIED WITH:		No	Refer item on waste facilities below.

WERE UNAUTHORISED WORKS OBSERVED DURING THE INSPECTION:	Yes		Minimal unauthorised works during construction included; Out-of-hours works and burning of refuse on-site. There were no complaints received by Council in respect of non-complying construction.
WASTE MANAGEMENT FACILITIES IN ACCORDANCE WITH CONSENT: (if applicable)		No	Approved basement waste facility has been changed to a car wash bay. Basement waste facility not provided. Keys for access to basement not provided to Council waste contractor. Note: A car wash bay is not required by the Consent.
VISITOR PARKING IDENTIFIED AND AVAILABLE: (if applicable)	Yes		Visitor parking spaces relocated, however, clearly identified and sufficient number available. Considered satisfactory.

SUMMARY OF ANY ACTION (if applicable) TAKEN AS A RESULT OF NON-COMPLIANCE IDENTIFIED DURING AUDIT:

The issues in respect of the waste management facilities have been referred to Council's waste supervisor. Appropriate action will be taken following the provision of comments from council's waste supervisor. It is envisaged that replacing the car wash bay to the waste facility will resolve the matter.

Builder advised to replace the Eucalyptus salignas (Bluegum), which has died.

GENERAL COMMENTS FOLLOWING AUDIT:-

Generally, the subject RFB has been constructed in accordance with the Consent. The only exception being the waste facility, which is under investigation.

AUDIT UNDERTAKEN BY: Harry Konsti – Development Compliance Officer

Thanks to:

Susan Read – Landscape Compliance Officer

Ross Guerrero – Development Engineer

PHOTO'S TAKEN DURING AUDIT: Yes (attached)

RESIDENTIAL FLAT BUILDING
2C WINTON STREET WARRAWEE
Development Application 0706/05



Eastern façade taken outside 1 Winton Street Warrawee



Eastern façade taken from the corner of Winton Street and Pacific Highway
Warrawee

RESIDENTIAL FLAT BUILDING
2C WINTON STREET WARRAWEE
Development Application 0706/05



Part southern and eastern façade taken from outside Warrawee Public School



Southern façade taken from outside Warrawee Public School

AUDIT TYPE: Residential Flat Building
AUDIT DATE: 14 May 2009
PROPERTY ADDRESS: 589 Pacific Highway and 32 Marian Street, Killara
WARD: Gordon
DEVELOPMENT APPLICATION NUMBER: 1415/04
COURT APPROVAL DATE: 3 November 2005
DESCRIPTION OF APPROVAL: Demolition of two dwellings and erection of a four (4) storey residential flat building comprising 16 units and basement carparking for twenty-nine (29) vehicles.
APPLICANT: Project Venture Development No. 11 Pty Limited
OWNER: Project Venture Development No. 11 Pty Limited
CONSTRUCTION CERTIFICATE ISSUE DATE: 15 September 2006
PRINCIPAL CERTIFYING AUTHORITY: DIX GARDNER PTY LTD
FINAL OCCUPATION ISSUE DATE: 30 April 2008

	YES	NO	COMMENTS:
CONSTRUCTION CERTIFICATE ISSUED AND COPY ON FILE WITH ASSOCIATED DOCUMENTATION:	Y		File review undertaken, paperwork provided in accordance with consent conditions.
AMENDED PLANS PROVIDED TO COUNCIL/PCA AS REQUIRED BY CONDITIONS (IE landscape plan, hydraulic plans etc)	Y		Certification of compliance with consent provided with amended plans.
WORKS IN ACCORDANCE WITH SCHEDULE OF EXTERNAL	Y		

FINISHES:			
LANDSCAPING IN ACCORDANCE WITH APPROVED PLAN (including trees):			Certification provided by Trish Dobson – Landscape Architects
STORMWATER DISPOSAL MEANSURES IMPLEMENTED AND FUNCTIONING CORRECTLY:	Y		Certified with Occupation Certificate
RE-CONSTRUCTION OF FOOTPATH, ROADWAY AND VEHICULAR CROSSING UNDERTAKEN (As required by conditions of consent)		N	<p>Certification provided with Occupation Certificate confirming compliance with Condition 109 of the consent however Council disagrees with certification.</p> <p>Section of footpath not re-instated in accordance with condition of consent. Photo's taken and letter sent to Owner requiring restoration.</p>
CONDITIONS OF CONSENT REQUIRED TO BE COMPLIED WITH PRIOR TO THE ISSUE OF THE FINAL OCCUPATION CERTIFICATE COMPLIED WITH:		N	<p>Certification provided as required by all conditions of consent however Council disagrees with certification in relation to the footpath and the following conditions:</p> <ul style="list-style-type: none"> • Condition 64 • Condition 117
CONDITIONS OF CONSENT REQUIRED TO BE COMPLIED WITH PRIOR TO OCCUPATION COMPLIED WITH:		N	<p>Condition 117 and 64 of the consent relate to the unrestricted access for Council waste collection and the requirement for the access to the basement to be constructed so as to accommodate garbage collection.</p> <p>Certification was provided by an engineer confirming compliance</p>

			with Condition 117 and 64 however the inspection confirmed non-compliance with this condition. The height does not provide sufficient clearance for waste collection vehicles and security grills have been installed, contrary to the certification.
ALL OTHER CONDITIONS OF CONSENT COMPLIED WITH:	Y		
WERE UNAUTHORISED WORKS OBSERVED DURING THE INSPECTION:	N		
WASTE MANAGEMENT FACILITIES IN ACCORDANCE WITH CONSENT: (if applicable)		N	As previously stated, non-compliance observed.
VISITOR PARKING IDENTIFIED AND AVAILABLE: (if applicable)			Unable to access basement to determine this.

SUMMARY OF ANY ACTION (if applicable) TAKEN AS A RESULT OF NON-COMPLIANCE IDENTIFIED DURING AUDIT:

An Order 15 has been served upon the Owner of the subject premises requiring rectification of the non-compliance with condition 117. This matter is being processed in accordance with the legislation pursuant to Section 121B of the Environmental Planning and Assessment Act 1979.

A letter has been sent to the Owner of the subject premises requiring rectification of the non-compliance with Condition 109 of the consent.

RESIDENTIAL FLAT BUILDING
32 MARIAN STREET KILLARA
Development Application 1415/04



North and eastern façade taken from driveway of 35 Marian Street Killara



Northern façade taken from driveway of 39 Marian Street Killara

RESIDENTIAL FLAT BUILDING
32 MARIAN STREET KILLARA
Development Application 1415/04



Western façade facing Pacific Highway taken from the corner of Buckingham Street and Pacific Highway Killara

AUDIT TYPE: Residential Flat Building
AUDIT DATE: 1May 2009
PROPERTY ADDRESS: 3 Munderah Street, Wahroonga
WARD: Wahroonga
DEVELOPMENT APPLICATION NUMBER: 1112/05
APPROVAL DATE: (Determined) 28 February 2006 (Operable) 14 March 2006
DESCRIPTION OF APPROVAL: Demolition and construction of 3 residential flat buildings (42 Units) and carparking.
APPLICANT: Mr Max Lucas
OWNER: Mr Max Lucas, Mrs G Leuzzi and 27 Others.
CONSTRUCTION CERTIFICATE ISSUE DATE: 2 July 2007
PRINCIPAL CERTIFYING AUTHORITY: Barry Johnson and Associates Pty Ltd.
FINAL OCCUPATION ISSUE DATE: 14 October 2008

	YES	NO	COMMENTS:
CONSTRUCTION CERTIFICATE ISSUED AND COPY ON FILE WITH ASSOCIATED DOCUMENTATION:	Y		
AMENDED PLANS PROVIDED TO COUNCIL/PCA AS REQUIRED BY CONDITIONS (IE landscape plan, hydraulic plans etc)	Y		Section 96 (MOD 0287/08), Section 96 (MOD553/07) Section 96 (MOD 0325/08) and Section 96 (MOD 0236/08) approved by Council and attached to this report. Amended plans provided to PCA with Construction Certificate in accordance with conditions of consent.
WORKS IN ACCORDANCE	Y		

FINISHES:			
LANDSCAPING IN ACCORDANCE WITH APPROVED PLAN (including trees):	Y		Certification of landscape works and arborist report provided by Eco Designs dated 26/09/08. Checked during audit.
STORMWATER DISPOSAL MEANSURES IMPLEMENTED AND FUNCTIONING CORRECTLY:	Y		Provided with Occupation Certificate by Australian Consulting Engineers.
RE-CONSTRUCTION OF FOOTPATH, ROADWAY AND VEHICULAR CROSSING UNDERTAKEN (As required by conditions of consent)	Y		Inspections undertaken by Council 29/07/08, 31/07/08 and 4/08/08. Checked during audit.
CONDITIONS OF CONSENT REQUIRED TO BE COMPLIED WITH PRIOR TO THE ISSUE OF THE FINAL OCCUPATION CERTIFICATE COMPLIED WITH:	Y		Documentation provided during construction and with Occupation Certificate as required by conditions of consent.
CONDITIONS OF CONSENT REQUIRED TO BE COMPLIED WITH PRIOR TO OCCUPATION COMPLIED WITH:	Y		Documentation provided during construction and with Occupation Certificate as required by conditions of consent.
ALL OTHER CONDITIONS OF	Y		

CONSENT COMPLIED WITH:			
WERE UNAUTHORISED WORKS OBSERVED DURING THE INSPECTION:	N		
WASTE MANAGEMENT FACILITIES IN ACCORDANCE WITH CONSENT: (if applicable)	Y		Garbage facilities observed during inspection. Photograph taken of driveway confirming adequate height levels to allow garbage access. Unique key system consistent with Council generic key lock installed on doors to allow Council access.
VISITOR PARKING IDENTIFIED AND AVAILABLE: (if applicable)	Y		Observed during inspection.

SUMMARY OF ANY ACTION (if applicable) TAKEN AS A RESULT OF NON-COMPLIANCE IDENTIFIED DURING AUDIT:-

N/A

GENERAL COMMENTS FOLLOWING AUDIT:-

All conditions of Development Consent have been complied with, relevant documentation provided to Council. Inspection revealed that Occupation has been commenced in accordance with the Development Consent.

AUDIT UNDERTAKEN BY: Stephen Moret

PHOTO'S TAKEN DURING AUDIT: Yes, attached to this document.

RESIDENTIAL FLAT BUILDING
3 MUNDERAH STREET WAHROONGA
Development Application 1112/05



Eastern façade taken from eastern side of Pacific Highway outside Knox Grammar School



Southern façade and part eastern façade taken from the corner of Munderah Street and Pacific Highway Wahroonga

RESIDENTIAL FLAT BUILDING
3 MUNDERAH STREET WAHROONGA
Development Application 1112/05



Southern façade looking back towards the Pacific Highway taken from outside No 6 Munderah Street Wahroonga

DEVELOPMENT DIRECTIONS FOR THE B2 LANDS AT SOUTH TURRAMURRA

EXECUTIVE SUMMARY

PURPOSE OF REPORT:

For Council to consider the direction of the future development of the abandoned B2 road corridor, South Turramurra.

BACKGROUND:

The abandoned B2 road corridor between Chisholm Street and Barwon Avenue, South Turramurra has been the subject of review and consultation as to its future subdivision and development since 2003. This has been subject to a Memorandum of Understanding with the Department of Planning since 2007. Subdivision options explored have included the use of the land for residential development under various lot sizes and the inclusion of a sports oval. These options were the subject of an economic feasibility study and subsequent consultation.

COMMENTS:

The community consultation on the subdivision options did not reveal a preferred option. The Department of Planning have subsequently advised their preference for low density residential development consistent with the surrounding area. This is the recommended option in this report and also seeks to continue to work collaboratively with the Department of Planning on this project including resolving the closure of the unmade road. The report also seeks to link any community benefit arising from the development of the site to the realisation of an indoor aquatic and leisure facility at West Pymble Pool.

RECOMMENDATION:

That Council develop the subject land for residential housing with the Department of Planning under a new Memorandum of Understanding that would seek the Department to compulsorily acquire the unformed road as part of the road closure. Funding for the development phase of the project be borrowed against the Infrastructure and Facilities Reserve with interest and any profit from the project be directed to the creation of an indoor aquatic and leisure facility at West Pymble Pool.

PURPOSE OF REPORT

For Council to consider the direction of the future development of the abandoned B2 road corridor, South Turrumurra.

BACKGROUND

The background to this report will discuss the history of the B2 road corridor and rezoning and subsequent direction regarding the land bounded by Chisholm Street and Barwon Avenue South Turrumurra. This history is provided as the site in general has been under review since early 2000's as part of a rezoning due to the abandonment of the B2 road corridor and more recently the subject of a Memorandum of Understanding with the Department of Planning, as joint owners in the land, as to future development options.

Rezoning and planning

On 16 December 2003, Council considered a report on the proposed rezoning of the abandoned B2 corridor between The Comenara Parkway, Wahroonga and Kissing Point Road, South Turrumurra.

At the meeting, Council resolved to prepare a draft Local Environment Plan (LEP) in relation to the affected land. Following this meeting, Council considered a further update on 24 August 2004, that recommended the rezoning of certain lands; precinct 10(b) (Warner Avenue to Chisholm Street) be rezoned Residential 2(c); and that Precinct 11 (Chisholm Street to Kissing Point Road) be rezoned to Open Space 6(a) "Recreation Existing".

On 14 December 2004, Council adopted the draft LEP in relation to the land in question. Zonings remained as Residential 2(c) and Open Space 6(a), with the exception of Lots 21 and 22 DP538546 and the affected parts of 34 Chisholm Street and 6 Paroo Close (a strip of land owned both privately and by the RTA and to be deferred from the LEP). This was subsequently gazetted by the Minister of Planning on 16 January 2006.

The area in question has historically been zoned Residential 2(c) with the exception of the parcels that related to the unmade roads, referred to as Hall Street and Warner Avenue and a section (Lot 2 DP840228) specifically identified as part of the B2 reservation.

Land ownership

The lands in question have been subject to sale, purchase and renegotiation over an extended period. Various caveats, conditions and affectations have been entered into, retained and removed from the lands in question over time. As part of a fuller investigation into the future utilisation of the land, a detailed property investigation has been undertaken and was subject to a Memorandum of Understanding. This was the subject of a report to Council on 14 August 2007. The Memorandum of Understanding was executed on 29 November 2007.

The primary objective of this agreement is that Council and the Department of Planning work together with a view to preparing, for release, the land zoned for residential use or as otherwise agreed to by both parties. The agreement also makes reference to the consideration of a transfer of 4,420m² of land adjacent to Sir David Martin Reserve (the corridor from Chisholm Street to Auluba Number 3) and the integration of the project to enable irrigation for Auluba 1 and 2 ovals among other matters.

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According to the timetable, as outlined in the agreement, the land release was to occur in September 2008. Given that the timetable has not been adhered to, there is a need to revisit this as part of a new agreement.

Unformed road

The rezoning of a significant part of the land to Residential 2(c) on gazettal of LEP201 in January 2006, effectively dealt with the majority of the site including the land reserved for Proposed County Road (B2 land of Lot 2 DP840228). The unmade roads of Hall Street and Warner Avenue remain unzoned, and therefore have no Planning controls. These sites require zoning either through a LEP amending the Ku-ring-gai Planning Scheme Ordinance (KPSO) or through Council's Principal LEP.

These parcels were previously identified as links between Barwon Avenue to Chisholm Street as part of the original sub-division pattern for the area. This was discussed in a report to Council on 22 July 2008 where Council resolved:

- A. That a formal road closure application for Hall Street and the unformed section of Warner Avenue, South Turramurra be submitted to the Department of Lands.*
- B. That upon issuance of the Certificate of Title for the land known as Hall Street and Warner Avenue from the Department of Lands, the land be classified as Operational land.*

Before initiating the detailed statutory road closure process, advice was sought in late April 2009 from the Department of Lands as to whether the roads (once closed), become vested in Council or in the Crown. Also, Council sought the Department of Land's advice on an indicative timeframe required to process and approve such a road closure.

The response from the Department of Lands, received in May 2009, advised that if an application to close the road is received from Council, they will both vest in the Crown upon closing these unformed roads, and that the Crown would then dispose of the roads to the adjoining owners. An indicative timeframe of 6-12 months was suggested for the road closure process.

As part of the road closure process, affected stakeholders would need to be notified. This includes adjoining landholders and utility providers. Since the statutory road closure process has not commenced, formal notification has not yet been undertaken.

From a legal perspective the closure of a public road is determined by the *Roads Act 1993*:

- *Section 33* states that the Minister may propose closing a public road (but not a freeway).
- *Section 34* states that a public authority (such as a Council) may make an application to close a public road. The Minister of Planning may require the payment of fees to cover the cost of processing the application.
- *Section 35* requires the Minister of Planning to place a notice in a local newspaper advertising a proposed road closure. A period of at least 28 days must be given to allow anyone to make submissions to the Minister of Planning in relation to the closure.
- *Section 37* states that the Minister may, after considering all submissions, close the public road concerned. The road is closed by notice published in the Gazette. However, in the

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case of a road owned by a Council, the road may be closed only with the consent of the Council.

- *Section 38* states that on closure, the road remains vested in the Council.

Bushland value and management

There is one main area of native vegetation, within the subject site, linking Chisholm Street to Barwon Avenue. This is owned by Council and comprises low open forest, woodland and heath.

A small section of the bushland in the south-west corner, between Chisholm Street and the unmade road known as Hall Street, contains remnants of Duffys Forest. This forest is an ecological community dominated by Stringy-barks which then rapidly grades into Sydney Sandstone Ridge-top flora dominated by Scribbly Gums. The vegetation north of Hall Street is made up of Sydney Sandstone Ridge-top flora. Generally this is in a degraded state and has a low regeneration potential though does offer some habitat value. There are records of threatened plant and bird species occurring in this section. This was discussed in the Rezoning Submission report for the B2 corridor in 2003.

Vegetation within and around the 'horse paddock' area is highly degraded, weedy or totally absent and has little potential for regeneration.

During various investigations of the site, mention was made as to the existence of a remnant hanging swamp. This was investigated by an independent ecological consultant, Ms Robin Meldrum, in October 2008 concluding:

"that this particular remnant vegetation is consistent with the species description of the Coastal upland swamp (Unit p1290) as identified in the Native Vegetation of Southeast NSW (DECC undated). This unit is locally restricted to swampy areas on humic sandy loams in headwater valleys and seepage zones on coastal sandstone plateaux. In this case the vegetation was dependent on surface water and not on groundwater. Hanging swamps are groundwater dependent ecosystems and do not rely on inundation. Although the species composition was consistent I would not consider this site a hanging swamp, rather an example of wet sandstone heath."

Remnant vegetation currently serves as a useful bio-linkage to the nearby Duffys Forest remnant on the eastern side of Chisholm Street and bushland around Sir David Martin Reserve. Part of this land is owned by the Department of Planning. This land adjoins a substantial land holding owned by Council, the Sir David Martin Reserve and associated ovals.

Since the initial rezoning submission on this land, undertaken for the rezoning in 2003, the parcels of land along Barwon Avenue to the north of the subject site have been cleared with many in the process of being developed. This work has altered the integrity of the bio-corridor to the north towards Canoon Road, though isolated canopy links still exist in this direction as well as to the immediate west of the site along Kingsford and Ulm Avenues.

Council assessed the fire risk of this site as part of its review of the Bushfire Prone Lands Map. This review was approved by the Commissioner of the NSW Rural Fire Service in February 2008. The land has a Category 1 Bushfire Hazard classification. Since the approval of the map there has been substantial clearing of the canopy and understory to the north linking to the Canoon Road netball courts. As such it would be necessary, as part of any subdivision application, to revisit the fire risk classification which in turn would impact on any future development on the site.

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Council's *Open Space Strategy (2005)* and *Sport in Ku-ring-gai Strategy (2006)* have identified that sportsground assets in Ku-ring-gai are under stress from a combination of factors including:

- extended drought affecting the ability to rely on potable water through restrictions;
- increase in use and demand from rising participation and population;
- available resources for management and maintenance of fields, and in more recent times; and
- the impact of rain affecting the short term viability of playing surfaces.

It is for these reasons that there was a need to investigate and invest in the future upgrade, construction and acquisition of new and existing assets. In the context of discussing the future use of this site, Council resolved to consider the location for a possible new sportsfield. This was reflected in its resolution on 17 October 2006 in relation to possible options for the site:

1. *to develop low density residential use consistent with the current 2C zoning;*
2. *to incorporate a sports field and associated infrastructure, within the site, with the balance of the land to be used for low density residential use; or*
3. *to incorporate a sports field and associated infrastructure, within the site, with the balance of the land to be used for residential use with a reduced lot size.*

Capital works

On 23 May 2006, Council adopted the Open Space Capital Works Program and Environmental Levy projects for 2006/07. Within this program was the commencement of the planning and preliminary design for improvements to the Auluba 1 and 2 ovals within Sir David Martin Reserve.

After delay for a number of years, this project is currently underway as was the subject of a report on the recommendation of a tenderer on 9 June 2009 (GB 9) and also includes an upgrade to Auluba number 3 oval. The works follow from many of the recommendations set in the District Park Master Plan for the site as adopted by Council in 2008.

As part of the initial investigations to provide stormwater to irrigate Auluba 1 and 2 ovals, it was identified that the most feasible option was to collect water as part of any future subdivision of the subject site. Also part of any future design option, it was to be factored into any development cost in order to provide a reliable and sustainable source of water for irrigation for any sports ovals.

Sustainability village

On 17 July 2007 the following notice of motion was passed by Council:

"That the residential component of the development of freeway corridor land in South Turrumurra be pursued as a Sustainable Village. Council through negotiations with other landholders and through a specific DCP for the site that should seek the highest standards for sustainable design encapsulating energy and water conservation, landscaping to promote biodiversity, community responsibility, social benefit and economic soundness, so that the area becomes a model for similar development throughout Sydney."

Details of this have not been extensively investigated to-date pending a decision on the final subdivision pattern. It is envisaged that any site controls affecting the site, either through existing

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or new DCP controls or via contractual provisions, would play the largest role in addressing this resolution. Notwithstanding, the integration of water sensitive urban design as part of the roadway to provide stormwater to irrigate Auluba 1 and 2 ovals, maximising solar access as part of the subdivision design process and retention of remnant vegetation as part of indicative landscape outcomes have been central to the option analysis to this point. Complementing this resolution would be the *BASIX State Environmental Planning Policy*.

Economic feasibility

Early subdivision design options were first presented to the Planning Forum on 20 February 2007 and have been the subject of numerous briefings with Councillors since then. Most specifically the two (2) sets of design options were incorporated within an economic feasibility study prepared for Council and the Department of Planning in 2008. The designs by Council presented four options that responded to the resolution of Council and also looked at the option of a sports field and smaller lot size to determine what if any impact this would have on the total yield and return. The findings of this report, dated November 2008, were provided to Councillors at a briefing on 2 December 2008. This is summarised in Table 1.

Table 1. Summary of the report by Hill PDA on economic feasibility of subdivision options for the B2 land

	Council Subdivision Options				Scott Carver Subdivision Options		
	Option 1	Option 2	Option 3	Option 4	Option 1	Option 2	Option 3
Total Yield/Lots	29	19 with field	22 with field	33	33	27	22 with field
Average Lot Size Sgm	970	961	829*	852*	748*	625*	740*
Total Revenue (\$)	18,270,829	11,780,421	13,343,506	20,304,770	20,324,736	17,090,985	13,665,222
Development Costs (\$)	3,351,131	4,281,925	4,453,106	3,160,285	3,357,401	2,996,206	4,008,131
Gross Development Profit (\$)	14,739,697	7,498,797	8,890,400	17,144,485	16,967,335	14,094,779	9,657,091
Residual Land (\$) (Based on TM)	10,549,477	5,050,675	6,063,320	12,386,606	12,225,224	10,138,572	6,693,335
Approx. Average lot Selling Price (\$)	647,500	647,500	632,500	647,500	625,000	612,000	625,000

This analysis is able to be used to inform future decisions on the site and was incorporated into the consultation with the community as discussed later in this report.

Consultation

The report to Council on 27 March 2007 contained an overview of previous consultation undertaken by the local progress association and a ward Councillor regarding this proposal. Council initiated consultation and was carried out in April and May 2009. Key findings reported a slight preference for the use of the site to be for low density residential over the combined options which include a sports field included in the site. This trend was stronger from the respondents living closer to the site. The results of these consultations revealed very limited support for the option of a sports field with a combined reduced lot size. Respondents also sought ongoing community consultation from both Council and the Department of Planning as part of the development of the project.

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In relation to the unformed road within the site, known as Hall Street, there was strong support for its retention to enable access, with a preference towards a footway/path. However, this was a specific question directed to access retention and did not ask a general question relating to the retention of a footway generally across the site.

In March 2007 Council also resolved to undertake a representative community survey to identify if there was a preferred option for the development of the site. The report to Council at the time also outlined a consultation strategy to help inform Councillors on the future options for this land. This included three (3) elements as described below:

1. Household survey – sent to 500 residents randomly selected within two (2) kilometres of the identified site. The intention of this survey was to determine the views of the local residents and statistically map the respondents to demographic information for the area. This would seek to build from the survey undertaken by the Kissing Point Progress Association as discussed above previously.
2. Web survey – utilising the existing web based software as part of the town centre consultations. The same survey was replicated enabling broader responses for other Ku-ring-gai residents.
3. Community meetings - Accompanying these survey instruments, two (2) general community briefings were to be held. The first was a general information session to discuss the options and consultation processes and the second provided more detailed financial information as to the development costs and incomes that were obtained. The results of this meeting are discussed in the consultation section of this report. A second meeting would occur once Council has determined its direction of the project.

The consultation undertaken early 2009 was delayed due to the need to complete additional subdivision designs that were the subject of review by Councillors. This information was subsequently used to undertake an economic analysis of the options so as to provide sufficient detail to inform the deliberations of Council and the community. Accompanying the community survey a public meeting was held on 8 April 2009. The result of this consultation was reported at the Planning Committee of the 2 July 2009. At this meeting it was stated that a report would be prepared for another Council meeting to seek a decision as to the direction of this project. This forms part of the subject of this report.

A second community meeting (as planned at point 3 above), would occur following a resolution of Council in terms of the direction of this report.

COMMENTS

Building from the information provided in the Background section there are five (5) elements of the project that Council will need to consider. These include:

1. subdivision pattern for the site;
2. closure of the unformed road and the best process forward;
3. how the site would be developed and sold;

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4. forming of a new agreement with the Department of Planning in relation to progressing the project that would also include the development application assessment and approval process, realisation of Council's resolution for a sustainable village and how administrative matters related to a future course of action would be resolved; and
5. where any revenue from the project be directed after development costs.

In reference to these matters, the Department of Planning has written to the General Manger outlining its position on this matter as included as **Attachment 1**.

Subdivision pattern

To assist Council in forming an opinion as to the preferred subdivision pattern a residents survey was undertaken (refer to **Attachments 2 and 3** and Consultation section of this report). 173 resident surveys and 84 community surveys were received by Council between the period of April and May 2009. These have been analysed and the results are presented in **Attachment 4**.

From the responses there is no significant trend or preference evident within the results. As such, it is not possible to make any claims that this consultation can give a clearly defined community position on this matter. There are however, some slight tendencies within each of the sample groups and an analysis of the results can give some indication as to a community preference to one or more of the three options presented.

Across both the resident and broader community surveys, the three (3) options that were presented within the survey gave rise to a high number of comments supporting or objecting each of the proposals, these comments parallel the comments obtained through the previous round of consultation. A small number of respondents indicated that they did not find any of the proposals acceptable. The general comments received from the survey suggested that the most important considerations for residents included:

- parking and increased vehicle movements on local streets during sporting activities;
- access into and out of South Turramurra due to increased traffic flows during sporting activities;
- maintaining the character of the local area through appropriate development;
- maintaining green space and local amenity; and
- acknowledgement of the need to develop sports fields across Ku-ring-gai due to the lack of existing facilities and increasing population pressures.

When all of the resident responses were considered together:

- 55 % (which was the highest percentage), found **Option 2** (sports field with residential housing on a minimum lot size of 940m²) to be acceptable.
- 46% that found **Option 1** (residential housing only on a minimum lot size of 940m²) acceptable.
- Only 19% found **Option 3** (residential housing with a minimum lot size of less than 940m²) to be acceptable.

It is clear, that residents overall found **Option 3** (residential development on smaller lot sizes) to be the least acceptable of the three options. Similarly, the trend pointed more favourably toward standard (940m²) lot sizes rather than smaller lot sizes, although residents seem to be split as to whether a sports field should be considered as part of any future developments. It is worth noting

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that residents' who indicated that **Option 2** which includes a sports field, often did so with the caveat of increased traffic mitigation measures included in their responses.

When looking at each of the sample sub divisions from the resident's survey, there tends to be slight preference for a sports field the further away from the vicinity the respondents live. **Option 2** and **Option 3** provide inclusion of a sports field and the results show a slight peak in the acceptability of these.

Given the high provision of local and district sporting facilities in the immediate area, it is not recommended that a sport field be located at this site. The primary reason for this would turn on a reduction in local amenity arising from a compounding of traffic, parking and noise from existing facilities, specifically the Canoon Road netball courts, Auluba 1 and 2 ovals (currently being renovated) and Auluba 3 oval that is being reconstructed to allow for an increase in winter sports use as part of the current capital works program at this site. Presently neither of the current facilities has sufficient off street car parking and as such there is considerable traffic and local parking limitations.

As noted by the Department of Planning, seeking to rezone the site to allow for a higher density has limitations being the time involved to undertake this process. From this perspective, any additional return on investment would need to be considered against the delay to the project in effect impacting on opportunity benefit (such as a reduction in interest on loans or early capital injection for new projects) for other projects by Council.

Based on these results and correspondence from the Department of Planning it is recommended that the site be used for residential housing to provide 29 lots within the minimum lot size of 940m² to conform to Council's current *Planning Scheme Ordinance and Local Environment Plan 201*.

Road closure

Council obtains its authority to commence road closures under the *Road Acts 1993*. This legislation requires the observance of prescriptive protocols when undertaking road closures and of particular importance are the provisions that apply to the closing of unformed roads and the vesting of land with the Crown rather than with Council once an unformed road is formally closed.

This presents a predicament. If Council were to proceed with a formal road closure application Council would lose its existing control and ownership through the very process required to obtain title over the land. Furthermore, section 43 (4) requires that money received by Council from the proceeds of sale of such land is not to be used by Council except for acquiring land for public roads or for carrying out road work on public roads. Should Council close and dispose of the road, it is reasonable that any income derived from the sale would be used for the construction of public roads as part of the subdivision.

Another option in which Council can acquire title to an unformed road reserve is through the compulsory acquisition process. However, as the purpose of the acquisition is for the potential subdivision and re-sale of land, and not for a public purpose, it is unlikely that the Minister for Local Government would consent to a compulsory application of the unformed road reserve.

An alternative to the above is for Council to request the Department of Planning to compulsorily acquire the unformed road, as their powers of acquisition are virtually unrestrained. However, for this to be considered, Council would be advised to enter into an agreement with the Department of Planning as to the future use and apportionment of costs and profits from the project. This would

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ensure that the final division of nett sale proceeds from the project reflects Council's original ownership of the unformed road. Without an agreement Council may lose some of its entitled benefits to the State Government.

The Department of Planning has foreshadowed this latter option as a way forward for Council. However, they have indicated that this would be subject to supplementary legal advice. As noted in the correspondence from the Department of Planning (**Attachment 1**):

"Upon acquisition the Department would transfer the parcel [being the unmade road] to Council for nil consideration to allow its inclusion in the project".

As such, this is the recommended course of action to deal with this land parcel independent of any amendments to the subdivision layout.

Zoning of the Unformed roads.

In order to facilitate the development of that part of the site made up of the unformed roads of Hall Street and Warner Avenue that land will need to be zoned consistent with the zoning of the adjoining land. The rezoning process could take place either through Council's Principal LEP or through an amendment to the KPSO. Ku-ring-gai Council was initially required to have its Principal LEP completed by March 2011, however it was recently advised by the Department of Planning that it is not one of the priority Council's to have its LEP completed within this timeframe. It would be more timely to seek the zoning of the two unformed roads through an amendment to the KPSO.

A new LEP or amending LEP will need to be prepared under the new processes established by the recent amendments to Part 3 of the *Environmental Planning and Assessment Act 1979*. The first step in the process is the preparation of a 'planning proposal' which explains the intended effect of the proposed LEP and the justification for making it. This is then submitted to the Department of Planning to determine whether or not it will proceed through the 'gateway' to become a draft LEP.

Land Classification.

The Council owned land between Barwon Avenue and Chisholm Street, South Turrumurra also known as 25, 25A and 27 Barwon Avenue South Turrumurra and 17 and 21 Chisholm Street South Turrumurra is currently classified as Community land under the provisions of the *Local Government Act 1993*. This land includes the following parcels, which are also identified in the location sketch at **Attachment 5**:

Lot 1	DP 746618
Lot 3	DP 746618
Lot 1	DP 847214
Lot 74	DP 216500
Lot 1	DP 840228
Lot 2	DP 840228

To facilitate Council's and the Department of Planning's objectives to develop this site, the most appropriate classification for this site would be as Operational Land. This would allow Council to swap, subdivide (consolidate), develop and sell the land.

The procedure to have the Council owned land reclassified under the Department of Planning's new plan making process requires Council to prepare a "planning proposal" with appropriate

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justification that addresses the particular requirements under Section 55(3) of the *Environmental Planning and Assessment Act 1979*. A planning proposal must include the following:

- (i) a statement of the objectives or intended outcomes of the proposed instrument;
- (ii) an explanation of the provisions that are to be included in the proposed instrument;
- (iii) the justification for those objectives, outcomes and provisions and the process for their implementation (including whether the proposed instrument will comply with relevant directions under section 117);
- (iv) such as maps for proposed land use zones; heritage areas; flood prone land—a version of the maps containing sufficient detail to indicate the substantive effect of the proposed instrument; and
- (v) details of the community consultation that is to be undertaken before consideration is given to the making of the proposed instrument.

The planning proposal justification would be prepared and submitted to the NSW Department of Planning as the first step in seeking to have the Council owned land reclassified from Community to Operational land, under the new gateway LEP process. If successful through the first steps of the gateway process, there is still the requirement of consultation with the relevant state agencies, further opportunity for community consultation and a formal public hearing process prior to the final planning proposal being considered by Council and then submitted onto the Department of Planning. Reclassification of land and zoning of unmade roads would form part of the same planning proposal.

Development and sale of the site

There are a number of options for the development and sale of the site, three (3) of which were contained in the report by Hill PDA. These include:

1. To sell the site englobo to a developer with an approved Master Plan. While this option may provide Council and the Department of Planning with some up front security, the developer may seek to amend any approved plan and in effect negating any key elements that were sought such the sustainability village.
2. Council and the Department of Planning could develop and sell the site as serviced residential land. In this option the current owners of the land would seek the necessary planning approval for subdivision and construct all services to and within the site. This process could be overseen by a development manager, and as such there would be a higher degree of control over the process and outcome.
3. Council and the Department of Planning could enter into a Joint Venture with a developer (public or private). This could be achieved via an Expression of Interest and/ or Tender process through which there would be a clearly defined set of common development objectives that would be reflected in any contract between the parties. A disadvantage of this option may arise with respect to getting clarity on development costs for the site and how these would be factored in any return to each of the parties.

At this point in time the Department of Planning have not commented in writing on their preferred method of sale. However, given the site is relatively small and that Council has resolved to incorporate additional objectives into the project by way of a sustainable village and various water sensitive urban design features within the site to enable stormwater reuse for Auluba 1 and 2

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ovals, it is recommended that **Option 2** be pursued – that is Council and the Department of Planning develop and sell the site together. Details of an agreement between Council and the Department of Planning would need to be outlined as part of a future Memorandum of Understanding and future contract.

New Memorandum of Understanding

Based on the direction of the report above, it is also recommended that a new Memorandum of Understanding be developed with the Department of Planning in relation to the next stages of this project. This has been suggested by the Department of Planning (**Attachment 1**).

It would be anticipated that the general provisions of the current agreement would be used, though the Development Principles would be modified to reflect the recommended direction, or other resolution of Council.

Matters for inclusion in a new agreement would include:

1. There is an agreed subdivision pattern through which to progress the project (noting the preferred option by the Department and recommendation in this report for residential housing with a minimum lot size of 940m²).
2. That the land for release would maintain and where possible improve the amenity and environmental character of the neighbouring residential land.
3. To establish a residential land release that is compatible with the existing environmental character.
4. Any lot configuration would reflect on current subdivision patterns and also seek to maximise solar efficiency.
5. Any subdivision design incorporates a philosophy and intent of a sustainable village.
6. The subdivision and associated infrastructure support and enable the collection, treatment and storage of stormwater to irrigate Auluba 1 and 2 ovals.
7. That the Department of Planning agree to transfer at no cost to Council 4,420m² of land adjacent to Sir David Martin Reserve (Lot 7 DP 29705) for the purpose of local open space bushland immediately after the release of land for the subdivision. Subject to negotiations and further analysis, this may or may not offset open space contributions in the form of a VPA.
8. That the Department of Planning use its compulsory acquisition powers to acquire the unmade road for the purpose of closing the road. Upon acquisition, transfer the parcel to Council at nil cost. The land itself would remain as part of Council's overall proportion of the site and all costs and benefits accrue accordingly.
9. That the development of the site be undertaken by Council and the Department of Planning.

As with the previous Memorandum of Understanding, the future agreement and subsequent contract would be executed as an agreement by the Mayor and General Manager under the Common Seal of Council.

Revenue from the project

Based on the recommended option for the provision of 29 lots with a minimum lot size of 940m², the estimated total revenue on 2008 figures is \$18.270 million. Less development costs of \$3.5 million, and proportioning Council's land holding of approximately 58 percent (including the unformed road), this project has the potential to realise in the order of \$8.5 million for Council.

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Council has a number of current large capital projects that do not have a source of funding. Most notable is the construction of an indoor aquatic and leisure facility that has not been supported by the Minister for Local Government as part of Council's recent application for a special rate variation. As such, and based on current resolutions of Council related to this project, it is recommended that any profits to Council from the sale of land at the subject site be used for the purpose of funding the new aquatic facility at West Pymble.

This recommendation is made for the following reasons:

1. Based on the Financial Plan for the new indoor aquatic and leisure facility as considered by Council in December 2008 the new facility will be a cash positive asset to Council, in effect returning a surplus or return to Council in the medium term, once the development cost is paid in full.
2. The new indoor aquatic and leisure facility requires a substantial cash component up front and with an estimated construction time of 12 months, any sale of land as part of the subdivision project would be compatible for a project such as this.
3. While the pool is a regional facility, there is a close nexus to the site at West Pymble and South Turramurra in effect providing local residents with a new facility.
4. There is general agreement around the increasing shortage of sporting facilities across Ku-ring-gai. Population pressures are only going to exacerbate this problem and it is clear that in order to provide opportunities for active and passive recreation that Council must consider every option to develop these facilities in appropriate locations. South Turramurra is already burdened with a range of recreational facilities and so in this instance it may be more appropriate to position funds for facilities elsewhere.

CONSULTATION

Community consultation

The residents and community survey was undertaken during March and April 2009. Supporting this was a public information session on 8 April 2009 to provide an additional opportunity for residents to obtain more details regarding each of the subdivision designs and possible implications for local amenity.

The survey itself had two (2) main questions (**Attachment 3**).

Question 1 was a closed ended question offering a five (5) point scale ranging from *Not at All Acceptable* through to *Very Acceptable* from which to select a response. Best practice suggests that negative responses be positioned before positive responses. The question is worded clearly and the same sentence is used throughout the page.

The four (4) options that were presented in Question 1 of the survey were:

- Option 1: Residential housing only on a min lot size of 940m²;
- Option 2: Sports field with residential housing on a min lot size of 940m²;
- Option 3: Sports field with residential housing on a min lot size less than 940m²; and
- Option 4: Residential housing with a minimum lot size of less than 940m²**

*****Option 4 was added by Council officers in order to balance the options and was not part of the original Council resolution.***

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Question 2 was an open ended question where respondents could make general comments about any of the options or the proposal in general. A reasonable amount of space was provided for comment.

Demographic questions were asked of respondents. These are generic questions for the purpose of determining representativeness of respondents against key ABS indicators, eg: age and family type. Traditionally, length of time residing within the Ku-ring-gai LGA is asked as it acknowledges the high percentage of long time residents.

In this survey, the street and suburb of respondents were also asked in order to determine proximity of the respondent to the subject area. This was especially critical for the broader community survey. The survey remained anonymous.

In the case of both surveys, an information page accompanied the survey to provide specific detail regarding each of the options, the implications of lot size and other factors so that respondents could make more informed comment.

The sample, or those invited to complete the survey, consisted of households that were randomly selected within a 2km radius of the subject site. The random selection process was undertaken using an established Excel formula which randomly selected households from the total pool of households available. This sample was further sub-divided into three (3) groups:

1. households within 500m of the B2 lands;
2. households located between 500m and 1km of the B2 lands; and
3. households located between 1km and 2km from the B2 lands.

The purpose of this method was to ensure that feedback from resident's living within a very close proximity to the area could be considered separately, as any development would be more likely to affect the amenity of those households as opposed to residents further away. Each sample group received a coded survey, this included a letter and number printed on the survey which allowed Council staff to distinguish which sample group the survey had been received from without compromising the anonymity of the process.

In accordance with the report to Council on 27 March 2007, an open community survey was also undertaken. Information, including an online survey link was placed in a prominent position on Council's website between early April and early May 2009. Further promotion, to ensure a high response rate included the Mayoral Column in the North Shore Times and additional advertising within Councils corporate advertisement, again in the North Shore Times (which has the highest local newspaper readership within Ku-ring-gai).

When all of the resident responses were considered together 55% found **Option 2** (sportsfield with residential housing on a minimum lot size of 940m²) to be acceptable (highest percentage). This was followed by **Option 1** (residential housing only on a minimum lot size of 940m²), which 46% found to be acceptable. **Option 4** (residential housing with a minimum lot size of less than 940m²) was found to be least acceptable with only 19% of respondents finding this option to be acceptable.

It is clear, that residents overall found **Option 4** the option put forth by Council staff to balance the options (residential development on smaller lot sizes) to be the least acceptable of the four (4) options. Similarly, the trend pointed more favourably toward standard (940m²) lot sizes than

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smaller lot sizes although residents seem to be split as to whether a sports field should be considered as part of any future developments. It is worth noting that residents' who indicated that **Option 2** including a sports field was the preferred option, often did so with the caveat of increased traffic mitigation measures included in their responses.

FINANCIAL CONSIDERATIONS

The financial aspects are primarily two (2) fold:

- the cost of the future development options; and
- what Council may choose to do with any financial return arising from the project once completed.

On the first matter, it is suggested that, as per the current Memorandum of Understanding with the Department of Planning, any costs associated with the development of the site be divided proportionally between the two (2) land holders as a percentage of their land ownership. At present, there is no specific reserve or budget allocation for the purpose of advancing this project.

The consultancy work to date has been funded from the current operational budget of the Strategy and Environment Department, in partnership with the Department of Planning. However, the recommendations in this report point towards a new phase in the project that is likely to incur significantly greater costs outside the current budget approved by Council for 2009/10.

It is proposed that the project be funded by borrowing from the Infrastructure and Facilities Reserve. Any funds borrowed are to be repaid, with interest at 6.1% (the current rate for external borrowings by Council) from the proceeds of future land sales. Each borrowing would be made following a specific resolution of Council.

It is envisaged that project costs associated with this project to get the site ready for sale would be subject to which option Council resolved with respect to the development sale options, as discussed in the Background section of this report. This could include among other matters detailed subdivision design based on the agreed position by Council and the Department, legal costs related to tendering, contract management and other agreements between Council, the Department and other third parties and infrastructure costs associated with the provision of services and internal roads. In this respect it is recommended that \$80,000 be allocated at the first quarter review to this new reserve and that progress on the need for additional income and expenditure be reported to Council as part of the quarterly review process.

In relation to any income derived from the sale of land, it is recommended that this be used in the first instance to repay principle and interest as borrowed from the Infrastructure and Facilities Reserve (as discussed above) and then allocated to fund the new aquatic and leisure facility at West Pymble Pool.

CONSULTATION WITH OTHER COUNCIL DEPARTMENTS

An integrated planning approach has been adopted for the preparation of this report and where relevant there has been consultation with the Finance section of the Corporate Department of Council.

SUMMARY

On 27 March 2007 Council resolved to commence a process to rezone land in the former B2 road corridor. The land between Chisholm Street and Barwon Avenue, South Turramurra is owned by Council and the Department of Planning and has been zoned residential. This site has been the subject of numerous reports to Council as to the future development options that have explored various residential densities and the provision of a sport field on the site.

Consultation with the community on possible subdivision options undertaken in 2009 did not reveal any strong preference. The Department of Planning however has indicated they would like to see residential development across the site complying with Council's current minimum lot size. Based on an analysis of the financial, environmental and community results, this is the recommended position in this report. To progress this option (or others) it would be necessary to enter into a new Memorandum of Understanding with the Department of Planning and subsequently a contract should the project proceed to development and sale stage. There is also a need to rezone the unformed road on the site. Correspondingly this report also recommends that Council ask the Department of Planning to compulsorily acquire the unformed road on the site for the purpose of closing the road and that upon acquisition that the subject land be transferred back to Council as well as commending the rezoning of the road. There is also a proposal to reclassify Council owned land from Community to Operational land.

Financially, this report seeks the creation of a new reserve to fund the development stages of the project. This would be borrowed against the current Infrastructure and Facilities Reserve and be repaid with interest at the conclusion of the project. The profit realised from this project would be used for finance the construction of a new indoor aquatic and leisure facility at West Pymble Pool.

RECOMMENDATION

- A. That the land between Barwon Avenue and Chisholm Street as owned by Council and the Department of Planning be developed for residential housing consistent with Kurig-gai Planning Scheme Ordinance as amended by *Local Environment Policy 201*, with the current minimum lot size of 940m².
- B. That Council ask the Department of Planning to compulsorily acquire the unformed part of Hall Street with a view to closing the road. The agreement for this would be subject to the Department of Planning transferring the land to Council for nil consideration as part of the subdivision of the site.
- C. That Council, in accordance with *Division 4 LEPs of the Environmental Planning and Assessment Act, 1979 (as amended)* and section 27 of the *Local Government Act 1993* initiate a draft local environmental plan to zone the unformed portions of Hall Street and Warner Avenue consistent with the zoning of the adjoining land, and to reclassify the following from Community land to Operational land:

Lot 1	DP 746618
Lot 3	DP 746618

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Lot 1	DP 847214
Lot 74	DP 216500
Lot 1	DP 840228
Lot 2	DP 840228

- D. That the General Manager be granted delegation to prepare and submit a planning proposal to the Minister for Planning in accordance with Section 55 of the *Environmental Planning and Assessment Act, 1979* (as amended) to zone the unformed portions of Hall Street and Warner Avenue consistent with the zoning of the adjoining land and to reclassify lands referred to in C (above) from Community land to Operational land, such planning proposal is to include the following:
- (i) a statement of the objectives or intended outcomes of the proposed instrument;
 - (ii) an explanation of the provisions that are to be included in the proposed instrument;
 - (iii) the justification for those objectives, outcomes and provisions and the process for their implementation (including whether the proposed instrument will comply with relevant directions under section 117);
 - (iv) such as maps for proposed land use zones; heritage areas; flood prone land—a version of the maps containing sufficient detail to indicate the substantive effect of the proposed instrument; and
 - (v) details of the community consultation that is to be undertaken before consideration is given to the making of the proposed instrument.
- E. That the planning proposal exhibition process be in accordance with the NSW Department of Planning's LEP practice Note (PN09-003) 12 June 2009 and any relevant parts of LEPs and Council Owned land Best practice guidelines (DUAP 1997).
- F. That Council undertake a public hearing under the provisions of the *Local Government Act, 1993* for the proposed reclassification of Council land between Barwon Avenue and Chisholm Street, South Turrumurra. The public hearing be held at an appropriate time after the public exhibition of the draft LEP/ planning proposal.
- G. That, subject to agreement by Council and the Department of Planning, the parties jointly develop and sell the site as serviced residential land.
- H. That a new Memorandum of Understanding be developed and entered into with the Department of Planning which reflects the resolution of Council arising from this report.
- I. That the Mayor and General Manager be authorised to execute and affix the Common Seal on all documentation associated with the Memorandum of Understanding.
- J. That a new reserve be created to enable the funding for the next phase of this project and that progress, on expenditure, be reported to Council every three (3) months as part of the quarterly budget report.

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- K. That \$80,000 is borrowed from the Infrastructure and Facilities Reserve to fund the next phase of the project in 2009/10. These funds are to be repaid to the Reserve with interest at 6.1% pa on the sale of any land associated with the project.
- L. All funds taken from the Infrastructure and Facilities Reserve for this project are repaid with interest 6.1% pa on sale of any land associated with the project.
- M. All surplus revenue from the sale, less that borrowed and interest, be allocated for the purpose of constructing a new indoor aquatic and leisure facility at West Pymble Pool.

Peter Davies
Manager Corporate Planning & Sustainability

Andrew Watson
Director Strategy & Environment

Attachments:

- 1. Letter from Department of Planning - 2009/148683**
- 2. Information sheet accompanying survey - 2009/118093**
- 3. Resident and Community Survey - 2009/118095**
- 4. Summary of Survey Results - 2009/118097**
- 5. Lot & DP Map - 2009/169551**



NSW GOVERNMENT
Department of Planning

11 September 2009

The General Manager
Ku-ring-gai Council
Locked Bag 1056
PYMBLE NSW 2073

Contact: Ashley West
Phone: 9895 7650
Fax: 9895 7946
Email: ashley.west@planning.nsw.gov.au
Our ref: P07/00294-4

Attention: Andrew Watson

Dear Mr Watson

Subject: Joint Development Proposal at Chisholm Road, South Turramurra

I refer to the joint development proposal between the Department of Planning and Ku-ring-gai Council for the land at Chisholm Road, South Turramurra.

As you are aware the Department approached Council in 2006 with a proposal to investigate the possibility of both organisations jointly developing vacant land they own at Chisholm Road, South Turramurra. This was with a view of facilitating a better planning outcome by including Council land with the irregular shaped land owned by the Department. The Department has seen this as an ideal opportunity for both organisations to develop and achieve a good planning outcome in the area, as well as maximising revenue returns for both organisations.

To date both organisations have been working collaboratively investigating the site in line with an early resolution of Council from October 2006. Council further supports the development proposal with a resolution in March 2007 endorsing the drafting of a memorandum of understanding (MOU) which Council agreed to in August 2007 and executed in November 2007.

With Council completing the exhibition of a number of subdivision options as part of the community consultation process, the development proposal has now met the actions as outlined by Council in their resolution of October 2006 which was also reflected in the MOU. These actions included the development of a number of subdivision options, provided an indication of the financial feasibility of all development options and sought feedback as part of a community consultation process.

Having addressed the key actions as outlined by Council in their resolution consideration now must be given to the development phase of this site. The Department's preference is for a new MOU to be entered, particularly given the existing MOU will soon terminate on the 2nd anniversary of its execution. This new MOU would need to address:

- selection of a preferred subdivision layout and design,
- development application approval process and assessment,
- closing of unmade roads and reclassification of Council property,
- divestment decision regarding undertaking civil works and selling finished lots versus selling approved subdivision plan and allowing private sector to deliver. And
- administrative processes around funding of works, tendering of contracts and project management responsibilities.

In selecting an appropriate subdivision option the Department understands that the community consultation process produced an inconclusive result as to the preferred option. It has been the Department's preference for an option that reflects the existing adjoining residential subdivision pattern. Investigations of differing lot size options being the current minimum lot size of 929m² down to a minimum of 750m² has been undertaken and evaluated by Hill PDA. An option including a sporting field has also been investigated but is not favoured by the Department given the early petitioning of Council by adjoining residents opposing a sporting field being located on this site. Furthermore, the Hill PDA Feasibility Report showed significant discounting on the sale price on lots in the vicinity of a sporting field in the vicinity of \$100,000 per lot.

The Hill PDA findings support a subdivision option that meets the current 929m² lot size returning over \$10 million without the need to amend the Ku-ring-gai Planning Ordinance Scheme which the Department supports. Whilst some extra revenue could be obtained by a smaller lot size pattern the advantages of this would be lost by the time delay to amend the zoning to permit this density.

The Department following appropriate legal advice would also be willing to use its compulsory acquisition powers to acquire the unmade Council road to shorten the process of closing the road. Upon acquisition the Department would transfer the parcel to Council for nil consideration to allow its inclusion in the project.

The Department therefore requests Council to firstly proceed with a resolution of a preferred subdivision option and secondly agree to a new MOU to reflect the development stage of the project.

If you have any queries concerning the above, please do not hesitate to contact Stephen Dewick Senior Manager Divestments on 9895 7940 or Ashley West Project Manager on 9895 7650.

Yours sincerely



Stephen Dewick
Senior Manager, Divestments

Attachment 1: Information Sheet accompanying survey



Dear resident,

Ku-ring-gai Council is seeking your comment on future options for the eastern land between Chiswick Oval and Barrow Avenue, South Tarramurra, also known locally as the horse paddocks.

A public briefing will be held to discuss the options on 8 April 2009 at the Kissing Point Sports Club, Auluba Road, South Tarramurra between 5.30pm and 6.30pm. This land was previously reserved by the NSW Government as road corridor linking the F2 freeway at Wadstone to the M2 motorway at North Ryde. The NSW Government abandoned this in 1996. Subsequently Ku-ring-gai Council received the land in 2004 permitting low-density residential development (Zone 2c) within the Local Environment Plan 2011. The land covers 3.5 hectares, 55 per cent of which is owned by Council, the remainder by the NSW Department of Planning.

In considering the future use of this land, Ku-ring-gai Council has invited to investigate three options, each of which should incorporate sustainability as a core design element.

Options

Option 1
Develop the site for residential housing consistent with its zoning. The minimum lot size is 1420m² and would need to comply with Council's Planning Scheme Ordinance.

Option 2

Build a new sportsfield on the site with the remaining land to be developed for residential housing with a minimum lot size of 1420m².

Option 3

Build a new sports field on the site with the remaining land to be developed for residential housing with a lot size less than 1420m².

Option 4

As part of an analysis of the site and financial impact, a fourth option has been investigated. This is to develop the site for residential housing with a lot size less than 1420m².

Council and the Department of Planning have prepared a number of concept designs for the future development of the site reflecting the four options. The table below analyses the number of lots and financial returns for each of the options. These do not represent any agreed position of Council or the Department.

You will find attached to this information sheet a survey which seeks your feedback on each of the options. In determining your response you may like to consider the following information:

Description	Option 1 Residential housing only on a minimum lot size of 1420m ²	Option 2 Sports field with residential housing on a minimum lot size of 1420m ²	Option 3 Sports field with residential housing on a minimum lot size of less than 1420m ²	Option 4 Residential housing only with a minimum lot size of less than 1420m ²
Total number of lots	29	19	22	23
Average lot size m ²	115 m ²	161 m ²	127 m ²	152 m ²
Development cost	\$12.5 million	\$6.1 million	\$6.1 million	\$6.1 million
Expected return - Council and DfP (net)	\$10.5 million	\$6.1 million	\$6.1 million	\$12.4 million

www.knrc.nsw.gov.au or call 9424 0000

www.knrc.nsw.gov.au or call 9424 0000



Option 1: Residential housing only on a minimum lot size of 1420m²



Option 2: Sports field with residential housing on a minimum lot size of less than 1420m²

www.knrc.nsw.gov.au or call 9424 0000



LOT SIZE

The minimum lot size for the type of residential development under Council's current planning instrument is 1420m². If a lot size less than 1420m² is agreed, a new Local Environment Plan for the site would need to be prepared. For the smallest lot size subdivision patterns (Options 3 and 4) a minimum lot size of 1420m² was used. This reflected the surrounding subdivision pattern in order to maintain the local character. The difference in the total number of lots between the larger and smaller lot sizes is minimal.

SPORTS FIELD

There is a lack of sporting facilities throughout the Ku-ring-gai local government area and also a shortage of the land to develop such facilities. The site itself is relatively flat so this minimises the need for excavation and retaining walls. In and around South Tarramurra there are four sports ovals. Sir David Martin Reserve (also known as Auluba Oval 1 and 2) and the Field of Dreams - Auluba Oval 3 and Corners Oval are the closest. Each of these will be upgraded in the coming months as part of Council's capital works program. Nearby is Hawson Oval that had floodlights installed in 2006 and Mimosa Oval which will receive floodlights in the coming months in time for the coming winter football season.

If a sports oval was developed as part of this site, it would be designed and used for training and competition up to seven days and five nights per week. Council has committed to the development of the North Tarramurra Recreation Area (within the current North Tarramurra Golf Course on Delsin Head Road) that will provide three new fields and this is expected to be completed in the near future. Council is also keenly

interested in upgrading or new sporting facilities at Sir David Martin Reserve and surrounding precincts.

FINANCIAL RETURNS

Council has not determined what it would do with any profit it would receive from the development of this site. Any returns however will need to be shared proportionally with the Department of Planning.

LOCAL AMENITY

As with any development there will be changes to local amenity. During the winter season, South Tarramurra experiences high traffic and parking difficulties because of the various playing fields at Auluba 1 and 2 ovals (one senior and one junior soccer oval) in addition to the netball courts at the end of Canon Road. The increase in traffic and noise from residential housing is expected to be minor in comparison with the peak use periods of a sporting facility. Should an oval be constructed, further traffic and parking congestion would be expected.

BUSINESS RISK

Given the current re-development of the land along Barrow Avenue to Canon Road, the risk of the site to developers is considered as low.

CONCEPT PLANS

To further assist you to consider the level of acceptability of each of the four options, concept plans have been provided. Please note that these designs are only intended to be indicative and are not final or approved plans.



Option 3: Sports field with residential housing on a minimum lot size of 1420m²



Option 4: Residential housing only with a minimum lot size of less than 1420m²

www.knrc.nsw.gov.au or call 9424 0000

Attachment 2: Resident and Community Survey (Page 1)



B2 LAND CORRIDOR SOUTH TURRAMURRA Residents and Community Survey

818 Pacific Highway, Gordon NSW 2072 | Locked Bag 1056, Pymble NSW 2073
T 02 9424 0000 F 02 9424 0001 DX 8703 Gordon TTY 133 677
E kmc@kmc.nsw.gov.au W www.kmc.nsw.gov.au ABN 86 408 836 411

We would appreciate it if you could please take 5 – 10 minutes to complete this survey and then return this to Ku-ring-gai Council by Tuesday 28 April using the Reply Paid envelope provided.

A public briefing will be held on Wednesday 8 April between 5:30pm and 6:30pm at the Kissing Point Sports Club to discuss the options and survey, Council invites all interested residents to attend.

SURVEY

Q1. Considering all the options as outlined on the residents' information sheet, can you please indicate how acceptable you consider each of the following options to be?

Please mark with an x on the bar how acceptable you consider the option to be.

Option 1: Residential housing only on a minimum lot size of 940m²

Not at all acceptable Not very acceptable Unsure Acceptable Very acceptable

Option 2: Sportsfield with residential housing on a minimum lot size of 940m²

Not at all acceptable Not very acceptable Unsure Acceptable Very acceptable

Option 3: Sports field with residential housing on a minimum lot size of less than 940m²

Not at all acceptable Not very acceptable Unsure Acceptable Very acceptable

Option 4: Residential housing with a minimum lot size of less than 940m²

Not at all acceptable Not very acceptable Unsure Acceptable Very acceptable

COMMENTS

Q2. The space provided below is where we would like you to write any comments that you wish Council to consider. This may relate to any of the options (1-4) or other thoughts that relate to this development. If you marked 'unsure' for any of the options please include some comments as to why.

Attachment 2: Resident and Community Survey (Page 2)

DEMOGRAPHICS

D1. Name of the street in which you reside: _____

D2. Name of the suburb in which you reside: _____

D3. Length of time you have resided at your current address: _____ years

D4. How long have you lived in the Ku-ring-gai local government area? _____ years

D5. How would you describe the composition of your household?

- ☐ Single person
- ☐ Family with children under 15 years
- ☐ Family with children over 15 years
- ☐ Family with children under and over 15 years
- ☐ Couple with no children at home
- ☐ Group household of unrelated people
- ☐ Family plus other related individuals
- ☐ Other _____

Thank you for taking the time to complete this survey. If you have any questions or concerns in regards to this consultation please call Alison Reilly, Consultation and Community Planner at Ku-ring-gai Council on 9424 0757 or email areilly@kmc.nsw.gov.au.

The *Privacy and Personal Information Act 1998* provides for the protection of personal information and for the protection of individuals generally. In compliance with the Act and Privacy Code of Practice for Local Government 2000, your personal information will only be used for the purpose of this consultation. Your details will not be added to a mailing list or provided to any third party. We will not disclose your personal details without your consent.

PUBLIC BRIEFING

Council will be holding a public briefing on **8 April between 5:30 and 6:30 at the Kissing Point Sports Club on Auluba Road South Turramurra** to discuss this project and answer any questions you may have. Council would like to invite you and other interested residents to attend this session.

If you have any questions about this survey or the public briefing, call Alison Reilly, Consultation and Community Planner at Ku-ring-gai Council on 9424 0757.

REPORTING OUTCOMES

It is Council's intention to report back to residents on the result of this consultation, once the information gathered has been considered by Council. This will take the form of a report to all residents invited to participate as well as information on Council's website.

Attachment 4 – Summary of all responses by category
Chart of All Responses (excl community/web responses)

	Option 1	Option 2	Option 3	Option 4
Answer Options	Response Frequency	Response Frequency	Response Frequency	Response Frequency
Not at all acceptable	32.1%	31.5%	44.0%	53.0%
Not very acceptable	17.9%	10.7%	17.5%	24.4%
Unsure	3.6%	3.0%	5.4%	3.7%
Acceptable	26.2%	22.6%	22.3%	12.2%
Very acceptable	20.2%	32.1%	10.8%	6.7%

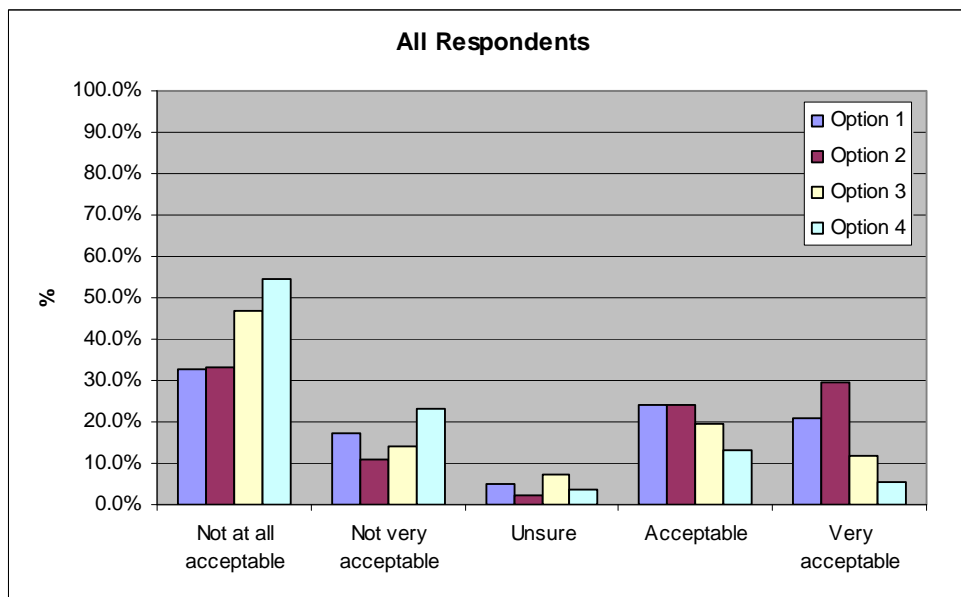


Chart of respondents within 500m

	Option 1	Option 2	Option 3	Option 4
Answer Options	Response Frequency	Response Frequency	Response Frequency	Response Frequency
Not at all acceptable	23.3%	41.2%	58.8%	52.4%
Not very acceptable	11.6%	12.9%	14.1%	21.4%
Unsure	5.8%	2.4%	10.6%	1.2%
Acceptable	31.4%	22.4%	11.8%	17.9%
Very acceptable	27.9%	21.2%	4.7%	7.1%

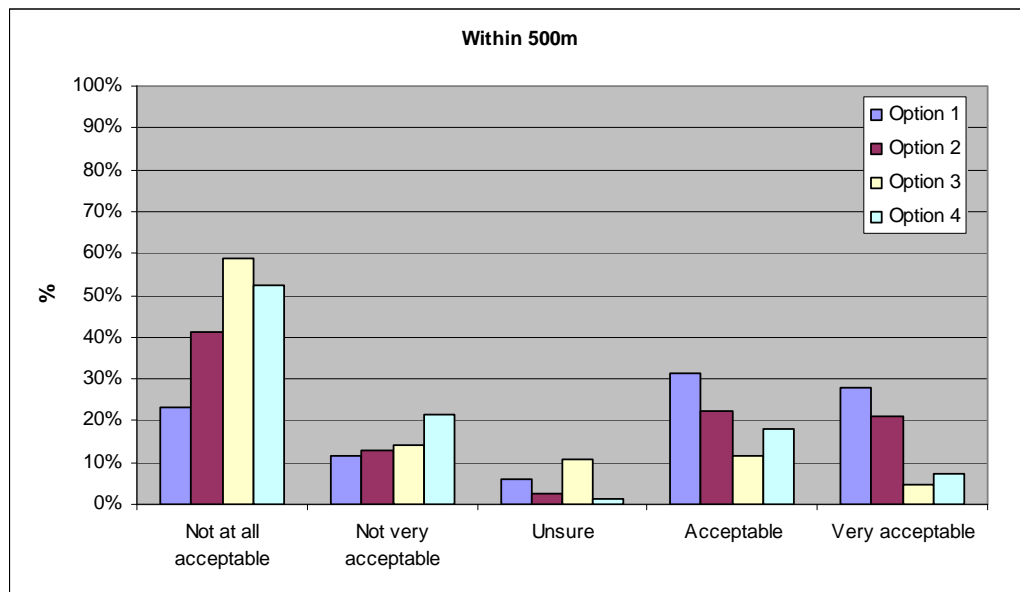


Chart of respondents 500m to 1km

	Option 1	Option 2	Option 3	Option 4
Answer Options	Response Frequency	Response Frequency	Response Frequency	Response Frequency
Not at all acceptable	53.5%	25.0%	40.9%	53.5%
Not very acceptable	25.6%	18.2%	11.4%	25.6%
Unsure	7.0%	2.3%	2.3%	7.0%
Acceptable	7.0%	27.3%	29.5%	7.0%
Very acceptable	7.0%	27.3%	15.9%	7.0%

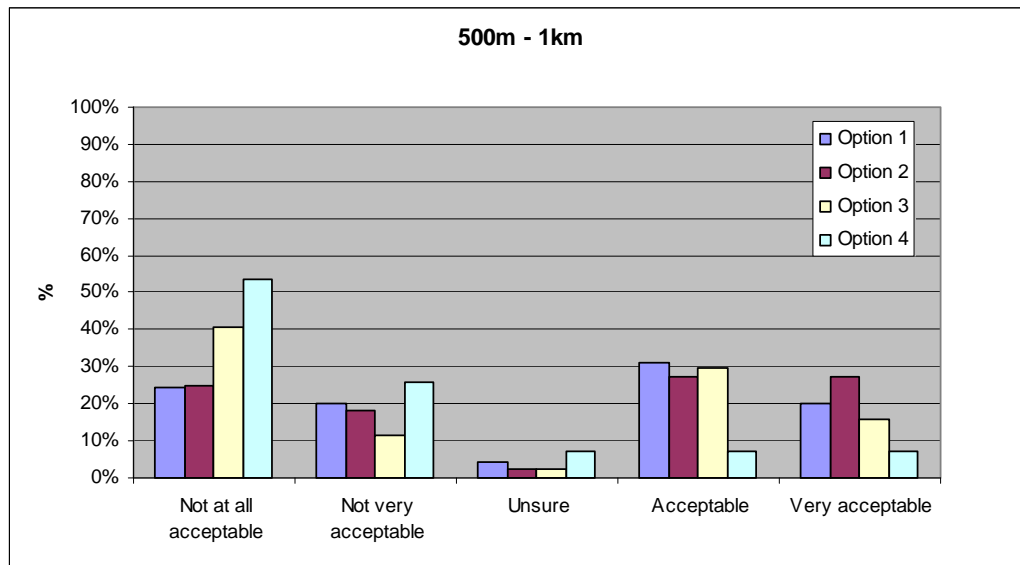


Chart of respondents between 1km and 2km

	Option 1	Option 2	Option 3	Option 4
Answer Options	Response Frequency	Response Frequency	Response Frequency	Response Frequency
Not at all acceptable	47.6%	18.2%	33.3%	54.8%
Not very acceptable	9.5%	2.3%	19.0%	21.4%
Unsure	7.1%	4.5%	11.9%	4.8%
Acceptable	16.7%	27.3%	19.0%	14.3%
Very acceptable	19.0%	47.7%	16.7%	4.8%

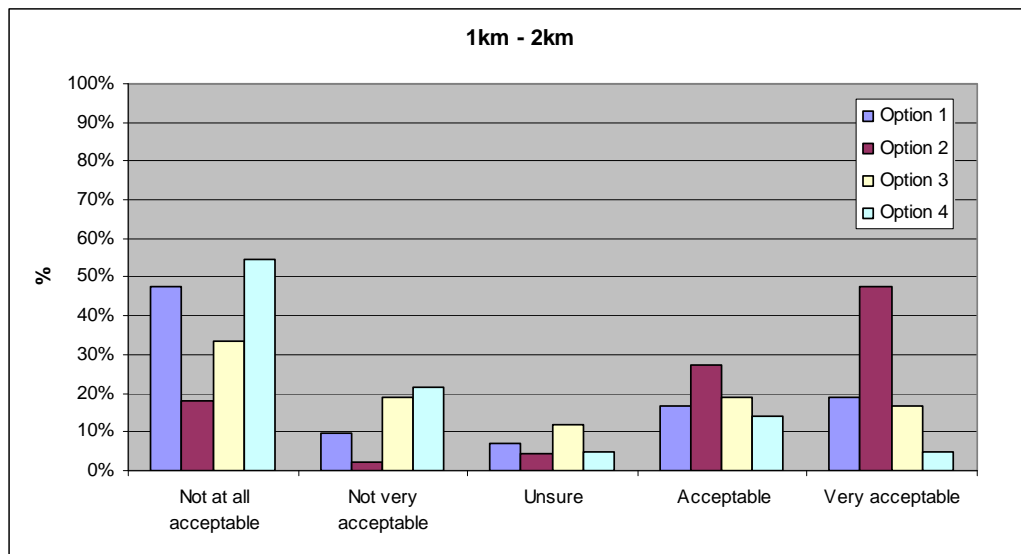
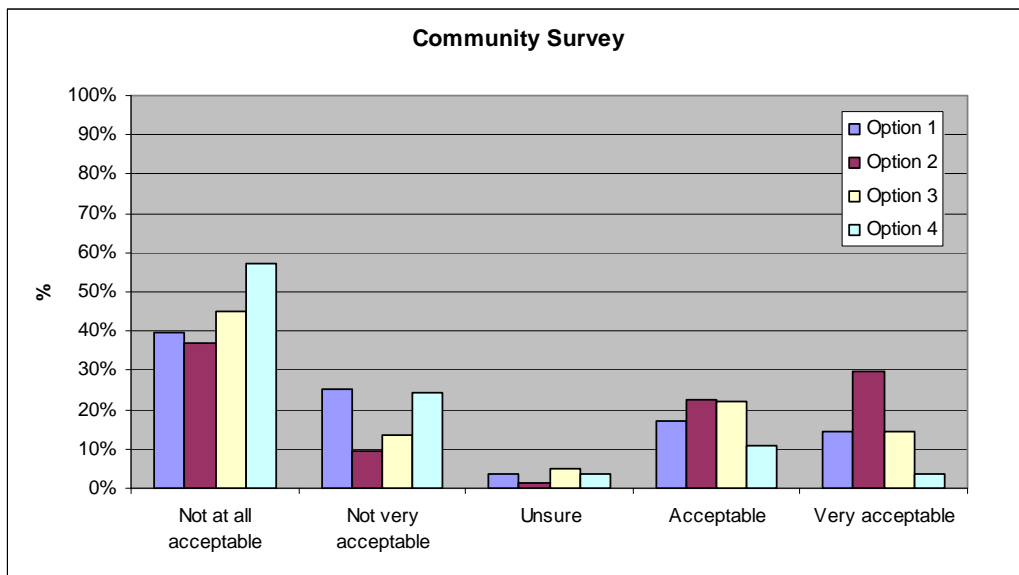


Chart of community/web responses

	Option 1	Option 2	Option 3	Option 4
Answer Options	Response Frequency	Response Frequency	Response Frequency	Response Frequency
Not at all acceptable	39.8%	36.9%	45.1%	57.3%
Not very acceptable	25.3%	9.5%	13.4%	24.4%
Unsure	3.6%	1.2%	4.9%	3.7%
Acceptable	16.9%	22.6%	22.0%	11.0%
Very acceptable	14.5%	29.8%	14.6%	3.7%





DATE: 06-10-2009



KU-RING-GAI COUNCIL CLIMATE CHANGE POLICY

EXECUTIVE SUMMARY

PURPOSE OF REPORT:

To report to Council on the consultation of the draft Climate Change Policy and recommend Council adopt the draft Climate Change Policy and targets.

BACKGROUND:

On 24th March 2009, Council considered a draft *Climate Change Policy* containing six (6) greenhouse emission reduction options for Council's corporate emissions and a community emission target. The draft *Climate Change Policy* builds on from the Climate Change Mitigation and Adaptation Discussion Paper (September 2007) and was placed on public exhibition and referred to the Sustainability Reference Committee for discussion.

COMMENTS:

The Sustainability Reference Committee presented a strong preference for Council to adopt a leadership role in the setting and achieving of targets with the use of technologies and other actions that are relevant to the Ku-ring-gai community. The Committee recommended that Council set an aspirational target for the residents and businesses rather than prescriptive targets.

RECOMMENDATION:

That Council adopt the draft Climate Change Policy and set a corporate emission target of 20% by 2020 based on year 2000 emissions and 90% by 2050. That Council adopts an aspirational community target to commit to reducing Greenhouse Gas Emissions. Funding for programs to meet the targets in the short to medium term would be derived from the Infrastructure and Facilities Reserve.

PURPOSE OF REPORT

To report to Council on the consultation of the draft *Climate Change Policy* and recommend Council adopt the draft *Climate Change Policy* and targets.

BACKGROUND

On 24th March, 2009 Council considered a draft *Climate Change Policy* containing a range of emission reduction targets for Council's corporate and community emissions. At this meeting Council resolved:

- A. *That Council place the draft Climate Change Policy and Strategy on public exhibition.*
- B. *That Staff report back to the General Committee on the emission targets of NSROC, SHOROC and selected other Councils including Sydney City Council.*
- C. *That following the receipt of submissions and before the final report back to Council following exhibition, a meeting be held with relevant staff and Councillors to review the submissions and policy with particular emphasis on emission targets.*
- D. *That a detailed feasibility study be undertaken into energy generation and reduction projects listed to achieve the mitigation target.*
- E. *That the results of the feasibility studies come back to Council or the General Committee for consideration.*
- F. *That the draft policy, strategy and feasibility study and public comments once received be referred to the Sustainability Committee for its comment.*

This report seeks to address the above resolutions.

COMMENTS

The draft *Climate Change Policy* was placed on public exhibition from 11 May to 26 June 2009.

During the exhibition period Council did not receive any submissions from the general community. As part of the consultation with Council's Sustainability Reference Committee, two (2) written submissions were received as well as drawing from the general discussion from this committee at its meeting on the 3 August 2009 (as reported to Council on 25 August 2009 (GB 11).

In summary the Sustainability Reference Committee concluded that Council should:

- adopt a leadership role in the establishment and achievement of their targets;
- establish an energy fund or similar financial mechanism to fund projects;

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- implement activities that are relevant to homes and businesses;
- promote the potential savings to the community;
- implement a measurement and validation process;
- incorporate emission reduction as a feature in the capital works programs; and
- set an aspirational target for the community to respond to rather than a prescriptive numerical value which could be expensive to track.

These goals have been incorporated into the revised draft Climate Change Policy (**Attachment A**).

Greenhouse Gas Mitigation Targets

The targets presented to Council in the initial draft *Climate Change Policy* (OMC 24 March 2009), of 5% by 2020 and 20% by 2050 based on year 2000 levels were generally considered too modest. The view was expressed within the Sustainability Reference Committee that Council should be able to achieve a higher reduction through the use of loans (internal or external) to fund projects and other initiatives to reduce emissions. Although there was no consensus regarding a specific target, commentary relating to the targets, suggested that the figures cited in the draft *Climate Change Policy* for goals termed 'Economic', were possibly the most appropriate. This tended to reflect the desire for Council to set a target that demonstrated leadership above that set by the Commonwealth Government.

This revised target would see a corporate emission reduction of 20% by 2020 based on year 2000 emission levels and 90% by 2050. This equates to a reduction of 410 tonnes of CO₂/pa by 2020 and 3,278 tonnes CO₂/pa by 2050. The targets would only apply to emissions that were within the control of Council that is electricity consumption at Council facilities and fuel consumption in Council's vehicle fleet. To this end it is recommended that an action plan for 2010 to 2011 be prepared within four months of a decision by Council's in relation to the emission reduction targets and that this be consider by Council as part of the preparation of the 2010/11 financial year budget.

While street lighting accounts for over 60% of Council's emissions, opportunities to mitigate greenhouse emissions from this sector are highly restricted given that lighting infrastructure is controlled by Energy Australia. Energy Australia owns the street lighting infrastructure in the Council area and Council pays a maintenance fee and the cost of energy consumed. While Council has conducted trials in the past related to street lighting (Street Lighting Improvement Program, 2007) and found potential savings are possible, Energy Australia have stated that they will increase their maintenance charge if Council chooses to adopt energy savings technology. As a result the financial outcome would not be favourable for Council. This situation is currently the subject of an appeal with the Energy Regulation Board and a decision is expected in the near future.

In regards to community emissions, the Sustainability Reference Committee determined that an aspirational target for the community was more appropriate and practical than setting a percentage reduction target. Further, it is difficult to establish with a reasonable degree of accuracy the CO₂ emissions from a community. While an indicator or surrogate measure could be used, these can be expensive and time consuming to determine and may do little to change community behaviour. An aspirational target allows community members to set their own milestones which may vary across households and businesses. It also provides opportunities for community members to apply a variety of strategies relevant to their individual circumstances and as would be supported through Federal and State Government grant schemes.

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By way of comparison, the recommended targets within the draft policy were reviewed against those set by other Councils and were reported to Councillors by memo on 6 May 2009 (**Attachment B**) and summarised in **Table 1**.

By way of comment, many of the targets set by Councils are very ambitious and possibly unrealistic given their current progress and financial allocation. For example a target of 20% by 2010 is not uncommon amongst Councils. However several NSROC Councils have recently expressed the view that they cannot reach these targets and will be considering modifications in the near future, or otherwise accept that these are aspirational. The proposal in the draft *Climate Change Policy* is for Ku-ring-gai Council to reach a target of 20% by 2020. This medium term target is still ambitious though importantly reasonable. Furthermore, there is nothing stopping Council to extend beyond this mid term target as part of its 2050 direction.

As discussed further in the Financial section of this report, achieving the 20% by 2020 will be dependant on continuing financial support by Federal and State governments, the introduction of incentives such as the proposed Carbon Pollution Reduction Scheme and through other income such as the use of funding from a special rate variation as used by other Councils.

Table 1 Emission targets of NSROC Councils

Council	Date Adopted	Target for Council	Date to be achieved	Target for Community	Date to be achieved
Willoughby	2000	50%	1999 – 2010	30%	1995 – 2015
Ryde	2007	30%	003/04 – 2012	20%	2001 – 2010
Hunters Hill	2007	20%	2010	10%	2010
		50%	2025	30%	2025
		100%	2050	60%	2050
Lane Cove	2007	50%	2001 – 2017	50%	2017
North Sydney	2001	50%	1996 – 2010	25%	1995 – 2010
Hornsby	2006	35%	1996 – 2012	5%	2010
	2006	60%	1006 – 2050	10%	2050
Ku-ring-gai	2000	20%	1996 – 2010	10%	2011

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Current mitigation actions

The Energy Performance Contract commenced in 2008 is about to complete the first twelve months of monitoring. While the final data is not yet available early indications are that the energy savings will not reach the 16% guaranteed by the contract. However, the rate of return is nevertheless positive and likely to be above the market rate of return. Furthermore, as the price of energy increases so will the return on investment from this project which will also be the case for all future energy investments. As part of this contract Council approved a budget of \$235,000 from reserves in 2007/08 and 2008/09 to be reimbursed in accordance with the resolution of Ordinary Meeting of Council on 12 December 2006.

Other initiatives which are enabling Council to mitigate greenhouse gas emissions include:

- Climate Change Mitigation Feasibility Study.
Council has engaged a consultant to undertake a feasibility study to consider demand management (energy reduction) and supply (energy substitution and energy

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generation). Building on previous work, Council will be able to apply the results of the feasibility study to prioritise further actions based on their relative costs and benefits in terms of both financial and practical outcomes. This Feasibility Study has been funded through Council's revolving energy fund and is expected to be completed this calendar year.

- Small energy projects.
These are currently under investigation and are likely to include the installation of LED lighting, solar hot water systems, motions sensors in amenities blocks, continuation of vehicle fleet downsizing, comprehensive DCP and public domain manual CO₂ savings initiatives. These projects will be progressively implemented this financial year.
- Community projects
These include the fridge buy back scheme, Climate Clever Shop (discounted product promotion), Greenstyles (education and attitudinal change), and the North Shore Business program.

Proposed mitigation actions

The Sustainability Reference Committee acknowledges that Ku-ring-gai residents are amongst the highest consumers of energy per capita and that Council's own energy consumption by comparison is very small. As a result, members of the Sustainability Reference Committee suggested that the most beneficial way for Council to set and respond to any mitigation targets would be to invest in technology which can be used to showcase and promote the advantages to the wider community.

Such technology would need to be of a type that is feasible for householders or businesses to adopt into their own buildings. Examples may include insulation, low energy light fittings, solar panels, low energy white goods, vehicles and plant equipment. Such investment would produce measurable outcomes that would be compared and contrasted with investment cost in order to determine the benefits both in economic and environmental terms for consumers. The Committee specifically commented that the use of carbon abatement and purchasing or generating "greenpower" from or with external providers did not represent a good use of Council's resources nor was it particularly transferable as part of a leadership role.

The Sustainability Reference Committee also recommended that as part of all new capital works projects there should be consideration to making projects carbon neutral. As such, this will impact on the design and resourcing for such projects. The current stormwater harvesting project at Roseville Oval is an example where this philosophy is currently being implemented with the power for the irrigation system being off set by the installation of photovoltaic cells.

Following the decision by Council in relation to the setting of targets, it will be necessary to develop, adopt and subsequently fund the implementation of a *Climate Change Action Plan*. Such a plan would be incorporated within the development of the annual and longer term financial, asset and other operational plans of Council.

In the short term, this report recommends that such a plan will need to be based on the financial analysis of return on investment. Projects with a lower than current market rate of return may be considered if they demonstrate clear transferability into the community to assist in decreasing community emissions though would have to be considered in light of all other financial demands.

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It is anticipated that this will become increasingly the case as the “easier” projects are implemented (such as lighting retrofits) while the more costly or difficult projects such as replacing air-conditioning systems or retrofitting buildings with passive architectural solutions will require an analysis based not only on financial grounds but also on community and environmental factors.

Transferability of technologies will need to be mindful that some households may have the financial capacity to invest in various solutions, or are otherwise early adopters of technologies, while other households will need to take a longer term view in relation to their investment decisions. As such, educational and promotional strategies to encourage maximum uptake of technology will need to be linked to and supported by Council’s actions and that supported by Federal and State Government programs.

For new capital works projects, it is recommended that the planning for all new projects give formal consideration to their energy use and actions be identified as part of the design process. New facilities should have a zero increase in energy consumption to Council compared to the current facilities.

Climate change adaptation

Just as relevant to the discussion on climate change mitigation targets is the need to consider how local government should adapt to a change in climate.

To a large extent, this will reflect on Council’s capacity to plan for and respond to infrequent extreme events such as heat waves, bushfire risk and storms and the implications. This will demonstrate its obligations to protect life and property.

Assisting this, a collaborative project has been completed with Macquarie and Bond Universities, to develop an economic model for evaluating and prioritising local Councils’ options for investing in climate change adaptation decisions. This analytical tool would assist both policy and operational decision-making by integrating current adaptation knowledge with policy and planning processes which include social, environmental, financial and governance, that is, Quadruple Bottom Line considerations (QBL). The phenomenon of bushfire and its impacts within the Ku-ring-gai Local Government area was selected as a case study for this project. Other climatic impacts of concern in the Ku-ring-gai Council region are severe storms, droughts and increases in temperatures. A summary of this research is included as **Attachment C**.

The research findings indicate that:

- Bayesian techniques applied in the financial analysis of loss due to climate change hazards have utility in predicting capacity to reduce financial risk; and as an adjunct to financial analysis,
- the use of Borda counting which is a method to rank environmental, financial and social aspects of decision-making options is advantageous; and discounting choices faced by local government are critical to decision-making on climate change adaptation.

Although the method is still to be further refined it has provided Council with a means to analyse adaptation strategies for their capacity to reduce risk, minimise adverse impact and create a positive return on investment. This strategy will be further refined through subsequent research projects and application by Council to determine the merit of the method developed.

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It is recommended that a climate change adaptation action plan be prepared and reported to Council for bushfire and storm risks by June 2010 for discussion in future financial models and management plans.

CONSULTATION

The draft *Climate Change Policy* was placed on public exhibition from 11 May to 26 June 2009. Advertisements were placed on Council's website and in the North Shore Times on 15 and 19 May, with copies available to view at all Council libraries, Council Chambers and Council's website.

The draft *Climate Change Policy* was also referred to the Sustainability Reference Committee at an extraordinary meeting on 3 August 2009. Notes from this meeting were reported to the General Committee of Council on 25 August 2009 (GB 11). Council received and noted the report. This draft *Climate Change Policy* has also been presented to Council's staff via the Sustainability Reference Team with feedback received from them.

FINANCIAL CONSIDERATIONS

The need for a dedicated process and possibly program to fund the implementation of mitigation works as well as adaptive strategies will be paramount if the targets and necessary responses are to be realised. To a large extent, the failure to reach the targets set as part of the Cities for Climate Protection program as discussed in previous reports to Council is a consequence of limited action in this area.

From a mitigation side, Council would need to supplement any funding from short term grants or loans from a dedicated capital reserve. Such a process needs to be a foremost consideration in the preparation of future years' budgets and also part of the ongoing refinement of Council's long term financial model. For the coming financial planning cycle, this needs to be considered as part of the preparation of the 2010/11 budget and incorporated in the revisions to the long term financial model which will occur from November to March. As with the current model, such an allocation would need to account for the rising cost of energy (possibly as high as 12 to 18% per year) in addition to the introduction of a carbon price associated with the forthcoming Federal Government's Emissions Trading Scheme program.

For some years Council has had a Revolving Energy Fund. This was initially established with seed funding from which to invest in energy saving strategies with returns going back into the fund for future projects. This fund has been fully expended to finance the current consultancy to investigate future opportunities for energy savings projects. Given that this fund has not grown over time as envisaged, it is recommended that this reserve be extinguished. As an alternative strategy, future surpluses that arise from energy savings projects are recommended to be directed into the Infrastructure and Facilities Reserve. This is a larger reserve enabling borrowing for more expensive projects, and as is the case of the revolving energy fund, positive returns from energy savings or generation strategies would be paid back into this reserve.

It is proposed that each new energy saving initiative would be examined to determine its potential return on the investment of funds allocated from the Infrastructure and Facilities Reserve. This examination will consider:

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- the estimated capital cost of the project;
- the project's economic life (primarily based on the useful life of the capital equipment purchased);
- the value of the energy saved (kilowatts times rates inflated to future prices); and
- the value of any other savings such as light bulbs and tubes, maintenance costs.

Projects that meet Council's target rate of return on capital (a rate equal to the changing cost of borrowing) should be funded first.

Future energy budgets will be based on kilowatt consumption history to forecast future usage. Energy saving projects will be closely monitored to determine the actual savings made and these funds returned to the Infrastructure and Facilities Reserve by means of reducing the energy budgets in Cost Centres which have benefited.

It is envisaged that supplementary funding (such as grants or sponsorships) or internal subsidies may be required for specific projects in the short term and certainly in the medium to long term as the number of projects with high rates of return are implemented as a priority. In this case, it will be necessary for Council to consider other funding strategies. One such option may be an extension of the Environmental Levy special rate.

The current 5% special rate variation will finish at the end of the 2011/12 financial year. There exists an opportunity to consider if and in what form such a special rate should take, and importantly link this to the implementation of strategies and policies developed with the community as part of Council's consultative processes. This will be most critical for adaptation to strategies whose financial returns are often harder to quantify.

CONSULTATION WITH OTHER COUNCIL DEPARTMENTS

All departments of Council were extensively consulted through Council's Corporate Sustainability Reference Team which included representatives from all departments of Council. Staff directly affected by the draft *Climate Change Policy* who are not a member of the Corporate Sustainability Reference Team, were consulted directly in regards to the draft development and subsequent amendments.

SUMMARY

The feedback on the Climate Change targets indicates that Council should set a target of 20% by 2020 and 90% by 2050 based on year 2000 levels.

This target will be accompanied by a Climate Adaptation Action Plan prepared for consideration as part of the 2010/11 budget and linked to Council's Financial Plan. This will aim to implement short term projects that achieve both mitigation and adaptation goals while delivering a return on investment competitive with current market rates.

The energy reduction projects are to be primarily determined on their relevance and transferability to residential and business sectors across Ku-ring-gai. Accompanying these works will be the need to consider and plan for climate change through adaptation strategies. For new capital

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works, the design should ensure that there is no net increase in energy use and that this be included as part of the design and project costing.

The actions arising from this policy will require revisions to capital works and operational programs and service standards. Furthermore as programs are directed towards climate change adaptation is foreseeable there these will have a significant cost to council. Planning for these changes needs to be incorporated within the annual Management Plan, longer term Community Strategic Plan, Asset Plan (in preparation) and ongoing revisions to the long term financial model. A failure to act is likely to position Council to greater financial, social and environmental risks.

RECOMMENDATION

- A. That Council adopt the draft *Climate Change Policy*.
- B. That Council sets a corporate emission target of 20% by 2020 based on year 2000 emissions and 90% by 2050 calculated on facilities and fleet emissions.
- C. That a Climate Change mitigation strategy be prepared within four (4) months for consideration in the 2010/11 financial year budget.
- D. That a Climate Change Adaptation Strategy for bushfires and storms be developed by June 2010 and reported to Council.
- E. That a new capital works program include an objective as part of the design and budget process to have a zero increase in the energy consumption compared with the current facilities.
- F. That the Resolving Energy Fund be retired.

Jennifer Scott
Sustainability Program Leader

Peter Davies
**Manager
Corporate Planning &
Sustainability**

Andrew Watson
**Director
Strategy & Environment**

Attachments:

- A. Revised draft Climate Change Policy - 2009/156237**
- B. Greenhouse Emission Targets of selected NSW Councils - Memorandum by Director Strategy & Environment dated 6 May 2009 - 2009/068567**
- C. Economic Evaluation of Climate Change Adaptation Strategies for Local Government: Ku-ring-gai Council Case Study - 2009/150522**

Ku-ring-gai Council

Draft Climate Change Policy

Purpose

This policy has been developed as a response to the projected implications of Climate Change on Ku-ring-gai's community, environment and economic sustainability.

Policy Statement

Ku-ring-gai Council will implement a measured greenhouse gas mitigation program throughout Council to meet a determined reduction target.

Council will encourage the mitigation of community emissions in line with levels adopted by the Federal Government.

Council will identify and implement climate change risk reduction measures to reduce vulnerability of public and private assets to risks arising from altered weather patterns and extreme weather events.

Context

Based on the growing body of evidence presented by the scientific community, climate variability will inevitably generate a level of adverse impact. The potential for climate change to generate extreme and catastrophic consequences exists. However there is uncertainty at the local level in terms of the magnitude of change and timing. As a result, the Precautionary Principle is a suitable concept to apply in the current circumstances, particularly given Local Government's responsibility to protect life and property.

The Precautionary Principle prompts the application of risk analysis. This precautionary approach seeks to reduce risks to a level beyond which the cost cannot be justified. Benefits also need to be considered and may include an expected reduction in damage arising from climate change. In undertaking a risk analysis, consideration must be given to the companion Ecologically Sensitive Development (ESD) Principles. These principles are Biodiversity Conservation, Inter and Intra generational Equity and the True Valuation and Pricing of Environmental Goods and Services. These are the very elements that define ESD within the *NSW Local Government Act, 1993*.

Council and the community have contributed to human induced climate change with Ku-ring-gai identified as one of the highest emitters of greenhouse gases per capita worldwide.

Strong scientific and economic evidence advocates a combination of adaptation and mitigation as a sustainable response to the climate change issue. Delay in mitigation efforts will contribute to a higher order of magnitude in medium to long term impact and consequently higher costs to reduce risk exposure. However, we have a great opportunity

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History of approved versions					
Version	Effective date	Summary of changes			
Draft 1					

with Ku-ring-gai's community being highly motivated and educated which will provide an excellent platform for the ready adaptation to and mitigation of climate change.

Objectives

- to reduce Council's carbon footprint as a priority;
- to ensure Council and the community's vulnerability to climate change is reduced;
- to identify and capitalise on potential opportunities arising from climate change;
- to control exposure to litigation arising from failure to act on climate change issues; and
- to continue to improve performance on climate change mitigation and adaptation.

Targets

Ku-ring-gai Council reduce its greenhouse gas emissions from its electricity (excluding street lighting) and fuel use by 20% by the year 2020 and by 90% by 2050. This is based on Council's emission profile in 2000.

The Ku-ring-gai community commits to reducing greenhouse gas emissions by minimising the use of energy derived from fossil fuels. This will be achieved by maximising efficiency in the consumption of and the dependence on electricity produced from burning coal and transport options that are reliant on petrol.

Mitigation

Council will develop a draft *Climate Change Action Plan* for mitigation and adaptation. While such a plan will be based on the financial analysis of return on investment, projects with a lower than current market rate of return may also be considered for their transferability into the community in which to assist in decreasing community emissions. Transferability will need to be mindful that investment horizons will vary for different households. Educational and promotional strategies for households and businesses will be developed for a maximum uptake with a link and support of the sustainable technology available from Federal and State Governments.

Adaptation

Climate adaptation investment will be influenced by how effective the major governments of the world are in reaching agreement on emissions reduction. Adaptation needs will have to be constantly monitored and adjusted as science and technology develops.

Climatic impacts of concern in the Ku-ring-gai Council region include bushfires, severe storms, droughts and increases in temperatures. Council will further refine and apply the analytical tool that has been developed in collaboration with Macquarie University to guide operational decision making by integrating current adaptation knowledge with policy and planning processes including social, environmental, financial and governance - Quadruple Bottom Line considerations (QBL).

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Financial Considerations

Future surpluses from energy savings will be directed into the Infrastructure and Facilities Reserve. These funds will be available to finance continual improvement energy savings and carbon emission reductions.

Each new energy saving initiative will be examined for its potential return on the investment of funds allocated from the Infrastructure and Facilities Reserve. This examination will consider:

- the estimated capital cost of the project;
- the project's economic life;
- the value of the energy saved; and
- the value of any other savings such as maintenance costs.

Projects that meet Council's target rate of return on capital (a rate equal to the changing cost of borrowing) should have priority.

Associated Documents

Discussion Paper – *Climate Change: Mitigation and Adaptation in the Ku-ring-gai Local Government Area (2007)*

Legislative Framework

The following policies and legislation affects this policy:

- *Local Government Amendment (Ecologically Sustainable Development) Act 1997 (NSW)*
- *Environmental Planning & Assessment Act 1979*
- *Local Government Act 1993*

Definitions in this policy:

Adaptation: means the responsive adjustment to varying conditions.

Amplifying feedbacks: means a process that result in an amplification of the response of a system to an external influence.

Carbon footprint: means Carbon footprint is a measure of the amount of carbon dioxide or CO₂ emitted through the combustion of fossil fuels; in the case of an organization, business or enterprise, as part of their everyday operations; in the case of an individual or household, as part of their daily lives; or a product.

Greenhouse gases: means gases in the Earth's atmosphere such as water vapour, carbon dioxide, tropospheric ozone, nitrous oxide, and methane that allow sunlight through but absorb and capture infrared radiation.

Mitigation: means the action of lessening in severity or intensity.

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Precautionary approach: means a management philosophy that favours' constraining an activity when there is high scientific uncertainty regarding its effects on the natural environment, as opposed to allowing an activity to continue until proof, of either no effect or a negative impact, is obtained use definition as it exists in *LG Act*.

Sustainability: means a state or process that can be maintained indefinitely

Zero net emissions:: the emissions post development are equal to or less than emissions prior to the development occurring.

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6 May 2009

MEMORANDUM

TO: A/General Manager
Mayor
Councillors

CC: Directors
Senior Governance Officer

FROM: Director Strategy and Environment

SUBJECT: **Greenhouse emission targets of selected NSW Councils**

At the General Committee Meeting on 24 March 2009, the following resolution was carried unanimously in relation to the Draft Climate Change Policy (GC.7):

B. That Staff report back to the General Committee on the emission targets of NSROC, SHOROC and selected other Councils including Sydney City Council.

Targeted NSW councils, with specific focus on NSROC, SHOROC and Sydney City Council, have been investigated to determine their response to climate change within their local government area. Each Council's response was assessed on their corporate emissions target, community emissions target and climate change adaptation response. The following is the outcomes of that assessment:

Corporate emissions

Overall, councils have picked a wide range of mitigation targets, using a variety of baselines. The majority of councils have chosen a target of 20% reduction by 2010, similar to Ku-ring-gai. Some councils have much higher targets that have been achieved through the purchase of green power.

Most councils have been reducing their consumption by investing in efficiency, including Energy Performance Contracts. Others have recognised the use of technology, including photovoltaics on buildings and cogeneration at their facilities. Many councils purchase a certain percentage of green power, ranging from 10% (Ryde and Hornsby), 25% (Warringah and Leichhardt) and 100% (Sydney). Many of these councils also purchase green power for their street lighting. Most of the reductions in their emissions can be attributed to purchasing green power, with some reductions through energy efficiency and fleet reductions.

Significant emission reductions have been recognised in council vehicle fleets, with the use of hybrids, biodiesel and 10% ethanol fuels. Other activities include participation in the Cities for Climate Protection, promoting walk to work days, developing public transport options for staff, reducing opening hours.

Community emissions

Community targets also varied amongst the councils with the majority of councils setting a community target of around 20% reduction by 2010 based on 1995 emissions.

Actions varied greatly between the councils, with some recognising the difficulties that they are facing to achieve their set targets. Most of the actions include education campaigns and initiatives, such as Greenstyle, promoting Earth Hour, Community Climate Challenge and the Watershed. Some Councils have been developing sustainable transport options, such as bicycle route improvements, allowing car sharing, promoting Fridge Buyback, retrofitting existing homes, and providing incentives for tanks and efficiency. Leichhardt Council raises awareness of sea-level rise by putting sea level indicators at Balmain Wharf.

Adaptation responses

Hornsby and Ku-ring-gai aim to have climate change adaptation incorporated into decision-making and operations. Most Council's do not seem to have any clear adaptation targets.

Many Councils see the importance of climate change adaptation, however do not directly address it. Only Ku-ring-gai and Hornsby are attempting to incorporate climate change in decision-making and council operations. Ku-ring-gai recognises the connection with many works projects, such as stormwater harvesting as an adaptation to climate change, many other councils have not made this connection yet.

Sydney's coastal councils have been working with Sydney Coastal Councils Group in the spatial impacts assessment of sea level rise in Sydney. The findings of the Sydney Coastal Councils research have not yet been integrated into the strategic planning of these Councils.

Regards,

Andrew Watson
Director Strategy and Environment

Attachment A: Summary table of NSW Council mitigation and adaptation initiatives.

Council	Mitigation - Corporate		Mitigation - Community		Adaptation	
	Goals	Actions	Goals	Actions	Goals	Actions
Hornsby	<ul style="list-style-type: none"> • 35% by 2012 • 60% by 2050 • (95/96 base) 	<ul style="list-style-type: none"> • CCP • EPC • Cogeneration • 10% green power (incl. street lights) • Sustainable Energy Strategy • Mulching green waste • Office Paper recycling • Fleet management • Street lighting improvement • Green procurement strategy 	<ul style="list-style-type: none"> • 5% by 2010 • 10% by 2050 • (95 base) <p>Was 20% by 2010, only 1% reduction achieved</p>	<ul style="list-style-type: none"> • BASIX • Residential waste recycling • Residential education • Business education program • Workshops • Earthwise days • Greenstyle • Community workshop and education van 	<ul style="list-style-type: none"> • Reviewing adaptation to assist decision-makers plan for CC 	<ul style="list-style-type: none"> • Research into local CC impacts • Develop an adaptation program • Work with CSIRO and Sydney Coastal Councils Group
Ku-ring-gai	<ul style="list-style-type: none"> • 20% by 2010 • (90 base) 	<ul style="list-style-type: none"> • CCP • EPC • Greenhouse AP • Fuel efficient fleet • Energy efficient computers • Street lighting improvement 	<ul style="list-style-type: none"> • 10% by 2011 • (90 base) 	<ul style="list-style-type: none"> • BASIX • Advertising Earth Hour • Greenstyle 	<ul style="list-style-type: none"> • Mitigation & Adaptation discussion paper • CBA research with Mac Uni 	<ul style="list-style-type: none"> • Stormwater harvesting • Sewer mining • Research
North Sydney	<ul style="list-style-type: none"> • 50% by 2010 • (96 base) 	<ul style="list-style-type: none"> • CCP • EPC • Toyota Prius/ fuel efficient vehicles • Photovoltaics • Solar hot water • Passive solar design • Renewable energy 	<ul style="list-style-type: none"> • 25% by 2010 • (96 base) 	<ul style="list-style-type: none"> • Trial to recycle organic waste from businesses • Green Business program 	<ul style="list-style-type: none"> • 	<ul style="list-style-type: none"> • Stormwater reuse • Work with CSIRO and Sydney Coastal Councils Group
Lane Cove	<ul style="list-style-type: none"> • 50% by 2017 	<ul style="list-style-type: none"> • CCP • Sydney Water EDC • Eco-garden at nursery • Toyota Prius incentives • Easing development restrictions for tanks • Improving staff training • LG ETS 	<ul style="list-style-type: none"> • 50% by 2017 	<ul style="list-style-type: none"> • Giving out bees wax candles to community 	<ul style="list-style-type: none"> • 	<ul style="list-style-type: none"> •

Council	Mitigation - Corporate		Mitigation - Community		Adaptation	
	Goals	Actions	Goals	Actions	Goals	Actions
Hunters Hill	<ul style="list-style-type: none"> • 20% by 2010 • 50% by 2025 • 100% by 2050 	<ul style="list-style-type: none"> • CCP • GHG reduction action plan 	<ul style="list-style-type: none"> • 10% by 2010 • 30% by 2025 • 60% by 2050 	<ul style="list-style-type: none"> • 	<ul style="list-style-type: none"> • 	<ul style="list-style-type: none"> •
Ryde	<ul style="list-style-type: none"> • 30% by 2012 • (03/04 base) 	<ul style="list-style-type: none"> • CCP • EPC • 10% green power • Reducing operating hours • Policies to reduce GHG's • Tree planting to offset fleet • SMS based system to shut off park floodlights • AC improvements • Stickers to remind staff to switch off lights etc 	<ul style="list-style-type: none"> • 20% by 2010 • (01 base) 	<ul style="list-style-type: none"> • 	<ul style="list-style-type: none"> • 	<ul style="list-style-type: none"> •
Willoughby	<ul style="list-style-type: none"> • 50% by 2010 • (99 base) 	<ul style="list-style-type: none"> • CCP • EPC • 100% green power for Chambers & Chatswood Mall • Fridge buyback • Replace electric hot water to heat pumps • Procurement • Solar Hot water • LG ETS 	<ul style="list-style-type: none"> • 30% by 2015 • (95 base) 	<ul style="list-style-type: none"> • Greenstyle • Sustainability street 	<ul style="list-style-type: none"> • 	<ul style="list-style-type: none"> • Work with CSIRO and Sydney Coastal Councils Group
Leichhardt	<ul style="list-style-type: none"> • 20% by 2010 • (96 base) 	<ul style="list-style-type: none"> • 25% green power • Biofuels • Encourage staff to use fuel efficient fleet • Energy Savings AP • Leave car at home days • Pool extension to have energy efficient design and cogen • LG ETS 	<ul style="list-style-type: none"> • 20% by 2010 • (96 base) 	<ul style="list-style-type: none"> • Promote Earth Hour • Free energy saving lights to residents • Climate change info days for schools • Support 'Climate Change Balmain Rozelle group • Advertising sustainable transport options 	<ul style="list-style-type: none"> • Recognises that Adaptation is required 	<ul style="list-style-type: none"> • Work with CSIRO and Sydney Coastal Councils Group • Sea level rise indicators at Balmain wharf (illustrate to the community)

Council	Mitigation - Corporate		Mitigation - Community		Adaptation	
	Goals	Actions	Goals	Actions	Goals	Actions
		<ul style="list-style-type: none"> Street lighting improvement CCP 		<ul style="list-style-type: none"> ACP GreenHome Bicycle strategy Residential food collection 		
Mosman	<ul style="list-style-type: none"> 20% by 2010 (95 base) 	<ul style="list-style-type: none"> Energy Efficient equipment Green power for buildings and events Actions from sustainable transport plan, sustainable purchasing plan and env manag plan Fleet reductions Electronic payslips CCP 	<ul style="list-style-type: none"> 20% by 2010 (95 base) 	<ul style="list-style-type: none"> Community energy efficiency and CC projects Residential DCP Paper and green waste collection Community composting and worm farming Tree planting Community climate challenge Community action groups (47.6% over target) 	<ul style="list-style-type: none"> 	<ul style="list-style-type: none"> Work with CSIRO and Sydney Coastal Councils Group
Manly	<ul style="list-style-type: none"> 25% by 2010 (96 base) 	<ul style="list-style-type: none"> Promote car pooling CCP 	<ul style="list-style-type: none"> 25% by 2010 (96 base) 	<ul style="list-style-type: none"> Promote car pooling Expand routes for community bus Climate Change working group with community committee 	<ul style="list-style-type: none"> 	<ul style="list-style-type: none"> Work with CSIRO and Sydney Coastal Councils Group
Randwick	<ul style="list-style-type: none"> 20% (05/06) by 2010 	<ul style="list-style-type: none"> Solar on buildings EPC Wind power trial CCP LG ETS 	<ul style="list-style-type: none"> 	<ul style="list-style-type: none"> GoGet car share Bicycle route improvements 	<ul style="list-style-type: none"> 	<ul style="list-style-type: none"> Work with CSIRO and Sydney Coastal Councils Group
The Hills	<ul style="list-style-type: none"> ?? 	<ul style="list-style-type: none"> CCP Solar panels on Council building Energy efficient appliances 	<ul style="list-style-type: none"> 	<ul style="list-style-type: none"> 	<ul style="list-style-type: none"> 	<ul style="list-style-type: none"> Stormwater Harvesting
Pittwater	<ul style="list-style-type: none"> 20% by 2010 (95 base) 	<ul style="list-style-type: none"> Energy saving at Council sites Solar panels on Coastal Environmental Centre, 	<ul style="list-style-type: none"> Stabilisation of per capita 1995 levels by 2010 	<ul style="list-style-type: none"> 	<ul style="list-style-type: none"> 	<ul style="list-style-type: none"> Work with CSIRO and Sydney Coastal Councils Group

Council	Mitigation - Corporate		Mitigation - Community		Adaptation	
	Goals	Actions	Goals	Actions	Goals	Actions
		<ul style="list-style-type: none"> step to make it C neutral • AC improvements • CCP 				
Warringah	<ul style="list-style-type: none"> • 20% by 2010 • (95 base) 	<ul style="list-style-type: none"> • EPC • CCP • Fuel efficient fleet • Between 25% and 75% green power at facilities (from savings in fleet) 	<ul style="list-style-type: none"> • 20% by 2010 • (95 base) 	<ul style="list-style-type: none"> • 	<ul style="list-style-type: none"> • 	<ul style="list-style-type: none"> • Work with CSIRO and Sydney Coastal Councils Group
City of Sydney	<ul style="list-style-type: none"> • Carbon neutral by 2008 	<ul style="list-style-type: none"> • 100% green power for council incl lights • Efficiency • CCP • LG ETS 	<ul style="list-style-type: none"> • 70% by 2050 (1990 base) 	<ul style="list-style-type: none"> • CitySwitch green office program • Water shed 	<ul style="list-style-type: none"> • 	<ul style="list-style-type: none"> • Work with CSIRO and Sydney Coastal Councils Group
Woollahra	<ul style="list-style-type: none"> • 30% by 2010 (99 base) 	<ul style="list-style-type: none"> • Energy-efficient equipment • 6% green power for street lights • CCP 	<ul style="list-style-type: none"> • 30% by 2015 (95 base) 	<ul style="list-style-type: none"> • Sustainable transport guide 	<ul style="list-style-type: none"> • 	<ul style="list-style-type: none"> • Work with CSIRO and Sydney Coastal Councils Group
Waverley	<ul style="list-style-type: none"> • 	<ul style="list-style-type: none"> • CCP • Efficient trucks • Efficient vehicles, incl Toyota Prius 	<ul style="list-style-type: none"> • 	<ul style="list-style-type: none"> • 'Green links' • Bicycle maintenance workshops • Sustainable schools challenge • 	<ul style="list-style-type: none"> • 	<ul style="list-style-type: none"> • Work with CSIRO and Sydney Coastal Councils Group
Botany Bay	<ul style="list-style-type: none"> • 20% by 2012 (2000 base) 	<ul style="list-style-type: none"> • Hybrid vehicles to fleet • Solar light trial • CCP • Energy efficient office equipment 	<ul style="list-style-type: none"> • 20% by 2012 (96 base) 	<ul style="list-style-type: none"> • 	<ul style="list-style-type: none"> • 	<ul style="list-style-type: none"> • Work with CSIRO and Sydney Coastal Councils Group
Marrickville	<ul style="list-style-type: none"> • 20% by 2010 (97 base) 	<ul style="list-style-type: none"> • Biodiesel for fleet • 10% ethanol fuel • Rewarding staff who use low impact vehicles (lease back) • CCP 	<ul style="list-style-type: none"> • 20% by 2010 (96 base) 	<ul style="list-style-type: none"> • Water shed 	<ul style="list-style-type: none"> • 	<ul style="list-style-type: none"> •
Ashfield	<ul style="list-style-type: none"> • 20% by 2010 (98 base) 	<ul style="list-style-type: none"> • Energy efficient computers for Council 	<ul style="list-style-type: none"> • 20% by 2010 (96 base) 	<ul style="list-style-type: none"> • 	<ul style="list-style-type: none"> • 	<ul style="list-style-type: none"> •

Council	Mitigation - Corporate		Mitigation - Community		Adaptation	
	Goals	Actions	Goals	Actions	Goals	Actions
		<ul style="list-style-type: none"> staff • LG ETS • Tracking Council emissions • CCP 				
Canada Bay	<ul style="list-style-type: none"> • 20% by 2010 (95 base) 	<ul style="list-style-type: none"> • Fuel efficient vehicles • CCP • EPC 	<ul style="list-style-type: none"> • 20% by 2010 (95 base) 	<ul style="list-style-type: none"> • Green business program 	•	<ul style="list-style-type: none"> • Work with CSIRO and Sydney Coastal Councils Group
Burwood	•	<ul style="list-style-type: none"> • CCP • Water conservation policy 	•	<ul style="list-style-type: none"> • Fridge Buyback 	•	•
Canterbury	<ul style="list-style-type: none"> • 20% by 2010 (2000 base) 	<ul style="list-style-type: none"> • EPC • CCP • Solar hot water at aquatic centres 	<ul style="list-style-type: none"> • 20% by 2010 (96 base) 	<ul style="list-style-type: none"> • 'Kilowatt Cutters' program 	•	•
Rockdale	<ul style="list-style-type: none"> • 20% by 2010 (95 base) 	<ul style="list-style-type: none"> • CCP • Divert organic waste through new waste contract • Energy efficient vehicles 	<ul style="list-style-type: none"> • 20% by 2010 (95 base) 	<ul style="list-style-type: none"> • Energy audits for businesses 	•	<ul style="list-style-type: none"> • Work with CSIRO and Sydney Coastal Councils Group
Hurstville	<ul style="list-style-type: none"> • 20% by 2010 (98 levels) 	<ul style="list-style-type: none"> • Power factor correction at Council facilities • CCP 	<ul style="list-style-type: none"> • 20% by 2010 (98 levels) 	<ul style="list-style-type: none"> • Fridge Buyback • Retrofit households with energy efficient lights 	•	•
Kogarah	<ul style="list-style-type: none"> • 25% by 2010 (98 base) 	<ul style="list-style-type: none"> • CCP • Solar panels on town square • Solar lighting in parks • Update building management in civic centre 	<ul style="list-style-type: none"> • 25% by 2010 (95 base) 	•	•	•
Bankstown	<ul style="list-style-type: none"> • 20% by 2010 (95 base) 	<ul style="list-style-type: none"> • CCP • Efficient computers • Biodiesel, LPG, hybrid and smaller vehicles 	<ul style="list-style-type: none"> • Stabilisation at 95 levels by 2010 	•	•	•

Council	Mitigation - Corporate		Mitigation - Community		Adaptation	
	Goals	Actions	Goals	Actions	Goals	Actions
Sutherland	<ul style="list-style-type: none"> • 30% by 2010 (95 base) 	<ul style="list-style-type: none"> • 10% ethanol for passenger fleet • CCP • Tree planting • Energy efficient lights 	<ul style="list-style-type: none"> • 20% by 2010 (95 base) 	<ul style="list-style-type: none"> • 	<ul style="list-style-type: none"> • 	<ul style="list-style-type: none"> • Work with CSIRO and Sydney Coastal Councils Group
Gosford	<ul style="list-style-type: none"> • 20% by 2010 • (96 base) 	<ul style="list-style-type: none"> • Produce renewable energy from methane at landfill • 6% green power for Councils electricity • EPC • CCP 	<ul style="list-style-type: none"> • 20% by 2010 • (96 base) 	<ul style="list-style-type: none"> • 	<ul style="list-style-type: none"> • 	<ul style="list-style-type: none"> •
Lake Macquarie	<ul style="list-style-type: none"> • 3% per capita (I think by 2012) based on 2008 	<ul style="list-style-type: none"> • Hybrid cars • Flaring dump methane • EPC • Solar hot water, etc at camping facilities 	<ul style="list-style-type: none"> • 3% per capita (I think by 2012) based on 2008 	<ul style="list-style-type: none"> • Sustainable living guide • Workshops • Rebates for solar electricity to residents • Home energy audits 	<ul style="list-style-type: none"> • Plan for sea level rise 	<ul style="list-style-type: none"> • Lake Mac Sea level preparedness and adaptation policy • Sea level rise policy
NSW Government	<ul style="list-style-type: none"> • 	<ul style="list-style-type: none"> • 	<ul style="list-style-type: none"> • 2000 levels by 2025 • 60% by 2050 	<ul style="list-style-type: none"> • 	<ul style="list-style-type: none"> • 	<ul style="list-style-type: none"> •

<http://www.environment.gov.au/settlements/local/ccp/database.html>

**Macquarie University
External Collaborative Research Grants Scheme Report
2008-09**

**Economic Evaluation of Climate Change Adaptation Strategies
for Local Government: Ku-ring-gai Council Case Study**

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Climate change is a diabolical policy problem. It is harder than any other issue of high importance that has come before our polity in living memory.
Garnaut 2008a, p. 2

Abstract

Climate change caused by greenhouse warming demands both adaptation and mitigation action by governments at all levels. Local governments must try to foresee the risks, prioritise policy options and plan suitable actions by means of which their communities may be prepared for future climate. However, review of the literature reveals that beyond cost benefit analysis which has limitations for adaptation decision-making, no local government level modelling has been conducted that explicitly links prioritisation of mitigation and adaptation strategies with expenditures.

This report describes a research study undertaken jointly by Macquarie University, Bond University and Ku-ring-gai Council between July 2008 and February 2009. The research addresses the need for sound and defensible information on which to base adaptation decisions at the local level. The research goal was to develop an economic model for evaluating and prioritising local councils' options for investing in climate change adaptation decisions. This analytical tool would assist both policy and operational decision-making by integrating current adaptation knowledge with policy and planning processes which include social, environmental, financial and governance, that is, Quadruple Bottom Line considerations (QBL). Model outputs were to be consistent with the Global Reporting Initiative (GRI) protocols that have been adopted by business and industry, and more recently, by local government authorities including Ku-ring-gai Council.

The phenomenon of bushfire and its impacts within the Ku-ring-gai Local Government Area was selected as a case study for this project. Other climatic impacts of concern in the Ku-ring-gai Council region are severe storms, droughts and increases in temperatures.

The research involved (i) the use of historical data, community perceptions about QBL priorities, and expert opinion on the probabilities and consequences of extreme weather events; (ii) the use of economic theory and techniques for projecting those probabilities and consequences to future dates and for ranking both financial and non-market values; (iii) identification of avoidable climate change impacts; and (iv) recommendations for adaptation action. Bayesian scenario analysis was calibrated according to expert opinion on climate change science and impacts and on bushfire hazards. The local impacts of global warming in both monetary and non-monetary terms were projected into the future using climatic-risk-appropriate discount rates.

Research findings indicate that: Bayesian techniques applied in the financial analysis of loss due to climate change hazards have utility; as an adjunct to financial analysis, the use of Borda counting to rank environmental, financial and social aspects of decision-making options is advantageous; and discounting choices faced by local government are critical to decision-making on climate change adaptation.

List of abbreviations

ABC	Australian Broadcasting Corporation
ARC	Australian Research Council
BCA	Benefit Cost Analysis
CBA	Cost Benefit Analysis
CCAM	Conformal Cubic Atmospheric Model
CRRA	Constant Relative Risk Aversion
CFU	Community Fire Unit
CSIRO	Commonwealth Scientific and Industrial Research Organisation
DCF	Discounted Cash flow
DDC	Data Distribution Centre
DPV	Discounted Present Value
EMA	Emergency Management Australia
ENSO	El Niño Southern Oscillation
ESD	Ecologically Sustainable Development
ETS	Emissions Trading Scheme
EU	European Union / Expected Utility
EV	Expected Value
FFDI	Forest Fire Danger Index
GCM	General Circulation Models
GCOS	Global Climate Observing System
GHS	Greenhouse Gas
GRI	Global Reporting Initiative
IGBP	International Geosphere-Biosphere Programme
IPCC	Intergovernmental Panel on Climate Change
LDA	Loss Distribution Approach
NSW	New South Wales
NSWFB	New South Wales Fire Brigade
OAGCM	Ocean Atmosphere General Circulation Model
PDF	Probability Density Function
PerilAUS	Peril Australia (database)
QBL	Quadruple Bottom Line
RCM	Regional Climate Model
RFS	Rural Fire Service
SES	State Emergency Service
SRES	Special Report on Emission Scenarios
TBL	Triple Bottom Line
TGICA	Task Group on Data and Scenario Support for Impact and Climate Assessment
UN	United Nations
UNFCCC	United Nations Framework Convention on Climate Change
WCRP	World Climate Research Programme

1. Introduction

Greenhouse gas emissions are a global “bad”.
Garnaut 2008c, p. 173

1.1 Background and past related work

Ku-ring-gai Council, located on the North Shore of Sydney, may be particularly vulnerable to increased storm and fire activity as predicted by climate change models for the region (DECC 2008). Council’s vulnerability stems from its geographic position in sharing boundaries with three National Parks, from its ridge top development and from an extensive tree canopy. The Council has already recorded a loss of \$670 million from a single storm in 1991, and again in 1994 significant loss of houses occurred owing to bushfire. The Ku-ring-gai Council local government area (LGA) ranks third in bushfire vulnerability, defined as addresses within 130 metres of bushland, among 61 LGAs in the Greater Sydney Region (Chen 2005).

Mitigation and adaptation policy implementation have not been handled on a comparable basis to date even though they are interrelated. Mitigation efforts are aimed at reducing the likelihood of bad climate outcomes and are focused on lessening the trajectory of atmospheric carbon dioxide concentrations. Adaptation efforts are aimed at reducing the severity of any bad climate outcomes that may be faced. As such, they are closely related, and decisions about the best policy or mix of policies depends upon complex and sometimes contradictory factors including: international treaties, for example the United Nations Framework Convention on Climate Change (UNFCCC)’s Kyoto Protocol which came into force in 2005 and was ratified by Australia in December 2007; national legislation and targets for example, the Carbon Pollution Reduction Scheme proposed for Australia for 2010; regional requirements, for example the New South Wales (NSW) Climate Change Action Plan; and local community desires and demands.

A literature review conducted as part of this study found no local government level modelling explicitly linking mitigation and adaptation strategies and expenditures although Council had previously undertaken assessment of potential local effects of climate change which provided a foundation for the current analysis. In the absence of directly relevant literature this collaborative effort would devise a tool generally applicable to local government such that its methodology and therefore its outputs would be consistent with social, environmental and financial assessment and the tool itself would play a governance role, thereby completing the QBL reporting concept.

The prime objective of this project was to develop a robust and transferable tool to evaluate and prioritise greenhouse gas mitigation and climate change adaptation strategies for local government decision makers with Ku-ring-gai Council as a collaborative partner.

Four aims stemmed from this objective:

1. To identify and quantify actions and activities relevant to local government that could support mitigation of greenhouse gas emissions and adaptation to climate change.

2. To develop an economic model with appropriate discount rates to assess the varying impacts within different climate change scenarios including costs and benefits to local government from action and inaction. The research will not consider sea level rise.
3. Using the model, prioritise strategies, policies and actions given immediate, medium and long term rankings for climate change impacts.
4. To assist decision-makers, incorporate the results into Council's financial, social, and environmental assessment framework.

Techniques

A. Economic modelling

The economic tool developed in this project uses a discounted cash flow (DCF) modelling approach with Bayesian probabilities assigned by experts where data is poor or unavailable. It is structured specifically to relate potential adaptation and mitigation strategy expenditures to one another, so that direct comparisons may be made where the strategies may be deemed substitutes (or mutually exclusive) and to specifically account for the situations where they may be deemed complementary. The DCF model demands that the appropriate discount rate or rates be employed to enable comparison of present net value of benefits and costs of disparate cash-flow patterns with net benefits and costs at specified future dates.

Determining the most appropriate discount rate is problematical since one must take into consideration both the underlying cost of capital to support investment expenditures for adaptive or mitigating projects and the relative riskiness of the flow of future net benefits. Establishing the appropriate level of consideration that should be given to intergenerational and intra-generational equity in regard to present expenditure and future benefit is, in part, an ethical issue. Similarly the influence of the uncertainty of the future on resulting net benefits and hence on the appropriate discount rate is a point of discussion.

B. Regional downscaling

The political acceptance of the Intergovernmental Panel on Climate Change (IPCC) Fourth Assessment (IPCC 2007) and economic reviews such as Stern (2006) and Garnaut (2008a-c) seem to be driving exploitation of climate model simulations even when inconsistent, and sometimes challenging, discrepancies are known, see for example the Global Climate Observing System - World Climate Research Programme – International Geosphere-Biosphere Programme Report, (WCRP 2008) and Doherty et al. (2009). Today's challenge is how to select the tools most likely to be useful from the plethora of model projections and proposed new analyses.

Local councils play a significant role in the management and protection of various infrastructure and community assets, however there are limited tools available at the local level to assist in determining the most appropriate method of adapting to and mitigating climate change. This limitation affects local governments both nationally and internationally. Here, the climate projection skills of models involved in the IPCC Fourth Assessment Report are exploited for regional downscaling to the extent that this can be shown to be viable. Specifically we draw on the extensive analysis reported by the NSW Department of Environment and Climate Change (NSW 2008a)

C. Comparing monetary and non-monetary values: Triple Bottom Line (TBL) assessment

Ku-ring-gai Council has introduced a performance reporting process that is framed by environment, society, economy and governance (QBL). For the purposes of examining options, only the first three, referred to as Triple Bottom Line (TBL), are required. Governance relates to the manner in which Council deals with the information once obtained and therefore does not apply to the analysis of options. The inclusion of governance in the framework is consistent with the requirement of the Global Reporting Initiative (GRI 2007) that is the preferred sustainability framework endorsed by the NSW Government in 2007 and used by Ku-ring-gai. Such a framework enables direct and indirect performance of Council to be analysed from individual employee work plans through to long term strategic Council policies.

The prioritisation tool developed here relates market, or financial, costs and benefits to non-market environmental and social assessments in a Triple Bottom Line context. The tool itself plays the role of governance in providing a mechanism for policy and operational decision-making.

1.2 Literature review

A literature search for ‘economic analyses since 2003 of the economic costs of mitigation and adaptation to climate change at the local government level’ reveals much world-wide interest in the subject, accompanied nevertheless by a lack of modelling at the local level. Impacts of climatic change have been studied extensively by the natural sciences, but research on the social and economic consequences is far more limited (Kuik et al. 2006).

Kuik et al. (2006) also note that insufficient work has been done on the costs of adaptation versus no adaptation as well as on what changes there might be to adaptation costs if there were some level of mitigation. The importance of such work re-emerges in Garnaut’s (2008a) conclusion where he implies that the high costs of climate change do not in themselves make a case for any level of mitigation, rather a comparison of the costs of mitigation must be weighed against the costs saved from avoided climate change. He later states ‘Both the costs and benefits of mitigation, but especially the benefits, reveal themselves over much longer time frames than humanity is accustomed to taking into account (Garnaut 2008b p24).

Agrawala et al. (2008) note that the literature concerning mitigation is comprehensive and demonstrates clear boundaries to the concept of mitigation, while the literature for adaptation remains sparse and contested and without clear boundaries or a metric for assessing the effectiveness of adaptation measures. Nevertheless, governments at local and national levels will implement adaptation action because of its public-good characteristics. Studies at the local level have been restricted to certain sectors such as public health and tourism. Also, there has been very little attention to governments’ role in facilitating private adaptation investment decisions.

This review first looks at economic models and approaches reported in the recent literature, then summarises methods for valuing non-market goods, next considers the

controversial topic of discount rates, then briefly refers to downscaling, and finally looks at the important topic of behavioural and psychological aspects of adaptation.

1.2.1 Models and approaches

Many authors advocate an *integrated approach* or an *integrated model* although the term *integrated* is used with a variety of meanings. Among the authors advocating *integration* in one form or another are Ermolieva and Sergienko (2008), Jones et al. (2007), Kirshen et al. (2008), Kuik et al. (2006) and Godard (2008). Kuik et al. (2006) distinguish integrated approaches from exogenous, or externally influenced approaches. Fully dynamic integrated approaches, linking long-term socio-economic feedback and climate scenarios to the costs of inaction, are rare. Godard (2008) says that integrated assessment models are intended to capture interactions between natural and economic systems and the aim should be 'projected equilibrium', where achievements match expectations, and should include generational equity.

A. Risk insurance theory, application to floods, Adaptive Monte Carlo optimisation

Ermolieva and Sergienko (2008) review models and approaches taken in managing catastrophic risk. Planning for natural risks requires a strict risk-specific methodology. They acknowledge that mathematical models for quantitative assessment and prediction that can deal with incomplete information are necessary. The fact that a one-in-500-years event may occur tomorrow is all too often overlooked by traditional deterministic models.

They also point out that catastrophes have the characteristic of being infrequent in any given locality; they may not resemble one another, meaning that past experience is not a reliable guide; and there are few or no real observations to facilitate traditional statistical modelling based on the law of averages. Furthermore, claims and losses for particular insurance categories cannot be assumed to be independent of one another as are vehicle and household claims.

Ermolieva and Sergienko (2008) show that stochastic optimisation models are useful and they provide a summary of the Adaptive Monte Carlo optimisation approach (see Section 2.6.2 The Loss Distribution Approach for a discussion of Monte Carlo simulation). They refer to a 'three-dimensional' model of catastrophic flooding which was developed to create artificial data with which to supplement incomplete data on past floods, possible damage, dependence on different management strategies; and to make projections. This integrated risk control model consists of three moduli: possible increase of river levels, the vulnerability of individual buildings at various inundation levels, and a stochastic model of economic growth which relates income loss to local and central governments, households, the catastrophe fund, insurance companies, investors, and producers. The model allows for evaluating risk reduction actions.

The authors conclude that stochastic optimisation models are valuable in taking into account the goals and constraints of the different agents, and that an integrated approach including preventive measures to reduce catastrophe probabilities is necessary. The Ermolieva and Sergienko (2008) method may be useful as central governments shift responsibility and cost to local government agencies and actors.

B. General equilibrium model

Calzadilla et al. (2005) use a dynamic computable general equilibrium model to assess the impact of climate change on El Niño Southern-Oscillation and the North Atlantic Oscillation cycles and expected losses at the regional level. The authors note that local impacts of economic loss propagate within the globalised world economy. They remark, however, that although climate scientists are studying these relationships, no model is available that links climate change to local extreme weather conditions. Their paper does not address climate change adaptation or mitigation efforts.

Kuik et al. (2006) use the term *general equilibrium effect* to refer to the economy as a whole. Indirect effects of climate change, having been spread throughout the economy by the markets, can amplify and diminish the direct economic impacts of climate change. Most studies to date have underestimated the indirect economic effects on the general economic equilibrium.

C. Integrating mitigation and adaptation measures: management level

Jones et al. (2007) explore the critical complementarity of mitigation and adaptation and the need for an *integrated approach* by managers. They describe the case of two Australian regional bodies, the Central Victorian Greenhouse Alliance and the North Central Catchment Management Authority, that maximise the benefits of mitigation and adaptation actions through integrating such actions at the regional scale.

They believe that Australian policy affecting adaptation and mitigation is likely to be ‘top down’ from the state or national level, while the actors are local. Central and state governments may favour large, visible projects such as large power generator initiatives or large industrial processes, yet in Northern Victoria it appears smaller niche generators using renewable energy sources and cogeneration may be well placed to provide power.

The bodies both recognise that regional reductions in greenhouse gases will not directly benefit the local area but rather will contribute to the global common good. However, they do believe that a local area being an early adopter of mitigative technologies and actions will provide economic benefits. White et al. (2008) share this optimism in considering policy options for English Regional Development Agencies and local authorities who seek opportunities for business and the economy as a whole while responding to the government’s carbon reduction pathway obligations.

D. Case study of integrated urban impacts and adaptation strategies

Somewhat resembling Sydney, Boston’s population is 3.2 million, increasing to 4 million by 2050 (Kirshen et al. 2008) its boundaries comprise a harbour fed by three rivers and a ring road; its population density is concentrated in the east, spreading out generally westward to suburbs and then to farmland and some urban ‘sprawl’. Serving as an air and sea gateway to the northeast of the United States, Boston’s infrastructure is ageing (Kirshen et al. 2008)

Although Kirshen et al. (2008) analyse Boston’s urban infrastructure systems in the northeast of the United States, they recognise, similarly to Jones et al. (2007), the interdependencies of climate change impacts and adaptation actions.

The article summarises the implications regarding energy use, coastal and river flooding, transport, water supply and quality, public health, tall buildings, and bridge scouring infrastructure systems. The authors observe:

1. Structural actions taken before full climate change impacts occur will result in fewer total expected negative impacts
2. Actions taken soon will result in less negative weather related impact even without climate change
3. Climate change will magnify negative impacts due to demographic changes
4. Climate change impacts and largely complementary adaptations will not only affect target infrastructure systems but also interrelated systems
5. Adaptation actions must be integrated with land use planning, environmental impact assessments, and socio-economic impact assessments, for example, of disrupted supply chains.

E. Transient impact and adaptation model

Hallegatte's (2005) integrated model takes into account the inertia of climate and socio-economic systems. The author finds that the climate-economy feedback takes 50 to 100 years and cannot act as a damper on climate change; results of emission reduction appear after 20 years; results are better seen in 50 years; and mitigation efforts are significant over more than one century. Emissions linked to economic growth create additional climate change damage, and hence a cost to the climate from growth.

F. BCA/CBA applied to disaster mitigation

Ganderton (2005) asserts that Benefit-Cost Analysis (BCA) / Cost-benefit Analysis (CBA) is the most appropriate method for assessing hazard mitigation actions as it takes into account all the benefits that may be achieved by a mitigation action. He warns against keeping benefits constant as with Cost-Effectiveness Analysis, where benefits, often non-monetary, are stated and fixed at a particular level thereby ignoring other non-specified benefits that result from the action. He comments that although projects should be evaluated from society's point of view, decision makers often have to confine themselves to one sector or level of government. They must also recognise that not all people see an action as a benefit; some may see it as a cost.

Analysts must deal with the counterfactual: if hazard mitigation does not take place, it may depress economic activity or other activity in the affected area. Unfortunately BCA has not produced a definitive prescription for dealing with uncertainty, a major issue in anticipating risk induced by climate change (Ganderton 2005).

However, Norman et al. (2007) doubt that CBA is the appropriate tool for analysis of global problems that extend over centuries and impact non-human species. They find that *ex-ante* estimations of costs may be higher than later, realised *ex-post* estimations, owing to research breakthroughs that lowered cost or improved quality.

G. Fuzzy set operations

Prato (2008) shows how fuzzy set logic can be applied when there is uncertainty about the nature and extent of climate change impacts. Where set membership is vague, ambiguous or nonexclusive, fuzzy logic, particularly the operation known as x-cuts, is useful for defining climate change variables and their impacts on a managed ecosystem. Prato (2008) considers the cases where subjective probabilities of climate

change scenario are assigned, preferably by experts, and where probabilities cannot be assigned. Bayes rule can be used to update assigned probabilities as more data become available.

1.2.2 Valuing non-market goods

Economists employ various methods for assigning monetary values to non-market goods such as environmental values. Ganderton (2005) describes revealed preference methods, where behaviour is actually observed, such as Value of Intermediate Goods, Hedonic Price Models and Travel Cost Models. He also describes stated, or hypothetical, preference models such as the Contingent Valuation Method and Conjoint Analysis. The Benefits Transfer Method uses existing data from other projects and can be less expensive. Rehdanz (2007) uses spatial econometric techniques to value ecosystems. Kuik et al. (2006) believe that although all current studies use a mix of valuation techniques, a rough version of Benefit Transfer is the predominant method used. Unfortunately studies into the effects of one valuation method over another are lacking.

Ganderton (2005) reminds us that environmental economists find that the wider society places very high values on the existence of ecosystems; furthermore economists cannot measure the emotional and psychological dimensions of disaster mitigation.

Rehdanz (2007) investigates how European Union (EU) citizens value species preservation, biodiversity and ecosystem services. Humans place value on the proximity of ecosystems that conserve biodiversity and reduce numbers of threatened species. The author links human life-satisfaction with biodiversity and numbers of threatened species by using spatial econometric techniques to determine whether spatial relationships exist and to what extent. A mammal species was shown to be valued more than a bird species; however overall bird species seem to be a better indicator of biodiversity. For example:

On average individuals are willing to pay US\$4 per capita per year to prevent a unit decline in the number of existing bird species from an average of 582 to 581 species. This is independent of model specification and is equivalent to a reduction in GDP per capita by 0.04 percent on average. The estimates for mammal species are three times larger. People would be willing to pay US\$11 to US\$13 to prevent a drop by one species from an average of 176. ... biodiversity values are driven by ability to pay rather than absolute scarcity. (Rehdanz 2007, p. 11).

Rehdanz' findings are complemented by the remarks of Peter Cosier, Director of the Wentworth Group of Scientists in Australia, who said (ABC Radio National 2008)

Birds, the things we see flying in the sky every day, are very, very good indicators for the health of our native vegetation, of the habitat for all animals, for all biodiversity.

.... what used to be an activity of the eccentrics [bird watching], and many of my friends are going to kill me for saying that, in the next ten years could well become the most important activity conservation does in Australia, because it will be providing the information we need to manage biodiversity in Australia.

So measuring birds, bugs and bees is the first step to sustainability of the Australian landscape. And eventually the Australian economy.

Kuik et al. (2006) prepared a table (Table 1) showing which among selected studies since 2000 involved key methodological issues such as valuation of non-market goods, adaptation costs and uncertainty. None were focussed specifically on local government.

1.2.3 Discount rate

Karp (2005) says the discount rate chosen may well determine the cost-benefit ratio for investments related to climate change. Even moderate discounting discourages small present-day investments to avoid large damages in the distant future.

Summers and Zeckhauser (2008) take the view that market rates of discount are too high for projects benefiting society as a whole, and that social investments should give the future far more weight than do private projects. Humans, particularly those alive today, have despoiled the environment, and future generations have as much right to inherit a hospitable earth as we did. They point out that humans are shown to have a strong aversion to causing suffering or loss, and their valuing of non-monetary goods rises disproportionately with rising income; while standard discounting implies that an increment in consumption will have less marginal utility among richer future generations. The fact that there will be more people should accord the future a

Table 1 – A classification of the most recent studies (post year 2000) based on key methodological issues

Post-2000 Selected studies	Dynamic scenario	Valuation approach		Estimation Approach		Adaptation costs			Temporal aggregation		Spatial aggregation		Uncertainty and risk		Completeness	
		WTP/ WTA	Benefit transfer	Direct impacts	Indirect impacts	Diseentan- gled from residual impacts	Lumped together with residual damage	Trade-off with mitigation	Constant discount rate	Declining Discount rate	With equity weighting	Without	Sensitivity analysis	Statistical uncertainty	Source of impact	Impacted sector
Bosello et al., 2004a,b			X	X	X		X					X	X		Sea-level rise/ extreme events/ temperature increase	Tourism/ Health
Bosello, 2005	X			X	X	X	X	X				X	X		Temperature increase	
Darwin and Tol, 2001			X	X	X	X	X		X			X	X		Sea-level rise	Land & capital lost
Li et al, 2004		X											X			
Newell and Pizer, 2004							X		X	X		X	X	X	CO2 emissions scenarios	
Nordhaus and Boyer, 2000	X			X	X		X			X		X	X		Temperature increase	
Rive et al., 2005			X	X	X		X					X			Change in temperature & precipitation	Forestry
Stern et al., 2006	X		X	X			X		X			X				
Tol, 2005							X		X	X	X	X		X		

Table 1. Classification of some recent downscaling studies (Kuik et al. 2006, p. 15)

proportionately greater weight than calculations ignoring population increase. Furthermore, we are able to learn from actions taken now. The authors present the examples of Thomas Edison's inventions, the Internet, and technology developed for

the armed forces in World War II – all of which progressed human welfare into the 21st century and presumably beyond. Knowledge gained from actions taken now is not appropriable.

Summers and Zeckhauser (2008) propose a ‘4D’ mnemonic:

- Discounting – the future deserves a high value
- Disaster – climate change will impose a very high cost at some future date
- Distinction – society makes a distinction between types of investment for the future
- Decision analysis – the greater the uncertainty, the greater is the danger in waiting. The cost of action is increasing at an increasing rate; and, learning from actions taken now could reduce the overall cost of optimal efforts.

Kuik et al. (2006) observe that very few studies incorporate a measure of statistical risk. There is uncertainty regarding future discount rates; in fact there is no agreement in the empirical literature as to how a discount rate should be chosen. In their overview of the literature the authors present the following points of view on discounting:

Discounting is equivalent to the present generation owning all future resources. Although objectionable from a moral standpoint, it seems to reflect current reality. This line of research has not led to practical alternatives to discounting. A constant rate of pure time preference between 1 and 3 percent is employed by most studies.

Conventional exponential discounting accords the same difference between two years whether they fall in the present decade or in a century from now. That is, using the discount factor $(1+r)^{-t}$, where r = the rate of discount and t = time, leads to that effect.

Hyperbolic discounting could be implemented with one year in the present is equivalent to ten years in one hundred years’ time. Present discount rates would be little affected and would mainly affect long-term decisions.

A low discount rate puts the cost of inaction with regard to the environment and climate change much higher than does a high discount rate.

A hyperbolic discount rate (becoming lower over time) assigns higher marginal damage costs as the discount declines.

See Chapter 1 of Ross Garnaut’s Final Report (2008c) for a discussion of the effects of different discount rates.

Karp (2005) confirms other researchers’ views that hyperbolic discounting tends to conform with psychological perceptions of value over time and reduces the problems associated with constant discounting.

Kirshen et al. (2008) avoid the ethical arguments surrounding the discount rate by not discounting any impacts of climate change, thereby assuming that property values and adaptation costs appreciate at the same rate.

Ganderton (2005) notes that in a cost-benefit analysis, the scope of a mitigation project is both spatial and temporal. If a project has intergenerational impacts, then future generations should receive standing in any project that impinges upon them.

Ismail-Zadeh and Takeuchi (2007) find the standard discount rate approach inadequate for making decisions about when to take preventative measures in relation to extreme natural events such as the numerous earthquakes, tsunamis, floods, and cyclones that have already occurred in the 21st century.

On the other hand, Winkler's (2006) analysis finds that the outcome of hyperbolic discounting is not only unsatisfactory from the present generation's point of view, but may also be inefficient. This is because hyperbolic discounting assumes that the present generation faces the costs of investment while the benefits are spread over all subsequent generations. Winkler (2006) challenges the use of hyperbolic discounting in long-term decision making. Success in hyperbolic discounting requires a commitment mechanism.

For discussion on discounting including cost-benefit analysis, see Section 2.4 *Choosing a discount rate: how are non-market values included?*

1.2.4 Downscaling Kirshen et al. (2008) looked at our present climate projected without change as well as at two climate change scenarios; they used three different climate change adaptation scenarios; and they used only one set of population projections in order to emphasise adaptation and climate sensitivities. The researchers used climate change scenarios developed for the American New England region, and obtained scenario data for the inland grid cell closest to the study area for 2030 and 2100. They assumed that the downscaled results did not differ significantly from more coastal grid cells.

In an editorial review article, Frumhoff et al. (2008) describe the work of Hayhoe et al. (2008) in the same issue. The results of three global circulation models are downscaled to regional northeast United States. The average of the downscaled model outputs reproduces temperature and precipitation trends across the northeast of the United States except for recent winter warming, possibly owing to small-scale but important feedback effects of reduced surface snow cover.

For a discussion of regional downscaling, see Section 2.3.1 Climate change downscaling and for a summary of downscaled, projected impacts see Section 2.3.2 Climate change overview

1.2.5 Psychological and behavioural aspects

Agrawala et al. (2008) believe that although there are sectors like agriculture and some behaviours such as reducing water consumption where a high benefit/cost ratio will assist in making adaptation decisions, the relative ease of costing infrastructural adaptations over behavioural efforts may lead to a bias toward the 'hard' adaptation measures as well as overestimating adaptation costs. Furthermore, successive studies tend to build upon the assumptions made in previous studies, and therefore cannot be considered truly independent.

Byrne et al. (2007) and Ismail-Zadeh and Takeuchi (2007) find that although citizens and regional, state, and local governments in the US want policies that address climate change mitigation, and to a lesser extent adaptation (such as 'weatherising' low income housing), the Federal Government procrastinates and has even been seen to impede efforts.

Knetsch (2007) asserts that it makes a difference which valuation method for environmental damage is chosen as the choice can bias outcomes. People value loss, or the avoidance of loss, more highly than equivalent gains. In cost-benefit analyses, the 'willingness to pay' method results in a lower valuation than the 'willingness to accept' method. The implication is that people will put a higher present value on a future loss than on the expectation of a future gain. People discount future gains more than future losses. Different discount rates should be used for future loss and future gain, and this would likely accord more weight to future environmental loss.

Gardner and Stern (2008) provide a number of energy retrofit options for homes. They find that although financial incentives are indeed a motivating factor, public information campaigns and government commitment to facilitating the energy-saving actions are by far the most effective at invoking householder investment.

1.2.6 Summary and Conclusion

There have been surprisingly few studies at the local level on the economic cost of mitigation and adaptation to climate change effects. Studies that do exist have tended to focus on particular economic sectors such as agriculture, tourism and health.

We know what the science says, but models do not adequately integrate feedback from socio-economic mitigation and adaptation efforts. There has not been enough study into the costs of the 'reference case' of no adaptation effort. Mitigation studies exhibit defined boundaries, while adaptation as a concept remains amorphous. Because of their public-good characteristics, mitigation and adaptation efforts must be guided by government.

Not enough effort has been invested in facilitating private expenditure. Integrated approaches are more recent and are important for incorporating the effects of human socio-economic attempts to deal with climate change.

The fact that a one-in-500-years event could occur tomorrow is often overlooked by traditional deterministic models and confounds the basis of risk insurance theory. There is a body of literature dealing with preparedness for such events. Uncertainty characterises the discussion; the term 'equilibrium' can be applied to geophysical climate scenarios as well as to modelled socio-economic dynamics. Likewise the term 'integration' has various applications including complementary impacts on infrastructure, but seems usually to apply to feedback between geophysical and socio-economic forces.

Assigning costs and benefits to present-versus-future-generations in the face of uncertainty enmeshes ethical, and therefore controversial, considerations. No satisfactory method for assigning dollar values to non-market environmental services exists despite human attempts to approximate a value for what is essentially priceless.

People once considered eccentric for recording local observations such as the presence of birds and daily weather data are now recognised as providing valuable climate change indicators.

Finally, local government may find that its greatest value-for-dollar climate adaptation efforts lie in encouraging private households to invest in adaptations. In taking this path it may address the psychological and behavioural aspects of adaptation by reducing restrictions, for example, on solar panels and water tanks, and providing market information such that each household need not do its own extensive research into sustainable renovation options. Such action, however, may be yet another extension of local governments' responsibilities into the domain of the state owned utilities and corporations.

1.3 Legal implications for local government

Climate change mitigation and adaptation is challenging and requires input from all levels of government. At the local level where action is often the most effective, local government confronts the complex and problematic task of planning and implementing mitigation and adaptation actions within existing budgetary, legislative and policy constraints. While the NSW state government has provided funding for some initial climate mitigation and adaptation initiatives such as energy and water savings, the effects of altered weather patterns associated with a changing climate are generating a plethora of inter-connected impacts that demand a sophisticated multi-disciplinary, multi-faceted response.

1.3.1 Bushfire risk as the focus of the present study

Planning short, medium and long term responses to climate change at the local level will build on existing knowledge of historical risks. While climate change may impose new risks in some local jurisdictions, for Ku-ring-gai the modelling suggests that no new risks are likely to emerge, however existing weather related risks are likely to intensify. The challenge is to ascertain the significance of the predicted effects of climate change and to identify local consequences in relation to future liability. Decision-makers must also consider the benefits foregone and the cost of failure to take pre-emptive action to mitigate and adapt to the more extreme impacts of climate change. Planning for climate change has the potential to involve many broad areas of responsibility for the local government sector including, but not restricted to

- Bushfires - frequency and intensity
- Storms - frequency and intensity
- Water security - potable supply per capita
- Biodiversity (loss of Critically Endangered Vegetation communities)
- Heat stress mortality rates

The above areas of concern were identified through a Ku-ring-gai community consultation process, and from this list Council and the researchers selected intensified bushfire risk as their focus for the study. Planning responses to the increase in risks of this type is a complex array of interrelated strategies that fall under the auspices of a number of public agencies and private land managers. In its key planning role Ku-ring-gai Council has proactively managed bushfire risk along its 89-kilometre urban-bushland interface which is subject to periodic high intensity fire

activity. The community is highly vulnerable to this threat as fires have historically generated significant impacts approximately every five years. Fire events causing loss of property between 1997 and 2007 occurred in the years 1977, 1980, 1991, 1992, 1994, 2002 and 2004.

Although loss of life owing to bushfire is rare, house losses are not. The economic and social impacts of bushfire events are well documented while environmental impacts are less well understood. Environmental impacts may not be immediate but can emerge over time as intensity and frequency of fires increases. For example, erosion, a function of soil type, slope, vegetation cover and rainfall intensity, occurs for a period of time after fire, particularly on the steep slopes and sandstone soils found in Ku-ring-gai. Hot weather in Sydney is often terminated by a southerly change accompanied by thunderstorms and heavy rain. This combination of weather patterns leads to an accelerated process of erosion which degrades slopes and deposits sediments in local creeks and waterways choking the biological life of those assets.

The frequency of major fires is exacerbated by arson. The intensity of fires is influenced by fuel characteristics such as mass, structure, moisture levels and type of weather conditions including wind speed, humidity, cloud cover, atmospheric stability and temperature (UTS 2004, pp. 3-5). Ku-ring-gai vegetation communities contain highly combustible forest types located in a topography of deeply incised valleys crowned by ridge top urban development. Slope has a direct effect on the rate of fire spread and behaviour. Assuming a constant fuel load, for every 10-degree increase in slope, the rate of spread of fire doubles (UTS 2004, p. 6). Aspect also plays a role; north facing slopes are exposed to greater solar radiation and thus support drier fuels. This means that the north and northwest facing slopes which occur in up to half of Ku-ring-gai's urban-bushland interface will on average burn more often and over a larger number of days, including days not classified as extreme bushfire weather (UTS 2004, p. 6).

1.3.2 Planning for bushfire protection in Ku-ring-gai

The NSW Rural Fire Service (RFS) released a document in 2006 entitled 'Planning for Bushfire Protection' which sets out key strategies for minimising bushfire risk in NSW. Protection of life and property is the primary objective of this plan particularly in relation to planning new developments. The RFS reviews development applications and considers their merit from the point of view of bushfire protection. These measures are designed to ensure the risk to new homes and residents from bushfire is minimised. However, past development has occurred in areas prone to bushfire and the legislation guiding the determination of development applications was not strengthened until 1997 with the introduction of the *Rural Fires Act (1997)* (NSW). Developments constructed prior to this legislation had considerable latitude in the interpretation of risk; and while councils could require that bushfire protection measures be incorporated into the development they could do little to stop development in bushfire prone areas. As a result, thousands of homes in Ku-ring-gai are located at the bushland interface and are vulnerable to fire risk. Figure 1 shows the extent of the high risk areas which nearly encircle the municipality.

Commentary by the Insurance Council of Australia in February 2009 in the aftermath of the devastating Victorian fires suggests that building codes in Australia fall well below international standards. The Council believes this anomaly combined with

homes facing the consequences of more severe weather conditions will likely mean that home owners will find it increasingly expensive and difficult to insure (SMH 2009, p3). While Ku-ring-gai residents are relatively affluent, it will be difficult for average home owners to self-insure in the event they cannot buy adequate insurance cover.

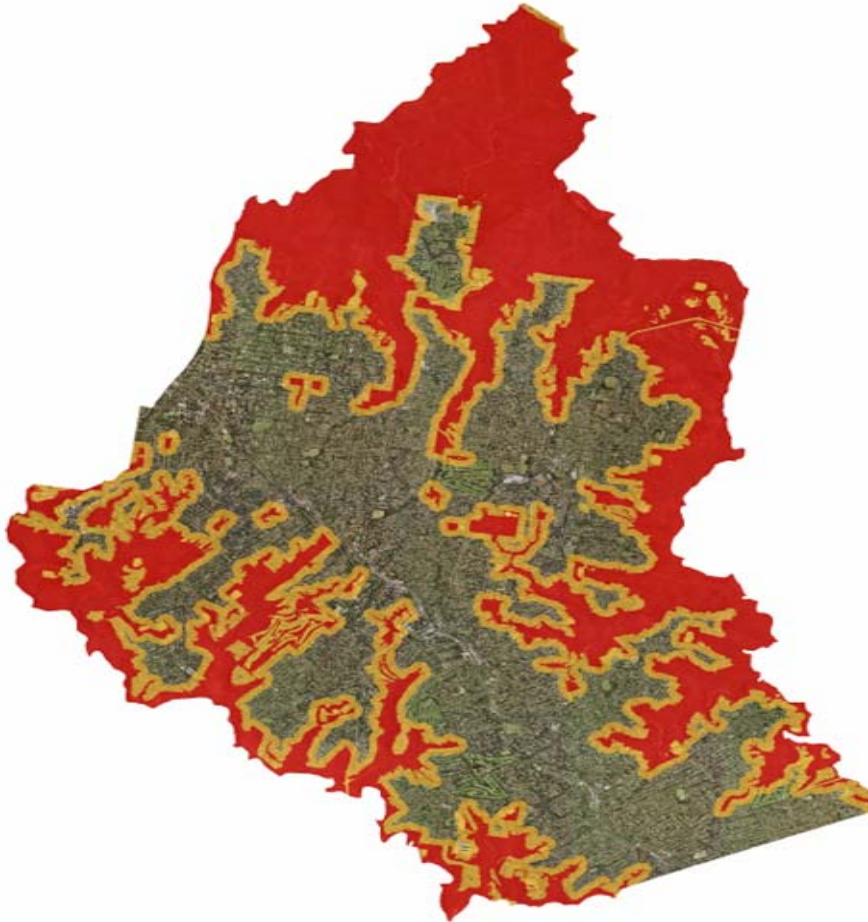


Figure 1. Ku-ring-gai Local Government Area: high bushfire risk areas

1.3.3 Fire vulnerability

- Local government area: 84 square kilometres
- Bushland: 18,000 hectares
- Bushland interface 89 kilometres
- Number of houses within high fire risk areas: 13,000
- Percentage of houses at high risk of bushfire: 36%
Ranking among Greater Sydney LGAs for exposure to bushland: 3rd

Although these factors indicate that over a third of Ku-ring-gai's houses are highly vulnerable to bushfire risk, Ku-ring-gai Council has implemented a range of strategies to reduce bushfire vulnerability. Within the high risk areas are located not only dwellings but also schools, aged care facilities, hospitals and recreational facilities. Of

most concern is the limited capacity for emergency evacuation of some of these areas where access is confined to one road. The vulnerability of hundreds of people, many of whom will require assistance to evacuate, is extreme given their bushland location and single road access.

Investment in bushfire risk reduction strategies has been a key focus of Ku-ring-gai Council over the past ten years as illustrated by Figure 2 which shows where the investment has been directed. The success of these strategies in reducing risk is debatable and may not be known until tested.

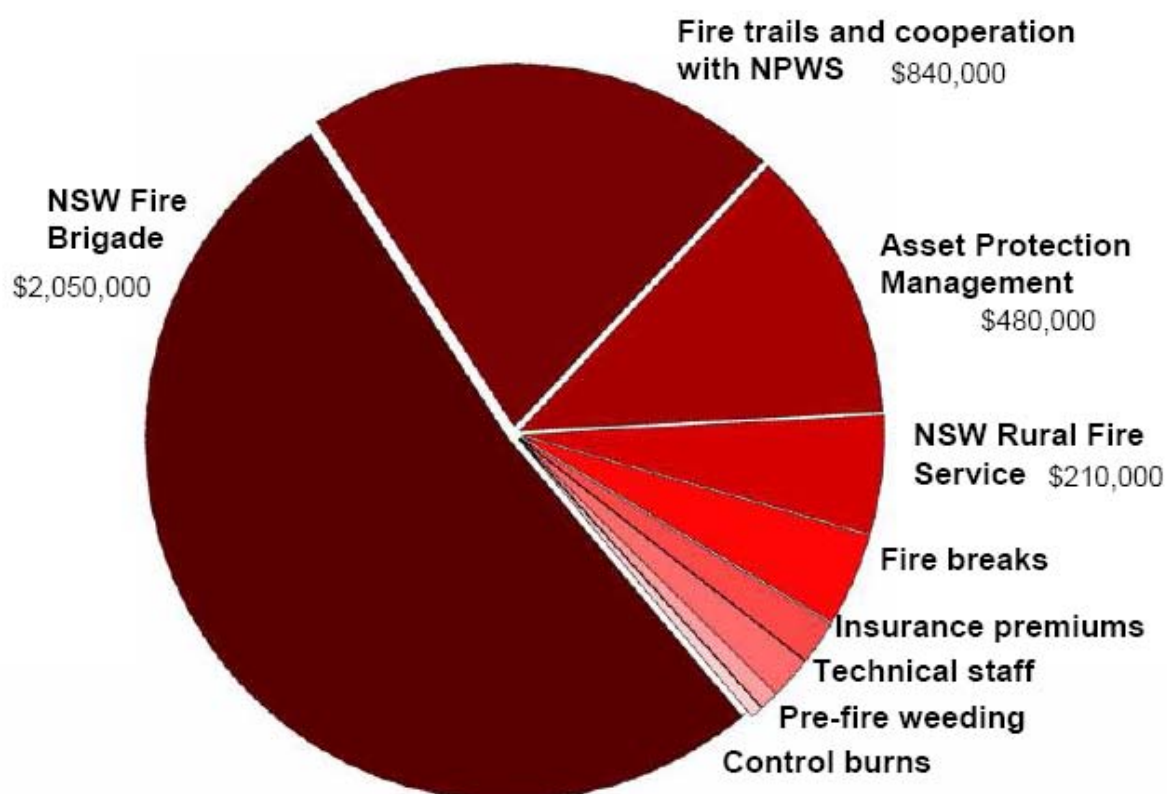


Figure 2. Ku-ring-gai expenditure on bushfire protection 2006-2007

1.3.4 Fire and emergency services roles in bushfire

The NSW Fire Brigade (NSWFB) is the lead agency for structural fires. However it has a role in other fire types including bushfires. The focus of the NSWFB is mainly urban while the Rural Fire Service (RFS) concentrates on peri-urban and rural areas. The NSWFB promotes and trains Community Fire Units (CFUs) to act until fire services can arrive. CFUs are volunteer groups that receive training and equipment to prepare and protect their property and neighbouring properties from spot fires and ember attack when bushfires threaten. A typical Community Fire Unit consists of 6 to 12 local residents who live on the same street, although family and friends living within a 2-kilometre radius are able to join particular CFUs (NSW FB 2009). The State Emergency Service (SES) also plays a role in fire events. In addition to its primary role of emergency and rescue services, the SES assists other emergency

services during major operations. These services include the NSW Police Force, the NSW Rural Fire Service, NSW Fire Brigades and the Ambulance Service of NSW. The Ku-ring-gai community can rely on all these agencies in the event of storm, fire or other emergency. Council provides financial assistance to these agencies and contributes to their annual running costs (see Figure 2).

1.3.5 Bushland management

The Ku-ring-gai local government area contains a wealth of biological diversity with numerous habitat types, 800 plant species, 170 fungi and nearly 700 fauna species identified to date (Wilks 2007). Council Reserves combined with remnant vegetation on private land provide important bio-linkages among the National Parks that border the municipality. Global warming will change rainfall and carbon dioxide concentrations in the atmosphere which will gradually impact interactions among species and structure and composition of terrestrial ecosystems (Hilbert et al. 2006),

In the Sydney region, global warming will have an effect on rates of photosynthesis, respiration and decomposition. The timing of natural cycles may alter as days become warmer and seasons, particularly winter, become drier (Hughes 2007). Fire response policy should take into account Hughes' (2002) suggestion of likely thickening of vegetation in eucalypt woodlands as a result of increased concentrations of CO₂ in the atmosphere. This may increase the fuel load on the ground for fires, leading to more intense fire events in the future. Hilbert et al. (2006) consider that it is crucial for land managers to communicate with climate scientists, public policy makers and regional planners to improve resilience of ecosystems in a rapidly warming world. Hilbert et al. (2006) recommend that in view of the uncertainty posed by climate change, strategies be flexible, adaptable and consistent with the precautionary approach. These researchers have found that land managers need guidance in allocating resources and prioritising actions for achieving the best outcomes for bushland in the face of competing interests and limited funds .

1.3.6 Precautionary Principle

According to the European Union's 'Communication on the Precautionary Principle' dated February, 2000, actions undertaken in response to an identified risk should be proportional to the risk and the level of protection required. Responses to risks should be non-discriminatory and consistent with similar measures already undertaken (EU 2000). The Communication (EU 2000 p.1) further states that responses

should be based on an examination of the potential benefits and costs of action or lack of action and subject to review in light of new scientific data and thus should be maintained as long as the scientific data remains incomplete, imprecise or inconclusive and as long as the risk is considered too high to be imposed on society

Importantly the EU notes that the Precautionary Principle is a useful tool for taking political decisions when science is unable to provide a clear answer.

Local government has a duty to manage land, infrastructure and natural assets in a manner consistent with the Precautionary Principle. Recent court judgements in NSW

and elsewhere confirm the need for government to ensure responses to issues are proportionate to scale and magnitude of the risk (Scott, Hayward & Joyce 2008). Climate change modelling predicts future climate shifts at regional levels but there remains uncertainty at the local scale which creates dilemmas for councils.

Guided by the *Local Government Act 1993* (NSW), Ku-ring-gai Council has determined that strategic planning should be consistent with the Principles of Ecologically Sustainable Development (ESD). Council has adopted a Quadruple Bottom Line reporting framework to integrate existing management and reporting systems. A benefit-cost framework guided by ESD Principles has been explored to enable a more accurate system of identification of transparent, community referenced priority areas for investment in long-term climate change mitigation and adaptation policy.

The Precautionary Principle guides decision-makers in areas of complexity where no clearly defined answers exist to risks with serious or irreversible consequences (*Local Government Amendment (ESD) Act, 1997*). Uncertainty characterises decision-making where environmental change is concerned. Pindyck (2007) notes we cannot know with much precision the effects created by environmental damage even though we may spend considerable resources trying to find out. In regard to climate change, Pindyck claims that the very long time horizons and the ability of humans to adapt makes it very difficult to pinpoint the impacts. There will, claims Pindyck (2007 p.29), inevitably be hidden or unanticipated costs and benefits that emerge as a result of policy change due to the dynamism and complexity of climate change scenarios and their associated uncertainties.

Given the transitional nature of legislation and public perceptions relating to climate change, it would be prudent of councils to adopt both adaptation and mitigation measures that address the risks posed by climate change.

1.3.7 Legal framework

In planning for climate change, it is worth noting the growing number of successful administrative challenges involving climate change in the NSW Land & Environment Court and other jurisdictions around Australia (NSW LEC, 2006). The NSW Land & Environment Court has jurisdiction over local government matters and appears to be receptive to the consideration of future climate change. The outcomes of these cases have hinged upon the application of the ESD Principles as defined in the *Environmental Planning and Assessment Act 1979* (NSW):

- the Precautionary Principle
- inter-generational equity
- conservation of biodiversity and ecological integrity
- improved valuation, pricing and incentive mechanisms.

As these Principles also appear in the *Local Government Act 1993* (NSW), it is clear that local government must have regard to them in managing the environment.

Litigation regarding climate change issues may occur via the common law of tort. While the likelihood of successful litigation appears low due to difficulty in proving specific causation, this may change as McDonald (2007, p. 407) notes:

Like the tail-effect of greenhouse gas emissions, legal claims may be slow to gestate. But the law has a long memory, so courts of the future will reflect on the state of knowledge currently at hand to determine whether decision-makers of today did enough to avoid or minimise the worst exposures to climate change.

The need for due diligence on behalf of local government is outlined by England (2007, p. 14):

Local governments currently have available to them a number of defences that seem likely to protect them from claims based on a failure to recognise and respond to information about climate change. Nevertheless, just as the science of climate change is gathering momentum, so too the law in this area is evolving rapidly. Local governments should therefore take care to ensure their actions, decisions and policy responses to matters that may either contribute to, or be affected by, climate change remain current and reasonable in what is a rapidly evolving policy context.

Several factors must be taken into account when considering whether a duty of care exists giving rise to negligence, including:

- available knowledge,
- the degree of control,
- specificity and
- vulnerability of the claimant arguing the existence of the duty.

(*Perre v Apand* (1999); *Sullivan v Moody* (2001); *Graham Barclay Oysters Pty Ltd v Ryan*; *Ryan v Great Lakes Council*; *New South Wales v Ryan* (2002))

Local government may be seen to have considerable control over developments for which it is the consent authority (McDonald 2007) and as a result local authorities may be considered easier targets for litigators. Establishing a causal connection between a development approval in an area vulnerable to future climate change impacts and subsequent property damage is more readily proved than damage arising from the actions of one particular greenhouse emitter (McDonald 2007, p. 407). However the *Civil Liability Act 2002* (NSW) provides local authorities with some protection from being held negligent. A local authority will only be held liable for an act or omission where it has acted unreasonably, and this will be determined with reference to the limitations on financial and other resources available to the local authority (NSW Civil Liability Act 2002).

To reduce the risk of exposure to litigation, local councils must take into account the future effects of climate change in the approval of new developments and in the management of their assets. This can be achieved by adhering to the ESD Principles as they have been applied to climate change in the courts. Councils must also recognise the need to fulfil their duty of care to the community. Whilst the scope for actions in negligence and nuisance arising from climate change appears limited at present, the legal concepts of reasonableness and causation are evolving at a rapid rate. It would be prudent that local government authorities act with due diligence in a manner that is consistent with shifting legal and community expectations. Agenda 21 (UNCED 1992, Chapter 8) supports the premise that governments should:

establish ...administrative procedures for legal redress and remedy of actions affecting environment and development that may be unlawful or infringe on rights under the law, and should provide access to individuals, groups and organisations with a recognised legal interest.

In the case of local government and climate change, it may be argued specific causation exists between a failure to act (to reduce emissions or implement adaptation strategies) and a consequence (the magnification of the risk due to increasing greenhouse gas (GHG) levels in the atmosphere and lack of preparedness for foreseeable impacts). Local government must consider its possible contribution to climate change should it fail to reduce GHG and/or does not recognise the consequences of climate change through failure to identify risks and to prepare infrastructure under its care and control. As discussed in Section 1.1, this research project seeks to identify strategies with an ability to maximise resilience to the financial, social, environmental and government investment impacts induced by climate change. Accordingly, this tool should apply the Precautionary Principle in relation to climate change with maximum efficiency.

2. Methods Adopted and Data Acquisition and Use

By the time we get to the end of the 21st century, we have stretched the capacity of the models to the limits of usefulness.

Garnaut 2008c, p. xxiii

2.1 Quadruple Bottom Line (QBL) approach

The costs of addressing climate change ... are likely to fall disproportionately on local government, industries, communities, and workers. Responding to these changes will require more than good science, but the development of institutional strategies and political solutions that address the social, cultural and economic factors that profoundly influence how a problem of this magnitude can be resolved at local levels, Nursey-Bray 2008, p. 1

Climate change is a typical sustainability issue. In terms of general sustainability, planning and reporting frameworks have progressed well beyond simply interpreting sustainability through the exclusive lens of the environment. Initially the notion of sustainability was embedded within the limits to growth debate (Meadows, Meadows & Randers 2004), resource depletion and impacts of human activity on natural cycles. In more recent times the complexity of the sustainability agenda has become apparent. Change cannot occur in isolation and ramifications emerge across all sectors including the ecosystem and human health and well being. Equity, risk analysis, cost benefit estimates and biodiversity resilience are all key components of sustainability planning and reporting.

Ku-ring-gai is largely bounded by National Parks and enjoys substantial forest conservation areas throughout the municipality. The 89-kilometre urban-bushland interface contributes to Ku-ring-gai's third highest ranking in the Greater Sydney Region in percentage of houses vulnerable to bushfire. Planning of responses to climate change impacts requires an understanding of the ramifications of any particular change to all other QBL elements. The QBL framework, in accord with the GRI, consists of:

- **Environment** – biodiversity, ecosystem health (including air and water), natural resource conservation;
- **Social** – urban planning, equity in distribution of costs and benefits between current and future generations and among all sectors of the current Ku-ring-gai community;
- **Economic** – identification of the true cost of activities including non-monetary and indirect costs such as pollution of the environment and consumption of non-renewable resources;
- **Governance** – transparency, accountability, risk management and preparedness. The current study will augment decision-making processes.

These four elements correspond to the ESD Principles mentioned above in Section 1.3.3. They broadly mirror one another and as such the QBL framework permits the ESD principles to be transferred from rhetoric to reality as shown in Table 2. Table 2 illustrates that each aspect of QBL potentially consists of a combination of ESD principles depending on the specific issue. It is rarely possible to assign a particular

impact to a single QBL element yet the concept of sustainability demands recognition and resolution of unintended as well as intended consequences of policy responses.

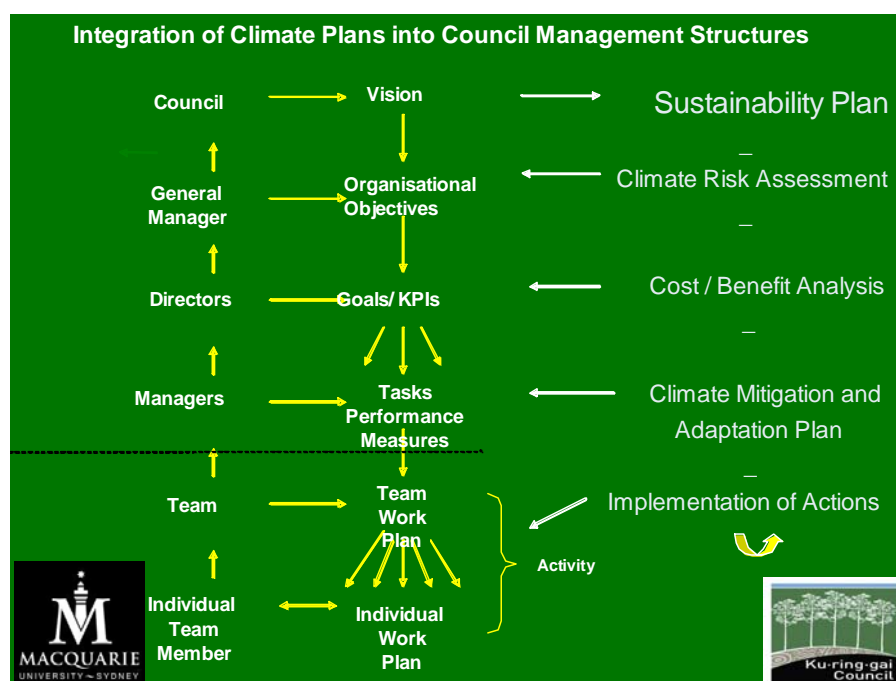
Table 2. The interdisciplinary relationship between ESD and QBL

	Precautionary Principle	Inter / intra generational equity	Biodiversity conservation	Valuation and pricing
Governance	*√	√	√	√
Environment	√	√	*√	√
Social	√	*√	√	√
Economic	√	√	√	*√

* highlights the key ESD principle for each QBL element

Integration of the QBL into Council's planning and reporting system required structuring the system around the QBL from the annual report through to each staff member's work plan. This framework ensures that traditional 'silos', so often a problem in past local government structures, are dismantled as Council officers consider policy development, projects, procurement and work plans from a multi-disciplinary perspective. In so doing, Council can demonstrate that the non-monetary and indirect positives and negatives of change are factored into any decision or plan. Figure 3 shows how climate change mitigation and adaptation can be incorporated into Council's planning and reporting system.

Figure 3. Integration of climate plans into Council management structures



As climate change will generate impacts within all elements of the QBL, there will be consequences for both Council and the community. Optimum planning responses to these impacts will incorporate the greatest possible range of potential benefits and costs as well as identifying any foregone investment alternatives.

Through an investigation of the scale and nature of risk posed by changing climate, this bushfire case study will help Council contextualise increased temperatures and drought conditions with reference to the adequacy of current and proposed response strategies. Responses applied to offset future risk will have a combination of financial, social and ecological consequences. Ideally the beneficiaries of risk abatement are the same people as those bearing the cost of risk abatement. For example, implementing more stringent building codes to reduce property vulnerability will incur a cost to the resident; but it will also generate a benefit to the insurer of the property. Therefore the resident could expect a reduced premium to share the benefit with the insurer. This kind of equity issue will arise frequently and is not always a trade-off between social and economic costs and benefits.

Risk reduction may cause negative consequences to biological assets, for example, the clearing of fire trails. Here the costs are bequeathed to the environment as has often been the case. However, if the decision-maker attempts to design a strategy to 'balance' costs with benefits, that is, if there is an environmental cost, there should be a commensurate environmental benefit. Equity throughout the QBL is considered a benchmark of sustainable practice in the 21st century (GRI 2009).

2.2 The PerilAUS database

The PerilAUS database is a result of years of research by Risk Frontiers, formerly the Natural Hazards Research Centre, based at Macquarie University. PerilAUS contains data for nine natural perils: bushfires, tropical cyclones, floods, earthquakes, landslides, gusts, hail, tornados and tsunamis for the years 1900-1999. These data are currently being updated.

2.2.1 Sources of data

PerilAUS draws upon natural perils information collected from news sources, the Natural Hazards Research Centre, the Australian Bureau of Meteorology and the Australian Geological Survey. This study analyses historical bushfire data sourced largely from the Sydney Morning Herald, The Age newspaper and Emergency Management Australia (EMA). Owing to reliance on NSW state news sources, the datasets may be more relevant in NSW than in other parts of Australia.

2.2.2 Bush fire records in PerilAUS

PerilAUS bushfire records identify each event and where possible provide the following: summary; the area of the fire and the area affected; the year, month, day and hour of the fire starting; its duration, magnitude, and intensity; 'house equivalent' loss and other damage; injuries; deaths; and comments and additional notes. Some records include descriptions of the impacts of events such as house damage or loss, cattle loss, vegetation loss in hectares; or social impacts such as traffic disturbance and power cables brought down or destroyed. The concept of 'house equivalent' loss is used to describe aggregated building damage. That is, 4 houses each one-quarter damaged or 2 houses each half damaged would appear as 1 house equivalent (HE) loss.

Bushfire events in PerilAUS are ranked from 0 to 5 using the 'Blanche' scale (Risk Frontiers 2008). Magnitudes are described as follows:

- 0 indicates that the fire magnitude is unknown from the reports obtained for the database
- 1 (mild) indicates slow spread, low intensity, small area burnt (but depends on duration), low level spread (not applicable to grass fires) and usually one ignition point. It is associated with low temperatures, high humidity (direction of wind may be important), low wind speed, recent high rainfall, level or undulating terrain, non-fire-prone vegetation type, moist fuel and low fuel build up.
- 2 (moderate) as for 1 (mild), but with some mention in the references of a factor likely to make the fire greater than mild, for example dry fuel, rapid spread, high temperatures or wind assisted spread
- 3 (moderately severe) as for 1 (mild), but with some mention in the references of several factors likely to make the fire greater than mild or moderate, for example high temperatures, strong wind, and build up of dry fuel
- 4 (severe) as for 5 (extremely severe) but with no mention in references of crown (tree-top) spreading or fireballs
- 5 (extremely severe) indicates rapid spread, high intensity, fire balls, extensive areas burnt, high crown spread, and often many ignition points. It is associated with drought, low humidity, high temperatures, particular wind directions, high wind speed, steep slopes or mountainous terrain, fire prone vegetation types, dry fuel, and high fuel build up. (Risk Frontiers 2008)

See McAneney (2005) for a detailed description of the PerilAUS database including data collection and house damage estimation methods.

2.2.3 Commonwealth, state, and local level data

A. Australia

The database records 720 bushfires in the nation between 1900 and 1997 causing 573 deaths and 3683 injuries. Just over one third, or 35 per cent, of the bushfires resulted in 7956.7 house equivalent losses. Between 1900 and 1997, there were 13 years without any bushfire events recorded. A total of more than 16 million hectares of vegetation was destroyed.

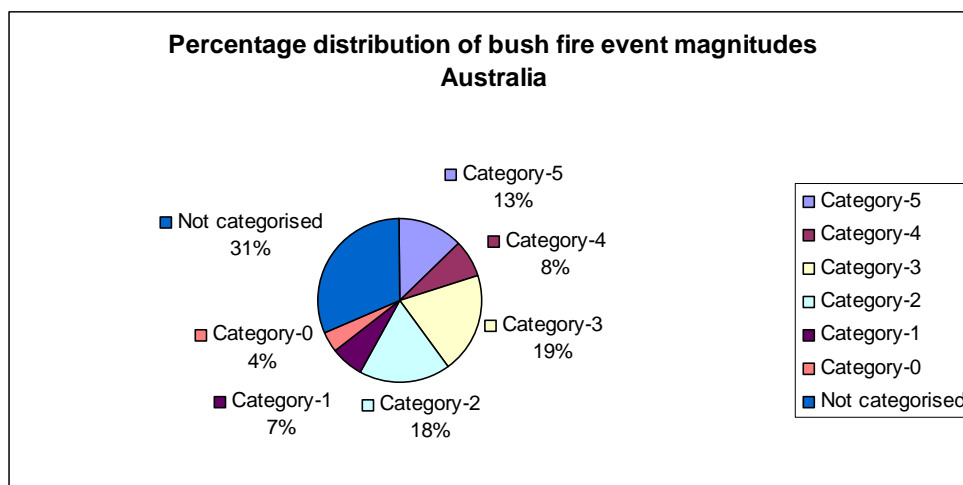


Figure 4. Percentage distribution of bushfire event magnitudes – Australia
Source: Risk Frontiers (2008)

B. New South Wales

PerilAUS records 352 New South Wales bushfire events between 1900 and 1997 where 33 per cent caused house equivalent losses. Total house equivalent loss in the state comprised almost 22 per cent of the Australian total. The 1994 bushfires at various New South Wales locations including Ku-ring-gai caused the largest single recording registered as 381.85 house equivalents. This amounted to ~4.7 per cent of total house equivalent loss for the whole of Australia during the period.

C. Ku-ring-gai

The PerilAUS database records bushfire events for Ku-ring-gai suburbs in the years 1912, 1951 and 1994 resulting in house equivalent losses of almost 25. Descriptive notes also record roadblocks, interruption to power supplies, and destruction of property such as poultry farms.

2.3 Climate predictions

For those who have to make decisions now, we believe it is better to base those decisions on current imperfect models rather than on no information at all, provided the associated uncertainties are made clear (The Chief Scientists of the UK Meteorological Office 2007, p. 26).

2.3.1 Climate change downscaling

The increased confidence in attribution of global scale climate change modelling to human induced greenhouse emissions, and the expectation that such changes will increase in future, has led to an increased demand for predictions of regional climate change to guide adaptation. Although there is high confidence in the large scale patterns of changes in some parameters, the skill in regional prediction is much more limited and indeed difficult to assess, given that we do not have data for a selection of different climates against which to test models. Doherty et al. (2009, p.12) make improved regional-scale climate prediction their third key research need:

In addition to focusing on global, decadal predictions there should be increased focus on regional-scale climate information, accounting for land surface processes and biosphere-atmosphere interactions.

Research is being undertaken to try to improve model predictions but progress is likely to be slow. In the meantime, governments and business are faced with making decisions now, and require the best available climate advice today. Despite their limitations, climate models provide the most promising means of providing information on climate change. However, the limitations of any regional - and local - scale predictions must be made clear. This should always include assessments of the ability of the models used to predict current climate and provide a range of predictions from as large a number of different models as possible.

‘Correct’ regional climate estimation depends upon the forcing scenario as well as local land-use changes, increases and decreases in air pollution, and global climate trends. Many studies have applied socio-economic, land-use and technology scenarios at a regional scale derived from the global scenarios developed in the IPCC Special

those decisions on current imperfect models rather than on no information at all, provided the associated uncertainties are made clear.

It is clear (Bader et al. 2008) that Ocean Atmosphere Global Climate Models (OAGCMs) have too coarse a resolution to resolve important features such as terrain effects on precipitation and coastal-land boundaries. To optimise regional predictability a coordinated approach with Regional Climate Models (RCMs) and higher resolution global models is required. Given that multi-model ensembles have shown great value, RCM downscaling must be linked to a representative set of model simulations, rather than just one or two OAGCMs. Also, accurate surface boundary conditions within the domain of both the regional and the global host models are required in order to reduce sensitivity arising from dependence on surface states (Timbal 2004). Dynamical or statistical downscaling from global models should be used to generate high resolution climate change information for attribution of past change, for understanding the processes that lead to change and for projecting future change. Results in this area could be more effectively delivered by implementing programs that focus on well defined regions based on policy decision regimes or jurisdictions and that integrate across resource issues rather than across scientific disciplinary boundaries. Such programs would entail a 'whole of governments' approach: vertical and horizontal integration and coordination.

The statistical downscaling of models depends fundamentally on high quality, high resolution and comprehensive observations to inform statistical approaches and to confirm error reductions in models. In addition, appropriate and robust statistical methods are needed for extremes, extrapolation and downscaling, and these methods must be suitable for providing information useful to decision-makers. Large ensemble model runs are required to model not only the central tendencies but also the occurrence of extreme events, some of which (like heat waves) can be explicitly resolved by the models. Care is needed to ensure that statistical samples of regional models are long enough to be reliable for trend analysis. As other finer-scale events of general importance such as flash floods and tornadoes cannot realistically be resolved, the modelling effort must be supported with careful statistical analysis of the relationship between model-scale features and extreme events.

Urban areas represent a rapidly growing sector of human and environmental interactions with more than 50 per cent of the world's population now living in cities (UNFPA 2007). These areas are important both because very localised changes in climate can impact large populations and because the emissions and land use changes associated with urban areas can have significant impacts on biotic systems and climate from local to global scales.

2.3.2 Climate change overview

Government agencies of NSW and the University of NSW have been developing climate change forecasts for the NSW regions. The following summary is from the Summary of Climate Change Impacts Central Coast Region of the NSW Climate Change Action Plan (NSW 2008 pp. 2-4). Although we have some serious concerns regarding the validity of the downscaling reported, NSW local governments will have to use these predictions in future planning and reporting.

NSW and the Central Coast Region will be hotter

Mean daily minimum and maximum temperature are projected to increase by between 1.5 and 3.0°C.

More rainfall in summer

Summer rainfall is projected to increase across the region by 20 to 50%, with a smaller increase in spring. Winter rainfall is projected to decrease.

Drier conditions in winter and spring

Higher temperatures and changes to evaporation are likely to create slightly drier conditions in winter and spring.

Increase in sea levels

The figures for sea level rise are based on projections by the Intergovernmental Panel on Climate Change and CSIRO and are still being reviewed to quantify expected local changes. Along the coast, storm events and sea level rise are projected to have a significant impact. ...

El Niño-Southern Oscillation [continues but with higher temperatures]

The pattern of the El Niño-Southern Oscillation cycle is projected to continue but with higher temperatures than currently experienced. El Niño years are likely to continue to be drier than average and become hotter. La Niña years are likely to continue to be wetter than average and also to become warmer. In El Niño events, water stress is projected to be more intense due to higher temperatures. During La Niña years, storms with heavy downpours are projected to be more frequent.

Fire

The frequency of very high or extreme fire-risk days is predicted to increase across NSW. Increases in temperature, evaporation and high fire-risk days could increase fire frequency and intensity across the region. The fire season is likely to be extended as a result of warmer temperatures.

More runoff overall especially in summer and autumn

There will more likely than not be a slight increase in annual runoff (with estimates ranging from -5% to +13%), with likely increases in summer and autumn and decreases in winter and spring.

- In summer, there is very likely to be a major increase in runoff depths (with estimates ranging from +5 to +22%) and a major increase in the magnitude of high flows. Current levels of low flows are likely to occur with about the same frequency.
- In autumn, there will more likely than not be a moderate increase in runoff depths (with estimates ranging from -5% to +16%). There is likely to be a moderate increase in the magnitude of high flows, and current levels of low flows will more likely than not occur slightly less frequently.
- In winter, there is likely to be a minor decrease in runoff depths (with estimates ranging from -16% to +11%) and a slight decrease in the magnitude of high flows. Current levels of low flows will more likely than not occur slightly more frequently.

- In spring, there is likely to be a minor decrease in runoff depths (with estimates ranging from –14% to +8%). There will more likely than not be a slight decrease in the magnitude of high flows. Current levels of low flows will more likely than not occur moderately more frequently.

The consequences of the changed catchment runoff for streamflow and consumptive water users will clearly depend on what part of the reported range of change is realised, as well as the influence of water infrastructure. If the drier end of the range were realised, water users pumping water from streams may find that opportunities for pumping decrease, and towns with smaller water storages would need to consider that there is a risk of inflow reductions of 10% to 20% during drier periods.

In summary, the NSW downscaling for the Sydney region predicts significantly increased spring and summer rainfall while winter rainfall decreases, higher maximum temperatures, higher sea levels, changing flood patterns with greater runoff in summer and autumn; a longer fire season with increased frequency of very high or extreme fire-risk days and increased fire frequency and intensity.

See Sections 1.3.1 – 1.3.5 for a discussion on Ku-ring-gai Council's focus on bushfires and risk.

2.3.3 Bushfires in the future changed climate

Bushfires are included in Garnaut's (2008a) costs of climate change analysis as one of nine types of 'extreme weather events' (the full list being: hot days and nights; hail and thunderstorms; cold days and nights; tropical cyclones; heavy rainfall events; bushfires; droughts; extreme winds; and floods).

The historical record for bushfire weather in SE Australia is studied by Lucas et al. (2007) who note that for the period they considered, 1973–2007, there has been a general increase in the Forest Fire Danger Index (FFDI) and a statistically significant (above the 95% level) increasing trend in FFDI for most inland locations. Projections of future incidence of bushfires is derived in Garnaut (2008a) from Lucas et al. (2007) but incorrectly quoted as number of days while the data cited is in fact percentage changes. Table 3 corrects Garnaut's mistake and focuses on the four weather stations reviewed by Lucas et al. (2007) that are geographically nearest to the Ku-ring-gai Council area.

Pitman et al. (2007) also discuss bushfire incidence under warmed climate conditions in terms similar to those of Lucas et al. (2007) but with a probability density function (PDF) that might contribute to economic modelling (Figure 6). Neither the timeframes (2050 and 2100) nor the geographical specificity is as relevant to this study as Lucas et al. (2007). Pitman et al. (2007) predict increases in forest and grassland fire risk by 2050 and 2100 for all Australia. They use two emission scenarios (low and high) but find that by 2050 the magnitude of the increase in risk is relatively independent of scenario. They confirm the findings of Lucas et al. (2007) and earlier analyses (Beer & Williams 1995) that the changes in wind speeds are relatively insignificant in changing fire risk. Increased risk is largely due to alternations in temperature and relative humidity. By 2100 the low emissions scenario further increases the fire risk (above 2050) by ~25% while the high emissions case

Table 3. Projected increases for Ku-ring-gai environs in number of days with very high, extreme, very extreme and catastrophic fire weather under Garnaut's no-mitigation temperature increases, using Lucas et al. (2007 p. 30) CAM3 (notably not CAM2).

Approx year/Danger	Present (obs.)	2013 (0.4°C)	2034 (1.0°C)	2067 (2.9°C)
<i>Richmond</i>				
Very high	13.3	14.2	16.3	23.6
Extreme	1.5	1.6	1.9	4.0
Very Extreme	0.4	0.4	0.5	0.9
Catastrophic	0.0	0.0	0.0	0.2
<i>Sydney Airport</i>				
Very high	7.6	8.1	9.4	14.2
Extreme	1.2	1.4	1.7	3.5
Very Extreme	0.2	0.2	0.3	1.0
Catastrophic	0.0	0.0	0.0	0.2
<i>Williamtown (N'tle ap)</i>				
Very high	10.3	11.2	12.8	17.8
Extreme	1.4	1.7	2.3	4.1
Very Extreme	0.2	0.3	0.5	1.1
Catastrophic	0.0	0.1	0.1	0.3
<i>Nowra (nr Jervis Bay)</i>				
Very high	8.8	9.1	10.3	14.7
Extreme	1.1	1.2	1.6	4.0
Very Extreme	0.1	0.1	0.2	0.6
Catastrophic	0.1	0.1	0.1	0.1

Source: based on CSIRO model scenarios from Lucas et al. (2007) tuned by them to 0.4°C, 1.0°C and 2.9°C temperature increases, which are equated by Garnaut (2008a) to the years mentioned in Garnaut's no-mitigation case.

has increases in fire risk of 50–100% along the NSW coast. They also considered a single point, 29.885S, 149.104E (west of Moree in New South Wales) and found that the PDF of the fire danger index (FDI) was systematically shifted towards more extreme values in warmer climates. The most significant difference was under the high emissions scenario in 2100 when far higher values of the FDI were found.

We use the Richmond air force base data as a surrogate for Ku-ring-gai because it is almost as close as Sydney Airport and shares the non-coastal character of Ku-ring-gai more closely than the main airport.¹

¹ Notes to Section 2.3.3

i. *Fire danger definitions*

'Very high' fire weather has a Forest Fire Danger Index (FFDI) of 25–50 and 'extreme' fire weather has an FFDI of 50+. Suppression of fires during 'extreme' fire weather is 'virtually impossible on any part of the fire line due to the potential for extreme and sudden changes in fire behaviour' (Vercoe 2003, p. 4). Lucas et al. (2007) create 2 new terms: 'very extreme' fire weather that has an FFDI of 75–100 and 'catastrophic' fire weather with an FFDI of over 100.

ii. *Model scenarios employed*

Projections of Lucas et al. (2007) are for south-eastern Australia and were generated from two CSIRO climate simulations named CCAM (Mark2) and CCAM (Mark3). We used just CCAM (Mark3) here. Lucas et al. (2007) re-scaled these to temperatures derived by CSIRO from the IPCC (2007) report, being 0.4–1.0°C by 2020 and 0.7–2.9°C by 2050 which they note allows for the full range of IPCC SRES scenarios of greenhouse gas and aerosol emissions. Four regional projections are given for each climate simulation: 2020 low, 2020 high, 2050 low and 2050 high. Here we ignore the 2050 'low' (0.7°C by 2050) in line with Garnaut (2008a).

iii. *Caveats*

The Lucas et al. (2007) methodology projects modelled changes from the various scenarios onto their observed time series of temperature, rainfall, wind and relative humidity from 1973 to the present. This provides an estimate based on observed past weather of future fire weather but does so by maintaining current, that is,

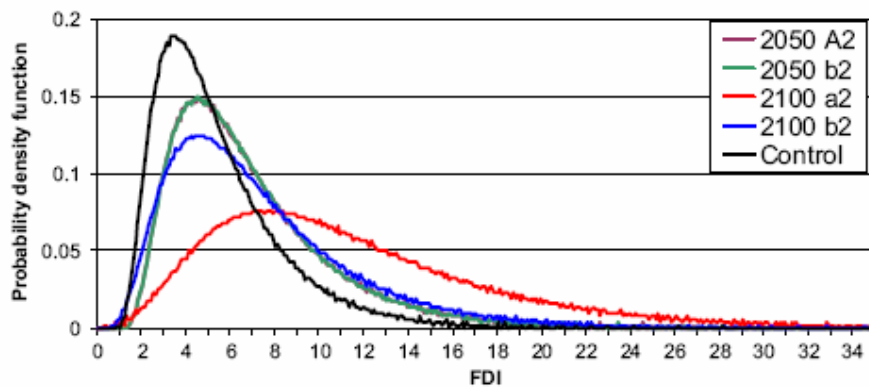


Figure 6. Probability density function (PDF) of bushfire risk danger (FDI) at 29.885°S, 149.104°E for each of a set of simulations (after Pitman et al. 2007)

2.4 Choosing a discount rate: How are non-market values included?

Discounting as a procedure involves expressing future and present values of particular variables in a common unit so that decisions regarding possible courses of action in the present can be made rationally. There is considerable ambiguity and indeed controversy in the literature concerning the choice of discount rate to be used in project evaluation. The basis of this controversy is twofold:

- i. the relationship between discounting in a financial sense and discounting in an economic sense
- ii. in the context of discounting in an economic sense, the magnitude of the discount rate that should be used

2.4.1 Discounting: financial versus economic

The key difference between discounting in a financial sense and discounting in an economic sense is the variable whose present value is compared to its future value in each case.

Financial discounting involves the comparison of explicit monetary flows – hence discounting is necessary to convert future dollars (expected net earnings) into present dollars so that a valid comparison can be made with known costs that must be incurred in present dollar terms. It is only through appropriate discounting of future net earnings that, for example, the question of the maximum price that should be paid for an asset can be answered (for a given earnings profile the maximum justifiable price is higher the lower the discount rate applied and *vice versa*).

immediate past, time series characteristics. They assume that climate change will not alter the variability observed over the past 30+ years. If this is not the case this methodology will not reproduce climate change correctly.

Clearly it is desirable in a financial context to use a discount rate that reflects the cost of capital or the cost of acquiring funds in some way – using a rate lower than the cost of capital associated with the project implies that avoidable losses will be incurred. In the context of an organisation with a binding budget constraint such as a local council, from a financial perspective the use of artificially low discount rates for some projects will necessitate reallocation of expenditure from other uses.

Discounting in the economic sense involves comparisons between future and present *welfare*, and so raises a different set of questions.² The paradigmatic case in economics which is relevant to the current project is the choice among available public investment projects, each of which involves the use of resources in the present and the generation thereby of a path of welfare. The optimal investment is that which maximises welfare, and the comparison of projects necessitates the conversion of future welfare, or the welfare of future agents, into present-welfare equivalents. Such conversion is discounting.

Unlike the financial case, there is no obvious ‘commonsense’ value of the discount rate to use in comparing welfare streams. The choice of discount rate is a choice between the weight given to the interests of agents in the present and near future, and the interests of agents further separated in time from the project’s implementation. High discount rates favour projects with immediate benefits and/or deferred costs, and imply that the justifiable present cost (in terms of welfare foregone) of a given future increase in welfare is low. Low discount rates render large present costs justifiable in return for future welfare gains and so favour projects with deferred benefits and immediate costs. Clearly the choice of discount rate in economic terms has a significant, if not decisive, ethical component which has been the source of much debate in the literature and, obviously, in response to the Stern and Garnaut reviews.

One could think of day-to-day public and private examples such as a public fire trail providing a long term asset whose benefits accrue over time and where the capital cost is high thereby attracting a lower priority when a high discount rate is used, while upgrading a private house to comply with recent changes to the Building Code of Australia has a lower unit cost and perceived immediate benefit. Questions then arise regarding public versus private projects and common good versus private benefits.

2.4.2 Choosing a discount rate from an economic perspective

In order to explain the choice of discount rate in the Garnaut Review (2008c), it is necessary to outline the way in which economists conceptualise the problem. Such conceptualisation clarifies the assumptions and caveats in the Review that underpin the final choice.

In economic theory, welfare means the satisfaction of preferences. By definition, an increase in welfare for an agent entails moving to a more preferred outcome. Preferences are defined in terms of consumption, so an increase in welfare is defined as a move to a more preferred combination of goods consumed.

² Of course, welfare cannot be measured directly (if indeed it can be defined unambiguously!) and so it is standard practice in economics to measure it by proxy in terms of monetary values such as Willingness To Pay and so on. The superficial similarity between the two cases should not obscure the fundamental difference between them in terms of purpose and interpretation.

Economists represent preferences for technical purposes through the use of a *utility function*:

$$U = u(c) \quad (1)$$

where U is utility, an index that indicates the place of a given consumption combination (c) relative to others (higher utility numbers indicating more preferred combinations). The typical investment project will imply a consumption trajectory over the given time horizon (possibly infinite) giving rise to a total welfare effect of:

$$U_0 = \int_0^{\infty} u(c_t) dt \quad (2)$$

where U_0 is the total utility of the stream of c 's over time, evaluated in period 0 (that is, the present, in which the project will be implemented).

As was recognised by Ramsay (1928) there is a *technical* need for discounting (which he decried on ethical grounds) if a choice is to be made among possible consumption paths (that is, projects). The zero discount rate case depicted involves summing finite quantities over an infinite horizon; project choice would then require an illegitimate comparison of infinities. Discounting of utilities converts the stream of utilities into a declining geometric series, which therefore has a finite sum:

$$U_0 = \int_0^{\infty} u(c_t) e^{-\theta t} dt \quad (3)$$

Given the differing consumption paths, the choice of project will now be determined by the value taken by the discount rate applied to utilities (θ).

It is at this point that the ethical/governance aspects of the discount rate choice begin to bite. The first issue concerns the role of *pure time preference* or *intrinsic discounting*. This involves assigning different weights to consumption baskets *purely* on the basis that they will occur at different points in time. In other words, a positive rate of pure time preference implies that a given quantity of consumption to be experienced n periods in the future would be considered inferior to the same quantity experienced now, *ceteris paribus*.

Philosophers such as Rawls (1971) and Parfit (1984) hold pure time preference to be inconsistent with individual rationality, a fairly standard position in the political philosophy and distributive justice literatures. Economists are more circumspect on the issue (the basic textbook model of the intertemporally optimising consumer does not assume zero subjective time preference, for example) but generally concur with the philosophers that pure time preference is unjustifiable in terms of *collective choice*. That is, a government considering a choice among investment projects *ought not* treat the welfare of future generations as less important than that of those currently

alive *simply* because of the displacement in time. This view is encapsulated through one of the principles of sustainability – intergenerational equity.

This position is reflected in the Garnaut report in which a baseline value of zero is chosen for pure time preference, with only a slight adjustment made to allow for the possible occurrence of an extinction event. A discount rate of zero would imply that the welfare of the current generation is weighted equally to that of a billion years in the future; the 0.05% rate set by Garnaut means that the welfare of people around 1400 years in the future is worth half of that of people alive today. For more relevant timeframes (such as 100 years) the 0.05% rate implies only a marginal decrease (around 5%) in the importance of future welfare.³

However, where future generations are expected to be better off than present agents there is scope for discounting on grounds other than pure time preference. In other words, if future agents will consume more than current agents then the sacrifices of current agents on behalf of future agents ought to be lower notwithstanding that the welfare of agents is considered to be of equal importance regardless of the generation in which they live.

In order to explain the way in which economic growth projections (that is, rising consumption over time) lead to a positive discount rate, it is necessary to delve in more detail into the form of utility functions typically used in economic analysis. Figure 7 illustrates a typical utility function defined over consumption. The curvature of the function reflects the assumption of *diminishing marginal utility*, the decreasing rate of increase in the utility number as consumption increases. This assumption has a number of implications, of which one is particularly notable in terms of the debate over the choice of discount rate to be used in Garnaut-type exercises.

Figure 7 shows that for consumption quantities c_1 and c_2 the corresponding utility numbers are U_1 and U_2 respectively (c_2 is thus preferred to c_1). The line segment connecting the points on the curve corresponding to c_1 and c_2 represents the possible linear combinations of c_1 and c_2 . If the linear weights are interpreted as probabilities, p and $(1-p)$, then the line segment marks out the expected values of possible simple lotteries over c_1 and c_2 for all values of p . For the case in which $p=0.5$, the expected value of the lottery (as shown in Figure 7) is the arithmetic mean of c_1 and c_2 .

The expected value (EV) of the lottery, if experienced as a definite quantity of consumption has a utility value of $U(EV)$. However the utility of the lottery (that is, a 50% chance of either c_1 or c_2), the *expected utility* (EU) of the lottery, is EU, which is less than $U(EV)$. As the expected utility is less than the utility of the expected value, the agent would prefer the EV amount *for certain* to the EV amount *on average*. The agent is *risk averse*.

³ By way of comparison, with a 1% rate of discount the welfare of current agents is worth twice that of those in 69 years time and nearly three times that of agents a century hence.

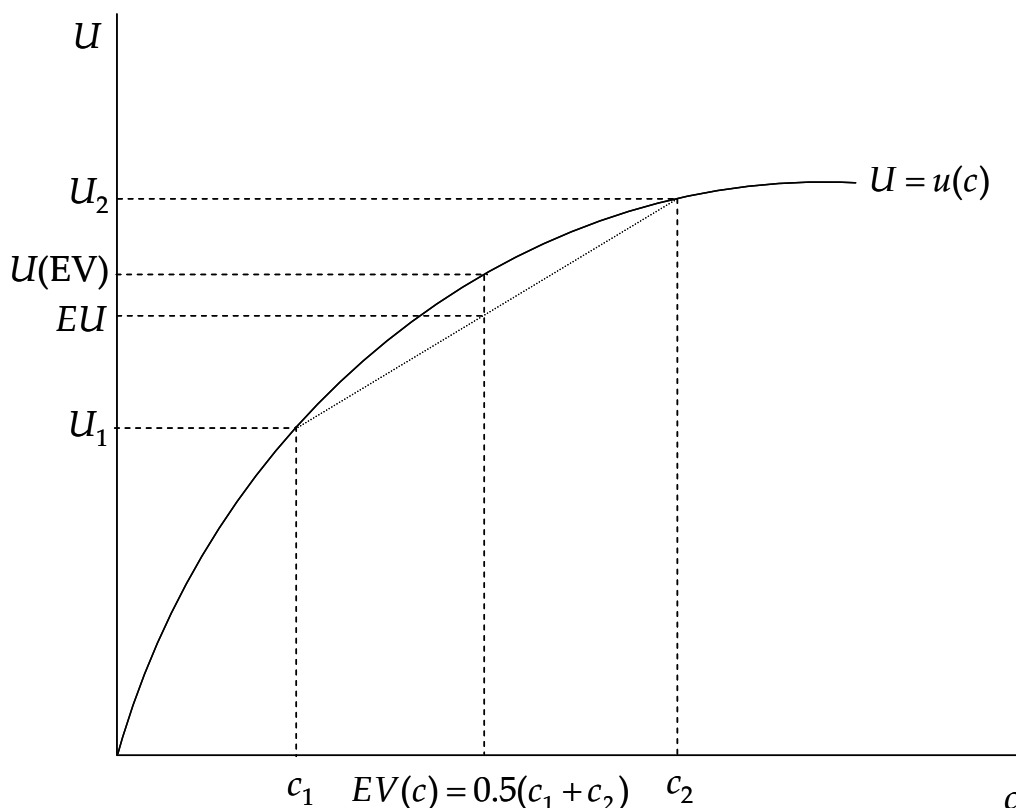


Figure 7. Typical utility function

Clearly the curvature of the utility function is the key factor in terms of diminishing marginal utility and the degree of risk aversion. The fact that marginal utility is assumed to be decreasing as consumption increases immediately suggests a role for discounting – on the assumption that agents share a common utility function across time, rising consumption over time implies, unit for unit, progressively smaller increases in welfare. This in turn suggests that current welfare sacrifices should not rise *pari passu* with associated future welfare gains – future welfare should be discounted because a given increment in consumption has a greater welfare impact in the present than it does in the future if consumption is rising.

In order to determine the rate at which welfare should be discounted on this basis, we need to make more specific assumptions about the curvature of the utility function. As utility functions of the type typically used are unique only up to a positive linear transformation, the absolute values of changes in marginal utilities cannot be used to define curvature adequately (that is, $U=u(c)$ and $U=a[u(c)]+b$ represent the same set of preferences for $a, b > 0$). Hence economists look to the behaviour of both the first derivative (marginal utility) and the second derivative of the utility function, relative to the quantity of consumption to define curvature.

A measure of what is called *relative risk aversion* is given by:

$$-\frac{cu''}{u'} \quad (4)$$

which can also be interpreted (outside of an expected utility context) as the *elasticity of marginal utility with respect to consumption* – the proportional change in marginal utility following from a given proportional change in consumption. The inverse of this elasticity is called the *elasticity of substitution of consumption*; when considering consumption at different points in time it is referred to as the *elasticity of intertemporal substitution*, a measure of the willingness of agents to substitute consumption in one period for that in another.

In order to exploit its desirable technical properties (in other words to make analysis easier, as in the old joke about the drunk searching for his keys under the streetlight!) economists often assume that the utility function is drawn from the class of *constant relative risk aversion* (CRRA) functions:

$$u(c) = \frac{c^{1-\gamma}}{1-\gamma} \quad (5)$$

for which the elasticity of marginal utility is constant and equal to $-\gamma$ and the elasticity of intertemporal substitution is constant and equal to $1/\gamma$. A special case is that in which $\gamma=1$, for which (5) becomes $U=\ln c$ and both the elasticity of marginal utility and the elasticity of intertemporal substitution are equal to 1. It is argued that log utility is not only simple and leads to neat technical results, it is also broadly consistent with some (but not all!) observed empirical behaviour.

Relevance to local government planning

What is the relevance of this to the ultimate choice of discount rate in the Garnaut Review (2008c) and the Ku-ring-gai project? As noted above if it is assumed that consumption will grow over time, then it is appropriate to discount future welfare on the grounds that given future gains will be less than those associated with the same consumption increment in the present. If we assume that the utility function is from the CRRA class then there is a constant proportional relationship between the growth rate of consumption and the change in resulting welfare. If we make the further assumption that the utility function takes the log form, then it follows that the increment to welfare, while positive, is falling at the same rate as consumption is rising. Hence it is sensible to discount utility at a rate equal to the growth rate of consumption.

As the Garnaut modelling assumes a per capita income growth rate of 1.3% pa out to 2100, the rate of discount employed is 1.35% (the sum of the pure time preference and consumption growth rates). For sensitivity analysis they also consider the case where the elasticity of intertemporal substitution is 2 (that is, the utility function is $U=(1/2)(c)^{1/2}$) so that the discount rate used is 2.65% (2 times the growth rate plus the 0.05% pure time preference rate).⁴

2.4.3 Choice of rate for the Ku-ring-gai project

The key question is how far, if at all, we wish to diverge from the Garnaut assumptions. Specifically:

⁴ The intuition behind the higher discount rate is straightforward. For the non-log utility function, marginal utility declines at a slower rate as consumption grows. Hence, future generations are made better off by any given increment to consumption relative to the log utility case. Thus future utility must be discounted more strongly for any rate of consumption growth.

- Are there grounds for assuming that incomes in Ku-ring-gai will rise more quickly or more slowly than the national average out to 2100?
- Are there grounds for assuming different forms for the utility function?
- Are there grounds for assuming a higher or lower rate of pure time preference than is used in the Garnaut report?

The pure time preference question is involved and complicated. On the one hand the principle of non-discrimination among generations has intuitive appeal, and yet on the other pure time preference does appear to be an identifiable aspect of individual behaviour (and hence a characteristic of the preferences of each generation) and so arises the question of whether the ‘authoritarian’ response (Marglin 1963) of overriding those preferences in a democratic context is justifiable. Furthermore, the argument is based on the assumption of the homogeneity of preferences across time, the coherence of which is questioned by some commentators (Ball 1985). Finally we might consider whether Ku-ring-gai Council functions as the guardian of future generations of ratepayers in the same way that a national government does with regard to future citizens according to the advocates of low social discount rates.

The choice of the form of utility function is typically driven by analytical convenience as noted, and the empirical evidence, such as it is, is mixed regarding the ‘fit’ of log utility. The choice of a different form could not really be justified empirically for Ku-ring-gai simply due to the difficulty of testing involved. In any case the decision to use a different form of the utility function and the decision to use a higher social discount rate are effectively one and the same.

Finally the issue of growth rates is also difficult. Note that it is important not to confuse levels and growth rates. Ku-ring-gai almost certainly has an above average per capita income but are there grounds for predicting that income will *grow* faster than average over time? In the absence of such grounds it might be sensible to stick with the Garnaut rate. Hence, in terms of the social discount rate used there may be no obvious grounds for departing from the rates used by Garnaut.

As for the conflict between the social discount rate and the rate to be used in a financial sense, there are few concrete indications to be gleaned from either theory or practice. The *Garnaut Review* (2008c) notes the distinction, using the positive-normative distinction, and argues that it is appropriate to use market rates of interest for discounting when analysing private market activity such as pricing emissions permits, and to use social discount rates, which should be lower, when comparing utility outcomes. For the current project there might be grounds to argue that appropriate market rates be used in assessing the financial viability of projects while appropriate non-market rates be used to decide among financially viable activities. Public sector investment has a duty to act upon future risk, for example the 1 in 100,000 year flood, that may entail a low discount rate independent of population growth or increased prosperity. The mechanics certainly remain unclear, but that is true of the approach taken by government agencies.

2.5 Ranking system for prioritising various adaptation options

In this section we discuss the use of a ranking system which may be more useful to local councils than conventional CBA. The system includes a methodology for netting

the impacts within each option, using Borda counts developed by Jean Charles de Borda in 1781.

2.5.1 Why not conventional CBA?

Cost Benefit Analysis (CBA) identifies present and future gains and losses incurred by a particular action in the present. It usually applies to financial cases where dollar values exist. Consistent, transparent and replicable, CBA is embraced by local councils; however, when used to value environmental or social impacts, it becomes unrealistically expensive and inaccurate in establishing monetary values for non-market values. Putting a dollar value on non-market public good has never been satisfactorily achieved. What is the value of a clear sky or a beautiful mountain? What is the value of your child's life? Questionnaires are prepared asking, for example, willingness to pay for national park entry which then becomes a surrogate for the value of a national park.

Climate adaptation actions demand immediate attention and this urgency is largely accepted since the Nobel Peace Prize was awarded for the IPCC Fourth Assessment Report (AR4) and to Al Gore in 2007. An attempt to use CBA for Triple Bottom Line planning may fail in the environmental case but will almost certainly fail in the social case, where putting dollar values to life, health and pain will be contentious. An incomplete or partial CBA will necessarily reflect the bias of those commissioning the analysis.

2.5.2 A ranking system as preferred to CBA

A ranking system can take into account both financial and social ordering. Rankings can be enriched by expert opinion, council officer experience and training, local knowledge, and scientific evidence.

According to Kenneth J Arrow (1950) the only method of passing from individual preferences to social preferences that is satisfactory and that is defined for a wide range of individual orderings is either imposed or dictatorial. Council as a democratic representative of its constituency and service provider to the community is reasonably in a position to take right decisions on behalf of the community.

2.5.3 Ranking the three cases of TBL

Ranking in the financial case is purely based on dollar returns and takes into consideration maximum net benefits for each choice. A strategy showing most net benefit will be ranked first. Environmental and social ranking are left to the discourse of Council's experts. This system of ordering social and environmental impacts resolves the dilemma of choosing a discount rate inasmuch as no dollar values need be devised for non-market public goods. Accompanying the rankings by qualitative statements describing the costs and benefits and reasons for the ranks assigned would help to make the cases transparent and reduce discrepancies.

2.5.4 Borda counts for selecting the most appropriate adaptation strategy

Ranking scores are based on the order of preference of Council and the community. Final ranking for the most socially, economically and environmentally viable option is obtained using Borda count votes. Saari et.al. (2006) support Borda count as a fair voting system compared to other prevailing systems such as Condorcet winner.

Suppose there are n options which have been ranked in order of preference. The Borda method assigns the numeric values n-1, n-2, ... 0 respectively to the first, second, ... last ranked options in columns. The option with the greatest total number of Borda votes in rows will be the winning option. The following example, Table 4, illustrates how the Borda count scoring system works.

Table 4. Hypothetical voting and Borda counts for the three TBL cases: social, environmental and financial

Options	Social Ranks/ (score)	Environmental Ranks/(score)	Financial Ranks/(score)	Borda Count
Option 1: building fire trails	1 (4)	3 (2)	2 (3)	9
Option 2: fire control center	2 (3)	1 (4)	4 (1)	8
Option 3: rezoning land in risk areas	3 (2)	2 (3)	1 (4)	9
Option 4: Increase number of prescribed burns	4 (1)	4 (1)	3 (2)	4
Option 5: community education program	5 (0)	5 (0)	5 (0)	0

In this example Option 1 and Option 3 have equal highest Borda counts; therefore Council may decide the preferred option. Where one option attracts the highest score it is selected as the best adaptation option.

2.6 Economic Models and Loss Distribution Approach (LDA)

2.6.1 Introduction

The following section outlines an approach for quantifying potential losses from catastrophic events like storms, droughts or bushfires that may increase owing to climate change. There are several problems in establishing an appropriate quantitative model for this task. First, the number of observations is sparse, particularly at the local scale. This presents difficulties in calibrating the distribution and models inasmuch as parameter estimates of distribution are sensitive to the observations. Second, the use of historical observations may lead to reporting bias in favour of more extreme events since smaller events are less comprehensively recorded. Third, changes in the environment, population density and number of houses constructed since the events of nearly 100 years ago would alter the potential for damage caused by a catastrophic event. Finally, downscaling nation-wide losses to the local scale may not be appropriate given the widely varying conditions across Australia.

Some of these problems can be overcome by supplementing historical observation with expert opinion in the estimation process as described in the following section. This section provides a general description of the Loss Distribution Approach (LDA). This approach is used in the financial sector for modelling insurance claims and losses arising from operational risks within the banking industry (Klugman, Panjer, & Willmot 1998, and Bank for International Settlements 2001).

LDA involves the estimation of an adequate frequency and severity distribution for the catastrophic events under consideration. The aggregate loss distribution of the events is then computed by combining these two distributions such that the expected annual loss at the desired confidence level can be computed. Simulations can also be used to derive higher quantiles of the aggregate loss distribution. Once the potential losses have been determined using the appropriate discount rate, the discounted present value (DPV) of the expected losses and costs for a chosen time horizon can be calculated.

When climate change adaptation strategies are compared it is possible to use the DPV of total costs. The following formula illustrates the necessary calculations

$$DPV = Inv_0 + \sum_{t=0}^T \frac{Costs_t + Loss_t}{(1+i)^t} \quad (6)$$

Where Inv_0 denotes the cost of the initial investment at time 0 for an adaptation strategy, $Costs_t$ are the further costs in each time period related to the adaptation strategy, $Loss_t$ is the loss due to a catastrophic event in period t and i is the appropriate discount rate.

In financial applications the discount rate is usually chosen as the cost of capital. However, as previously discussed in Section 2.4.1, there are important differences between economic and financial modelling and the appropriate choice of the discount rate. It should be pointed out that in this approach it is assumed that the chosen strategies will have different effects on the parameters of the frequency and severity distribution which will lead to differences in the calculated or simulated loss figures for each year. The approach also provides the possibility of including the effects of climate change by adjusting the parameters of the frequency and severity distribution in the model.

Once the discounted present value of the costs for each adaptation strategy has been calculated, the strategies can be compared with respect to their net benefit or to the business-as-usual scenario. This involves no investment for adaptation strategies, but will likely yield higher figures for the losses arising from catastrophic events.

In the following two sections we will discuss the Loss Distribution Approach (LDA) and additional statistical techniques that are relevant for the modelling of losses arising from catastrophic events like storms, droughts or bushfires. Preliminary results on estimated distributions and bushfire loss are then given in the results section.

2.6.2 The Loss Distribution Approach (LDA)

The LDA is a statistical approach for generating aggregate loss distribution. This section provides the algorithms that can be used to compute the aggregate loss distribution and illustrates the calculation of extreme quantiles for losses based on the generated aggregate loss distribution. As mentioned above this approach is particularly popular in the financial industry (Klugman, Panjer, & Willmot 1998, and Bank for International Settlements 2001). Researchers commonly use the Poisson distribution for frequency and the Lognormal distribution for severity.

To compute the probability distribution of the aggregate loss from bushfires over one year, it is necessary to estimate the probability distribution function of the single event loss and its frequency for one year. With the benefit of internal and external data (data generated outside the current research project for different purposes and adapted for the present project, for example, bushfire losses experienced by other regions of Australia) supplemented by expert opinion, researchers may estimate the probability distribution function of residential property loss and the bushfire frequency over one year. Then it is possible to compute the cumulative residential property loss for one year or longer.

In LDA, the loss severity distribution and loss frequency distribution are assumed to be independent. Thus, the cumulative loss for one year is expressed as

$$G = \sum_{i=1}^N X_i \quad (7)$$

where N is the annual number of events modelled as a random variable from a discrete distribution and $X_i, i=1, \dots, N$, are severities of the event modelled as independent random variables from a continuous distribution. Modelling frequency and severity of losses is a well-known actuarial technique (Klugman, Panjer, & Willmot 1998).

Monte Carlo simulation is normally used to compound the severity and frequency distribution and calculate the aggregate losses from an event type (Fishman 1996). The simulation algorithm to generate an annual loss distribution is as follows:

1. Take a random draw from the frequency distribution: suppose this simulates N events per year.
2. Take N random draws from the severity distribution: denote these simulated loss by L_1, L_2, \dots, L_N
3. Sum the n simulated losses to obtain an annual loss $X = L_1 + L_2 + \dots + L_N$
4. Return to step 1, and repeat k times (usually the number of simulation runs is chosen to be $k=5000, 10000$ or even higher). Then we will obtain X_1, X_2, \dots, X_k where k is a very large number that enables us to derive a distribution for the aggregate losses.

Thus, using the LDA, we can compute the expected loss and loss at a confidence level α of the event for one year or longer. The expected loss EL and the loss at a confidence level α $L(\alpha)$ are then defined by

$$EL = \int_0^{\infty} x dG(x) \text{ and} \\ L(\alpha) = \inf\{x \mid G(x) \geq \alpha\}. \quad (8)$$

The expected loss is the expected value of the aggregate loss distribution function G whereas the loss at confidence α is the quantile for the level α . By using Monte

Carlo simulation, we can generate the aggregate loss distribution of the event and obtain, for example, the quantiles at 90% and 99% confidence levels. The accuracy of the estimation depends on the adequacy of the parameter estimates but also on the number of simulations in the Monte Carlo approach (Fishman 1996). Thus a high number of simulations is recommended.

As mentioned above, comparing adaptation strategies over a longer period of time requires simulations for a longer period of time. The algorithm presented here can easily be adjusted for this purpose and the simulated losses for each year $t=1,...,T$ can be discounted using the specified discount rate i . In this case it may be necessary to adjust the model parameters of the frequency and severity distribution over time, if, for example, an increase in the frequency or severity of bushfires is expected over that period of time. Assuming that the effects on parameter estimates and changes over time can be quantified correctly, it is then possible to gain more realistic figures for the costs or benefits of different strategies.

2.6.3 Statistical Modelling and Simulation

The frequency of events is usually modelled by a discrete distribution, such as Bernoulli, Binomial, Poisson or Geometric distributions. Discrete distributions apply to a random variable whose set of possible values is finite or countable. Hence the frequency of an event, as a countable discrete random variable, can be modelled by a discrete distribution.

One problem for the estimation procedure is that often data on severities contain a substantial proportion of zeros; for example the number of damaged houses from a bushfire is zero for approximately 70% of the recorded bushfires. In this case, a first attempt to model the severity by a continuous distribution using all the observations including the zeros might not provide an adequate fit. Data with many zeros violates the underlying assumption of such distributions. Therefore, in this case a so-called mixture model may be applied to model these zero-inflated data. In general, mixture models characterize zero-inflated data as a function of two distributions ($Y=VB$). First, B means the likelihood of zero or positive outcomes, which can be characterised using Bernoulli distribution. Then, the positive outcomes are independently modelled as V . This type of approach to model zero-inflated data was first discussed by Aitchison (1955) and has been used to model mackerel egg counts (Pennington 1983), health statistics (Zhou & Tu 2000), and air contaminant levels (Tu 2002). A generalized mixture model can be characterized as follows

$$\begin{aligned} f(y|\theta) &= 1 - \rho(\theta) & y = 0 \\ &= \rho(\theta)g(y|\theta) & y > 0 \end{aligned} \tag{9}$$

where $\int_0^{\infty} g(y|\theta)dy = 1$

In a later section we will suggest using the Lognormal distribution to model the positive data: the resulting distribution including the zeros is often referred to as the Δ -distribution or Delta distribution.

An example follows of the simulation process based on the loss distribution approach being conducted to generate a probability distribution of the DPV of aggregate losses arising from destroyed houses for a period of several years. Note that in this example

only house damage is modelled; other losses arising from bushfires are not considered. The simulation is based on PerilAus bushfire data for NSW where the value of a ‘house equivalent’ is assumed to be AUD \$440,000.

Assume that the number of severe bushfires per year can be modelled by a Poisson distribution with parameter $\lambda=3.8$. This means that the average number of severe bushfires per year is 3.8. The probability distribution for the number is provided in Figure 8.

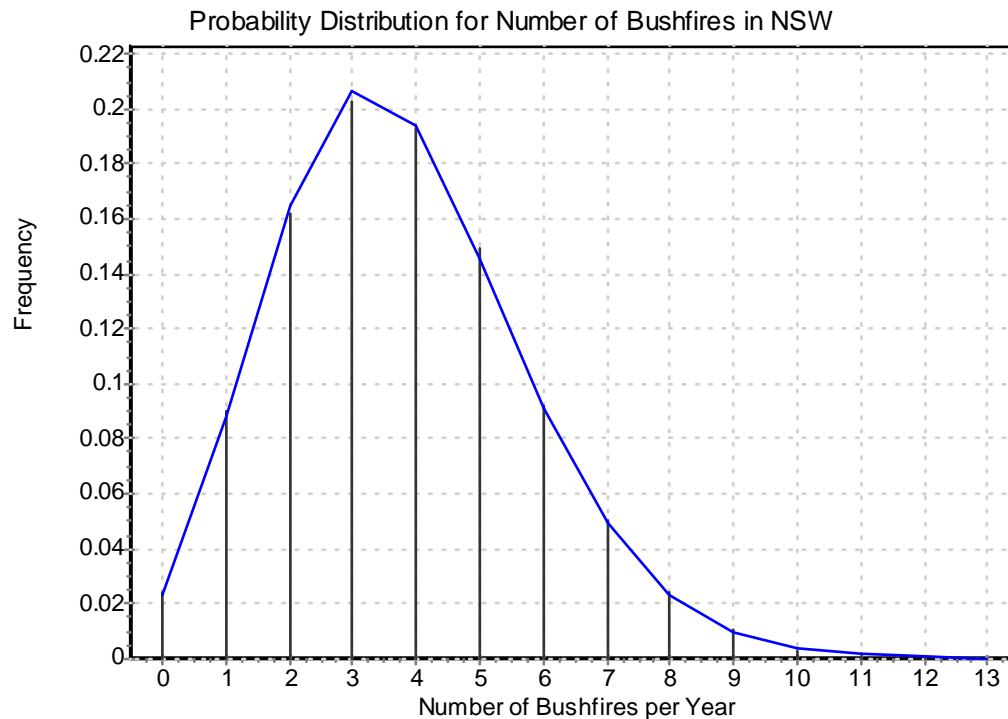


Figure 8. Probability distribution for number of severe bushfires in NSW based on a Poisson distribution with parameter $\lambda=3.8$.

Further assume that the fraction of severe bushfires that actually leads to losses from destroyed houses is 33% and can therefore be modelled by a Bernoulli distribution with parameter $p=0.33$.

Finally assume that if the bushfire actually leads to house damage, the number of houses destroyed can be modelled by a Lognormal distribution with parameter $\mu=1.67$ and $\sigma=1.39$. This corresponds to a mean of approximately 14 houses destroyed. The corresponding probability distribution is provided in Figure 9.

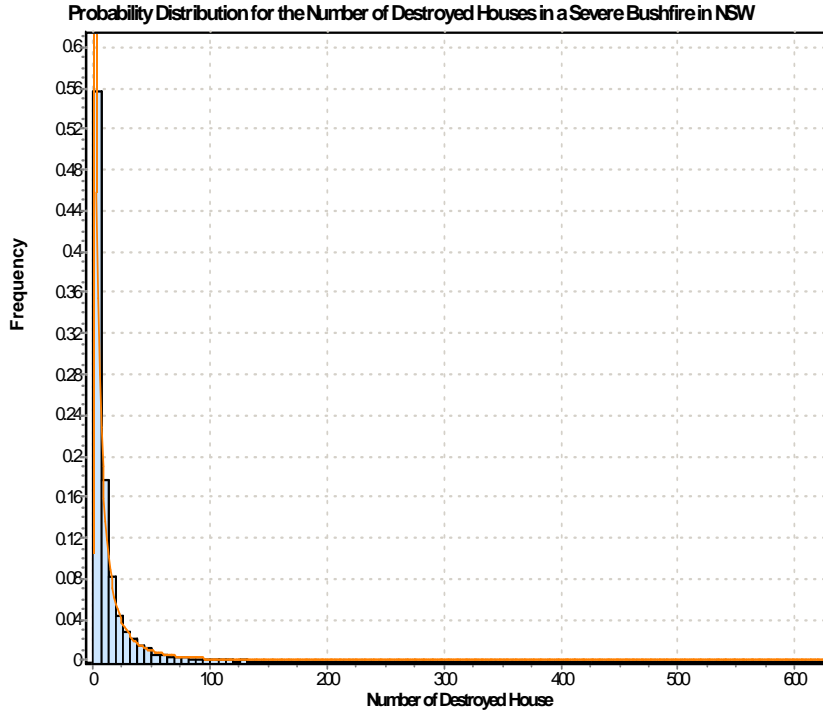


Figure 9. Probability distribution for the number of destroyed houses in a severe bushfire in NSW based on a Lognormal distribution with parameters $\mu=1.67$ and $\sigma=1.39$. The blue bars represent the simulated Lognormal distribution with parameters $\mu=1.67$ and $\sigma=1.39$ while the yellow line represents the theoretical Lognormal distribution.

The simulation process is conducted as follows:

- 1) For each year $t=1, \dots, T$ first draw a random number from the Poisson distribution with parameter $\lambda=3.8$. This corresponds to the number N_t of fires in year t . Assume for example that the generated random number is $N_t=3$ corresponding to three bushfires in year t .
- 2) For each of the bushfires, in the simulation process it needs to be determined whether it is a bushfire that destroyed houses or not. In our example, for each of the three fires $n=1,2,3$ a Bernoulli random number Z_n is drawn to decide whether houses were affected or not. For the example the probabilities are 0.67 for the result 0 (no house affected) and 0.33 for the result 1 (houses are destroyed). Assume that we get $Z_1=0$, $Z_2=1$ and $Z_3=0$. So only the second fire was one that destroyed a number of homes.
- 3) Simulate the severity for the fires that destroyed houses from the Lognormal distribution. In our example this means that for the second bushfire we simulate a random number from the Lognormal distribution with parameters $\mu=1.67$ and $\sigma=1.39$. Assume the outcome is 6.32. Then the calculated loss from destroyed houses for year t is $G_t=\text{AUD } 2,780,800$.
- 4) Repeat steps 1) to 3) for each year and determine the corresponding figures G_t for $t=1, \dots, T$.

- 5) Calculate the DPV of the losses from destroyed houses by discounting the loss figures G_t with an appropriate discount rate: $DPV = \sum_{t=1}^T \frac{G_t}{(1+i)^t}$.
- 6) Repeat steps 1) to 6) many times (e.g. $n=5000$ or $n=10,000$) to derive a simulated probability distribution of the losses that can be used to calculate expected losses or the Value-at-Risk at higher quantiles e.g. 95%, 99%, etc.

Figure 10 illustrates such a simulated probability distribution for the potential losses from destroyed houses. For simplicity, in this example only a time horizon of one year was considered and $n=5000$ simulations were run.

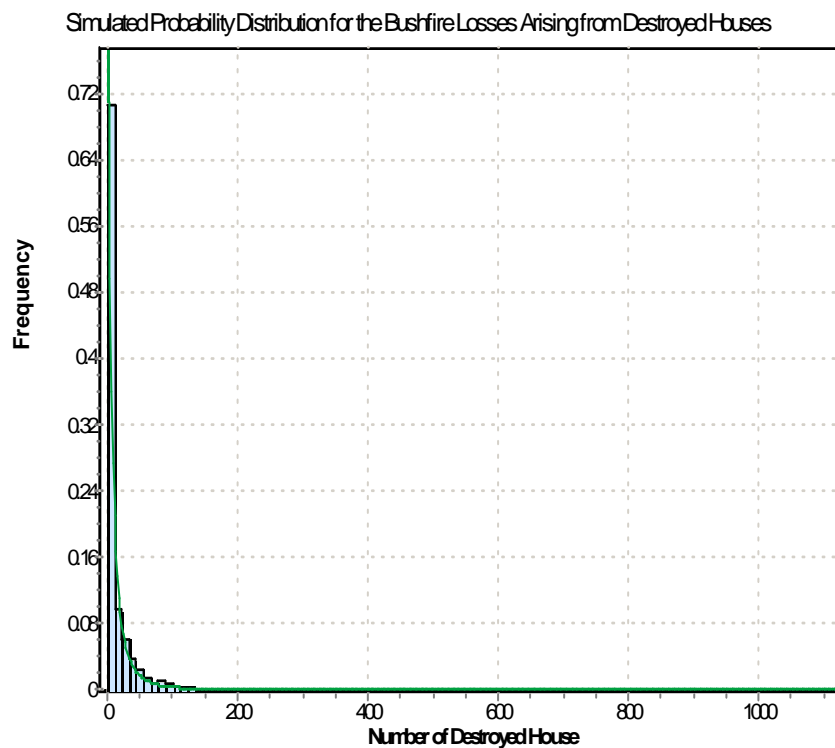


Figure 10. Simulated probability distribution for the bushfire losses arising from destroyed houses for $n=5000$ simulations in a one year period.

This algorithm can be applied to different kinds of catastrophic risks or losses and can be altered to include climate change scenarios or adaptation scenarios. For example, increasing or decreasing frequencies or severities can be included in the simulation procedure based on the assumptions about the effects of climate change or adaptation strategies on the distributions.

The estimation of frequency and severity distribution, especially for low frequency high impact bushfire losses, is a challenging task. Local Ku-ring-gai bushfire records contain only a very few high impact events. Because sufficient sample data is required

for producing a meaningful estimation, later applications will incorporate external data, that is, bushfire losses experienced by other regions in Australia, and expert opinion. Here, bushfire data from the PerilAUS database is considered to be external data. Expert opinion regarding frequency and severity of losses can be incorporated in the model using Bayesian estimation techniques. The next section provides the general framework and some information on how, in a practical application, expert opinion and empirically observed data can be combined to estimate frequencies and severities in the LDA.

2.7 Using Bayesian inference methods for the quantification of losses

2.7.1 Introduction

In order to estimate an adequate probability distribution for the potential losses from catastrophic events on a local scale, it might be necessary to take into account information beyond the often sparse historical data. This could include relevant external data and expert opinion on the probability and severity of such events. Considering the often small number of observations that will be available, it can be important to have such expert judgement, often referred to as scenario analysis, incorporated into the model.

The following statistical background illustrates how different sources of information – particularly historical data on losses from catastrophic events and expert judgement – can be combined. Here we follow an approach using Bayesian estimation as initially suggested in Shevchenko and Wüthrich (2006) for the quantification of operational risks in the banking industry. As mentioned above in the Loss Distribution Approach suggested by the Basel Committee of Banking Supervision (a standing committee of the Bank for International Settlements), a very similar problem of estimation of frequency and severity distributions often based on low-frequency-high-severity data is required. To overcome these difficulties, according to the Basel Committee of Banking Supervision, it is mandatory to include scenario analysis in the model for risk quantification to meet regulatory requirements. Here, scenario analysis gives a rough quantitative assessment of risk frequency and severity distributions based on expert opinion. Scenario analysis is subjective and wherever possible should be combined with actually observed loss data. In recent years Bayesian inference has gained some popularity in the insurance and financial industry for combining such sources of information,. For an introduction to Bayesian inference methods and their application to insurance and finance, refer to Berger (1985), Bühlmann and Gisler (2005) or Rachev et al. (2008).

Generally, Bayesian techniques allow for structural modelling where expert opinion is incorporated into the analysis via the specification of so-called prior distributions for the model parameters. The original parameter estimates are then updated by the data as they become available. Additionally, the expert may reassess the prior distributions at any point in time if new information becomes available on, for example, climate change, or the effects of climate change on the frequency and severity of catastrophic storm, drought or bushfire events . To our knowledge this technique has not been used to quantify the risk from such catastrophic losses, particularly not at the local scale. The next section gives a brief description of the technique within the context of application to risks arising from natural disasters like bushfires and storms. The next

chapter, Results, will illustrate our preliminary results on parameter estimation of the frequency and severity distribution and potential losses from bushfires at the local scale in the Ku-ring-gai Local Government Area.

2.7.2 Bayesian Techniques

Let us first consider a random vector of observations $X = (x_1, x_2, \dots, x_n)$ whose density $h(X|\theta)$ is given for a vector of parameters $\theta = (\theta_1, \theta_2, \dots, \theta_K)$. The big difference between the classical and the Bayesian estimation approach is that in the latter both observations and parameters are considered to be random. Let further $\pi(\theta)$ denote the density distribution of the uncertain parameters, which is often also called the prior distribution. The Bayes' theorem can then be formulated as:

$$h(X, \theta) = h(X | \theta)\pi(\theta) = \hat{\pi}(\theta | X)h(X) \quad (10)$$

Here, $h(X, \theta)$ is the joint density of the observed data and parameters, $\hat{\pi}(\theta | X)$ is the density of the parameters based on the observed data X , $h(X | \theta)$ is the density of the observations given the parameters θ . Finally, $h(\mathbf{X})$ is a marginal density of \mathbf{X} that can also be written as

$$h(\mathbf{X}) = \int h(\mathbf{X}|\theta)\pi(\theta) d\theta \quad (11)$$

Note that in the Bayesian approach the prior distribution $\pi(\theta)$ generally also depends on a set of further parameters called hyper parameters. As mentioned above, these parameters and the prior distribution can also be updated if new information on climate change and its effect on catastrophic events become available. Overall, the approach is capable of combining the prior assessment of an expert on the frequency and severity of events and actually observed data in the considered local area. It also enables the modeller to adjust the distribution based on different adaptation scenarios and their effects on the risk by using the expert judgement on the effect of such strategies. In the following section, we will briefly explain how, based on a prior judgement of the expert on frequency and severity, the estimates can be updated when additional information on losses from events becomes available.

2.7.3 Combining expert opinion with actual observations

The following illustrates how, based on expert judgement, a prior distribution and the parameters of the model can be derived. Then we show how the updating of the estimates can be done for certain probability distributions. Here we restrict ourselves to the following distributions: a Poisson distribution for the frequency of events combined with a Gamma distribution for the prior, and a Lognormal distribution for the severity of events in combination with the Normal distribution for the prior. These examples are chosen because the Poisson-Lognormal model is one of the most popular in quantifying catastrophic risks (Klugman et al. 1998). These frequency and severity distributions and the chosen priors are called conjugate pairs, a favourable property when estimating and updating distributions. The literature suggests several other conjugate pairs that could be used. For further reading on conjugate priors and conjugate pairs refer to Klugman et al. (1998) or Shevchenko and Wüthrich (2006).

Frequency

Assume that the annual frequency of a catastrophic event N can be modeled by a Poisson distribution with parameter λ . Further, assume that the prior distribution for λ (and therefore the uncertainty about the real frequency parameter) $\pi(\lambda | \alpha, \beta)$ is modelled using a Gamma distribution $Gamma(\alpha, \beta)$. In this case it can easily be shown that the expected number of events per year is

$$E[N | \lambda] = \lambda \quad (12)$$

with a probability distribution for the number of events given by

$$f(N | \lambda) = e^{-\lambda} \frac{\lambda^N}{N!}, \quad \lambda \geq 0 \quad (13)$$

Further, the estimate for the parameter λ based on the parameters of the (prior) Gamma distribution is

$$E[\lambda] = \alpha \times \beta. \quad (14)$$

Remember that we are assuming that the expert may be able to give an estimate for the expected number of events but he or she is not certain about the estimate. The uncertainty about the estimate is captured by using a prior distribution $Gamma(\alpha, \beta)$ for the estimate of λ . To obtain estimates for the parameter (α, β) of the prior distribution, one could, for example, ask the expert to specify a best estimate for the number of events per year $E[\lambda]$ and an estimate for the ‘true’ λ being within an interval $[c_1, c_2]$ with the probability $\Pr[c_1 \leq \lambda \leq c_2] = p$. Based on this expert judgment it is then possible to come up with estimates for the parameters α and β , by numerically solving the following two equations:

$$E[\lambda] = \alpha \times \beta \quad (15)$$

$$\Pr[c_1 \leq \lambda \leq c_2] = p = \int_{c_1}^{c_2} \pi(\lambda | \alpha, \beta) d\lambda = F_{\alpha, \beta}^{(G)}[c_2] - F_{\alpha, \beta}^{(G)}[c_1]. \quad (16)$$

The estimates of (α, β) and λ can then be considered as a starting point for modelling. If actual observations on the number of events N_1, N_2, \dots, N_n for the periods 1, ..., n are available the parameters α and β , can then be updated according to the following formulas (see Shevchenko and Wüthrich (2006) for the derivation):

$$\alpha \rightarrow \hat{\alpha} = \alpha + \sum_{i=1}^n N_i \quad (17)$$

$$\beta \rightarrow \hat{\beta} = \beta / (1 + \beta \times n) \quad (18)$$

Then, the expected number of events, given the prior distribution and past observations can be calculated as:

$$E[N_{n+1} | N] = E[\lambda | N] = \hat{\alpha} \times \hat{\beta} = \beta \times \frac{\alpha + \sum_{i=1}^n N_i}{1 + \beta \times n} = w\bar{N} + (1-w)\lambda_0 \quad (19)$$

Here, $\bar{N} = \frac{1}{n} \sum_{i=1}^n N_i$ is the estimate of λ using the observed number events only,

$\lambda_0 = \alpha \times \beta$ is the estimate of λ using the prior distribution only and $w = \frac{n}{n+1/\beta}$ is the

so-called credibility weight that is used to combine the two estimates. Obviously, as the number of period n increases, the credibility weight w increases, too. Therefore, the more observations we have, the greater will be the weight assigned to the estimator based on the observed events, while the smaller becomes the weight that is attached to the expert opinion estimate. This makes the approach very attractive for situations where the number of actually observed events is rather small, such as bushfires and storms on a local scale. Here, despite the small number of observations, combining an initial expert opinion with the actually observed number of events per period should yield an appropriate estimate for the frequency.

Severity

For severity distribution, we assume the severity or magnitude of a catastrophic event can be modeled using a Lognormal distribution $LN(\mu, \sigma)$. Further assume that the parameter σ is known while μ is uncertain and can be modeled by using the Normal distribution as the appropriate prior distribution for μ is $N(\mu_0, \sigma_0)$. Note that in this case, given the prior distribution, the probability distribution for the loss arising from a catastrophic event is

$$f(x | \mu, \sigma) = \frac{1}{x\sqrt{2\pi\sigma^2}} \exp\left(-\frac{(\ln x - \mu)^2}{2\sigma^2}\right) \quad (20)$$

while the expected value of the losses is

$$E[X | \mu, \sigma] = M(\mu, \sigma) = \exp\left(\mu + \frac{1}{2}\sigma^2\right). \quad (21)$$

Similar to the approach for frequency, the expert may be able to specify the best estimate of the expected loss $E[M(\mu, \sigma)]$ as well as some information on the uncertainty of this estimate by providing the probability that the true expected loss lies in the interval $[c_1, c_2]$, $P[c_1 \leq M \leq c_2] = p$. Then, by numerically solving the following two equations

$$E[M] = \exp\left(\mu_0 + \frac{1}{2}\sigma^2 + \frac{1}{2}\sigma_0^2\right) \text{ and} \quad (22)$$

$$p = \Pr[a \leq M \leq b] = \Phi\left[\frac{\ln b - \frac{1}{2}\sigma^2 - \mu_0}{\sigma_0}\right] - \Phi\left[\frac{\ln a - \frac{1}{2}\sigma^2 - \mu_0}{\sigma_0}\right] \quad (23)$$

the corresponding parameters μ_0 and σ_0 of the prior distribution can be derived. Again, similar to the frequency approach, when actual observations on the severity of the events X_1, X_2, \dots, X_n are available, using the transformed values $Y_i = \ln(X_i)$, the parameters μ_0 and σ_0 can then be updated according to the following formulas

$$\mu_0 \rightarrow \hat{\mu}_0 = \left(\mu_0 + \omega \sum_{i=1}^n Y_i \right) / (1 + n \times \omega) \quad (24)$$

$$\sigma_0^2 \rightarrow \hat{\sigma}_0^2 = \sigma_0^2 / (1 + n \times \omega) \quad (25)$$

Then, the expected value of Y_{n+1} , given the prior distribution and n past observations can be calculated as

$$E[Y_{n+1} | X] = E[\mu | X] = \hat{\mu}_0 = \frac{\mu_0 + \omega \sum_{i=1}^n Y_i}{1 + n \times \omega} = w \bar{Y} + (1 - w) \mu_0. \quad (26)$$

Here, $\bar{Y} = \frac{1}{n} \sum_{i=1}^n Y_i$ can be interpreted as the estimate of μ only using the actual observations of the losses, μ_0 is the estimate of μ using the specified prior distribution by the expert only and $w = \frac{n}{n + \sigma^2 / \sigma_0^2}$ is similar to the credibility weight in the

frequency approach that is used to combine the two estimates. The greater the number of observations, the greater will be the weight w assigned to the actual observations and the smaller the weight given to the specification of the expert. Still, the advantage of the approach is that even with a very small number of observations, the additional specification of the loss distribution by an expert yields a more reliable estimate of the severity distribution and the overall risk.

2.7.4 Quantification of the Risk

After specifying potential approaches for the modelling of the frequency and severity distribution using expert opinion and actually observed data, the task is then to quantify the risk adequately. The following four steps summarise the general procedure for quantifying risk from catastrophic events such as storms, bushfires, or droughts:

- 1) Estimate a prior distribution $\pi(\theta)$ based on expert opinion, actually observed historical data and external data adapted to the present study.
- 2) Weight and update the prior distribution with the observed data using equations (24) and (25) to get a posterior distribution $\pi^*(\theta | \mathbf{X})$
- 3) Use the equation (26) to calculate the predictive distribution of X_{n+1} given the actual observations \mathbf{X}
- 4) Conduct enough simulations from the estimated distributions for frequency and severity to derive appropriate estimates of the expected loss or higher quantiles of the loss distribution.

Note that the Bayesian approach leads to optimal estimates in that the mean square error for the prediction is minimised (Bühlmann & Gisler 2005 and Shevchenko & Wüthrich 2006).

The next chapter provides preliminary results for the quantification of losses owing to bushfires likely to occur in the Ku-ring-gai local government area for three future time horizons; the derived distributions for bushfire frequency and severity are based on internal and external data and expert opinion.

3. Results and Future Work

The research addressed in this report addresses the need for sound and defensible information on which to base adaptation decisions at the local level. An economic model for evaluating and prioritising local councils' options for investing in climate change adaptation decisions has been developed to assist both policy and operational decision-making by integrating current adaptation knowledge with policy and planning processes which include social, environmental, financial and governance, that is, Quadruple Bottom Line considerations (QBL).

The phenomenon of bushfire and its impacts within the Ku-ring-gai Council local government area was selected as a case study for this project. The research involved (i) the use of historical data, community perceptions about QBL priorities, and expert opinion on the probabilities and consequences of extreme weather events; (ii) the use of economic theory and techniques for projecting those probabilities and consequences to future dates and for ranking both financial and non-market values; (iii) identification of avoidable climate change impacts; and (iv) recommendations for adaptation action. Bayesian scenario analysis was calibrated according to expert opinion on climate change science and impacts and on bushfire hazards. The local impacts of global warming in both monetary and non-monetary terms were projected into the future using climatic-risk-appropriate discount rates.

Research findings indicate that: Bayesian techniques applied in the financial analysis of loss due to climate change hazards have utility; as an adjunct to financial analysis, the use of Borda counting to rank environmental, financial and social aspects of decision-making options is advantageous; and discounting choices faced by local government are critical to decision-making on climate change adaptation.

Our findings in relation to bushfire damage and climate adaptation measures in the Ku-ring-gai Council local government area can be summarised by two sets of tables. The first set of tables (Tables 5a-d) projects costs and benefits to the year 2020 for three options, while the second set (Tables 6a-d) projects costs and benefits for the three options to the year 2030. A fourth calculation is presented which projects only the financial costs and benefits to the year 2050.

The techniques developed can be more widely applied than in this case study both for other local government areas and also for further climate change impacts. For example, many councils are also subject to future bushfire risk. Also prioritisation is needed for local adaptation measures for the climate change related issues including drought, storms, flood damage, and human health especially as climate change effects intensify.

3.1 Options available to Ku-ring-gai Council in reducing bushfire risk

Ku-ring-gai Council may choose among a number of options for the reduction of future bushfire risk. These include:

- Building new fire trails
- Rezoning land to restrict development in high risk areas
- Building a new rural fire service control centre building
- Increasing the number of prescribed burns
- Conducting community education programs

- Developing new community fire units
- Increasing the static water supply volume
- Selectively removing mid-story vegetation
- Increasing the percentage of houses compliant with maximum building code standards for fire retardation
- Buying properties at the interface of urban and bushland zones.

Here we analyse the costs and benefits for four of these options: (1) building new fire trails, (2) rezoning land, (3) constructing an additional rural fire service control centre and (4) no action. These worked examples illustrate how the present method can be applied at the local government level. The fourth option is 'no action' or 'business as usual'.

In each set of tables, for each option, the first table presents the financial costs and benefits; the second table presents the environmental rankings; and the third table presents the social rankings. In each table, the second column presents the costs or negative impacts of an action; the third column presents the benefits or positive impacts; and the fourth column presents the net effect of the previous two columns. The fourth table in each set presents the net rankings (that is, the results from the previous four columns).

Assumptions

- The present climate continues to 2050, that is, the best-case scenario is projected here for all options
- House prices increase by 7% each year
- Money depreciates by 6% each year
- The values for the financial case are mainly house equivalent loss; initial capital costs, maintenance costs, and fire fighting costs over the years are not included
- The average cost of a house near bushland is \$800,000
- The Borda counts are unweighted
- All costs in the financial case are with respect to the no action scenario.

Table 5a Financial costs and benefits for the year 2020 expressed in 2010 dollars
(combining immediate costs or benefits of action + costs or benefits resulting from any increased hazard or reduced hazard)

Cost Option	Financial Cost in 2010 \$	Financial benefit in 2010 \$	Net financial cost with ranking
Option 1 Building of fire trails	\$-1.87M	\$1.09M	\$-.774M Rank 3
Option 2 Rezone land to restrict development in high risk areas	<-10 M	1.1M	\$ < -8M Rank 4
Option 3 New rural fire control centre	-1.44 M	.794M	\$-.646 Rank 2
Option 4 No action	0	0	0 Rank 1

Table 5b Environmental costs and benefits for the year 2020 (combining immediate costs or benefits of action + costs or benefits resulting from any increased hazard or reduced hazard)

Cost Option	Negative environmental impacts	Positive environmental impacts	Ranks and comments for netting (options which reduce fire spreading without disturbing the natural habitat are preferred)
Option 1 Building of fire trails	Natural habitat destroyed, pollution during construction process, sound pollution during construction (less due to less population)	Loss of biodiversity will be less due to less spreading of fire	Rank 2 (Fire spreading reduced)
Option 2 Rezone land to restrict development in high risk areas	Loss of biodiversity due to intense spreading bushfires, pollution problem	Less encroachment of buildings saving the biodiversity	Rank 1 (Keeps natural habitat intact)
Option 3 New rural fire control centre	More houses near bushlands destroying the habitat and biodiversity. More accidental fires	Less damage because of immediate response, less biodiversity loss because of to bushfire control	Rank 3 (Immediate response)
Option 4 No action	Loss of biodiversity owing to bush fires, pollution problem, intense spreading fires	Some plants need bushfires	Rank 4

Table 5c Social costs and benefits for the year 2020 (combining immediate costs or benefits of action + costs or benefits resulting from any increased hazard or reduced hazard)

Cost Option	Negative social impacts	Positive social impacts	Ranks and comments for netting (Options which could reduce fatalities more will be ranked first)
Option 1 Building of fire trails	Injury to people during construction (less likely)	Reduced death of people, say 70%, due to reduced spreading of fire	Rank 2
Option 2 Rezone land to restrict development in high risk areas	People's desire to own a house near bushland not satisfied	Reduced death of people, say 80%, as fewer houses and people live near risk prone areas; fewer fires owing to carelessness	Rank 1 (More life could be saved)
Option 3 New rural fire control centre	Encroachment into bushland by emergency response during fire; accidental or arsonist fires may increase, causing injuries and death	Reduced fatalities and injuries due to immediate response	Rank 3
Option 4 No action	Loss of life,	Nil	Rank 4

Table 5d Net ranking of all options in the year 2020

RankingOption	Financial net ranking	Environmental net ranking	Social net ranking
Option 1 (fire trails)	3	2	2
Option 2 (Rezoning)	4	1	1
Option 3 (RFS)	2	3	3
Option 4 (no action)	1	4	4

Borda count of net rankings for the year 2020

- Option 1 = 5 building fire trails
- Option 2 = 6 rezoning land, most optimal count
- Option 3 = 3
- Option 4 = 3

**Table 6a Financial costs and benefits for the year 2030 expressed in 2010 dollars
(combining immediate costs or benefits of action + costs or benefits resulting from
any increased hazard or reduced hazard)**

OptionCost	Financial Cost in 2010 \$	Financial benefit in 2010 \$	Net financial benefits and ranks (\$)
Option 1 Building of fire trails	\$-2.07M	\$1.71M	\$-.355 M Rank 2
Option 2 Rezone land to restrict development in high risk areas	<-10 M	2.34 M	Rank 4 \$<-8M
Option 3 New rural fire control centre	\$ -1.85 M	1.446M	\$-.404 M Rank 3
Option 4 No action	0	0	0 Rank 1

Table 6b Environmental costs and benefits for the year 2030 (combining immediate costs or benefits of action + costs or benefits resulting from any increased hazard or reduced hazard)

Cost Option	Negative environmental impacts	Positive environmental impacts	Ranks and comments for netting (Options which reduce fire spreading without disturbing the natural habitat are preferred)
Option 1 Building of fire trails	Natural habitat destroyed, pollution during construction, sound pollution during construction, biodiversity disturbed with human interference (recreation),	Less biodiversity loss will because of less spreading of fire, although more intense fires are expected than in 2020	Rank 2 (Reduced spreading crucial as intensity may increase over time)
Option 2 Rezone land to restrict development in high risk areas	Loss of biodiversity due to bushfire spreading, pollution problem	Less encroachment of buildings saving the biodiversity and almost no houses in the danger zone	Rank 3 (Biodiversity preserved, but requires some strategy to reduce the intensity of bushfires we are already committed to)
Option 3 New rural fire control centre	Arson lit bushfires – increasing loss to biodiversity	Reduces the intensity of fires immediately- less loss of biodiversity from intense bush fires. More intense and frequent bush fires will necessitate fire control services	Rank 1 (Immediate response and less harm to the biodiversity – action is required as we are already committed to a change in frequency & intensity of bushfires)
Option 4 No action	More loss of biodiversity owing to bush fires, pollution problem, intense spreading fires	Some plants need bushfires,	Rank 4

Table 6c Social costs and benefits for the year 2030 (combining immediate costs or benefits of action + costs or benefits resulting from any increased hazard or reduced hazard)

CostOption	Negative social impacts	Positive social impacts	Ranks and comments for netting (Options which could reduce fatalities more will be ranked first)
Option 1 Building of fire trails	Injury to people during construction (although less likely)	Reduced death of people, say 60%, because of less spreading of fires	Rank 2
Option 2 Rezone land to restrict development in high risk areas	People's desire to own a house near bushland not satisfied	Reduced death of people, say 90%, and fewer fires from carelessness	Rank 1
Option 3 New rural fire control centre	More houses near bushland, injuries to volunteers/employees during fire control, reduced care taken by people to avoid bush during high fire danger days as they expect immediate response from the fire service	Emergency response saving lives	Rank 3
Option 4 No action	Loss of life	nil	Rank 4

Table 6d Net ranking of all options by the year 2030

Option	Financial net ranking	Environmental Net ranking	Social net ranking
Option 1	2	2	2
Option 2	4	3	1
Option 3	3	1	3
Option 4	1	4	4

Borda count of net rankings for the year 2030:

Option 1= 6, building fire trails, optimal choice
Option 2=4
Option 3=5
Option 4=3

Results: Financial ranking for the year 2050

- All costs and benefits are cumulative from the year 2009, that is, 40 years from the present.
- Adaptation strategies adopted show benefits during the period to 2050.
- Fire service control station = \$.869M benefit
- Building fire trails = \$ 1.97M benefit
- Without adaptation action during the 40 year period, aggregated costs will be \$25M
- Assuming an increase in bushfire frequency owing to climate change, say one bushfire every ten years, aggregated costs will be \$32M.

Conclusion from example

We conclude from this simple worked example that the method is applicable but that the subjectivity of ranking of ‘netted out’ environmental and social costs and benefits is quite challenging.

3.2. Recommendations for future work

3.2.1 Extension of the same approach to other local government areas

The first stage implementation of this project has focussed on bushfire as an example of a hazard that many local communities and local government authorities in Australia need to address in climate adaptation planning. Ku-ring-gai Council has been the case study local government area for the research.

In future stages of the project, further adaptation issues (e.g in relation to drought and water resources, storm and flooding damage to infrastructure and property, human health impacts etc) for Ku-ring-gai Council and other local government areas need to be researched in Australia for a more thorough understanding of the applicability of the methods that have been adopted. Ideally overseas local government cases also should be researched.

For the next stage of the project, possible Australian local government areas for research include:

- further metropolitan Sydney case study councils,
- NSW local government areas in regional and remote locations,
- Local governments areas in south-east Queensland, and
- Local government areas in Tasmania.

3.2.2 Funding applied for or 'in train' for 2009 continuation

To fund the next stage of the project, an ARC Linkage 2010 (Round I) collaborative proposal is planned to be submitted in May 2009.

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Appendix A. Presentations

1. Sydney University Climate Change Monitoring Symposium 2008

Assessing climate change adaptation options for local government

S. Mathew, A. Henderson-Sellers, R. Taplin, S. Trueck and J. Scott

Uncertainty in the prediction of low probability high impact climate events makes it difficult for local governments to foresee climate risks specific (to their area), prioritise policy options and implement suitable actions for the future. Climate projections and economic projections need to be available at the local levels (scales of a few 10s of kilometres at most) to ensure local climate investment actions. Observations of the historical climate impacts at local scales could give a probability distribution that could be projected into the future using new information and expert opinions. Sources of past observations could include newspapers reporting the events, databases if any (e.g. Emergency Management Australia, PerilAUS data base for Australia) etc.

This research describes the early stages of a study of the adaptation options for two different local government areas – Ku-ring-gai Council, Sydney, Australia (a developed nation case example) and Cochin Municipal Corporation, Kerala, India (a developing nation case example) based on available climate information and perceptions of the local community. As climate and economic information vary all over the world, every community will need to prioritise among different climate actions based on the past observations/experiences of the locality and in turn develop suitable investments for the future. Comparison of greenhouse gas emissions of India and Australia show that a major contribution of the source of emissions is from the energy sector indicating the importance of state or national policies like carbon taxes or emissions trading schemes for mitigation. Local governments are likely to prefer to concentrate on adaptation activities as their share in mitigation activities in the absence of a national or state policy could be less significant. Valuing the non-monetary impacts of climate change differs for rich and poor, regional levels of development, other regional characteristics and future generations. Observations are required in the two regions to determine the value and type of the non-market amenities. Categorisation of local climate impacts via Quadruple Bottom Line analysis (social, economic, environment and political) could be a method to identify the appropriate importance of each impact category. Both India and Australia need more observations on climate impacts and understanding of how these will affect local communities; each nation and the local communities within them will be affected differently based on their ability to adapt economically, socially and environmentally.

This paper describes how monitoring of relevant data can assist local climate investment prioritisations as they address some key questions including:

(i) Can local governments contribute effectively to mitigation or should they try to concentrate more on adaptation? (ii) How do we cost actions and benefits in climate investments and what value of discount rate would be appropriate? (iii) How to value non-market amenities in local prioritisation? (iv) How do we downscale climate projections and economic costings? (v) How to compare local climate change investment prioritisations between a developed country (Australia) and developing country (India)?

2. NSW Integrating Sustainability In Local Government Symposium– Nov 24-25, 2008

Climate Change Mitigation and Adaptation Cost Benefit Analysis for Local Government

J. Scott

The presentation described Ku-ring-gai Council's initiatives in the New South Wales Integrating Sustainability in Local Government Symposium, particularly in regard to bushfire risk. Council aims to maximise the benefit from every dollar invested in bushfire risk mitigation. The speaker addressed

- the current risk exposure and investment to achieve the 2008 level of risk exposure (historically)
- the change in bushfire risk in Ku-ring-gai due to climate change by 2020 and 2030
- the level of investment required in future to maintain 2008 risk exposure levels based on the Forest Fire Danger Index
- the cost and benefit of implementing additional risk reduction measures

3. 9th International Conference on Southern Hemisphere Meteorology and Oceanography, Melbourne, 9-13 February 2009

Regional climate change adaptation policy development in southern hemisphere areas sensitive to climatic extremes

Ann Henderson-Sellers¹ (email: annhs@els.mq.edu.au), **Supriya Mathew¹**, **Roslyn Taplin¹**

¹Macquarie University, Sydney, Australia

Global warming is ‘unambiguous’ and authoritative reports clearly state that the cost of greenhouse impacts increases if action is delayed. Urgency is confounded by the lack of direct information available to allow governments to prioritise mitigation versus adaptation. A typical response to climate change in local government is to set (or respond to) emission reduction targets with little context of their implications. Adaptation is very hard to understand locally and there is inadequate recognition of synergies that exist between adaptation and mitigation. To date no local-government level modelling has been conducted that explicitly links mitigation and adaptation strategies to climatic extremes. Here we report on the initial steps in a project that aims to develop, test and validate by iterative use a methodology for local-scale climate change adaptation targeting local government agencies as collaborating partners. We study Ku-ring-gai Council of North West Sydney Australia, the Kollam Council in the southern Indian state of Kerala and the city government area of Lilongwe, the capital of Malawi. Here we review and analyze the following issues as they relate to extremes of climate in the Southern Hemisphere: (i) local community consultation to determine where the acceptable threshold risk level exists; (ii) refining the forecasts of future changes in risk due to climate change across sensitive regions; (iii) development of a cost / benefit tool to guide the investment analysis; (iv) defining policies for adaptation and/or mitigation; (v) determining where the acceptable threshold level of risk exists and how this might change in the future; and (vi) determining if the exposure to any changes in risk will still be acceptable in the medium to long term with/without mitigation and/or adaptation strategies. We demonstrate with this approach the integration of climate change adaptation planning, prioritisation and decision making with greenhouse gas mitigation actions for the local to regional-scale government.

4. 9th International Conference on Southern Hemisphere Meteorology and Oceanography, Melbourne, 9-13 February 2009

Local scale climate adaptation options for India and Australia

S. Mathew, A. Henderson-Sellers, R. Taplin, S. Trueck and J. Scott

Uncertainty in the prediction of low probability high impact climate events makes it difficult for local governments to foresee the climate risks specific (to their area), prioritise policy options and implement prepare suitable actions for the future. Climate change due to greenhouse warming has prompted a desire for adaptation and mitigation action by governments at all levels including local government (IPCC, 2007). Local efforts must try to foresee the risks, prioritise policy options and prepare suitable actions for the future. Climate projections and economic projections need to be available at the local levels (scales of a few 10s of kilometres at most) to ensure make the local climate investment actions much more active. Observations of the historical climate impacts at local scales could give a probability distribution which distribution that could be projected into the future using new information and expert opinions. Sources of the past observations could include newspapers reporting the events, databases if any (e.g. Emergency Management Australia, PerilAUS data base for Australia) etc.

This research describes the early stages of a study of the adaptation options for two different local government areas – Ku-ring-gai Council, Sydney, Australia (a developed nation case example) and Cochin Municipal Corporation, Kerala, India (a developing nation case example) based on the available climate information and perceptions of the local community. As climate and economic information vary all over the world, every community may need to prioritise among different climate actions based on the past observations/experiences of the locality and in turn develop suitable investments for the future.

A comparison of greenhouse gas emissions of India and Australia show that a major contribution of the source of emissions is from the energy sector indicating the importance of state or national policies like carbon taxes or emissions trading schemes for mitigation. Local governments are likely to prefer to could predominantly concentrate on adaptation activities as their share in mitigation activities in the absence of a national or state policy could be very less significant. Investments for adaptation activities should use discount rates as there is an issue of intergenerational equity and raises the question if we need an investor approach (high discount rate) or a (low discount rate) pure ethical approach as Garnaut (2008) uses for Australia. Valuing the non-monetary impacts of climate change differs among rich and /poor, regional levels of development, other regional characteristics and future generations. Observations are required in the two regions to determine the value and type of the non- market amenities. Categorisation of the local climate impacts via into the Quadruple Bottom Line analysis (social, economic, environment and political) could be a method used to identify the give appropriate importance of each impact category. Both India and Australia need more observations on the climate impacts and understanding of how these will affect economic backgrounds of local communities; as each nation and the local communities area within them would be affected differently based on their

ability to adapt economically, socially and environmentally. Discount rates, value and type of non-market amenities

This paper can assist us local climate investment prioritisations a need to address some key questions including: (i) Can local governments contribute effectively to mitigation or should they try to concentrate more on adaptation? (ii) How do we cost actions and benefits in climate investments and what value of discount rate would be appropriate? (iii) How to value non-market amenities in local prioritisation? (iv) How do we downscale climate projections and economic costing? (v) How to compare local climate change investment prioritisations between a developed country (Australia) and developing country (India)?

5. Climate Congress, Copenhagen March 9-11, 2009

Enhancing Local Government Climate Change Adaptation Decision-Making:

Development of understanding of the economic costs and benefits of adaptation for Ku-ring-gai Council, Sydney Australia

Ros Taplin, Ann Henderson-Sellers and Stefan Truek, Macquarie University and Jenny Scott and Louise Hayward, Ku-ring-gai Council, Sydney, Australia

Australia is a nation of climate extremes with flooding, storms, drought and bushfires being familiar challenges at regional and even local levels. The Australian national government has taken steps to ratify the Kyoto Protocol (December 2007), to commission an economic review of the consequences of climate change (Garnaut, 2008) and to offer for discussion a proposal for a carbon emissions trading scheme (CPR, 2008). Local government that is central to societal adaptation and can play an important part in national mitigation finds itself caught in the midst of these policy developments and past experiences. The challenges for local government in Australia with regard to legislation, funding, community awareness and willingness to participate all render decisions on climate change adaptation far from straightforward. Analysis of the financial risks and benefits associated with adaptation at the local level is lacking and these uncertainties limit the capacity for sound policymaking. Local government decision-makers urgently require this analysis to assist with prioritisation of adaptation measures in relation to their regions' assets and vulnerabilities.

This paper reports collaborative and transdisciplinary research that has commenced in Sydney as a joint venture between Macquarie University researchers and the local government authority, Ku-ring-gai Council. Researchers and professionals involved have climate science, economics and environmental decision-making capabilities. Research for this locality is being undertaken in order to initiate development of understanding of the economic costs and benefits of future adaptation. It is expected that enhancement of capacity with the financial aspects of climate change adaptation decision-making will assist in provision of useable knowledge to local stakeholders as well as for the Council's own operations. Depending on funding, the study will be extended by the Macquarie research team to incorporate other Australian local Councils. Also it is hoped that local government authorities in other nations will also be incorporated as case studies in the longer term.

Ku-ring-gai Council which is the north of the greater Sydney metropolitan region has a population of approximately 101,000 and extends over an area of 84 km². The local Council is not new to addressing climate change as it has been actively involved in climate change related policy initiatives since 1998 via Cities For Climate ProtectionTM (CCP) Australia. It has achieved 'CCPTM Plus' status in reducing its operation and community greenhouse gas emissions – the highest level achievable. Nonetheless, climate change adaptation is considered a serious issue for the Council and, in 2007, it developed a *Strategic Approach to Climate Change* involving plans for research of the economic, social, environmental and governance costs and opportunities of mitigation and adaptation to climate change within the Ku-ring-gai Council area. The Council has also been active with broader sustainability policy implementation with development of a *Sustainability Vision Report 2008-2033* via a participatory approach with local stakeholders.

The Ku-ring-gai Council – Macquarie University climate change adaptation research collaboration commenced in July 2008. Initial research has involved literature review; analysis of past Council measures and records with regard to mitigation and adaptation initiatives, costs and benefits; investigation of economic modelling considerations including selection of appropriate discount rates, timescales and climate sensitivities. Results to date indicate the collaborative research will provide: improved understanding of potential climate change challenges for the Ku-ring-gai Council region; improved knowledge of climate impacts for the Council and costs and benefits of adaptation measures; and understanding of Council's current preparedness to address these impacts.

This paper presents further results and, more importantly for an international audience, the work that has been initiated towards the development of a more generic analytic approach for assessment of the local effects of climate change that can be applied by other local government authorities. At this

Congress we seek partners for action on climate change at a local government level in a warming world.

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6. Greenhouse 2009 – CSIRO – Perth March 2009

Assessing climate change adaptation options for local government

S. Mathew, A. Henderson-Sellers, R. Taplin, H. Weng, S. Trueck, W. Bradford, J. Scott, and L. Hayward

Climate change due to greenhouse warming has prompted a desire for adaptation and mitigation action by governments at all levels including local government (IPCC, 2007). Local efforts must try to foresee the risks, prioritise policy options and prepare suitable actions for the future. This comparative research focuses on how to integrate climate change adaptation knowledge at the local scale in policy and planning decisions and investment prioritisation. The case study reported here for a local government jurisdiction, Ku-ring-gai Council, Sydney, Australia, involves analysis of historical records of climate related impacts and costs, and government responses. Using this historical analysis together with a Bayesian approach using expert opinion (Shevchenko and Wüthrich, 2006), the impacts of global warming locally in both monetary and non-monetary terms are projected into the future to 2015, 2025 and 2050 with appropriate discount rates. The research involves: (i) establishing priorities for potential investment based on community perceptions of the probability and consequences of local impacts occurring as a result of global warming (ii) developing an economic evaluation technique to assist local governments to direct investment; (iii) determining avoidable climate change impacts, if any, in the long run and (iv) formulating recommendations for adaptation actions for the case study local government areas. We plan to include further Australian and international case study jurisdictions in our future research (e.g. Cochin Municipality, Kerala, India) to compare and contrast adaptation issues for different local governments.

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Appendix B. Paper forthcoming

Chapter in You, J., and Henderson-Sellers, A., 2009, Climate Change Monitoring and Strategy, Sydney University Press,

Trueck, S., Henderson-Sellers, A., Taplin, R. et al 2009, ‘Optimal Climate Change Adaptation Strategies for Local Governments’

Appendix C. Conference abstract accepted

Urban Research Symposium 2009, Marseille, France June 28-30, 2009

Measurement of Catastrophic Risks and Optimal Climate Change Adaptation Strategies for Local Governments

Stefan Trück, Ann Henderson-Sellers and Ros Taplin

Macquarie University, Sydney, Australia

This paper presents a new approach that can be used for quantifying catastrophic risks and optimal adaptation strategies for local governments. It is particularly designed to incorporate localized information and projections into the estimation process to enable optimal environmental decision-making at the regional level.

Australia is a nation of climate extremes with flooding, storms, drought and bushfires being familiar challenges at regional and local levels. The Australian national government has taken steps to ratify the

Kyoto Protocol (December 2007), to commission an economic review of the consequences of climate change (Garnaut, 2008) and to offer for discussion a proposal for a carbon emissions trading scheme (CPR, 2008). Local government that is central to societal adaptation and can play an important part in national mitigation finds itself caught in the midst of these policy developments and past experiences. The challenges for local government in Australia with regard to legislation, funding, community awareness and willingness to participate all render decisions on climate change adaptation far from straightforward. Analysis of the financial risks and benefits associated with adaptation at the local level is lacking and these uncertainties limit the capacity for sound policymaking. Local government decision-makers urgently require this analysis to assist with prioritisation of adaptation measures in relation to their regions' assets and vulnerabilities.

In this paper we investigate adequate approaches for modeling catastrophic risks like flooding, storms, drought and bushfires on a local scale. Hereby, we adapt approaches from insurance or financial risk management that are designed to measure operational risks or losses based on a compound Poisson process. The aim of these models is to find the appropriate distribution for the frequency and severity of the losses: the former is usually modelled by a homogeneous or non-homogeneous Poisson process, while for the latter the use of heavy-tailed distributions like e.g. Lognormal or Weibull is suggested (Basel Committee of Banking Supervision, 2001, 2003). Major problems for the estimation process are generally the lack of historical data, thresholds in the data collection process, low frequency but high severity losses, combining different data sources and the downscaling process for adjusting the loss distribution with respect to the local environment.

We suggest to estimate the parameters of the distribution by combining historical data with expert opinions using Bayesian inference models, see e.g. Berger (1999) or Gelman et al (2003). Due to the small number of observations on a local scale, these approaches allow for combining observed losses with a so-called prior distribution that can be based on an expert opinion, local characteristics or losses from external databases. Therefore, the model allows for structural modelling of different sources of information and statistical inference on an adequate distribution also for local governments or councils. Using a simulation approach for both frequencies and severities, it is then possible to determine the distribution for each of the individual risk categories. Based on the estimated distribution, the effects of different adaptation strategies on a local scale can be evaluated with respect to their economic outcome. Applying a net-present value analysis, we illustrate how the approach can be used to analyse optimal environmental decision-making also from an economic perspective.

In a case-study we further report results on a collaborative and transdisciplinary project that has commenced in Sydney as a joint venture between Macquarie University researchers and Ku-ring-gai Council, a local government authority in northern Sydney. The paper presents results on the application of the suggested approach and more importantly for an international audience, how the work can be applied by other local government authorities.

With the focus set on optimal economic decision-making, the paper also relates to research cluster 4 of the conference: incentive policies, economics and finance: understanding how and why cities respond to climate change.

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COUNCIL LANDS FOR PROPOSED LAND RECLASSIFICATION

EXECUTIVE SUMMARY

PURPOSE OF REPORT:

To determine those Council sites within the area covered by the draft Ku-ring-gai Local Environmental Plan (Town Centres) 2008 which are to be reclassified to Operational land.

BACKGROUND:

The Ku-ring-gai Planning Panel has exhibited and adopted the draft *Ku-ring-gai Local Environmental Plan (Town Centres) 2008*. The plan is being finalised prior to gazettal. It requires an amendment to reclassify Council lands.

COMMENTS:

The finalisation of this matter involves both Council and the Ku-ring-gai Planning Panel. The preparation of an amending Local Environmental Plan (LEP) is required once Council determines the sites it would seek to reclassify. When these sites are finalised Council can request the Ku-ring-gai Planning Panel to prepare the draft LEP in accordance with statutory requirements. This will include the required public exhibition of the draft LEP and a subsequent public hearing process.

RECOMMENDATION:

That Council determines the lands to be reclassified and request the Ku-ring-gai Planning Panel to prepare the requisite planning proposal and draft LEP.

PURPOSE OF REPORT

To determine those Council sites within the area covered by the draft Ku-ring-gai Local Environmental Plan (Town Centres) 2008 which are to be reclassified to Operational land.

BACKGROUND

1. Council Lands

Council owns a number of strategic sites within all centres that have been rezoned under the draft *Ku-ring-gai Local Environmental Plan (Town Centres) 2008*. The majority of these sites are classified as Community land under the provisions of the *Local Government Act 1993*.

To date the process to have Council owned lands reclassified to Operational land has not been completed due to a range of factors including legal issues; the complexity of the process of land reclassification being held under two sets of legislation the *Environmental Planning and Assessment Act 1979* and the *Local Government Act 1993*; and finally a change in the responsible authority for finalising the town centres planning from Ku-ring-gai Council to the Ku-ring-gai Planning Panel in early 2008. These matters are fully discussed in points 2-6 below.

Moreover, there has been an ad-hoc approach to reclassification over recent years with several key Council owned sites being excluded from reclassification LEPs, although these sites have recently all been zoned under the final draft *Ku-ring-gai Local Environmental Plan (Town Centres) 2008* adopted by the Planning Panel.

The process forward will be to prepare the necessary information for the draft LEP and exhibition for Council owned sites within the Ku-ring-gai Planning Panel boundaries and have this information ready for exhibition immediately after the formal gazettal of the draft *Ku-ring-gai Local Environmental Plan (Town Centres) 2008*, which is expected imminently.

The process will be in two stages; firstly Council will consider and endorse the sites for reclassification; and secondly a request will be made to the Ku-ring-gai Planning Panel to formally initiate a reclassification LEP as amendment No .1 to the *Ku-ring-gai Local Environmental Plan (Town Centres) 2008*, the Planning Panel being the authority currently responsible for plan making within the town centres.

A comprehensive listing of all of Council's land holdings within the area encompassed by the Town Centres LEP has been compiled. Maps for each town centre identifying Council's lands and those sites recommended for reclassification have also been prepared. These form **Attachment 2** to this report.

2. 2006 Public Hearings

In response to the Direction from the Minister for Planning, Council in 2006 prepared draft *Ku-ring-gai Local Environmental Plan 2006 (Town Centres)* and Amendment No 1, Amendment No 2 and Amendment No 3. These four draft plans related respectively to the Town Centres of St Ives, Turrumurra, Pymble and Gordon, and Lindfield and Roseville. The draft plans each included provisions for the reclassification of certain Council lands from Community land to Operational land.

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Where there is a proposal to reclassify community land to operational land, Section 29 of the *Local Government Act 1993* states that Council must arrange a public hearing in accordance with the provisions of Section 57 of the *Environmental Planning and Assessment Act 1979* (EP&A Act). Section 68(2) of the EP&A Act (now repealed) provided that at the conclusion of a public hearing:

- a. Report of the public hearing shall be furnished to the Council and the Council shall make public the report.*

Section 47G(2) of the *Local Government Act 1993* provides as follows:

The person presiding at a public hearing must not be:

- (a) a Councillor or employee of that Council holding the public hearing; or*
- (b) a person who has been a Councillor or employee of that Council at any time during the 5 years before the date of his or her appointment.*

In accordance with the above provisions Council appointed an independent chairperson to preside over each public hearing and prepare a report concerning each town centre for which land reclassification was proposed. These centres were St Ives, Turramurra, Pymble, Gordon and Lindfield. A public hearing was held for each town centre on the respective dates of 11 September 2006, 25 September 2006, 26 October 2006, 25 October 2006 and 20 November 2006.

The chairperson for each public hearing prepared a report having regard for oral presentations at the public hearing, the written submissions received and the chairperson's own observations concerning the draft LEP and proposed reclassification process.

The public hearing reports were each considered by Council at its meetings of 8 November 2006, 13 November 2006, 28 November 2006, 30 November 2006 and 19 December 2006, when dealing with St Ives, Turramurra, Pymble, Gordon and Lindfield Centres and adopting their draft plans.

When adopting the draft plans, Council also resolved to defer from them the items contained in Schedule 4, in accordance with Section 68(5) of the *Environmental Planning and Assessment Act 1979* (EP&A Act). Schedule 4 is the schedule setting out the lands proposed to be reclassified to operational land. Council deferred these items pending a further report to Council investigating further matters. They were matters raised in the recommendations of the respective public hearings held concerning land reclassification in each Plan. Specifically, they concerned finalising a suite of strategic planning documents for the town centres which included a parking management, open space acquisition policy, development contributions plan, town centre facilities plan, financial modelling etc. These items were largely completed throughout 2007 and 2008.

3. Legal Advice

In 2006 persons concerned about the reclassification process wrote to the Department of Local Government. The Department of Local Government wrote to Council on 15 January 2007 raising these concerns. Upon receipt of the Department's letter, Council instructed Matthews Folbigg to advise on the issues raised. That firm's advice was received on 8 February 2007 and was to the effect that Council had met its statutory obligations. The advice formed the basis of Council's reply to the Department of Local Government on 12 February 2007.

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On 20 April 2007, the Department of Local Government again wrote to Council questioning Council's legal advice and stating that under Section 68 of the EP&A Act, the public hearing for a draft LEP should be held only after the submission period closed and not during that period as had been the case.

Council then sought the further advice of Mr S B Austin QC, who by response dated 30 May 2007 indicated essential agreement with Council's previous advice.

On 30 August 2007, the Department wrote to Council indicating that, notwithstanding the advice of Mr Austin QC, it maintained its previously expressed views on the matter.

At the Council meeting held on 25 September 2007 Council resolved the following:

"Given the doubts expressed over the legality of Council's reclassification process, that Council seek a second legal opinion from a Senior Counsel and that the lawyer be given copies of the correspondence from the Department."

In accordance with the above resolution further independent advice was sought from Dr John Griffiths SC. Prior to receipt of this advice, Council on 30 October 2007 considered a report on land reclassification and resolved:

"That in light of the uncertainty over planning issues in Ku-ring-gai the matter of reclassification of Council owned land referred to in the report be deferred".

Council subsequently received the advice from Dr Griffiths. This advice suggested that a contrary position to previous advices and that there was therefore a possibility of challenge if Council were to rely on the public hearings that had been held to date as part of the reclassification process. Council considered the matter at its meeting of 11 December 2007 and determined that it should be prudent and therefore follow the course recommended by Dr Griffiths. This was to undertake a further public hearing following the exhibition of the relevant documents. Council resolved:

- A. *That Council reactivate the reclassification process of Council owned land which was previously deferred by Council resolution on 30 October 2007.*
- B. *That Council place the relevant draft amendments concerning reclassification on public exhibition and schedule the mandatory public hearing required under Section 29 of the Local Government Act to occur after expiration of the public exhibition period."*

4. Planning Panel Expansion of Town Centres LEP

The Ku-ring-gai Planning Panel commenced operating in January 2008 and assumed jurisdiction over the areas covered by Council's draft Town Centres LEP 2006 plus an extended area around each town centre. The Planning Panel determined that it would carry out planning for the town centres in two stages, the first largely based on Council's 2006 draft LEP. On this basis, Council reactivated the reclassification process and arrangements were made for a reclassification public hearing based on the Panel's first stage LEP.

On 11 June 2008 the Panel adopted a Panel Chairperson's Minute which provided that the Panel not proceed to complete town centres planning process in two stages as previously adopted, but

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rather as a single comprehensive stage. By this time, however, arrangements for the public hearing were already in place.

5. 2008 Public Hearing

The reactivation of the reclassification process saw a new public hearing held over 2 days (1-2 July 2008). The hearing dealt with all town centres whose lands were being considered for reclassification. The final Chairpersons report was received by Council on 28 August 2008.

The report recommended that Council proceed with the reclassification of the sites under assessment by Council subject to the following:

1. *Having regard to submissions presented to the public hearing, Council satisfy itself on the legal and procedural appropriateness of proceeding with the reclassifications under the exhibited Town Centres LEP.*
2. *To address concerns raised in submissions to the public hearing in relation to Council's dealings with public land in the town centres Council prepare, place on public exhibition and adopt a policy for sale, long term lease or other transactions relating to public land, not covered by the Ku-ring-gai Planning Agreement Policy (2008).*
3. *Council enter into a dialogue with appropriate management committees and user groups where community facilities currently located on land proposed for reclassification will be affected by future land dealings to ensure that the community is involved in and consulted about the future planning for these community facilities.*
4. *Council write to all persons and organisations that made a submission to the public hearing thanking them for their input and advising them of Council's decision.*

6. Finalisation of draft Ku-ring-gai Local Environmental Plan (Town Centres) 2008

The draft *Ku-ring-gai Local Environmental Plan (Town Centres) 2008* has now been adopted by the Planning Panel and is currently being considered by the Department of Planning and Parliamentary Counsel before being referred to the Minister for gazettal. It will however require early amendment by way of the insertion of Schedule 4 (lands for reclassification) for it to be fully effective. Having regard for the expansion and evolution of the Panel's draft Plan since the 2008 public hearing process it is considered that a fresh plan making process should be commenced. This would entail an exhibition process and a new public hearing to effect the required land reclassification, as advised by Dr John Griffiths SC in relation to recommendation No. 1 of the Chairpersons report of 28 August 2008 (above).

COMMENTS**1. Reclassification Purpose**

Many Council owned sites have been identified in the town centres planning process as "key sites". The manner in which they are utilised, and the timing of their development, is critical to the future development of the town centres. In many instances these sites provide a significant opportunity for place making and the provision of new, updated and enhanced community facilities. They are

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central to the development of the public domain. In some cases, the redevelopment of these sites is so important that it is fundamental to whether the planning vision for the town centres is implemented at all. If some Council owned sites remain in their current state, there is a risk that the town centres develop as a “donut” around a tired core. In some cases, redevelopment of older style strip shops will not occur until there is a major catalyst for change. Development of Council owned sites can in some instances provide this catalyst.

In addition to this, the reclassification of Council’s town centre lands not only provides Council with the flexibility to divest land considered surplus, but more importantly provides Council with opportunities to leverage development outcomes, negotiate community facilities and public domain areas within new development sites, and significantly contribute to the ultimate quality of future development in the centres.

At the same time funds realised can be allocated towards the acquisition and/or construction of improved public amenity and facilities better suited to the requirements of an expanding and changing Ku-ring-gai community, in accordance with Council’s *Long Term Financial Model* and adopted development contributions plans that apply to the town centres.

It is important to note that contrary to popular belief as reflected at the public forum on 14 September 2009, any decision to reclassify land is not a final determination as to whether the sites should be endorsed for potential divestment. Simply put, the reclassification of Council’s land to Operational provides greater flexibility and opportunity for Council to manage its land appropriately.

2. Statutory Process

a. *New LEP to amend Ku-ring-gai Town Centres LEP:*

The draft *Ku-ring-gai Local Environmental Plan (Town Centres) 2008* is expected to be gazetted by the Minister for Planning in the very near future. Schedule 4 of the instrument (dealing with land reclassification) is currently empty, and needs to be finalised for insertion into the plan. This is to be achieved by the preparation of a new draft LEP. This will be the first amending LEP to the Town Centres Plan once it is gazetted. This plan will need to be prepared by the Planning Panel, who at the time of writing remain the plan making authority for environmental planning instruments within the gazetted Planning Panel boundaries under the Department’s new plan making process. In this respect, the Panel’s order states, amongst other things:

“The Panel is appointed to exercise all functions of the Council:

(b) in relation to the making of environmental planning instruments under Part 3 of the Act, but only in relation to:

(iii) the control of development within the Ku-ring-gai town centres.”

b. *Public Hearing Process:*

Council will need to determine from the list of Council owned sites those it would consider for reclassification. The Planning Panel will prepare a planning proposal for submission to the Department of Planning based on advice from Council as to the lands Council wishes to reclassify.

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At the conclusion of the LEP's exhibition, Council would convene a public hearing will be held.

Where there is a proposal to reclassify Community land to Operational land, Section 29 of the *Local Government Act 1993* provides that Council must arrange a public hearing in accordance with the provisions of Section 57 of the *Environmental Planning and Assessment Act (EP&A Act) 1979*.

Council rather than the Planning Panel must appoint an independent Chairperson to preside over the public hearing and prepare a report concerning the town centre lands for which land reclassification is proposed.

At the completion of the public hearing process Council would consider the Chairperson's report, and then advise the Planning Panel of the manner that Council wishes to proceed to finalise the draft LEP.

The process needs to be consistent with the recent Department of Planning Circular (PN 09-003 dated 12 June 2009) which provides guidance on the process to classify or reclassify public land through a LEP including a principal plan in accordance with the Standard Instrument.

3. Council Sites Considered for Reclassification:

a. Lands within Key Areas:

A list of comprising sites has been compiled identifying all Council lands within the area encompassed by the draft *Ku-ring-gai Local Environmental Plan (Town Centres) 2008*. Of these sites some 28 lie within the key areas identified by the Plan (Clause 6.4). These are seen as particularly significant areas in realising quality development outcomes for the community under the draft LEP.

These sites are seen to be critical in delivering the outcome sought and are proposed for reclassification to Operational status. These sites comprise the following lands:

S1	11-21 Cowan Road, St Ives
S6	176 Mona Vale Road, St Ives
T18	12 William Street, Turramurra
T19	5 Ray Street, Turramurra
T20	1A and 3 Kissing Point Road, Turramurra
*T21B	3 Stonex Lane, Turramurra
P30	2 Alma Street, Pymble
P31	65 Grandview Street, Pymble
P35	Post Office Lane (Lot 2, DP 582963)
G42	799 Pacific Highway, Gordon (Lot 1 SP 49925)
G43	818 Pacific Highway and 7 Dumaresq Street, Gordon
G44A	9 Dumaresq Street, Gordon
G44B	15 Dumaresq Street, Gordon
G44C	17 Dumaresq Street, Gordon
G45	2 Moree Street, Gordon
G46	4 Moree Street, Gordon
G47	1 Wade Lane, Gordon
G53	753 Pacific Highway, Gordon
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L56	3 Kochia Lane, Lindfield
L57	8-10 Tryon Road, Lindfield
L62	1/12-18 Tryon Road, Lindfield
L64	5 Kochia Lane, Lindfield
R65	1 Larkin Lane, Roseville
R66	94A Pacific Highway, Roseville
R67	80A Pacific Highway, Roseville
*R68	62 Pacific Highway, Roseville
R69	2 Lord Street, Roseville

*Sites T21B and R68 are each only partially within the key areas. Upon reclassification and the subdivision of the larger non commercial portions lying outside the key area, steps can be to reclassify these areas back to community land on the basis that both are essentially parks or bushland reserves.

b. Lands of Special Consideration:

There are a number of sites outside of the key areas which warrant special consideration for reclassification. These sites are discussed in turn as follows:

S3 – 208-210 Mona Vale Road, St Ives (car park)

This is a well positioned R4 site immediately adjacent to St Ives Town Centre. It is a prime site for high density residential development and could realise a financial benefit for the community. It would be possible to make provision to retain public parking on site within any development or alternatively, utilise the proceeds of any sale to provide additional parking on the southern side of Mona Vale Road where it is more appropriately located relative to demand. The site could be consolidated with adjoining sites to form part of a larger development site accessed off Memorial Avenue. On its own, the development potential of this site is limited, so reclassification would allow timely disposal or redevelopment.

S5 – 261 Mona Vale Road, St Ives (occasional child care centre)

This property is proposed to be zoned *R4 High density residential*, and is not an ideal location for a child care facility being located on an intersection of two (2) arterial roads. If sold it could realise a financial benefit to the community which in turn could fund a new occasional child care centre on a more appropriate site away from a main road location. In this respect, it has long been Council's intention to provide a new and expanded child care centre as part of any redevelopment of the St Ives Shopping Village, though the exact location remains subject to negotiation with the centre owners. Any proposed relocation would be in further consultation with the existing tenants of the childcare centre.

T16 – 2-8 Turramurra Avenue, Turramurra (car park)

The subject site adjoins site T17 discussed below. It is well suited for development in combination with site T17.

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This property is already classified as Operational. It is considered that this status should be reconfirmed by inclusion in a reclassification schedule. The lands formed part of the commercially zoned lands of the Turrumurra Centre since gazettal of the Ku-ring-gai Planning Scheme Ordinance in 1971. They offer excellent potential for appropriate development at a time in the future either by Council or other parties, including replacement of existing parking if required.

P27 – 1186-1188 Pacific Highway, Pymble (Town Hall and Performing Arts Resource Centre)

This site is in immediate proximity to high density development currently under construction. It is a large site and presents potential for development at the rear with the retention of its existing improvements and taking into account the heritage status of the site. In the long term the hall itself is surplus to Council requirements and could either be retained for other uses or sold off accordingly.

P33 – 1992 Pacific Highway, Pymble (vacant land – Secret Park)

This vacant site is located immediately adjoining high density development under construction. It has potential similar to adjacent site P27. Public access is currently impossible, and even with access improvements, it would be extremely difficult for aged persons or persons with mobility issues. Significant trees on site could be retained as part of the deep soil requirements of a larger development site. Timely reclassification would allow disposal for inclusion in an adjoining development site, which is a one-off opportunity.

P34 – 1032-1052 Pacific Highway, Pymble (Creswell O'Reilly Lookout)

Some of the allotments comprising this composite site extend beyond it as "fingers", to provide narrow drainage lines between existing adjoining residential properties which are proposed R3 *Medium density residential*. The existence of these "fingers", where they extend into the R3 zone, prevents the consolidation of adjoining private residential lands to achieve efficient development parcels, thereby preventing the Town Centres LEP being achieved. If reclassified and subdivided off, they could be combined with residential lands to provide effective sites for development while still providing a drainage function. There would be a potential community benefit through the revenue return to Council. The proposed reclassification does not relate to the balance allotments within the composite site. Nominated sites are only the narrow allotments serving drainage purposes.

Upon reclassification and the subdivision of the "fingers", steps can be to reclassify balance lots back to community land on the basis that they are essentially a park.

L60A, L60B, L60C – 259 Pacific Highway, Lindfield (seniors resource centre, KOPWA, car park)

Refer to comments in relation to L61 – 265-271 Pacific Highway, Lindfield (Lindfield library and tennis courts) below.

These 3 allotments adjoin Lindfield library. They combine to form an area of 2,300m². Potential exists long term to develop the site in the future singularly or in combination with the adjoining Lindfield library site and relocation of displaced facilities not incorporated into any redevelopment.

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See preceding comments for sites L60A, L60B and L60C. Potential exists for the medium to long term redevelopment of this prime location site of 3,681m². Provision has been made in the draft Town Centres LEP and DCP for the accommodation of a new library in Tryon Road. This facility will form part of a new community “hub” around a new town square. At such time as a new library and town square are constructed, the former library site is surplus to requirements. In the medium term, its redevelopment in conjunction with 259 Pacific Highway, Lindfield provides the opportunity for Council to provide additional affordable housing (including an upgrade and expansion of the existing KOPWA residential apartments) to attract key workers and the like.

If a library is provided sooner rather than later as part of redevelopment within the Lindfield Town Centre, the redevelopment horizon for L61 comes forward.

4. Planning Committee Consideration:

This matter of the reclassification of Council lands was the subject of consideration by the Planning Committee at its meeting on 30 July 2009. In consideration of the sites for proposed reclassification the Committee resolved to recommend to Council as follows:

A. Sites concurred with by Committee for the purpose of reclassification:

Part S1 (being lot 1 DP 420106 and lot 2 DP 822373), S3, S5, S6, T17, T18, T20, T21b, P30, P31, Part P34 (being lot 1 DP 181035, lot 1 DP 181036, lot B DP 184987 and lots 1 & 2 DP 564742), P35, G42, G43, G44a, G44b, G44c, G45, G46, G47, G53, L55, L56, L57, L62, L64, R65, R66, R67, R68 and R69.

B. Sites to be the subject of site inspection:

S1	11-21 Cowan Road, St Ives
T16	2-8 Turramurra Avenue, Turramurra
T19	5 Ray Street, Turramurra
P27	1186-1188 Pacific Highway, Pymble
P33	1192 Pacific Highway, Pymble
L60A	259 Pacific Highway, Lindfield
L60B	259 Pacific Highway, Lindfield
L60C	259 Pacific Highway, Lindfield
L61	265-271 Pacific Highway, Lindfield

The Planning Committee supported 31 (thirty-one) sites for reclassification in principle. A further 9 (nine) were deemed to warrant inspection prior to a final determination. In consideration of the Planning Committee's recommendation Council resolved to undertake the site inspection of all properties.

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5. Council Site Inspections

The Planning Committee's recommendations were referred to Council on 11 August 2009, wherein it was resolved:

"That consideration of Council Lands for Proposed Land Reclassification be deferred pending site inspection of all sites prior to a report being brought back to Council to determine the sites for re-classification and inclusion in the draft Local Environmental Plan.....".

In accordance with Council's resolution, a site inspection was held on Saturday 22 August, 2009 for all sites, not just those recommended for inspection by the Planning Committee (see list below).

Councillors Site Inspection List 22 August 2009

TOWN CENTRE	SITE NO.	ADDRESS
Gordon	G43	818 Pacific Highway and 7 Dumaresq Street, Gordon
	G44A	9 Dumaresq Street, Gordon
	G44B	15 Dumaresq Street, Gordon
	G44C	17 Dumaresq Street, Gordon
	G45	2 Moree Street, Gordon
	G46	4 Moree Street, Gordon
	G53	753 Pacific Highway, Gordon
	G47	1 Wade Lane, Gordon
	G42	799 Pacific Highway, Gordon (Lot 1 SP 49925)
Pymble	P34	1032-1052 Pacific Highway, Pymble
	P31	65 Grandview Street, Pymble
	P30	2 Alma Street, Pymble
	P35	Post Office Lane
	P33	1192 Pacific Highway, Pymble
	P27	1186-1188 Pacific Highway, Pymble
Turramurra	T20	1A and 3 Kissing Point Road, Turramurra
	T21B	3 Stonex Lane, Turramurra
	T18	12 William Street, Turramurra
	T19	5 Ray Street, Turramurra
	T16	2-18 Turramurra Avenue, Turramurra
	T17	1-7 Gilroy Road, Turramurra
St Ives	S1	11-21 Cowan Road, St Ives
	S1	11-21 Cowan Road, St Ives
	S6	176 Mona Vale Road, St Ives
	S3	208-210 Mona Vale Road, St Ives
	S5	261 Moan Vale Road, St Ives
Lindfield	L57	8-10 Tryon Road, Lindfield
	L56	3 Kochia Lane, Lindfield
	L64	5 Kochia Lane, Lindfield
	L62	1/12-18 Tryon Road, Lindfield
	L55	9 Havilah Lane, Lindfield
	L60C	259 Pacific Highway, Lindfield
	L60B	259 Pacific Highway, Lindfield

TOWN CENTRE	SITE NO.	ADDRESS
	L60A	259 Pacific Highway, Lindfield
	L61	265-271 Pacific Highway, Lindfield
Roseville	R69	2 Lord Street, Roseville
	R65	1 Larkin Lane, Roseville
	R67	80A Pacific Highway, Roseville
	R66	94A Pacific Highway, Roseville
	R68	62 Pacific Highway, Roseville

CONSULTATION

Consultation is not required in the preparation of this report. There will be ample opportunity for formal public community consultation in the next steps of the process including the draft LEP phase and the formal public hearing process should Council determine to progress reclassification.

Additional Community Consultation

In accordance with Council's resolution of 25 August 2009, a public forum on Council lands for proposed reclassification was held at Council on Monday 14 September 2009.

The forum provided community members an opportunity to give feedback to Councillors and ask questions about the reclassification of specific sites within the six the Town Centres. This public forum was not part of the statutory land reclassification process but was designed to assist Councillors with their decision-making on this matter. A transcript of the forum notes has been placed on Council's website (**Attachment 3**).

A few key themes and issues that were raised at the forum that have been outlined and clarified below.

The opportunity for further community input and consultation was raised, if Council lands are reclassified to Operational land.

Reclassification is a mechanism which provides Council with greater management options for land. In the context of town centres redevelopment, it may allow this Council to provide new facilities or upgraded facilities to the community. Reclassification itself does not remove the need for further consultation and transparency in the process. On 8 September 2009 Council adopted the *Acquisition and Divestment of Council Land Policy*. This policy has (in part) the principles of

Best Value for Money – Achieving “best value” may include financial, social and environmental benefits.

Transparency – processes must be open to scrutiny and provide full information and record the reasons behind decisions.

Accountability – demonstrate the best use of public resources and the highest level of performance through appropriate record keeping and audit trails.

Impartiality – address perceived or actual conflicts of interests, ensuring

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Community consultation and input has been demonstrated in the process that was followed by Council to sell and redevelop Council's depot site at Carlotta Avenue, Gordon. This involved many steps in the process for the community to comment during the divestment of this site including a formal exhibition of a development control plan/masterplan for the site.

The previous public hearings on land reclassification identified several key projects, studies and policies that need to be in place to satisfy the issues raised by the community during the public hearings.

Since 2006 the following recommendations and actions from the reclassification public hearings have completed by either Ku-ring-gai Council or the Ku-ring-gai Planning Panel:

- Town Centre DCP and LEP amendments
- Town Centre virtual model (Simmersion)
- Town Centres Section 94 Plan
- Parking Management Plan (ready for exhibition)
- Review of traffic plans & Traffic Action Plan
- Open Space Acquisition Strategy
- Financial modelling
- Legal Advice
- Council policy on land acquisition & divestment
- Dialogue with user groups of community facilities (More consultation will be undertaken)

Council land should be reclassified only on an individual case by case basis, rather than larger groups of sites.

While the merits of a step by step process are noted, land reclassification is a complex and costly process involving two sets of legislation, the *Environmental Planning & Assessment Act, 1979* and the *Local Government Act, 1993*. The process is even more complex (at this stage) with two separate decision making bodies involved, being Ku-ring-gai Council and the Ku-ring-gai Planning Panel.

Moreover, the land reclassification process is time and resource consuming, particularly with the legislative requires for formal exhibition, consultation, submissions on a draft LEP and then conducting formal public hearings as the second step in the process. Overall there are no efficiencies in considering land reclassification on a site by site basis as each of the above steps would need to be repeated. In fact, spot rezonings are something that the Department of Planning has been trying to rationalise over recent years.

Council holds strategic catalysts sites in all town centres. In some cases Council may be placed in disadvantaged commercial position, where a developer/ key land holder is ready to redevelop a site in conjunction with Council as land owner and yet the land still to be reclassified. Even with improvements to the plan making process, which are yet to be put to the test, it could be expected that a fast reclassification and plan making process could take nine months. When the economic turnaround becomes more grounded, it is highly unlikely that developers would wait an additional nine months for the reclassification process to be commenced and brought to a conclusion before progressing a development application. It is more likely that they would forego the opportunity of

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putting together a larger development site involving surplus Council land and go it alone, often resulting in a substandard development option.

Reclassification automatically means a loss of public benefit

Reclassification is a mechanism which may ultimately assist council providing new facilities or upgraded facilities to the community and is linked to proposals in Council's *Long Term Financial Model*, the draft DCP and the various development contribution plans which apply to the town centres. It does not, however, of itself, commit Council to any particular management option going forward. Development, sale, subdivision and lease opportunities, or even retention, would be considered on a site by site basis if any when development opportunities arise or Council decides of its own volition to initiate sale or development.

Council's reclassification process takes into account the public benefit and should achieve a greater use of the Council's assets. In some cases where land is sold, Council may still retain an interest, eg., strata title, or where a entire lot has been reclassified and only a small area is sold, reclassify the residual back to community land, eg., Village Green Parade, St Ives.

FINANCIAL CONSIDERATIONS

The development of a vision and statutory planning framework for town centres is almost complete. There are a number of documents, following several years of work, which make up the suite of documents which articulate this vision. The draft *Ku-ring-gai Local Environmental Plan (Town Centres) 2008* is in the final stages of the plan making process. Council's Public Domain Plan is nearing the stage where it can be publicly exhibited. The draft *Ku-ring-gai Development Control Plan (Town Centres) 2009* has been adopted for the purposes of public exhibition (completed 4 September 2009), and albeit still requiring consolidation, Council has a defensible and robust development contributions regime in the form of the *Ku-ring-gai Council Section 94 Contributions Plan 2004-2009* and the *Town Centres Development Contributions Plan 2008*. The development contributions regime provides a mechanism for implementation of Council's *Open Space Acquisition Strategy 2006*. Council has in fact initiated the first acquisitions in this strategy with purchases of land in Dumaresq Street, Gordon and Duff Street, Turramurra. The reclassification process is the last remaining process that will allow Council to implement its long term vision for the town centres. The identification of specific surplus assets to match the funding gap in the *Long Term Financial Model* and Town Centres Contributions Plan can then follow.

Case 4 in Council's *Long Term Financial Model* (LTFM) is currently considered to be financially unsustainable as the cost of works currently scheduled exceeds Section 94 collections by some \$62M. This figure itself is based on best estimates at the time of writing, and may change over time as specific projects are designed and costed in more detail. Given that Council has adopted the projects in the Town Centres Contributions Plan which give rise to this funding shortfall, it is incumbent on Council to find ways to address this shortfall in its long term financial model. The process of rationalising Council's surplus and/or under-utilised assets provides a sound and financially responsible means of providing some, if not all, of the funding shortfall to enable delivery of the projects identified by Council as being required for the wellbeing of the Ku-ring-gai community going forward, that is, the Case 4 projects. In this respect, Council need not in fact have four cases in its long term model. If means of addressing the funding shortfall are identified, Case 4 effectively becomes the long term model.

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Council has a responsibility to actively participate in town centre renewal and rejuvenation. In its simplest form, this may include Council making decisions about the highest and best use of its own town centre assets. Council certainly has a responsibility to provide sufficient community facilities for its growing population. There is also nothing stopping Council taking a more active role in place making if it sees fit by actively putting together development parcels to put back to the market. It could even act to further consolidate sites in some town centres where private sector interest might be otherwise stymied. For unless this more proactive intervention occurs, the fragmented nature of existing land ownership in some of the smaller centres, particularly at their commercial cores, may stifle town centre redevelopment and renewal processes.

In early 2008 Council had APP Corporation carry out a high level review of its town centre land assets. The report was prepared specifically with Council's funding shortfall in mind. The former Council was briefed by APP Corporation on 27 May 2008. A copy of the report is **Confidential Attachment 1** to this report.

Council should note that the APP report has not been updated in line with subsequent changes to the town centres planning controls or the global financial crisis. The report is provided for indicative purposes only.

It should also be noted that Council may be able to negotiate the provision of some of the facilities included in Case 4 of the LTFM through planning agreements or in deeds of agreement related to the sale and/ or development of particular sites, as the case may be.

The undertaking of town centre planning for Ku-ring-gai has been a process requiring considerable resources. Resources required to undertake the work outlined in this report are drawn from existing recurrent budgets and following specific reporting, funds dedicated for planning projects. The conduct of a further public hearing in accordance with Section 29 of the *Local Government Act 1993* is not included within the Strategy & Environment Department budget for 2009/2010 and may need an additional budget allocation at the time. This would be the subject of a separate report to Council or addressed through the quarterly budget review process.

CONSULTATION WITH OTHER COUNCIL DEPARTMENTS

An integrated planning approach has been adopted in preparing and reviewing the town centre plan and the reclassification process. All Departments where applicable have been consulted in the preparation of plans. Council's Corporate Lawyer has been involved with previous legal issues pertaining to the reclassification.

SUMMARY

1. Draft *Ku-ring-gai Local Environmental Plan (Town Centres) 2008* has been adopted and final gazettal is anticipated shortly. The plan as proposed is incomplete and requires the insertion of Schedule 4 to deal with the reclassification of Council lands. The preparation of a new amending draft LEP to the Town Centres LEP is required to achieve this.
2. A list of all Council lands located within the bounds of the draft *Ku-ring-gai Local Environmental Plan (Town Centres) 2008* has been prepared. It is necessary that Council consider these sites with a view to determining those which it would choose to seek for inclusion into a new amending LEP. The LEP would include for reclassification the chosen

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sites. These would be inserted by the amending LEP as Schedule 4 into the *Ku-ring-gai Local Environmental Plan (Town Centres) 2008* after its gazettal.

3. The Planning Committee considered the reclassification matter on 30 July 2009. The Committee endorsed 31 sites for proposed reclassification in principle. These are recommended now for adoption by Council, together with the remaining 9 (nine) sites reviewed by the Committee which it considered should be subject to site inspection before formal consideration by Council.
4. Council on 11 August 2009 resolved to inspect all sites considered by the Planning Committee. This inspection was undertaken on 22 August 2009. Council now needs to finalise the sites for proposed reclassification.
5. On 25 August 2009 Council resolved to conduct a non-statutory public forum on the reclassification sites. This forum was held on 14 September 2009.
6. Having determined the sites for inclusion into the new amending draft LEP Council will need to resolve to request the preparation of the draft LEP by the Ku-ring-gai Planning Panel. A public hearing must be held by Council for the lands proposed for reclassification after the public exhibition of the draft LEP and before the draft LEP can be finalised.
7. When finalised the draft LEP can be forwarded by the Ku-ring-gai Planning Panel to the Minister for Planning with a request for gazettal so as to enact it as the first amendment to the Town Centres LEP.

RECOMMENDATION

- A. 1. That Council adopt the following site for the purpose of reclassification to operational land status in a new Local Environmental Plan:
 - S1 (Part) 11-21 Cowan Road, St Ives being Lot 2 DP 822373 and Lot 1 DP 420106.
 - S1 (Part) 11-21 Cowan Road St Ives being Lot A DP 321567, Lot 1 DP 504794, Lots A and B DP 336206.
2. That following reclassification and subdivision, Council resolve to undertake the necessary action to reclassify back to Community land status that part of the site not required as Operational land.
- B. That Council adopt the following site for the purpose of reclassification to operational land status in a new Local Environmental Plan:
 - S3 208-210 Mona Vale Road St Ives being Lots 11 and 12 DP 29167.
- C. That Council adopt the following site for the purpose of reclassification to operational land status in a new Local Environmental Plan:
 - S5 261 Mona Vale Road, St Ives being Lot 31 DP 719052.

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- D. That Council adopt the following site for the purpose of reclassification to operational land status in a new Local Environmental Plan:
- S6 176 Mona Vale Road, St Ives being Lot 103 DP 627012 and Lot 105 DP 629388.
- E. That Council adopt the following site for the purpose of reclassification to operational land status in a new Local Environmental Plan:
- T18 12 William Street, Turramurra being Lot 1 DP 519532.
- F. That Council adopt the following site for the purpose of reclassification to operational land status in a new Local Environmental Plan:
- T19 5 Ray Street, Turramurra being Lot 2 DP 221290.
- G. That Council adopt the following site for the purpose of reclassification to operational land status in a new Local Environmental Plan:
- T20 1A and 3 Kissing Point Road, Turramurra being Lot 2 DP 500077, Lot 2 DP 502388, Lot 2 DP 500761, Lot A DP 391538 and Lot B DP 435272.
- H. 1. That Council adopt the following site for the purpose of reclassification to operational land status in a new Local Environmental Plan:
- T21B 3 Stonex Lane, Turramurra being Lot 2 DP 550866.
2. That following reclassification and subdivision, Council resolve to undertake the necessary action to reclassify back to Community land status that part of the site not required as Operational land.
- I. That Council adopt the following site for the purpose of reclassification to operational land status in a new Local Environmental Plan:
- P 30 2 Alma Street, Pymble being Lot A DP 302332.
- J. That Council adopt the following site for the purpose of reclassification to operational land status in a new Local Environmental Plan:
- G43 818 Pacific Highway and 7 Dumaresq Street, Gordon being Lot 2 DP 786550.
- K. That Council adopt the following site for the purpose of reclassification to operational land status in a new Local Environmental Plan:
- G44A 9 Dumaresq Street, Gordon being Lot A DP 355615.
- L. That Council adopt the following site for the purpose of reclassification to operational land status in a new Local Environmental Plan:
- G44B 15 Dumaresq Street, Gordon being Lot D DP 386283.

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- M. That Council adopt the following site for the purpose of reclassification to operational land status in a new Local Environmental Plan:

G44C 17 Dumaresq Street, Gordon being Lot C DP 386283.

- N. That Council adopt the following site for the purpose of reclassification to operational land status in a new Local Environmental Plan:

G45 2 Moree Street, Gordon being Lot 4 DP 3965.

- O. That Council adopt the following site for the purpose of reclassification to operational land status in a new Local Environmental Plan:

G46 4 Moree Street, Gordon being Lot 5 DP 3965.

- P. That Council adopt the following site for the purpose of reclassification to operational land status in a new Local Environmental Plan:

G47 1 Wade Lane, Gordon being Old System Land (part of Land in Conveyance No. 483 Book 2027).

- Q. That Council adopt the following site for the purpose of reclassification to operational land status in a new Local Environmental Plan:

G53 753 Pacific Highway, Gordon being Lot 1 DP 213736.

- R. That Council adopt the following site for the purpose of reclassification to operational land status in a new Local Environmental Plan:

L55 9 Havilah Lane, Lindfield being Lot 21 DP 713207.

- S. That Council adopt the following site for the purpose of reclassification to operational land status in a new Local Environmental Plan:

L56 3 Kochia Lane, Lindfield being Lot 12 DP 225925.

- T. That Council adopt the following site for the purpose of reclassification to operational land status in a new Local Environmental Plan:

L57 8-10 Tryon Road, Lindfield being Lots 2 and 3 DP 219628 and Lot 5 DP 219146.

- U. That Council adopt the following site for the purpose of reclassification to operational land status in a new Local Environmental Plan:

L62 1/12-18 Tryon Road, Lindfield being Lot 1 SP 37466.

- V. That Council adopt the following site for the purpose of reclassification to operational land status in a new Local Environmental Plan:

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L64 5 Kochia Lane, Lindfield being Lot 31 DP 804447.

- W. That Council adopt the following site for the purpose of reclassification to operational land status in a new Local Environmental Plan:

P31 65 Grandview Street, Pymble being Lot 23 DP 791208.

- X. That Council adopt the following site for the purpose of reclassification to operational land status in a new Local Environmental Plan:

P34 1032-1052 Pacific Highway, Pymble being Part Lot 27 DP 656246, Lot A DP 362538 and Lots 1, 2 and 3 DP 615420.

- Y. That Council adopt the following site for the purpose of reclassification to operational land status in a new Local Environmental Plan:

P35 Post Office Lane, Pymble being Lot 2 DP 582963.

- Z. That Council adopt the following site for the purpose of reclassification to operational land status in a new Local Environmental Plan:

L60A 259 Pacific Highway, Lindfield being Lot 2 DP 212617.

- AA. That Council adopt the following site for the purpose of reclassification to operational land status in a new Local Environmental Plan:

L60B 259 Pacific Highway, Lindfield being Lot 3 DP 212617.

- BB. That Council adopt the following site for the purpose of reclassification to operational land status in a new Local Environmental Plan:

L60C 259 Pacific Highway, Lindfield being Lot 1 DP 212617.

- CC. That Council adopt the following site for the purpose of reclassification to operational land status in a new Local Environmental Plan:

L61 265-271 Pacific Highway, Lindfield being Lot 8 DP 660564 and Part Lot 8 The Clanville Estate (Old System).

- DD. That Council adopt the following site for the purpose of reclassification to operational land status in a new Local Environmental Plan:

R65 1 Larkin Lane, Roseville being Lot 1 DP 502277, Lot 1 DP 215188, Lot 1 DP 500309, Lot 2 DP 511183, Lot 1 DP 501603, Lot 2 DP 511182, Lot 1 DP 215231, Lot 2 DP 505005, Lot 2 DP 507593, Lot 2 DP 504082, Lot 1 DP 500045, Lot 1 DP 505371, Lot 1 DP 507809.

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- EE. That Council adopt the following site for the purpose of reclassification to operational land status in a new Local Environmental Plan:
- R66 94A Pacific Highway, Roseville being Lot 22 DP 595126.
- FF. That Council adopt the following site for the purpose of reclassification to operational land status in a new Local Environmental Plan:
- R67 80A Pacific Highway, Roseville being Lot 11 DP 861578.
- GG. 1. That Council adopt the following site for the purpose of reclassification to operational land status in a new Local Environmental Plan:
- R68 62 Pacific Highway, Roseville being Lot 2 DP 202148.
2. That following reclassification and subdivision, Council resolve to undertake the necessary action to reclassify back to Community land status that part of the site not required as Operational land.
- HH. That Council adopt the following site for the purpose of reclassification to operational land status in a new Local Environmental Plan:
- T16 2-8 Turramurra Avenue, Turramurra being Lot 2 DP 840070.
- II. That Council reconfirm the operational land status of the following site in a new Local Environmental Plan:
- T17 1-7 Gilroy Road, Turramurra being Lot 1 DP 840070.
- JJ. That Council adopt the following site for the purpose of reclassification to operational land status in a new Local Environmental Plan:
- P27 1186-1188 Pacific Highway, Pymble being Lot 1 DP 86583.
- KK. That Council adopt the following site for the purpose of reclassification to operational land status in a new Local Environmental Plan:
- P33 1192 Pacific Highway, Pymble being Lot 8 DP 30236.
- LL. That Council adopt the following site for the purpose of reclassification to operational land status in a new Local Environmental Plan:
- G42 799 Pacific Highway, Gordon being Lot 1 SP 49925.
- MM. That Council adopt the following site for the purpose of reclassification to operational land status in a new Local Environmental Plan:
- R69 2 Lord Street, Roseville being Lot 4 DP 225030, Lot 1 DP 556917, Lot 3 DP 556955, Lot 5 DP 559096, Lot 7 DP 561031, Lot 9 DP 563301, Lot 11 DP 575457.

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- NN. That Council request the Ku-ring-gai Planning Panel to prepare a new draft Local Environmental Plan as an amending instrument to *Ku-ring-gai Local Environmental Plan (Town Centres) 2008* providing that the Council sites nominated in the preceding Parts A to MM have operational land status.
- OO. That Council request that the Ku-ring-gai Planning Panel exhibition process be in accordance with the NSW Department of Planning's LEP Practice Note (PN09-003) 12 June 2009 and any relevant parts of LEPs and Council owned Land Best Practice Guidelines (DUAP 1997).
- PP. That Council undertake a public hearing into the proposed reclassification of the lands identified in recommendations A to MM inclusive. The public hearing to be held at an appropriate time, after the public exhibition of the draft Local Environmental Plan prepared by the Ku-ring-gai Planning Panel.
- QQ. That when received the Chairperson's report on the public hearing be the subject of a further report for Council's consideration.

Antony Fabbro
Manager Urban Planning

Andrew Watson
Director Strategy & Environment

Attachments:

- 1. Ku-ring-gai Council Town Centre Asset Review, APP Corporation Pty Ltd, July 2008 - Confidential**
- 2. List of Council owned sites within the Ku-ring-gai Planning Panel Boundary and maps - 2009/121182 and 2009/168279**
- 3. Transcript of Public Forum held 14 September 2009 - 2009/168258.**

ST IVES - LIST OF COUNCIL OWNED SITES WITHIN THE KU-RING-GAI PLANNING PANEL BOUNDARY													
Property Details								Council's Interest					28/07/2009
Site No.	Street Address	Site Area sqm	Suburb	Lot / DP	Current Zoning	Existing Use	Proposed zoning under DLEP (Town Centres)	Nature of Council's Interest	When did Council first acquire the land?	Why did Council acquire an interest in the land?	How did Council acquire its interest in the land?	Existing Land Classification	Development Potential under Town Centres LEP
S1	11-21 Cowan Road	13041.7	St Ives	Lot 2 DP 822373, Lot 1 DP 420106	Part Business 3(a) - (A2) Retail Services & Part shown uncoloured under the KPSO	St Ives Shopping Centre Car Park	B2	Owned by Council	Acquired in 1961	For the parking of motor and other vehicles by members of the public	Transferred subject to Deed of Trust	Community classified	Commercial/retail/shoptop housing, max. 14.5m height and 1:1 FSR
			St Ives	Lot 1 DP 420106	Business 3(a)-(A2) Retail Services under the KPSO	Early Childhood Centre and Neighbourhood Centre	B2	Owned by Council	Acquired in 1961	For use as a baby health centre and/or other public purpose	Transferred subject to Deed of Trust		Commercial/retail/shoptop housing, max. 26.5m height and 2:1 FSR. (Community facilities proposed).
			St Ives	Lot 1 DP 420106	Business 3(a)-(A2) Retail Services under the KPSO	Library	B2	Owned by Council	Acquired in 1961	For use as a library and/or other public purpose	Transferred subject to Deed of Trust		Commercial/retail/shoptop housing, max. 26.5m height and 2:1 FSR. (Community facilities proposed).
			St Ives	Lot A DP 321567, Lot 1 DP 504794, Lots A & B DP 336206	Business 3(a)-(A2) Retail Services under the KPSO	Council Car Park No.15	B2	Owned by Council	Acquired in 1981	For car parking, access and municipal purposes	Dedicated as a condition of development consent		Commercial/retail/shoptop housing, max. 17.5m height and 2:1 FSR.
S2	21 Cowan Road	1504	St Ives	Lots B & C DP 322331	Business 3(a)-(A2) Retail Services under the KPSO	Council Car Park	RE1	Owned by Council	Acquired 1961	For car parking	Transferred subject to Deed of Trust	Community classified	Recreational facilities
S3	208-210 Mona Vale Road	2091.4	St Ives	Lots 11 & 12 DP 29167	Residential 2(d3) under KPSO	Car park	R4	Owned by Council	Acquired in 1978 for \$78,975	For the purpose of providing, controlling and managing sites for the accommodation of vehicles in or near the road and charging a fee for the use of any such site	Resumed (compulsorily acquired) in accordance with zoning. Funding source unknown	Community classified	Residential development to 17.5m height and 1.3:1 FSR
S4	4 Porters Lane/ 177 Mona Vale Road	5962	St Ives	Lot 1 DP 816806	Special Uses 5(a) (Municipal Purposes) under the KPSO	YMCA premises/ community centre	B2	Owned by Council	Acquired in 1992	For community purposes	Dedicated as the developer contribution in respect of the residential development of the remainder of the former St Ives School site	Community classified	Commercial/retail/shoptop housing, max. 17.5m height and 2:1 FSR. (Community facilities Proposed).
S5	261 Mona Vale Road	1317	St Ives	Lot 31 DP 719052	Residential 2(d3) under KPSO	Occasional Child Care Centre	R4	Owned by Council	Acquired 1969 for \$24,000	For community purposes (originally St Ives Leisure Centre)	Purchased using general funds (loan)	Community classified	Residential development to 17.5m height and 1.3:1 FSR
S6	176 Mona Vale Road	652	St Ives	Lot 103 DP 627012	Business 3(a)-(A2) Retail Services under the KPSO	Car park	B2	Owned by Council	Acquired in 1961	For the parking of motor and other vehicles by members of the public and/or other public purposes	Transferred subject to Deed of Trust	Community classified	Commercial/retail/shoptop housing, max. 26.5m height and 2:1 FSR.
			St Ives	Lot 105 DP 629388	Business 3(a)-(A2) Retail Services under the KPSO	Car park	B2	Owned by Council	Acquired 1987	For access to car park	Transferred by swapping with adjoining owner the land in Lot 4 DP 627012 (after resumption of that lot to remove Trust)		Commercial/retail/shoptop housing, max. 26.5m height and 2:1 FSR.
S7	203 Mona Vale Road	973.7	St Ives	Lot 45 DP 665602	Recreation Existing 6(a)	St Ives War Memorial	RE1	Owned by Council	Acquired in 1921	For passive recreation	Funding source unknown	Community classified	Recreational facilities
S8	204A Mona Vale Road	2068	St Ives	Lot 2 DP 1113931	Recreation Existing 6(a)	Reserve - Urban Park - 'Rotary Park'	RE1	Owned by Council	Acquired in 1948	For public recreation purposes	Resumed (compulsorily acquired)	Community classified	Recreational facilities
			St Ives	Part Lot 1 DP 17413	Recreation Existing 6(a)	Reserve - Urban Park - 'Rotary Park'	RE1	Owned by Council	Acquired in 1945	For public recreation purposes	Resumed (compulsorily acquired)		Recreational facilities

ST IVES - LIST OF COUNCIL OWNED SITES WITHIN THE KU-RING-GAI PLANNING PANEL BOUNDARY													
	Property Details							Council's Interest					28/07/2009
Site No.	Street Address	Site Area sqm	Suburb	Lot / DP	Current Zoning	Existing Use	Proposed zoning under DLEP (Town Centres)	Nature of Council's Interest	When did Council first acquire the land?	Why did Council acquire an interest in the land?	How did Council acquire its interest in the land?	Existing Land Classification	Development Potential under Town Centres LEP
S9	100 Killeaton Street and 6 Memorial Avenue	82230.6	St Ives	Lot 3 DP 219148	Recreation Existing 6(a)	St Ives Village Green - St Ives Bowling Club - William Cowan Oval - Tennis Courts	RE1	Owned by Council	Acquired between 1946 & 1949	For improvement and embellishment of the area	Resumed (compulsorily acquired)	Community classified	Recreational facilities
			St Ives	Lot 1 DP 219148	Recreation Existing 6(a)	St Ives Community Centre	RE1	Owned by Council	Acquired in 1949	For improvement and embellishment of the area	Resumed (compulsorily acquired)		Recreational facilities
			St Ives	Lot 2 DP 219148	Recreation Existing 6(a)	St Ives Community Centre	RE1	Owned by Council	Acquired in 1946	For improvement and embellishment of the area	Resumed (compulsorily acquired)		Recreational facilities
S10	3 Gillott Way (249 Mona Vale Road)	6328	St Ives	Lot 104 DP 825945	Recreation Existing 6(a)	Reserve - Bushland	E2	Owned by Council	Acquired in 1992	For park purposes	Dedicated to Ku-ring-gai Council as public reserve.	Community classified	Environmental protection
S11	259 Mona Vale Road	1039	St Ives	Lot 7 DP 27216	Residential 2(c)	Reserve - Bushland	RE1	Owned by Council	Acquired in 1998	Acquired for open space	Possibly Open Space restricted assets funds.	Community classified	Recreational facilities
S12	16A Stanley Street	1522	St Ives	Lot 1 DP834234	Residential 2(c)	Reserve - Urban Park	E2	Owned by Council	Acquired in 1993	For park purposes	Dedicated as a condition of development consent	Community classified	Environmental protection
S13	21 Richard Road	1935	St Ives	Lot 39 DP 29300	Recreation Existing 6(a)	Reserve - Urban Park - 'Seven Wives Wood'	RE1	Owned by Council	Acquired in 1959	For park purposes	Funding source unknown	Community classified	Recreational facilities
S14	30 Putarri Avenue	1935	St Ives	Lot 85 DP 16780	Recreation Existing 6(a)	Reserve - Urban Park	RE1	Owned by Council	Acquired between 1921 and 1931	For park purposes	Funding source unknown	Community classified	Recreational facilities
S15	29 College Crescent	4913	St Ives	Lot 18 DP 230508	Recreation Existing 6(a)	Reserve - Urban Park - 'Bead Forest'	RE1	Owned by Council	Acquisition Date unknown (before 1966)	For park purposes	Funding source unknown	Community classified	Recreational facilities

TURRAMURRA - LIST OF COUNCIL OWNED SITES WITHIN THE KU-RING-GAI PLANNING PANEL BOUNDARY													
	Property Details							Council's Interest					28/07/2009
Site No.	Street Address	Site Area sqm	Suburb	Lot / DP	Current Zoning	Existing Use	Proposed zoning under DLEP (Town Centres)	Nature of Council's Interest	When did Council first acquire the land?	Why did Council acquire an interest in the land?	How did Council acquire its interest in the land?	Existing Land Classification	Development Potential under Town Centres LEP
T16	2-8 Turramurra Avenue	3619	Turramurra	Lot 2 DP 840070	Business 3(b)-(B2) Commercial Services under the KPSO	Car Park	B2	Owned by Council	Acquired between 1960 and 1987	For car parking purposes	Purchased using Car Parking funds	Community classified	Commercial/retail/shoptop housing, max. 20.5m height and 2.5:1 FSR
T17	1-7 Gilroy Road	2287	Turramurra	Lot 1 DP 840070	Business 3(b)-(B2) Commercial Services under the KPSO	Seniors Centre	B2	Owned by Council	Majority of site acquired in 1969. Balance acquired between 1960 and 1962	For the purpose of providing sites for the accommodation of vehicles / car parking purposes	Majority of site resumed (compulsorily acquired) using General Revenue funds. Balance using Car Parking funds.	Operational classified	Commercial/retail/shoptop housing, max. 20.5m height and 2.5:1 FSR. (Public Domain facilities proposed).
			Turramurra	Lot 1 DP 840070	Business 3(b)-(B2) Commercial Services under the KPSO	HACC Support & Service Centre	B2	Owned by Council	Acquired in 1969	For the purpose of providing sites for the accommodation of vehicles / car parking purposes	Resumed (compulsorily acquired) using General Revenue funds		
T18	12 William Street & 5 Ray Street	4052	Turramurra	Lot 1 DP 519532	Business 3(a)-(A2) Retail Services under the KPSO	Car Park	B2	Owned by Council	Acquired in 1947	For Council purposes	Resumed (compulsorily acquired) using general revenue funds	Community classified	Commercial/retail/shoptop housing, max 26.5m height and 2.5:1 FSR. (Public Domain facilities proposed).
T19			Turramurra	Lot 2 DP 221290	Business 3(a)-(A2) Retail Services under the KPSO	Car Park and Library	B2	Owned by Council	Acquired in 1947	For Council purposes	Resumed (compulsorily acquired) using general revenue funds		Commercial/retail/shoptop housing, max. 26.5m height and 2.5:1 FSR. (Community facilities proposed).
T20	1A & 3 Kissing Point Road	2272.6	Turramurra	Lot 2 DP 500077, Lot 2 DP 502388, Lot 2 DP 500761, Lot A DP 391538, Lot B DP 435272	Business 3(a)-(A2) Retail Services under the KPSO	Car Park	B2	Owned by Council	Acquired between 1962 and 1974	For car parking purposes	Purchased using Car Parking funds	Community classified	Commercial/retail/shoptop housing, max. 26.5m height and 2.5:1 FSR.
T21a	4 Duff Street & 3 Stonex Lane	3344	Turramurra	Lot 1 DP 807766	Part Recreation Existing 6(a) and Part Business 3(a)-(A2) Retail Services under the KPSO	Car Park/laneway	E2	Owned by Council	Majority acquired in 1978. Balance acquired in 1991.	Majority for the purpose of holding the land in the interests of the area. Balance for consolidation with adjoining Council land.	Majority resumed (compulsorily acquired) using General funds. Balance dedicated as condition of development consent.	Community classified	Environmental protection/roads
T21b			Turramurra	Lot 2 DP 550866	Business 3(a)-(A2) Retail Services	Part bushland reserve & Part Council Car Park No.23P	Part E2 & part B2 (marginal area)	Owned by Council	Acquired in 1981	For the purpose of providing, controlling and managing the site for the accommodation of vehicles.	Resumed (compulsorily acquired)		Environmental protection/roads
T22	15A Cherry Street	493.2	Warrawee	Lot 1 DP 434208	Recreation Existing 6(a)	Reserve - Urban Park	RE1	Owned by Council	Acquired in 1955	For park purposes	Funding source unknown	Community classified	Recreational facilities

TURRAMURRA - LIST OF COUNCIL OWNED SITES WITHIN THE KU-RING-GAI PLANNING PANEL BOUNDARY													
	Property Details							Council's Interest					28/07/2009
Site No.	Street Address	Site Area sqm	Suburb	Lot / DP	Current Zoning	Existing Use	Proposed zoning under DLEP (Town Centres)	Nature of Council's Interest	When did Council first acquire the land?	Why did Council acquire an interest in the land?	How did Council acquire its interest in the land?	Existing Land Classification	Development Potential under Town Centres LEP
T23	5-7 Eastern Road	2821.2	Turramurra	Lot 19 DP 6494,	Recreation Existing 6(a)	Cameron Park/ Early Childhood Intervention Centre	RE1	Owned by Council	Acquired between 1946 and 1948	For community purposes	Funding source unknown	Community classified	Recreational facilities/ community facilities
			Turramurra	Lot 20 DP 6494	Recreation Existing 6(a)	Cameron Park	RE1	Owned by Council	Acquired in 1945	For community purposes	Purchased through general funds		Recreational facilities/ community facilities
			Turramurra	Lot 21 DP 6494,	Recreation Existing 6(a)	Cameron Park	RE1	Owned by Council	Acquired between 1946 and 1948	For community purposes	Funding source unknown		Recreational facilities/ community facilities
			Turramurra	Lot B DP 358184,	Recreation Existing 6(a)	Cameron Park	RE1	Owned by Council	Acquired between 1946 and 1948	For community purposes	Funding source unknown		Recreational facilities/ community facilities
T24	1275 Pacific Highway	847.3	Turramurra	Lot 1 DP 81994,	Part Rec.6(a) & Part Reserved County Road Widening	Reserve - Public Garden	RE1	Owned by Council	Acquired in 1942	For park/ recreation purposes	Funding source unknown	Community classified	Recreational facilities
T25a	7 Kissing Point Road	1094	Turramurra	Lot 2 DP 215790	Recreation Existing 6(a)	Reserve - Bushland	E2	Owned by Council	Acquired in 1971	For park purposes	Funding source unknown	Community classified	Environmental protection
T25b	7A Kissing Point Road	2042	Turramurra	Lot 9 DP 538564	Recreation Existing 6(a)	Reserve - Bushland	E2	Owned by Council	Acquired in 1971	For park purposes	Funding source unknown	Community classified	Environmental protection
T25c	7B Kissing Point Road	4135	Turramurra	Lot 10 DP 538564	Recreation Existing 6(a)	Reserve - Bushland	E2	Owned by Council	Acquired in 1971	For park purposes	Funding source unknown	Community classified	Environmental protection
T25d	22A Duff Street	4067	Turramurra	Lot 11 DP 738462	Recreation Existing 6(a)	Reserve - Bushland	E2	Owned by Council	Acquired in 1989	For park purposes	Funding source unknown	Community classified	Environmental protection
T26	23 Duff Street	684.9	Turramurra	Lot 1 DP 168042	Residential 2(c2)	Residential Dwelling	RE1	Owned by Council	Acquired in 2008	For open space/ recreation purposes	Section 94 reserves	Community classified	Recreational facilities
T25e	7C Kissing Point Road	602	Turramurra	Lot 102 DP 714988	Recreation Existing 6(a)	Reserve - Bushland	E2	Owned by Council	Acquired in 1985	For park purposes	Funding source unknown	Community classified	Environmental protection

PYMBLE - LIST OF COUNCIL OWNED SITES WITHIN THE KU-RING-GAI PLANNING PANEL BOUNDARY													
	Property Details							Council's Interest					28/07/2009
Site No.	Street Address	Site Area sqm	Suburb	Lot / DP	Current Zoning	Existing Use	Proposed zoning under DLEP (Town Centres)	Nature of Council's Interest	When did Council first acquire the land?	Why did Council acquire an interest in the land?	How did Council acquire its interest in the land?	Existing Land Classification	Development Potential under Town Centres LEP
P27	1186 Pacific Highway	5356	Pymble	Lot 1 DP 86583	Special Uses 5(a) [Municipal Purposes] under KPSO	Pymble Town Hall and Car Park	R4	Owned by Council	Acquired in 1989	For community purposes	Purchased using general revenue funds	Community classified	Residential development to 17.5m height and 1.3:1 FSR, business premises/ function centre/ retail.
	1188 Pacific Highway		Pymble		Special Uses 5(a) [Municipal Purposes] under KPSO	Performing Arts Resource Centre	R4	Owned by Council	Acquired in 1989	For community purposes	Purchased using general revenue funds	Community classified	Residential development to 17.5m height and 1.3:1 FSR, business premises/ function centre/ retail.
P29	1 Alma Street	1409.2	Pymble	Lot 19 DP 5528, Lot 4 DP 307623	Residential 2(d3) under KPSO	Vacant land	R3	Owned by Council	Acquired in 1995	For car parking purposes	Purchased from Car Parking / S94 Funds	Community classified	Residential development to 11.5m height and 0.8:1 FSR, car parking.
P30	2 Alma Street	606	Pymble	Lot A DP 302332	Business 3(a)-[A2] Retail Services under KPSO	Car Park	B2	Owned by Council	Acquired in 1981	For car parking purposes	Purchased using Pymble Car Parking Funds	Community classified	Residential development to 11.5m height and 0.8:1 FSR, car parking.
P31	65 Grandview Street	104	Pymble	Lot 23 DP 791208	Business 3(b)-[B2] Commercial Services under KPSO	Pathway	B2	Owned by Council	Acquired in 1968	For public pathway	Transferred as a condition of development consent	Community classified	Commercial/retail/shoptop housing, max 17.5m height and 2.5:1 FSR. (Public Domain facilities proposed).
P32a	Grandview Lane	1682	Pymble	Lot 1 DP 510597	Business 3(b)-[B2] Commercial Services under KPSO	Car Park	R3	Owned by Council	Acquired in 1964	For car parking purposes	Purchased using general revenue funds	Community classified	Residential development to 11.5m height and 0.8:1 FSR, roads.
P32b			Pymble	Lot 4 DP 521871	Business 3(b)-[B2] Commercial Services under KPSO	Car Park	R3	Owned by Council	Acquired in 1967	For car parking purposes	Purchased using general revenue funds		Residential development to 11.5m height and 0.8:1 FSR, roads.
P32c			Pymble	Lot 1 DP 236137	Business 3(b)-[B2] Commercial Services under KPSO	Car Park	R3	Owned by Council	Acquired in 1968	For car parking purposes	Transferred as a condition of development consent		Residential development to 11.5m height and 0.8:1 FSR, roads.
P33	1192 Pacific Highway	999.1	Pymble	Lot 8 DP 30236	Residential 2(d3) under KPSO	Secret Park	R4	Owned by Council	Acquired in 1979	For public open space	Purchased using Trust Fund - Open Space Contributions	Community classified	Residential development to 17.5m height and 1.3:1 FSR.
P34	1032-1052 Pacific Highway	6362.7	Pymble	Lot 1 DP 181035, Lot 1 DP 181036, Lot B DP 184987, Lots 1 & 2 DP 564742, Part Lot 27 DP 656246, Lot A DP 362538 and Lots 1, 2 & 3 DP 615420,	Part Open Space 6(a) (Recreation Existing), Part Residential 2(e), Part Residential 2(c1) under KPSO	Cresswell O'Reilly Lookout	RE1 & R3 (marginal area).	Owned by Council	Acquired between 1928-1974	For public open space	Purchased using General Revenue Funds	Community classified	Recreational facilities, (Note: R3 residential zone applies only to marginal parts of the site which extend into adjacent residential areas for the purposes of drainage - residential development is not possible).
P35	Post Office Lane	69.9	Pymble	Lot 2 DP 582963	Business 3(a)-[A2] Retail Services under KPSO	Access	B2	Owned by Council	Acquired in 1976	For car parking purposes	Transferred as a condition of development consent	Community classified	Recreational facilities

PYMBLE - LIST OF COUNCIL OWNED SITES WITHIN THE KU-RING-GAI PLANNING PANEL BOUNDARY													
	Property Details							Council's Interest					28/07/2009
Site No.	Street Address	Site Area sqm	Suburb	Lot / DP	Current Zoning	Existing Use	Proposed zoning under DLEP (Town Centres)	Nature of Council's Interest	When did Council first acquire the land?	Why did Council acquire an interest in the land?	How did Council acquire its interest in the land?	Existing Land Classification	Development Potential under Town Centres LEP
P36	1 Park Crescent	17514.75	Pymble	Lot 1 DP 455673	Recreation Existing 6(a)	Robert Pymble Park	RE1	Owned by Council	Acquired between 1921 and 1925	Acquired for park purposes	Funding source unknown	Community classified	Recreational facilities
			Pymble	Lot 2 DP 455673	Recreation Existing 6(a)	Robert Pymble Park	RE1	Owned by Council	Acquired between 1921 and 1925	Acquired for park purposes	Funding source unknown		Recreational facilities
			Pymble	Lot 1 DP 950568	Recreation Existing 6(a)	Robert Pymble Park	RE1	Owned by Council	Acquired in 1921	Acquired for park purposes	Funding source unknown		Recreational facilities
			Pymble	Lot 1 DP 950566	Recreation Existing 6(a)	Robert Pymble Park	RE1	Owned by Council	Acquired in 1921	Acquired for park purposes	Funding source unknown		Recreational facilities
			Pymble	Lot 1 DP 950567	Recreation Existing 6(a)	Robert Pymble Park - Tennis Courts	RE1	Owned by Council	Acquired in 1921	Acquired for park purposes	Funding source unknown		Recreational facilities
			Pymble	Lot 1 DP 950565	Recreation Existing 6(a)	Robert Pymble Park - Tennis Courts	RE1	Owned by Council	Acquired in 1921	Acquired for park purposes	Funding source unknown		Recreational facilities
			Pymble	Lot 1 DP 1135011	Recreation Existing 6(a)	Robert Pymble Park - Tennis Courts	RE1	Owned by Council	Acquired in 1925	Acquired for park purposes	Funding source unknown		Recreational facilities
			Pymble	Lot 1 DP 950569	Recreation Existing 6(a)	Robert Pymble Park	RE1	Owned by Council	Acquired in 1923	Acquired for park purposes	Funding source unknown		Recreational facilities
			Pymble	Lot 1 DP 950570	Recreation Existing 6(a)	Robert Pymble Park	RE1	Owned by Council	Acquired between 1921 and 1925	Resumed for park purposes	Resumed (compulsorily acquired)		Recreational facilities
P37	5 Suakin Street	13050	Pymble	Lot 1 DP 830320	Special Uses 5(a) [Council Purposes]	Business Single Establishment	B7	Owned by Council	Acquired between 1994 and 1995	Acquired initially for indoor leisure centre & was to be developed in conjunction with YMCA. Council later resolved not to proceed with indoor leisure centre.	Council borrowed the full amount to purchase the site. \$1,834, 946	Operational classified	Light industry, offices, warehouses. (Proposed site use for new Council depot).
P38	Part 33A Ryde Road	22770	Pymble	Lot 212 DP 1073391	Special Uses 5(a) [Commonwealth Purposes]	Reserve Bushland	E2	Owned by Council	Acquired in 2004	Acquired because of its historical, cultural, and ecological value - and to protect and conserve land.	Council purchased the land through KMC Property Reserve Funds	Community classified	Environmental protection
P39	31 Bridge Street	696.7	Pymble	Lot 4 DP 411200	Business 3(b)-[B2] Commercial Services under the KPSO	Commercial Premises	B7	Owned by Council	Acquired in 2008	Acquired for Council Depot	Funded from Facilities Reserve	Operational classified	Light industry, offices, warehouses. (Proposed site use for new Council depot).

GORDON - LIST OF COUNCIL OWNED SITES WITHIN THE KU-RING-GAI PLANNING PANEL BOUNDARY													
	Property Details							Council's Interest					28/07/2009
Site No.	Street Address	Site Area sqm	Suburb	Lot / DP	Current Zoning	Existing Use	Proposed zoning under DLEP (Town Centres)	Nature of Council's Interest	When did Council first acquire the land?	Why did Council acquire an interest in the land?	How did Council acquire its interest in the land?	Existing Land Classification	Development Potential under Town Centres LEP
G40	4 Park Avenue	2697	Gordon	Lot 11 DP 852087	Residential 2(d3) under KPSO	Lifeline	R4	Owned by Council	Acquired in 1963	To relocate Gordon Library	Funding source unknown	Community classified	Residential development to 17.5m height and 1.3:1 FSR, recreation area.
G41	2a Park Avenue	1700	Gordon	Lot 12 DP 852087	Residential 2(d3) under KPSO	Gordon Pre-School	R4	Owned by Council	Acquired in 1963	To relocate kindergarten	Funded from general funds	Community classified	Residential development to 17.5m height and 1.3:1 FSR, child care centre.
G42	799 Pacific Highway	5560	Gordon	Lot 1 SP 49925	Pt. Business 3(b)-(B1) Commercial Services & Pt. Special Uses 5(a) (Municipal Purposes) under KPSO	Gordon Library, Gordon Old School Building, Secret Garden, Civic Square. (Note: Police Station is on separate strata lot).	B2	Owned by Council	Acquired in 1992	For the purpose of entering into a joint venture with Police Department to construct a building thereon	Funded from general funds (loan)	Community classified	Commercial/ retail/ shoptop housing 17.5m-23.5m max. height and 1.3:1 - 3.0:1 FSR, community facilities.
G43	818 Pacific Highway	4182	Gordon	Lot 2 DP 786550	3(a)-(A1) Retail Services under the KPSO	Council Chambers	B2	Owned by Council	Acquired in 1927	To relocate new Council Chambers building	Funded from general funds (loan)	Community classified	Commercial/ retail/ shoptop housing 26.5m max. height and 2.5:1 FSR, community facilities.
	7 Dumaesq Street		Gordon	Lot 2 DP 786550	3(a)-(A1) Retail Services under the KPSO	Chambers Car Park	B2	Owned by Council	Majority acquired in 1983 and balance prior to 1968	For Council Chambers extensions and car parking purposes	Funded from general funds (loan)		Commercial/ retail/ shoptop housing 26.5m max. height and 2.5:1 FSR, community facilities.
G44a	9 Dumaesq Street	1458	Gordon	Lot A DP 355615	Residential 2(d3)	Residential Single Dwelling	B2	Owned by Council	Acquired in 2007	Acquired for open space	Section 94 Reserves		Commercial/ retail/ shoptop housing 26.5m max. height and 2.5:1 FSR, community facilities.
G44b	15 Dumaesq Street	1008	Gordon	Lot D DP 386283	Residential 2(d3)	Residential Single Dwelling	B2	Owned by Council	Acquired in 2007	Acquired for open space	Section 94 Reserves		Commercial/ retail/ shoptop housing 26.5m max. height and 2.5:1 FSR, community facilities.
G44c	17 Dumaesq Street	1015	Gordon	Lot C DP 386283	Residential 2(d3)	Residential Single Dwelling	B2	Owned by Council	Acquired in 2007	Acquired for open space	Section 94 Reserves		Commercial/ retail/ shoptop housing 26.5m max. height and 2.5:1 FSR, community facilities.
G45	2 Moree Street	985	Gordon	Lot 4 DP 3965	3(a)-(A1) Retail Services under the KPSO	Car Park	B2	Owned by Council	Acquired in 1963	For extension of land and car parking purposes	Funded from general funds	Community classified	Commercial/ retail/ shoptop housing 23.5m max. height and 3.0:1 FSR.
G46	4 Moree Street	499.6	Gordon	Lot 5 DP 3965	3(a)-(A1) Retail Services under the KPSO	Vacant land	B2	Owned by Council	Acquired in 1985	For extension of car park	Funded from Gordon Local Fund and Gordon Car Parking Trust Fund	Community classified	Commercial/ retail/ shoptop housing 23.5m max. height and 3.0:1 FSR.
G47	1 Wade Lane	3600	Gordon	Old System Land (part of land in Conveyance No. 483 Book 2027)	3(a)-(A1) Retail Services under the KPSO	Car Park	B2	Owned by Council	Acquired in 1946	For car parking, library and kindergarten	Funded from general funds	Community classified	Commercial/ retail/ shoptop housing 26.5m max. height and 3.0:1 FSR, (Public Domain facilities proposed for part site).
G48	828 Pacific Highway	4182		Lot 1 DP 786550	3(a)-(A1) Retail Services under the KPSO	Sun Building	B4	Owned by Council	Acquired various lots between 1929 and 1988	For commercial development and parking	Funded from general funds	Operational classified	Office premises/ retail/ shoptop housing 26.5m max. height and 2.5:1 FSR.

GORDON - LIST OF COUNCIL OWNED SITES WITHIN THE KU-RING-GAI PLANNING PANEL BOUNDARY													
	Property Details							Council's Interest					28/07/2009
Site No.	Street Address	Site Area sqm	Suburb	Lot / DP	Current Zoning	Existing Use	Proposed zoning under DLEP (Town Centres)	Nature of Council's Interest	When did Council first acquire the land?	Why did Council acquire an interest in the land?	How did Council acquire its interest in the land?	Existing Land Classification	Development Potential under Town Centres LEP
G49a	20b St Johns Avenue	234.1	Gordon	Lot 2 DP 327957	Special Uses 5(a) (Municipal Purposes) under KPSO	Heritage Square	RE1	Owned by Council	Acquired in 1946	For the improvement and embellishment of the area	Resumed (compulsorily acquired)	Community classified	Recreational facilities
G49b	20a St Johns Avenue	81.9	Gordon	Lot 1 DP 354472	Special Uses 5(a) (Municipal Purposes) under KPSO	Heritage Square	RE1	Owned by Council	Acquired in 1947	For the improvement and embellishment of the area	Resumed (compulsorily acquired)	Community classified	Recreational facilities
G50	707 Pacific Highway	1830	Gordon	Lot 3 Sec 1 DP 3267	Residential 2(d) under KPSO	Tulkiyan (heritage item)	R4	Owned by Council	Acquired in 1986	For use in the best interests of the residents of Ku-ring-gai as a worthwhile community enterprise	Transferred free of cost subject to Deed of Gift	Community classified	Residential development to 17.5m height and 1.3:1 FSR.
G51	1 - 7 Carlotta Avenue	16095	Gordon	Lots 1 & 2 DP 1116826	Residential 2(d3)	Old Council Depot	R4	Owned by Council	Acquired in 1924	Council purposes, light industrial area, Council Depot	Funding source unknown	Operational classified	Residential development to 17.5m height and 1.3:1 FSR.
G52	63A Werona Avenue	10279	Gordon	Lot 3 & 6 Sec 4 DP 3267	Recreation Existing 6(a)	Gordon Recreation Ground - Tennis Courts	RE1	Owned by Council	Acquired in 1921	For parks and recreation purposes	Funding source unknown	Community classified	Recreational facilities
			Gordon	Part Lot 4 Sec 4 DP 3267	Recreation Existing 6(a)	Gordon Recreation Ground	RE1	Owned by Council	Acquired between 1921 and 1927	For parks and recreation purposes	Funding source unknown	Community classified	Recreational facilities
			Gordon	Part Lot 5 Sec 4 DP 3267	Recreation Existing 6(a)	Gordon Recreation Ground	RE1	Owned by Council	Acquired in 1927	For parks and recreation purposes	Funding source unknown	Community classified	Recreational facilities
G53	753 Pacific Highway	84.2	Gordon	Lot 1 DP 213736	3(a)-(A1) Retail Services under the KPSO	Pathway	B2	Owned by Council				Community classified	Commercial/ retail/ shoptop housing 26.5m max. height and 3:1 FSR, (Public Domain facilities proposed).
G54	19 Mt William Street	505.9	Gordon	Lot 1 DP 218590	Residential 2(c) under KPSO	Scout Hall	R2	Owned by Council				Community classified	Residential development to 9.5m height and 0.3:1 FSR.

LINDFIELD - LIST OF COUNCIL OWNED SITES WITHIN THE KU-RING-GAI PLANNING PANEL BOUNDARY

	Property Details							Council's Interest					
Site No.	Street Address	Site Area sqm	Suburb	Lot / DP	Current Zoning	Existing Use	Proposed zoning under DLEP (Town Centres)	Nature of Council's Interest	When did Council first acquire the land?	Why did Council acquire an interest in the land?	How did Council acquire its interest in the land?	Existing Land Classifications	Development Potential under Town Centres LEP
L55	9 Havilah Lane	766	Lindfield	Lot 21 DP713207	Business 3(a)-(A2) Retail Services under the KPSO	Car park	B2	Owned by Council	Acquired 1986	For car parking purposes	Dedicated to Council	Community classified.	Commercial/retail/shoptop housing, max. 20.5m height and 2.5:1 FSR.
L56	3 Kochia Lane	874.9	Lindfield	Lot 12 DP 225925	Business 3(b)-(B2) Commercial Services under the KPSO	Car park	Part RE1 & Part B2	Owned by Council	Acquired 1964/65	For the purpose of providing, controlling and managing a site for the accommodation of vehicles in or near a public road / car parking purposes	Part resumed (compulsorily acquired). Purchased using Lindfield Car Parking fund	Community classified.	Part site (east)- Commercial/retail/shoptop housing, max. 20.5m height and 2.5:1 FSR, community facilities. Part site (west)- public domain.
L57	8-10 Tryon Road	1975.4	Lindfield	Lots 2 & 3 DP 219628	Business 3(b)-(B2) Commercial Services under the KPSO	Car park	RE1	Owned by Council	Acquired in 1966	For car parking purposes	Purchased using Lindfield Car Parking fund	Community classified.	Public domain.
			Lindfield	Lot 5 DP 219146	Business 3(b)-(B2) Commercial Services under the KPSO	Car park	RE1	Owned by Council	Acquired in 1982	For car parking purposes	Purchased using Lindfield Car Parking fund		Public domain.
L58	1B Beaconsfield Parade	2994	Lindfield	Part Lot 1 DP 929131	Special Uses 5(a) (Parking) under KPSO	Car park	B2	Owned by Council	Acquired in 1964	For car parking purposes	Purchased using Lindfield Car Parking fund	Community classified.	Commercial/retail/shoptop housing, max. 17.5m height and 1.6:1 FSR, community facilities, recreation area, road.
L59	19 Drovers Way	2580.606	Lindfield	Lots 1-16 DP 1099330	Special Uses 5(a) (Parking) under KPSO	Car park	B2	Owned by Council	Acquired in 1951	For the purpose of providing sites for accommodation of vehicles near public roads	Resumed (compulsorily acquired)	Community classified.	Commercial/retail/shoptop housing, max. 17.5m height and 1.6:1 FSR, community facilities, recreation area.
L60a	259 Pacific Highway	1288	Lindfield	Lot 2 DP 212617	Special Uses 5(a) (Municipal Purposes) under KPSO	Seniors Resource Centre	B2	Owned by Council	Acquired in 1947	For improvement and embellishment of the area	Resumed (compulsorily acquired) using general funds (loan)	Community classified.	Commercial/retail/shoptop housing, max. 17.5m height and 1.3:1 FSR.
L60b			Lindfield	Lot 3 DP 212617	Special Uses 5(a) (Municipal Purposes) under KPSO	KOPWA	B2	Owned by Council	Acquired in 1947	For improvement and embellishment of the area	Resumed (compulsorily acquired) using general funds (loan)	Community classified.	Commercial/retail/shoptop housing, max. 17.5m height and 1.3:1 FSR.
L61	265-271 Pacific Highway	3681.2	Lindfield	Lot 8 DP 660564	Special Uses 5(a) (Municipal Purposes) under KPSO	Library	B2	Owned by Council	Acquired in 1947	For improvement and embellishment of the area	Resumed (compulsorily acquired) using general funds (loan)	Community classified.	Commercial/retail/shoptop housing, max. 17.5m height and 1.3:1 FSR.
			Lindfield	Lot 8 DP 660564 & Part Lot 8 The Clanville Estate (Old system)	Special Uses 5(a) (Municipal Purposes) under KPSO	Community Centre Tennis courts	B2	Owned by Council	Acquired in 1947	For improvement and embellishment of the area	Resumed (compulsorily acquired) using general funds (loan)	Community classified.	Commercial/retail/shoptop housing, max. 17.5m height and 1.3:1 FSR.
L60c	259 Pacific Highway	918	Lindfield	Lot 1 DP 212617	Special Uses 5(a) (Municipal Purposes) under KPSO	Car park	B2	Owned by Council	Acquired in 1947	For improvement and embellishment of the area	Resumed (compulsorily acquired) using general funds (loan)	Community classified.	Commercial/retail/shoptop housing, max. 17.5:1m height and 1.3:1 FSR.
L62	1/12-18 Tryon Road	99	Lindfield	Lot 1 SP 37466	Business 3(b)-(B2) Commercial Services under the KPSO	Early Childhood Centre	B2	Owned by Council	Acquired in 1990	Transferred to Council free of cost	Dedicated as a condition of development consent	Community classified.	Commercial/retail/shoptop housing, max. 20.5m height and 2.5:1 FSR.
L63	1 Wolseley Road	1922.5	Lindfield	Lot 65 DP 6608	Recreation Existing 6(a)	Reserve - Urban Park	RE1	Owned by Council	Acquired in 1947	Resumed for Public Recreation Government Gazette No. 46 of 11/4/1947	Resumed (compulsorily acquired)	Community classified.	Recreation area
			Lindfield	Lot 65A DP 6608	Recreation Existing 6(a)	Reserve - Urban Park	RE1	Owned by Council	Acquired in 1947	Resumed for Public Recreation Government Gazette No. 46 of 11/4/1947	Resumed (compulsorily acquired)	Community classified.	Recreation area
L64	5 Kochia Lane	502.1	Lindfield	Lot 31 DP 804447	Business 3(b)-(B2) Commercial Services under the KPSO	Council Car Park No.6	B2	Owned by Council	Acquired in 1990	For car parking purposes	Funding source unknown	Community classified.	Commercial/retail/shoptop housing, max. 20.5m height and 2.5:1 FSR.

ROSEVILLE - LIST OF COUNCIL OWNED SITES WITHIN THE KU-RING-GAI PLANNING PANEL BOUNDARY													
	Property Details							Council's Interest					28/07/2009
Site No.	Street Address	Site Area sqm	Suburb	Lot / DP	Current Zoning	Existing Use	Proposed zoning under DLEP (Town Centres)	Nature of Council's Interest	When did Council first acquire the land?	Why did Council acquire an interest in the land?	How did Council acquire its interest in the land?	Existing Land Classification	Development Potential under Town Centres LEP
R65	1 Larkin Lane	1291.2	Roseville	Lot 1 DP 502277	Business 3(a)-(A2) Retail Services	Council Car Park	B2	Owned by Council	Acquired in 1963	Public car parking	Purchased using General Revenue funds	Community classified.	Commercial/retail/shoptop housing, max. 20.5m height and 2.5:1 FSR, car parking.
			Roseville	Lot 1 DP 215188	Business 3(a)-(A2) Retail Services	Council Car Park	B2	Owned by Council	Acquired 1962	Public car parking	Purchased using General Revenue funds		Commercial/retail/shoptop housing, max. 20.5m height and 2.5:1 FSR, car parking.
			Roseville	Lot 1 DP 500309	Business 3(a)-(A2) Retail Services	Council Car Park	B2	Owned by Council	Acquired in 1963	Public car parking	Purchased using General Revenue funds		Commercial/retail/shoptop housing, max. 20.5m height and 2.5:1 FSR, car parking.
			Roseville	Lot 2 DP 511183	Business 3(a)-(A2) Retail Services	Council Car Park	B2	Owned by Council	Acquired 1965	Public car parking	Purchased using General Revenue funds		Commercial/retail/shoptop housing, max. 20.5m height and 2.5:1 FSR, car parking.
			Roseville	Lot1 DP 501603	Business 3(a)-(A2) Retail Services	Council Car Park	B2	Owned by Council	Acquired in 1963	Public car parking	Purchased using General Revenue funds		Commercial/retail/shoptop housing, max. 20.5m height and 2.5:1 FSR, car parking.
			Roseville	Lot 2 DP 511182	Business 3(a)-(A2) Retail Services	Council Car Park	B2	Owned by Council	Acquired 1965	Public car parking	Purchased using General Revenue funds		Commercial/retail/shoptop housing, max. 20.5m height and 2.5:1 FSR, car parking.
			Roseville	Lot 1 DP 215231	Business 3(a)-(A2) Retail Services	Council Car Park	B2	Owned by Council	Acquired in 1963	Public car parking	Purchased using General Revenue funds		Commercial/retail/shoptop housing, max. 20.5m height and 2.5:1 FSR, car parking.
			Roseville	Lot 2 DP 505005	Business 3(a)-(A2) Retail Services	Council Car Park	B2	Owned by Council	Acquired in 1963	Public car parking	Purchased using General Revenue funds		Commercial/retail/shoptop housing, max. 20.5m height and 2.5:1 FSR, car parking.
			Roseville	Lot 2 DP 507593	Business 3(a)-(A2) Retail Services	Council Car Park	B2	Owned by Council	Acquired in 1964	Public car parking	Purchased using General Revenue funds		Commercial/retail/shoptop housing, max. 20.5m height and 2.5:1 FSR, car parking.
			Roseville	Lot 2 DP 504082	Business 3(a)-(A2) Retail Services	Council Car Park	B2	Owned by Council	Acquired 1963	Public car parking	Purchased using General Revenue funds		Commercial/retail/shoptop housing, max. 20.5m height and 2.5:1 FSR, car parking.
			Roseville	Lot 1 DP 500045	Business 3(a)-(A2) Retail Services	Council Car Park	B2	Owned by Council	Acquired in 1962	Public car parking	Purchased using General Revenue funds		Commercial/retail/shoptop housing, max. 20.5m height and 2.5:1 FSR, car parking.
			Roseville	Lot 1 DP 505371	Business 3(a)-(A2) Retail Services	Council Car Park	B2	Owned by Council	Acquired in 1963	Public car parking	Purchased using General Revenue funds		Commercial/retail/shoptop housing, max. 20.5m height and 2.5:1 FSR, car parking.
			Roseville	Lot 1 DP 507809	Business 3(a)-(A2) Retail Services	Council Car Park	B2	Owned by Council	Acquired in 1964	Public car parking	Purchased using General Revenue funds		Commercial/retail/shoptop housing, max. 20.5m height and 2.5:1 FSR, car parking.
R66	94A Pacific Highway	37.4	Roseville	Lot 22 DP 595126	Business 3(a)-(A2) Retail Services	Council Car Park	B2	Owned by Council	Acquired in 1978	Public car parking	Dedicated as a condition of development consent	Community classified.	Commercial/retail/shoptop housing, max. 20.5m height and 2.5:1 FSR.
R67	80A Pacific Highway	36.1	Roseville	Lot 11 DP 861578	Business 3(a)-(A2) Retail Services	Council Car Park	B2	Owned by Council	Acquired in 1996	Acquired for extension to Larkin Lane car park no. 3	Dedicated as a condition of development consent	Community classified.	Commercial/retail/shoptop housing, max. 20.5m height and 2.5:1 FSR.
R68	62 Pacific Highway	1732	Roseville	Lot 2 DP 202148	Pt. Bus3(a)-(A2) - Rec.Ex.6(a) - County Rd Widening	Park and Gardens, carparking	RE1	Owned by Council	Acquired in 1946	Improvements and embellishment	Resumed (compulsorily acquired)	Community classified.	Recreation area.

ROSEVILLE - LIST OF COUNCIL OWNED SITES WITHIN THE KU-RING-GAI PLANNING PANEL BOUNDARY													
	Property Details							Council's Interest					28/07/2009
Site No.	Street Address	Site Area sqm	Suburb	Lot / DP	Current Zoning	Existing Use	Proposed zoning under DLEP (Town Centres)	Nature of Council's Interest	When did Council first acquire the land?	Why did Council acquire an interest in the land?	How did Council acquire its interest in the land?	Existing Land Classification	Development Potential under Town Centres LEP
R69	2 Lord Street	1735	Roseville	Lot 4 DP 225030	Business 3(b)-(B2) Commercial Services	Council Car Park	B2	Owned by Council	Acquired between 1972 and 1975	Public car parking	Funding source unknown	Community classified.	Commercial/retail/shoptop housing, max. 17.5m height and 2.0:1 FSR, road/ public domain.
			Roseville	Lot 1 DP 556917	Business 3(b)-(B2) Commercial Services	Council Car Park	B2	Owned by Council		Public car parking	Funding source unknown		Commercial/retail/shoptop housing, max. 17.5m height and 2.0:1 FSR, road/ public domain.
			Roseville	Lot 3 DP 556955	Business 3(b)-(B2) Commercial Services	Council Car Park	B2	Owned by Council		Public car parking	Funding source unknown		Commercial/retail/shoptop housing, max. 17.5m height and 2.0:1 FSR, road/ public domain.
			Roseville	Lot 5 DP 559096	Business 3(b)-(B2) Commercial Services	Council Car Park	B2	Owned by Council		Public car parking	Funding source unknown		Commercial/retail/shoptop housing, max. 17.5m height and 2.0:1 FSR, road/ public domain.
			Roseville	Lot 7 DP 561031	Business 3(b)-(B2) Commercial Services	Council Car Park	B2	Owned by Council		Public car parking	Funding source unknown		Commercial/retail/shoptop housing, max. 17.5m height and 2.0:1 FSR, road/ public domain.
			Roseville	Lot 9 DP 563301	Business 3(b)-(B2) Commercial Services	Council Car Park	B2	Owned by Council		Public car parking	Funding source unknown		Commercial/retail/shoptop housing, max. 17.5m height and 2.0:1 FSR, road/ public domain.
			Roseville	Lot 11 DP 575457	Business 3(b)-(B2) Commercial Services	Council Car Park	B2	Owned by Council		Public car parking	Funding source unknown		Commercial/retail/shoptop housing, max. 17.5m height and 2.0:1 FSR, road/ public domain.

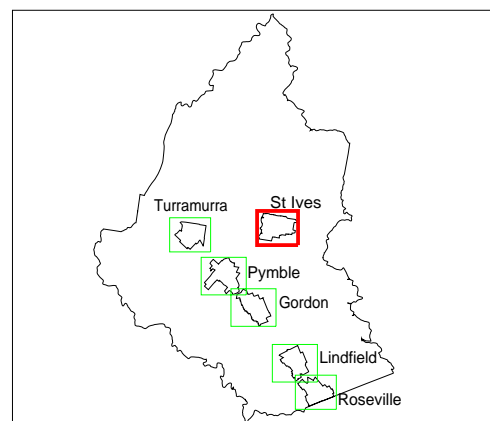


Ku-ring-gai Local Environmental Plan (Town Centres) 2008

ST IVES Council Sites under Consideration for Proposed Reclassification

- Council Sites
- Council Sites proposed for reclassification
- Key areas - Refer to Clause 6.4
- 12 Site Number

Cadastre
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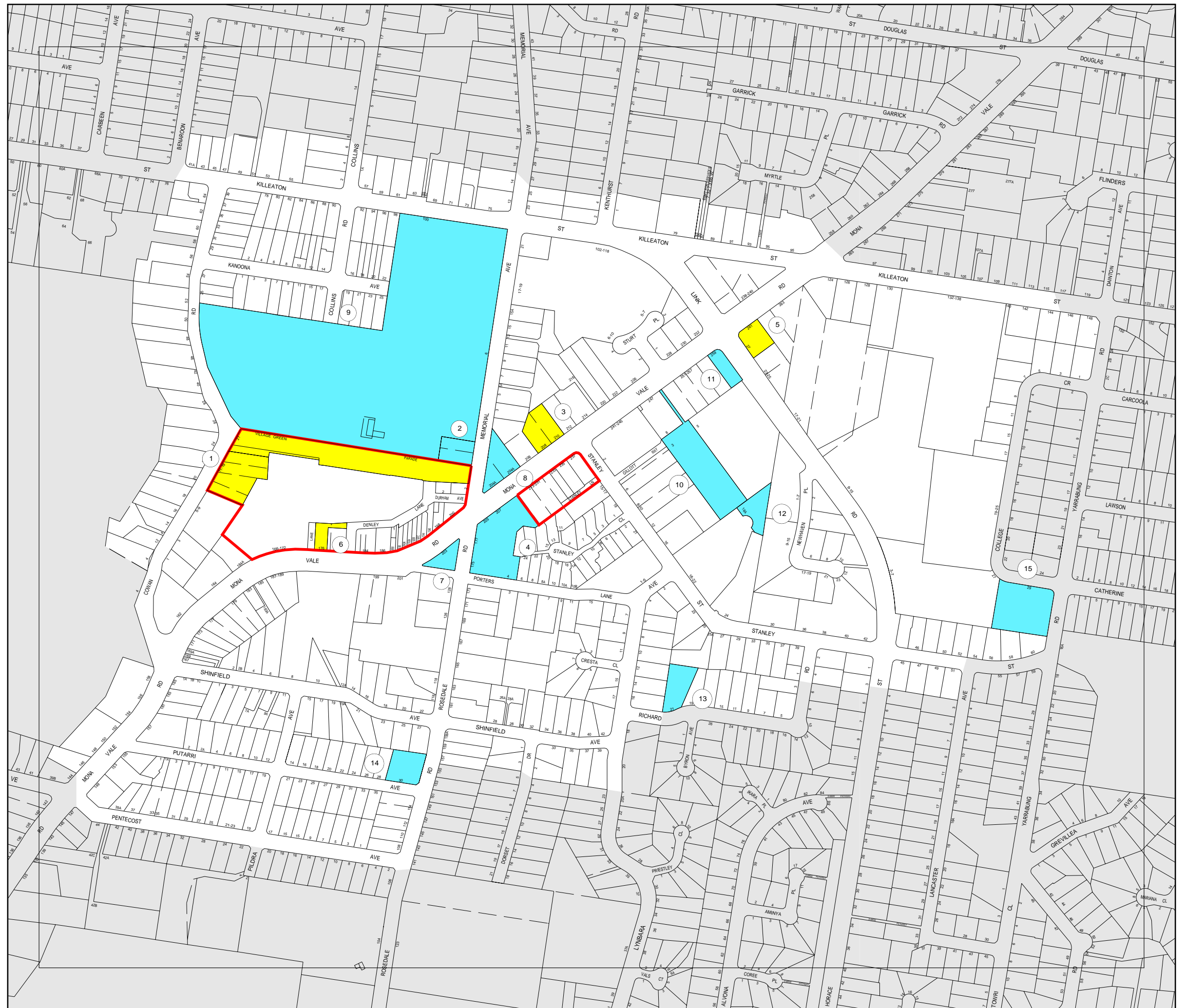


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Projection: GDA 1994 - Zone 56

Map identification number: RCL_St Ives_005_20090825



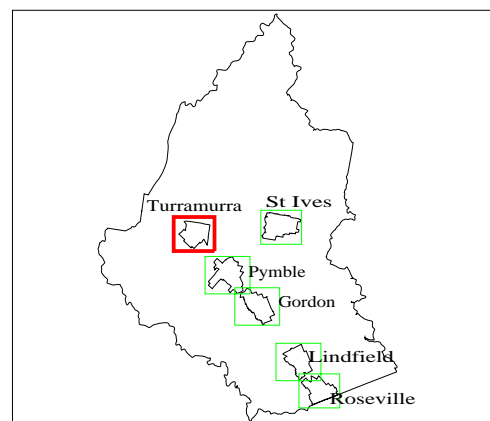


Ku-ring-gai Local Environmental Plan (Town Centres) 2008

TURRAMURRA Council Sites under Consideration for Proposed Reclassification

- Council Sites
- Council Sites proposed for reclassification
- Key areas - Refer to Clause 6.4
- Site Number

Cadastre
 Cadastre 1/5/09 © Dept of Lands



0 50 100 Metres
Scale: 1:5000 @ A3

Projection: GDA 1994 - Zone 56





Map identification number: RCL_Turramurra_20090825



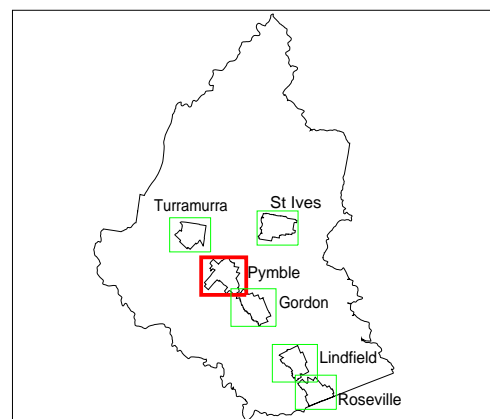


Ku-ring-gai Local Environmental Plan (Town Centres) 2008

PYMBLE Council Sites under Consideration for Proposed Reclassification

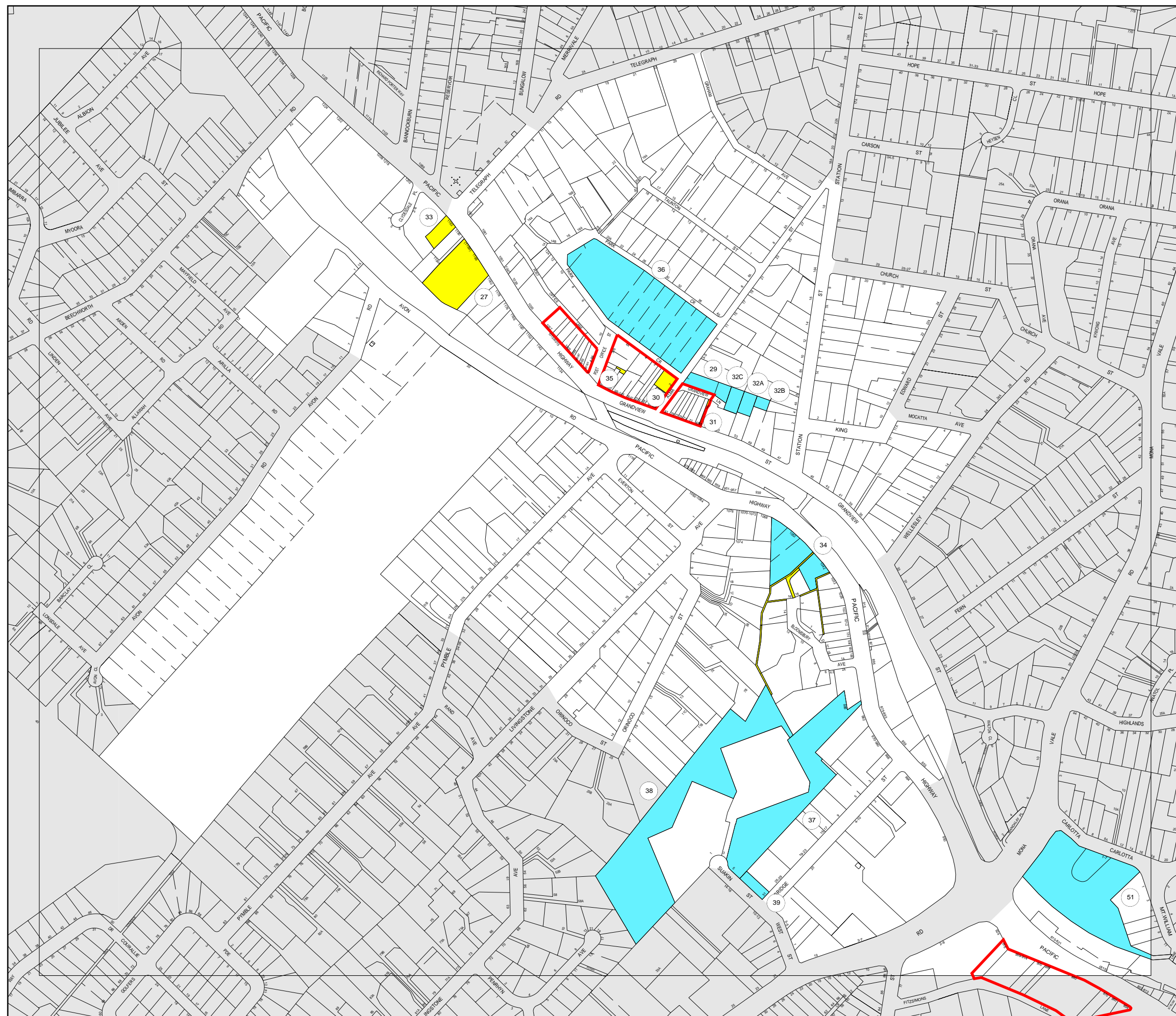
-  Council Sites
-  Council Sites proposed for reclassification
-  Key areas - Refer to Clause 6.4
-  Site Number

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Projection: GDA 1994 - Zone 56





Map identification number: RCL_Pymble_005_20090825




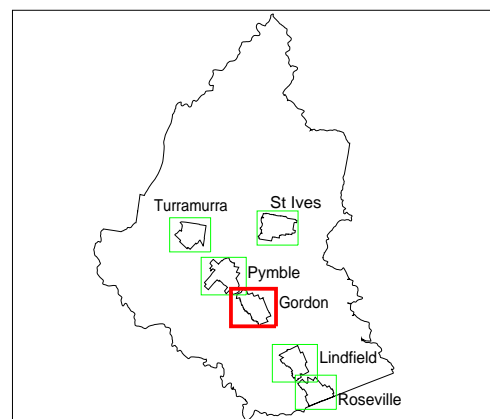


Ku-ring-gai Local Environmental Plan (Town Centres) 2008

GORDON Council Sites under Consideration for Proposed Reclassification

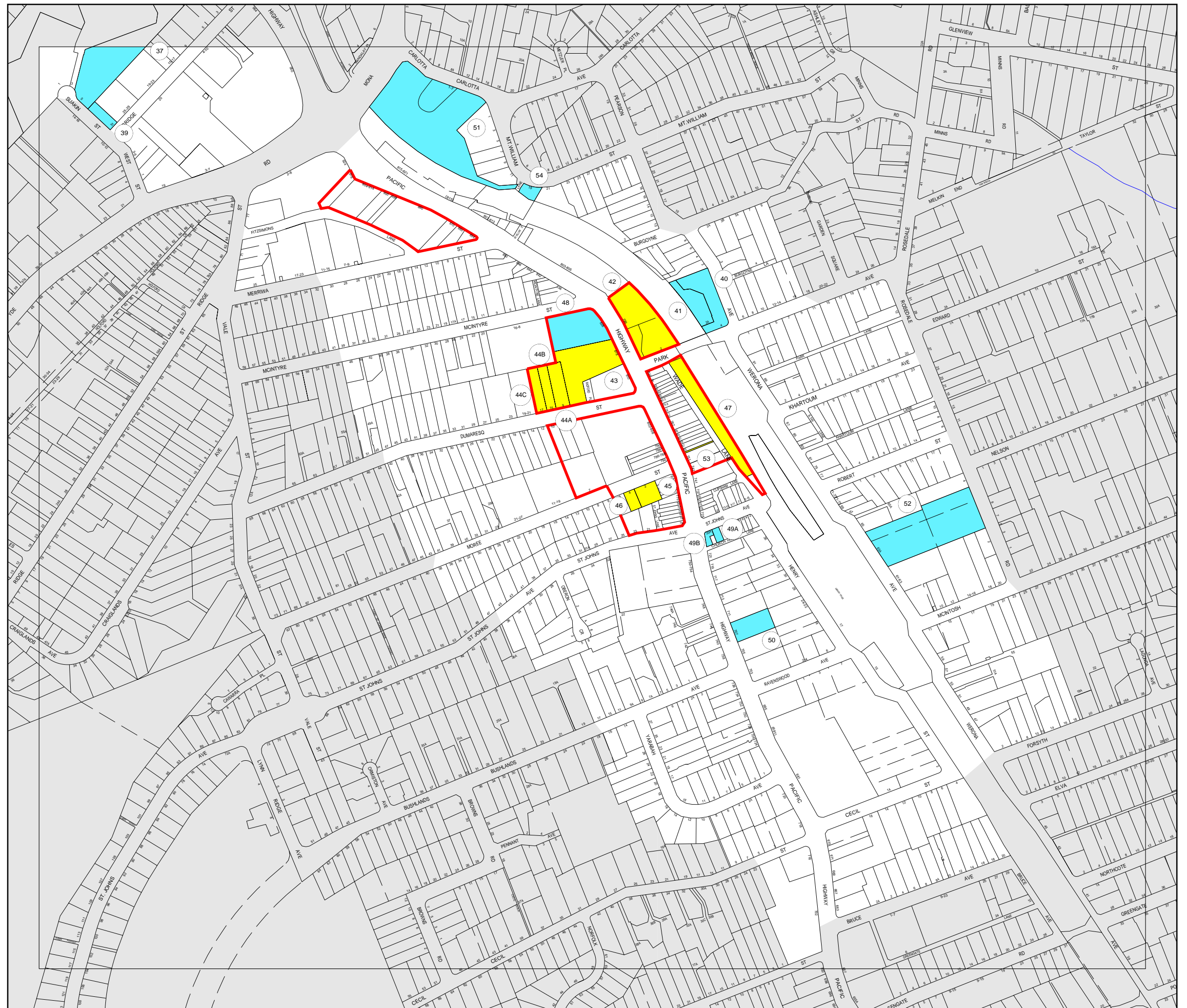
-  Council Sites
-  Council Sites proposed for reclassification
-  Key areas - Refer to Clause 6.4
-  Site Number

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Projection: GDA 1994 - Zone 56





Map identification number: RCL_Gordon_005_20090825




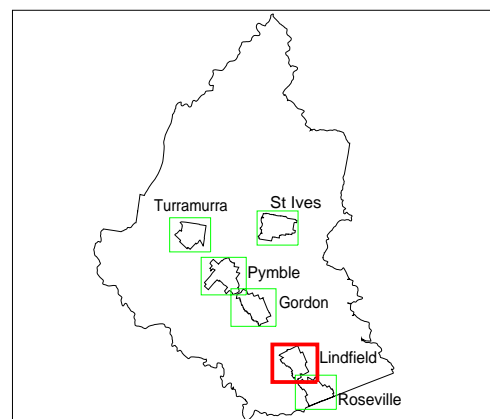


Ku-ring-gai Local Environmental Plan (Town Centres) 2008

LINDFIELD Council Sites under Consideration for Proposed Reclassification

-  Council Sites
-  Council Sites proposed for reclassification
-  Key areas - Refer to Clause 6.4
-  Site Number

Cadastre
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Projection: GDA 1994 - Zone 56





Map identification number: RCL_Lindfield_005_20090825




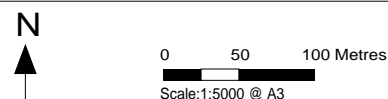
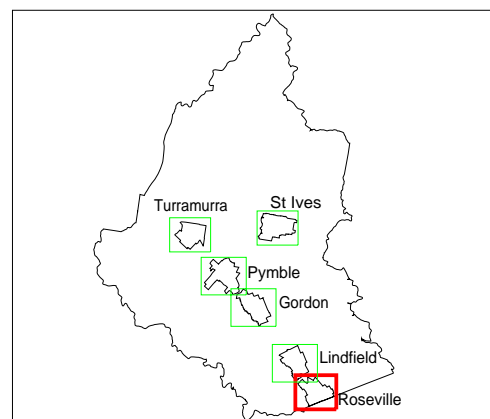


Ku-ring-gai Local Environmental Plan (Town Centres) 2008

ROSEVILLE Council Sites under Consideration for Proposed Reclassification

-  Council Sites
-  Council Sites proposed for reclassification
-  Key areas - Refer to Clause 6.4
-  Site Number

Cadastre
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Projection: GDA 1994 - Zone 56

Map identification number: RCL_Roseville_005_20090825



Public Forum – Potential Land Reclassification Council Chambers, Monday 14 September 6pm

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Mayor Ian Cross

Good evening, ladies and gentlemen. I'll start off by saying Jennifer Anderson and the previous mayor did not thump me in the eye, but I had an operation today and the reason that some notes have been printed largely is so I can read them. The reason that we're here tonight...the previous mayor had suggested and council resolved that we would have an evening whereby residents could come and speak to councillors on the concept of reclassification. A list of those properties that can be considered were designated by the planning panel – Kathy, don't shake your head – if I say the wrong thing, no doubt you will get up and chastise me later on.

Interjection: We all will.

Mayor Ian Cross

OK. But I would like it to be an information session for councillors; six of whom are new and won't have read previous processes that went through, which achieved absolutely nothing. We had asked people that they would register to speak, so I've planned for staff to do a brief presentation on the sites that will come up for discussion. Because of the number of people and so that we don't fall into the same trap as happened at the UTS, there will be a limit as to the times people will be asked to speak. If, when we get...or if we conclude prior to 8.30 there will be a greater opportunity for those who haven't registered or those that feel that they haven't covered the points that they would like to raise. It's not a discussion evening, it's an information-giving evening. I've had lots of letters, emails from residents speaking against the concept of reclassification, but that does not tell councillors whether there are any opportunities for variations or whatever. So I would like you to be specific about sites, more particularly those in areas in which you live and would know better than most of us. So we'll start the evening with one of the staff giving a presentation of the site and then I'll open it up to those who have nominated to speak and hopefully we can do that successfully. Thank you.

Andrew Watson

Good evening, ladies and gentlemen. My name is Andrew Watson. I'm the Director of Strategy. What I'll do in the next five or so minutes is just take you through a bit of a plotted history and I appreciate that a lot of you will know this better than I do, but it'll just give you a bit of context and as the Mayor said, it's also about providing information to the new councillors, those who came on board at the last election. And after I do some general material and a where to from here, Mr Fabbro, the Manager of Planning will take you through the individual sites in each of the town centres. In terms of what we're talking about here, public land has to be classified as either community or operational. This is oversimplifying things so don't feel you necessarily have to correct me on this, but generally speaking, community land can't be sold, it can't be leased or have any other type of estate granted over it for more than 21 years and it has to have a plan of management for it. Operational land may be sold, subdivided, swapped or leased. It can be held as a temporary asset or investment and it is land that generally facilitates council's ordinary everyday functions. Operational land has some additional restrictions that don't apply to community land and quite often when you reclassify land to operational you may, in fact, discharge some trusts or designations or other restrictions that might apply to it. Just to take a step back, we'll have this PowerPoint presentation on in whole available from the website from tomorrow morning.

Mayor Ian Cross

One of the things so that we don't miss any points when people speak, I've asked that a tape be run and we'll do a transcript of that, so that everything is noted.

Andrew Watson

Mr Mayor, on that point, we've arranged to have the transcripts sent away tomorrow and we expect to have it back within about a week after some proofing just to make sure people's names and details are correct, but we'll also put that on the website, too.

As you all know, council is the owner of major landholdings within each of the town centres. You could, in fact, say that in many cases they're strategic landholdings. Under the town centres LEP process you will all be aware that all of that land has had some sort of zoning applied to it – conservation, retail and commercial, or residential - there's no set pattern. In terms of the process, it's quite a complex process. It involves functions under both the Local Government Act and the Environmental Planning and Assessment Act. There are specific Department of Local Government Guidelines deal with reclassification and as you're all aware, there are quite specific and detailed exhibition and reporting processes. I alluded to the fact that it was a complicated process and made

more complex by the fact that the Ku-ring-gai Planning Panel is still in existence. The Ku-ring-gai Planning Panel still has the plan-making process under the Environmental Planning and Assessment Act, so unfortunately it's a process that involves both the elected body to deal with those functions under the Local Government Act and then the matter passes to the panel and back and forth between the two throughout the process for the panel to deal with the LEP process under the...or the Local Environmental Plan-making Process under the Environmental Planning and Assessment Act. And that's not a process that occurred on the prior two occasions because the panel wasn't in place then. In terms of the purpose of reclassifying council land, as I said, strategic or catalyst sites in all the town centres. Reclassification is a mechanism which can assist council providing new facilities or upgraded facilities to the community. It's really only an enabling process because it allows that subdivision and/or other dealings in land. It's not necessarily, in any case, a decision that council will do anything at all. If you look at some of our neighbouring councils, for example, large parts of their property portfolio would be ordinarily classified as operational. Reclassification itself does not remove the need for further consultation and transparency and part of that process was, in fact, confirmed by council at its last meeting where it adopted an Acquisition and Divestment of Land policy, which requires certain actions to be carried out. And as you all know, council also has its own consultation policy. And as a bit of an example, I think people have only got to be referred back to the case of the Carlotta Street Depot, which went through quite considerable public debate and went back to council many times. So on some of the more high-profile sites that we'll talk about tonight, it's feasibly a process that will come back and forward between the council and the community many times, even if the council does decide to go through the reclassification process. And in some cases council may, in fact, retain an interest after it sells or divests a title. It may take back all or part of a lot, it might take back a strata title. So it's not necessarily a decision to dispose of land in any way at all. Part of the long-term vision for the town centres does involve a lot of the sites we'll talk about tonight. In terms of council's contributions planning, you'll all be aware that there was a cost contribution from council in the order of \$40 million and the reclassification process if perhaps one mechanism by which council can contribute its contribution towards those new facilities envisaged in its contributions plan and package of works was upwards of \$120 – 140 million. So reclassification is one way to help achieve those longer term visions for the town centres.

Next steps, council hasn't yet formally initiated the reclassification process so following this public forum another report would go back to council for it to decide which sites it wanted to consider for reclassification and then a report would go to the Planning Panel, where it would initiate a Local Environmental Plan, and that Local Environmental Plan would simply be an amendment to the current town centres plan once it's gazetted and it would simply add in a classification next to various lands in an existing schedule to that draft town centres LEP. It's probably too much detail to go into tonight, but there is a new plan-making process,

effective from earlier this year. It's not necessarily a process that you will be familiar with and, in fact, it's not a process that the staff are necessarily familiar with, but it goes through a process of what's called the gateway process, and in fact, the department or the minister's delegates can, in fact, assign different levels of, for example, consultation to various LEPs, whether they're more complex. Again, that's something that we probably can't go into today. And then as you know, we're not going to start the formal exhibition process of public hearings until after a decision is made one way or other on the panel's town centres LEP. As you know, we then go through a public hearings process, reports back to both council and the panel and a final determination about the LEP itself would be made for the Minister for Planning, as occurs in any other plan-making process. The Mayor did allude to a number of other public hearing processes that had been gone through in the past and there were a number of recommendations that were made directly...explicitly or implicitly in those reports and I'll run through some of the recommendations. There was references to DCP and LEP amendments, which have been carried out. There was references to a virtual model for the town centres, which has been prepared. There was references to the need to do Section 94 plans for the town centres, which has been done. There was a parking management plan, which is ready for exhibition and will be considered by council shortly. There was specific references to the need to review traffic management plans and traffic plans of actions, which have also been done. There was a recommendation for council to complete its Open Space Acquisition Strategy, which has been done. There was some requirements for some financial modelling and legal advice, which has been done. There was a specific requirement for an acquisition and disposal of land policy, which was adopted at council at its last meeting. And there was specific recommendations for dialogue with particular users of particular facilities. Now, I've ticked that as completed, but that's not to say that there wouldn't be far more consultation with specific users as particular proposals are put forward for particular sites. So at the moment we'd have to say that that's only fairly high level dialogue and to use an example, without singling it out for any particular reason, the one that comes to mind is the childcare centre up on Mona Vale Road at St Ives. It was always intended, for example, that they would move to another facility. If and when council makes decisions about reclassification and the location of a new facility at any time in a building, of course you would engage that group fairly closely and that high...that same level of consultation would be needed for other particular facilities around the local government area as well. In terms of perhaps dispelling some myths about reclassification, it's only the first dip in a process that goes on over a very long period of time and I again refer you back to the types of processes that went through for the Carlotta Street Depot process when there was a development trial plan, for example, a master planning process. Reclassification, a number of people have suggested that we should look at each process, each site separately and run through its own reclassification process. That's extremely time and resource consuming. Each time you run a public hearing you have to run an independent chair, you would have to run through a separate LEP process. It's simply not feasible. It's

quite expensive to run one public hearing, let alone 12 or 15, and extremely time-consuming for both the councillors, but also the community in having to respond to these things. And it's been said that the reclassification process effectively takes away and public benefit and that is completely untrue. The council has the opportunity to perhaps modernise and update some of its existing facilities. It's got a plan, a long-term plan to provide new facilities and reclassification is really only one way that council goes about securing new and better facilities. And in some cases it may be that this council or future councils decide to do nothing at all with a piece of land. I won't go into too much detail. There is a slide here which lists the addresses of all the properties we're talking about. They'll be familiar to most of you. Like I said, this will go on the Web tomorrow, but we'll deal with particular maps as we go through them so that you know what we're talking about. While this seems like a lot, some of them, you know, multiple parcels would make up, for example, the Cowan Road car park, as you know it – they're all listed individually, but we'll go through each site as we go through the town centres. At this point in time, I'll hand over to Mr Fabbro to take you over...through town centre by town centre. We expect that we'll take about 10 or 15 minutes and then we'll hand over to the Mayor to take questions, sorry, statements.

Antony Fabbro

Thank you. Yes, I'm Antony Fabbro, the Manager of Urban Planning. I'm just going to quickly run you through the key sites that are being put forward for reclassification consideration. Details of these sites are on council's website from when council considered the matter on the 11th of August. Since that date, some of which - I'll take you through the material tonight – was considered by councils on their site inspection, which was held on the 22nd of August. In relation to all of the maps that I've got up here, the blue sites are council-owned sites, the yellow sites are the ones that are under consideration for reclassification. So there's the two key colours there. There's also the red line that marks around the key sites within the town centres plan. As mentioned, all sites have been rezoned under the town centre's LEP and all sites are also subject to council's development control plan. First, turning to Gordon, we can see the key sites here. There's three key precinct – the Civic Precinct, which is where the library is and the council chambers. There's the Wade Lane Precinct and the Moree Street Precinct. Drilling down into one of the sites, for example, with Wade Lane, there's the opportunity for that to be considered for reclassification. The opportunity exists there with the idea of having a park in part of the lane, and in pink you'll see where it could be redeveloped at the northern end of the site, and the residual being retained as an open park. Within the Civic Chambers area and the library area there are some key strategic sites there, including the council's library site, the open space that was acquired near the chambers and across the road at the library site. This gives you an idea of what could be attained under a future development of this, although this is just an artist's impression, but it shows you there a mix of community facilities, offices

and retail, and a new modernised council chambers with cultural and community spaces and open space. Looking over at what the potential facilities are, as Andrew mentioned, reclassification is part of the process to bring forward some of these things within the Wade Lane area, as I mentioned, there would be the opportunity for a new park, new car parking underneath with a link across underneath Wade Lane within the community facilities within the community precinct, Civic Precinct there's a new cultural centre, the opportunity for a new library and a new council administration building. And on the west side of Moree Street there's also the opportunity for a civic square as part of the redevelopment of that section of the town centre.

Moving onto Pymble. Again, remembering that the sites in yellow are the sites that are under consideration for reclassification, the sites in blue are council-owned sites. Again it shows the main sites within the centre. On the bottom of the screen there is site P34. It's only proposed to reclassify the drainage reserves, which have been rezoned under the town centre's LEP. It's not proposed to reclassify the actual Cresswell O'Reilly Lookout. Drilling down into some of these sites – 2 Alma Street is an existing car park - that's a zoned local centre under the town's plan. Looking over what could happen with that, part of the site has redevelopment potential and as part of a new mixed use development. Within Pymble, the potential facilities there are between Park Lane and Grandview Street, a new pedestrian link and a public courtyard and a new public walkway between Grandview Lane and Grandview Street, and also the opportunity for a new community meeting room for the local residents.

Moving on to Turramurra. Again, within this area there's quite a number of sites. There's the Central area. There's the Northern area and the Southern area. This is an aerial of those sites. The Central area being the Ray Street car park precinct, the Northern area being around Gilroy Road and the Southern area at the back of the Franklin shopping centre there. Looking at Ray Street and Williams Street, this just shows the extent of council-owned land there in red. Again, this site has been zoned for local centre, mixed use development and the pink there shows where there could be the area with the development potential and the green showing the areas with limited potential, but also showing the new open space area around Hicks Lane. Again, the Turramurra Avenue car park and Gilroy Lane site there. Again, as shown in the DCP where there could be development in that car park and retention of an open space area on the southern side.

Mayor Ian Cross

Excuse me. If anyone would like to go outside and chat, please do so, but most, I think, want to listen to what's going on, whether you agree to it or not. Thank you.

Antony Fabbro

Thank you, Mr Mayor. On the Southern side, again there's two parcels on land there. This is an example of where council only needs to reclassify part of the site, but because it's on larger lot has to reclassify the whole site, but then the residual could be reclassified back to community land after the process is finished. Again, that shows the main purpose of reclassifying those sites is to get the new street between Duff Street and Kissing Point Road. So in summary, the potential facilities for Turramurra are listed there. The centre would be a new public civic space, multi-purpose community facility, including a library, widening of Forbes Lane, a new Ray Street pedestrian road bridge and replacement of existing parking. In the Northern area there's the opportunity for pedestrian link between Gilroy to the highway, a new park next to 1 – 7 Gilroy, and replacing the existing parking. On the Southern area around Kissing Point Road and Duff Street there's an extension to the bush land, pedestrian access and a new public space next to the bush land and replacement of existing parking.

Moving on to St Ives. Again, in the blue is the council-owned sites and the yellow sites are the sites under consideration for reclassification. They're shown in the aerial, the key sites along Mona Vale Road and at the Village Green Parade and Cowan Road. This shows the land at Cowan Road and also the site S6, which is the potential access to a redeveloped shopping centre. Again showing the areas with development potential in pink, noting that there's a sliver of land across the front of the Village Green Parade that's incorporated into that lot. If council chose to develop the other sites there's the Cowan Road car park and, as I mentioned earlier, there's 176 Mona Vale Road, which is the pink site to the bottom of the screen there, which would be the main access for redevelopment of the shopping centre. 208 – 210 Mona Vale Road, again that's been rezoned under the town centres plan. Again, that's a site that has got apartment buildings around it and there's the opportunity for that site to be reclassified and down the track to provide residential development and potential retention of the parking on site.

In summary, the facilities are listed there; a new town square, new community facility building hosting a library, neighbourhood centre, childcare, pedestrian link between the Village Green to Mona Vale Road, pedestrian arcades, a new bus area forecourt on Mona Vale Road, new traffic signalisation and replacement of existing parking.

Moving down to Lindfield. Again, the yellow sites are the sites for consideration and the blue are the council-owned sites that aren't part of the process. Again, the sites that we're looking at are mainly to the east of the highway. This site shows the 9 Havilah Lane, which is the top of the screen, which is a council car park within a Minister's targeted site and the sites to the south are within the Lindfield car park. Again, they could be redeveloped, reclassified. Again, this map shows a potential area of redevelopment, with a town square, noting it

includes parts of Kochia Lane and also council's existing 99 square metre community facility within Tryon Road. So the potential facilities for Lindfield are shown there; new town square and a new library facility.

Moving on to the last one, for Roseville. Again, the council-owned sites are shown in yellow. There's the Lord Street car park and there's also sites at the back of Larkin Lane. Again, with the Memorial Park on the corner of MacLaurin Parade and Larkin Lane, this is another site that only part of this would need to be reclassified to assist in the development process, with the remainder going back to community land. Potential facilities there are shown; new Larkin Lane parking and expanded green space, new pedestrian links from the highway to Larkin Lane and the potential for a new public park at Lord Street. And that's where I'll finish.

Mayor Ian Cross

There are a number of residents who have nominated to be able to speak and I will go through that particular list. If the person isn't here, if someone could advise us. As I said earlier to a couple of you, I would like specific reasons why you don't think a particular site ought to be reclassified or if you are happy for it to be so, if you would also mention that. Because of the number of speakers we have, I've mentioned that we are going to tape and we'll have to limit the amount of time speakers take and at the end if we haven't gotten to the planned times we can then take additional speakers. I'll start with Mr Alan [REDACTED]. Okay, he's not here. Stan [REDACTED]? Janet [REDACTED]? Would you come up to the rostrum, please? Mr Watson has suggested that I warn you, that is, the order I'm taking is the order in which people have nominated to speak. So that's where we'll...thank you Janet, three minutes, the normal amount. Thank you.

Janet [REDACTED]: It's not very often the community gets to see the discussion that goes on behind the scenes and so I'd like to ask three questions first and then just refer to a couple of emails that I have. I want to speak particularly about Williams Street and Ray Street in Turrumurra and to show that this is being unnecessarily caught up in the development, overdevelopment rush. Over the past three years there have been three attempts to reclassify that precinct, with the public land up for disposal each time. Everyone remembers the aquatic leisure centre, but this time it's still being developed. I don't know why. The three big questions are: why does the DCP include this public land in the development plan for that site when the land is not yet reclassified? Is it because we've already decided to give this precious open space to a developer? And there's only one taker, it seems, for that site and that's Coles. Why cannot the site – this is the third question – be developed without the loss of this strategic intergenerational asset of open space and public land? Emails on the 3rd of November 2006 disclosed to the community – under pressure – show how the regional director Sydney Northwest Department of Planning internally overthrew an attempt to discuss the reclassification of public land despite a detailed

submission by Friends of Turramurra and perhaps because of it. This discarded discussion advised the councils of the day instead, that we have successfully addressed these matters. This is very important for the new councillors to hear. That aborted discussion would most certainly have had a protective impact on all public land in Ku-ring-gai. The series of events since then continues, strangely, to this day to this third attempt to reclassify this public land, notwithstanding much more development is planned today than was planned in 2006. Is that it? Alright.

Mayor Ian Cross: Thank you.

Janet [REDACTED]: There's more to be said, but I'll have to say it privately.

Mayor Ian Cross: Okay, hopefully there will be time for that. Okay, Don [REDACTED]. Desley [REDACTED]. The reason that it has been set out like this, and if you want to blame anybody, blame me, is so that councillors can hear what residents have to say. The information that is gleaned from tonight will go to all councillors – Mr Watson says that it will also go on the Web – but it'll give councillors an opportunity to consider that which is said tonight before having a briefing whereby these things can be discussed. If someone doesn't want to speak, that's fine, but my understanding of the articles that I've read, one-eyed...sorry, you have an opportunity to speak. If you don't wish to speak, send an email or you can wait until it comes up for further discussion. At which time, residents may also be given a further time to speak. Natalie [REDACTED]? Thank you.

Natalie [REDACTED]: Sorry, but three minutes...it's impossible in three minutes to cover...it's actually impossible in three minutes to get through everything I want to say. You want me to talk about specific sites, but I can help but actually mention that it's absolutely outrageous that you're selling off or you're wanting to reclassify 39 sites, at least 39. this is an additional 18 to what were put up for reclassification last year, including the Town Hall and other major community facilities in Ku-ring-gai and I wonder why you are reclassifying when there is no direction from the current Planning Minister or Minister Beamer, back in 2004. and I have a directive here from Minister Beamer in a Section 55 directive, nothing about reclassification. All she says is that to rezone and to facilitate the development of multi-unit housing and increase housing choice. It's all about rezoning, nothing about reclassification. And then the gazettal order for the Planning Panel also doesn't mention reclassification there. It's only about preparing a Local Environmental Plan for the town centres. I don't...the wording... 'all functions of council in relation to making of an environmental planning instrument under Part 3A of the Act, but only in relation to control of development within the Ku-ring-gai town centre.' Nothing specifically about reclassification. And in fact, in the town centre's LEP that was exhibited just in November and December, the executive report, written by, I gather, Andrew Watson, on page 35 says 'residential yields – the table below demonstrates that the Planning Panel anticipates that once the town centre LEP is in place there

will be a development potential of 13,133 net additional dwellings across the LGA. The following sites are assumed to be unlikely to be redeveloped – all council-owned sites. Reclassification is out of the control of the Planning Panel.’ So all these sites have not been counted towards our dwelling yield. It’s going to be massive development if you’re talking up to 10 storeys on these sites and that will just add to our already excessive dwelling yield. And then we have the DCP, of course, which also just assumes public land is included and yet, there’s going to be very little...I really wanted to talk specifically about sites.

Mayor Ian Cross: Keep going.

Natalie [REDACTED]: Sorry, but the DCP is quite outrageous because you talk about community facilities being replaced, but a developer who buys the land according to the indicative base plans, will not have to provide community facilities or even very little public benefits. It’s only if he wants to apply for an additional floor and take it up to 10 storeys that he’ll be able to apply for public benefit and he only has to meet one, a minimum of one public benefit.

Mayor Ian Cross: Thank you. Mrs [REDACTED]?

Kathy [REDACTED]: Why are you (*inaudible*)

Mayor Ian Cross: It’s the only way to fit the number of speakers into a particular time. Now, I said in the beginning if all of the time hasn’t been expended then people will be able to come again. Mrs [REDACTED]?

Kathy [REDACTED]: Again, there are so many questions I would like to ask and be able to receive replies, but unfortunately this is not...we’re not able to do this tonight. I’d like to know exactly what is this land worth? In millions and millions of dollars, that we’re handing over all these concept proposals that may or may never get off the ground, either in the next few years or years down the track. Why would we be reclassifying this land, taking away plans of management for this land and handing over the controls of this land to the Planning Panel and the Minister for...and the state government minister to determine what we are to have in Ku-ring-gai? This is the only bit of land that you have control over and by stripping away this operational...to operational you’re allowing the state government to sell it off, do what they like with this land because they will have the control of this land. Now, and this is it, none of the town centre plans have any real master plans. There’s no staging, there’s nothing. It’s just all up in the air as to what will happen. So here’s this valuable community land that we have purchased over the last hundred years; it’s been gifted over to the community for our benefit for future generations. Now we propose, under these paper concept plans, to hand over the power to Planning Panel to deal with. It’s just irrational. It is...now again, I’ve got so many points here and I’m not going to be able to get them out, but some of the councils have received some of these. The council’s facilities planning is not grounded in studies demonstrating persuasive

demographic locational and demand analysis for community facilities other than libraries. Council facilities plan for libraries will lock council into inadequate premises within the foreseeable future. Council has not carried out any community consultation for the facilities identified in the DCP, although we know from FOI documents that council's been dealing with commercial interests behind the scenes. So in my view this forum is very disappointing tonight because we cannot give a free and open exchange. We cannot hear the councillors' views on these sites and this is what we elect our council for. Again, it's the same old session, three minutes, go and sit down, we'll look after it.

Mayor Ian Cross: Mrs [REDACTED].

Mrs [REDACTED]: I'm giving my time to (*inaudible*)

Mayor Ian Cross: If Kathy's here at 8.30 she can have it. Peter [REDACTED]?

Interjection: You're working for us.

Mayor Ian Cross: If you want to sit and listen, please stay. If you want to argue, this is not the place or the time. Is Peter [REDACTED] here? Okay. Mr [REDACTED]? Alan? No.

Interjection: I'm not registered. I just wanted to get my name down so that I could speak.

Mayor Ian Cross: We'll worry about that at the end. Mr [REDACTED] not here.

Mr [REDACTED]: I'm here, but I'm not speaking.

Mayor Ian Cross: Okay. Thank you. Geoff [REDACTED]?

Geoff [REDACTED]: I've got a lot to say, but you wouldn't want to hear what I say.

Mayor Ian Cross: Christine [REDACTED]

Christine [REDACTED]: I'm donating my time, too.

Mayor Ian Cross: To whom?

Christine [REDACTED]: I'll donate it to Natalie.

Mayor Ian Cross: Mr [REDACTED]? Mrs [REDACTED]? Sue [REDACTED]?

Sue [REDACTED]: Like a lot of other people I didn't expect to speak tonight. I really came along tonight to learn something of what's going on in the neighbourhood. I came along this evening and I'm grateful that we're given the opportunity in this

democracy to be able to speak and I have no speech prepared, but I've been told that it was an information evening so it must cross both ways and I'm very dismayed that you want to get rid of all this land. It belongs to the community and I'd just like to say generally, that I trust most people in my daily life to do the things that they've been hired to do and on a personal note, you had some surgery today and I'm sure Mr Mayor, that you trusted the man to do the job. We trust the guys who run the air conditioning and people have very busy lives. We can't check on everything yourself; you have to trust. I've never spoken at council before and I've lived here for quite some 30 years and I really don't think...I think you have a duty to keep the land, not sell it off. Thank you very much.

Mayor Ian Cross: Thank you. Sue [REDACTED]? Richard [REDACTED]? [REDACTED]? I think he stood in St Ives. Dinah [REDACTED]?

Dinah [REDACTED]: Here, here. Present.

Mayor Ian Cross: Thank you.

Dinah [REDACTED]: Is this contraption working? Is that working? Thank you. Good evening all you new councillors, but I hope you'll be taking on what's being said. Well, we've all seen and heard the mess the state government's in, specifically the Planning Department. Seen on Stateline on Friday night and listening to Tim Robinson, the barrister. So why are we here? Foregone conclusion. They can do what they like. Here we have 50,000 square metres of land which appears to be on the chopping block. This land belongs to the community. It's been managed, retained in hands of previous Ku-ring-gai councils for more than a hundred years and yet one council can change this forever and just walk away. We must retain what remains of this beautiful piece of Australia for future generations, not for more concrete, loss of vegetation and a decreased healthy place for human beings to exist. Now, just a while ago Mr Watson, when he was talking to us, he said when it's gazetted, not if. Is there something you know that we don't know? Now, at a previous council meeting that was noted on for site inspection of community land, there was a young Scout leader and his troupe present and they also looked at the development plans for the six town centres, which were on exhibition. This intelligent young man remarked that we needed more playing field, parks and facilities to accommodate the growing young population, not more high-rise apartments. Then he asked what classification meant. He was interested to learn more, but commented that crime would increase and make it unsafe for people travelling in public transport or just walking home from work. That's the type of young guy we should be thinking about so his children's children can be proud of our council for protecting us against further destruction by unscrupulous planners and developers. Then there is a young woman that stopped me in the street at Lindfield and she had a child in a pram and she said could you tell me where there's somewhere that I can take this child and I said well there's no open space around here, I don't

know. She said I'm staying in one of those developments round the back of Lindfield. This young woman looking for somewhere to take her small child. No open space. And what do we do? We go down the street, sit in the gutter and have our cup of coffee. There's nowhere to sit and have anything pleasant. Cheerio.

Mayor Ian Cross: Marie [REDACTED]?

Marie [REDACTED]: I didn't actually put up to speak, but I don't mind saying a couple of words.

Mayor Ian Cross: You may. And Marie, you're followed by Mike, if you brought him.

Marie [REDACTED]: I did bring him. I did, actually. I was just very confused because I also thought I was coming here to hear a bit of whatever and I was looking at those bizzos on there and I didn't understand. I wanted a few specific things because when you talked about some in Gordon, Wade Lane, and said a garden, well I want to know where the cars are going because there's...

Interjection: Underground.

Marie [REDACTED]: Underground. How deep are we going underground? Seriously, there is not enough parking. People are now coming from the Central Coast and they park nearly to my place; I'm three-quarters of a mile from here. As you drive down Pearson Avenue, you'll note I did write in to the council and say there's a near smash here because you're parking on a corner as you go round, but you know, they moved it back about five feet and they're still there. There's not enough room for the council truck and me to go down the road and pass and I just wonder, you know, you've got to think – everybody's going to drive a car and let's get real – we do catch the train, but you're going to drive a car. You've got to put up more buildings, that's more people – where are you going to park? And you have to think about it seriously. I mean, it's just basic. I want to know how...and I would like to know where the park in Wade Lane was going to go, please? I don't care who's going to pay for it, I want to know just where it's going.

Mayor Ian Cross: We have taken a note of your question. Tonight is not the night that you will get the answer.

Marie [REDACTED]: Well, why not, because he's made the plan. He should be able to tell me. Yes, please put up the plan and tell me because I think if you've put that plan up there you must have a view about what it's going to be. No, no, no, it has to be a concept. Where are you going to put a building? And where is the park going to be and where are the cars going? I would really seriously like to know. If you make a plan you must have some idea about what the plan is.

Seriously. Could we have that up on there? Are you in agreeance with me? I'm very basic. No, I want to know what you mean by that.

Mayor Ian Cross: That's it.

Marie [REDACTED]: Right, okay where are the cars going to go? You come down St Johns Avenue, you turn left into there to go up into park; there's no other way to go anymore. How do you get up there? Is that going to be...or is that buildings all over the top of that? Isn't anybody going to answer me? No, no, no, no, but you've got to have a concept because...you've got to have a plan. Are you not going to answer me? Is that the thing?

Mayor Ian Cross: No, I'm not. At the end you may speak. Mike, did you want to speak?

Marie [REDACTED]: Well, sorry folks, but I don't want to vote for something that isn't going to happen – do you know what I mean – as we'd really like it.

Mayor Ian Cross: Michael, after you it's Christiane [REDACTED].

Michael [REDACTED]: I grew up in Balmain. Where I grew up there's one tree. That's a whole of nature we got to look at. I came up here to Ku-ring-gai about 30 years ago and it was wonderful to be able to live in an area where there were so many trees. It was a revelation and I cannot believe that we are going to give up the land that the public of this community owns so that we can put our faith in some developers who might or probably wouldn't be prepared to do anything but put a miniscule garden. That's all I've got to say. Thank you.

Mayor Ian Cross: Christiane? Okay, after which John [REDACTED].

Christiane [REDACTED]: I'm not prepared either; I thought this was going to be an exchange, a formal exchange between councillors. Okay, the first thing I want to say is just confirm what Natalie raised. There's a misinformation campaign by one of the councillors, none of them here, about reclassification. There is no directive for reclassification. The only directive from Di Beamer is for rezoning, which is a completely different process and I would ask can council please do something about this councillor who is dispelling this misinformation and has done this in prior years and influence both the residents who receive his emails and the councillors who may be new to this council. Secondly, Mr Fabbro is presenting a list of facilities, as if reclassification depends on this and yet, Mr Watson states 'reclassification is only one way to achieve new community facilities.' I urge our councillors to consider this. I don't have the details of the plans, the valuations or other things, but there is Section 94 contributions, there are public benefits criteria and there are also private public partnerships that are other means of obtaining community facilities and to automatically go to selling off or trading off community land is abhorrent when you look at the public benefits

that some of these major sites like St Ives shopping centre and the Coles site will be getting in addition to public benefits. When showing these sites the council officers also talk about their development potential. Why are we talking about all this extra development potential when the development yields on community land have not been accounted for in the Planning Panel yields, and yet council figures show that we're providing well over and probably 18,000 80% over the target figures. Why is there this fixation on development potential on community land? Also, reclassification is the one process where councillors will be able to make a decision which will determine the future of public land and potential public space for residents. Once it's reclassified, integrated into development and the LEP will be in the hands of the Planning Panel or a joint regional planning panel and then we have no say and we're not sure that any of this land will be reclassified back to community. That's just promises. With regard to St Ives, I'm extremely concerned that there will be not enough car parking, the shopping centre has incrementally increased over the years and is 190 car spaces short of its quota. Going into deals with developers does not ensure good outcomes for the community. We need some guarantees. I think that the Cowan Road car park should not be reclassified for the development unless we can be assured that those public car spaces are going to be replaced by public car spaces and not necessarily all under the shopping centre...

Mayor Ian Cross: Thank you, Miss [REDACTED].

Christiane [REDACTED]: At the moment we are going to end up with a net loss of car spaces and a net loss of village green to make up for the car spaces that are going to the shopping centre or can't be accommodated by them. Thank you. I'd like to go on, but...

Mayor Ian Cross: John [REDACTED], followed by Margaret [REDACTED].

John [REDACTED]: Thank you Mayor. I'd just like to read a statement that you probably won't agree with because you want to go for particulars, but I think it is necessary because of what I've heard tonight that we really need to know what we are talking about and I'd say that I strongly oppose the decision by council to classify public land to operational land. There may be some justification for certain parcels of land to be reclassified from time to time, but these instances should surely be brought before council to allow the opportunity of input from residents to confirm or oppose such reclassification. I think we've already had that demonstrated to us tonight. It is totally undemocratic to propose this overall reclassification without your community support. This is land that belongs to the ratepayers and should therefore be subject to scrutiny before any change is permitted. Let our councils truly reflect the community views and wishes, rather than ride roughshod over them as has happened with the current Planning Panel. I think this message reflects the thinking of a very large section of our community in Ku-ring-gai and that it gives you sufficient reason not to allow our land to fall into the hands of another planning panel. Now, there are particular instances, I

think, that I can refer to in respect of St Ives, where the public land – Mr Watson said there can be a plan of management. Well why shouldn't we go that way, rather than this total reclassification? The problem that I see with reclassification in particular is that it is going to be subject to the Planning Panel and therefore, will be subject, once again, to our input not being listened to at any cost. The meeting of May the 27th was a great demonstration of that, where those that went and spoke were absolutely disregarded in every way by the panel and that was demonstrated so clearly that night it was an absolutely disgraceful meeting, Mr Mayor. The village green – there's been a lot of talk and subject as to what is going to happen to the village green. Now, we had a meeting about the village green and there was quite an interesting meeting, two meetings, in fact, up there at the community centre, and we haven't had any input back as to what the design and the concept of what is going to happen to the village green due to those meetings, but the one thing that does come out of it is that that access road alongside the village green, if it allowed to be utilised then the overall plan of the...enlargement of this area, the shopping centre, what happens to the parking that is currently used, unless the developers pay for considerably deeper parking areas than the surface parking that is allowed now.

Mayor Ian Cross: Thank you, Mr [REDACTED].

John [REDACTED]: Thank you.

Mayor Ian Cross: Margaret [REDACTED] After which is Mr [REDACTED]. Neither? Okay. Mark [REDACTED]. After Mark we have Kay [REDACTED]

Mark [REDACTED]: I'm actually here as the president of North Shore and Districts Softball Association. We've been involved in the village green master plan process. I didn't expect to speak tonight. I, like a lot of other people had no idea this was the case and I just simply came along to listen. There seems to be a lot of regulars here that are heavily involved in the development debate. From our point of view, anything that would deprive the community of open space, the softball community is against. We cater probably for the second largest women's sport in the municipality. We have about 1500 ladies and girls playing every Saturday through winter and we've been on Cowan Oval on the village green for 40 years. It's a volunteer sport. I, myself, am a volunteer and we have a whole group of volunteers, like a lot of other people do whose kids play sport within the community and if the reclassification, particularly of the top car park on Cowan Road, will impact on our sport, our members have given me the authority to oppose it. If there's any other way, we will email the council. I imagine, as I'm looking around here now, and I'm seeing...excuse my ignorance, are these new councillors? Or relatively speaking anyway, because I can't see all the councillors here.

[REDACTED]

[REDACTED]

Mayor Ian Cross: Thank you, I think we can leave that to another time.

[REDACTED]: Shall do. But in a general sense, I'm not well enough prepared to talk specifics. As I said, I came here tonight to learn; I had no idea that a speech was required. Thank you.

Mayor Ian Cross: Thank you. [REDACTED]? [REDACTED]?

Peter [REDACTED]: I'm not in favour of the reclassification, but I yield my time to the question and answer session.

Mayor Ian Cross: Okay. Mrs Jan [REDACTED]. After which we'll have Robert [REDACTED].

Jan [REDACTED]: Good evening Mayor and councillors. I'm not terribly well-prepared either, but I wish to talk about Lindfield in particular. I did speak several years ago about the reclassification there and I'm confused to know why we need to have the Pacific Highway site, Seniors' Resource Centre and the COPWA and the car park reclassified. I'd like to know who's going to buy that. Is it for multi-storey residential? I'm confused to know whether that is the plan. Also, the library, the current library and the tennis courts. I understand that that is up for grabs as well. On the other side of the railway line we've got the Havilah Lane and the Kochia Lane and the Tryon Road car park and I understand that land is to be made into a tiny pocket park with a library development etcetera and I question the necessity for that in the present form. Similar, the early childhood centre. I would like to know what benefit we're going to have from selling the sites, the first set of sites – the current library etcetera – so...I haven't got any other comments, but I remember the discussion that happened before and it was very unsatisfactory at that time. I have nothing more to say now. Thank you.

Mayor Ian Cross: Thank you. Robert [REDACTED]. Okay, my eyes – I can't read the next one. Wally [REDACTED] sorry. It's my eyes, not my diction.

Wally [REDACTED]: My name's Wally [REDACTED]. I am probably going to get shot by most of the people here because I'm a developer. Can you hear me? My partner, Robert, and I are the developers of the units that have been built on the car park at Lindfield, the Sandstone Building that fronts to the car park and coffee shop there. Everybody is tarring developers as being people who are going to come in and ruin and destroy the area.

Interjection: You have.

Wally [REDACTED]: No doubt...we agree...

Mayor Ian Cross: You will listen, Mrs [REDACTED].

Wally [REDACTED]: We agree in many ways that that's true. We've been trying to work with the council. We've been here and involved for six years, since we bought the first property and we've endeavoured to work with the community and with the council and we feel as though we've been able to do that, gradually over time indicate that yes, we're here to make changes to the community, but to do them in a sympathetic way and work with people rather than impose it from the top down. We also own the Caltex service station on Lindfield Avenue. That's part of the Minister's site and that directly backs onto the council car park. We are waiting now to enter into negotiations with the council for the orderly disposal of that land. It's a...25 car parking spaces in there.

Interjection: Is that the one in Havilah Lane?

Wally [REDACTED]: In Havilah Lane. It's by and large underutilised by way of the fact that there's a couple of hundred spaces in the main car park in Tryon Road and it's also part of the Minister's site, which was basically taken out of the control of council. And we are looking to work with the council and the community as to what should be appropriate form of development in that site. We have been waiting for quite a while whilst this is being decided on what's going to happen with making it operational land. The local residents, we've basically designed, bought the land, designed it, built and sold all of the units that we've built in there ourselves, personally, Robert and I and we have been liaising with the people over the last few years and we have a pretty good feel as to what they want and what people are looking for and we've responded to that need and we try to. So we like to share the benefit of what we have learnt in terms of what people are wanting and that is pretty specifically additional shopping, which doesn't exist. And the way that it's zoned now, the shops on the highway will never be redeveloped because of the fragmented nature and the small allotments, they're just unviable and they will always be unviable, even over a 25-year period.

Mayor Ian Cross: Thank you Mr [REDACTED]. John [REDACTED] followed by Sue [REDACTED]

John [REDACTED]: I didn't expect to speak (*inaudible*)

Mayor Ian Cross: Thank you.

Sue [REDACTED]: I didn't expect to speak, either, Mr Mayor.

Mayor Ian Cross: But...but...

Sue [REDACTED]: And I'm very angry that this meeting has turned into what it has. It was advertised as an information session with the councillors, who I would have

loved to have had a conversation with all you lovely people who work hard for us and I would like to work together with you. I'm from Roseville, for all you new councillors. We have one little bit of open space on the eastside of Roseville – the car park. I don't understand - it's going and we're going to be given a park. Can you tell me where the cars are going to have a car park? Mr Fabbro, can you tell me? Why are we reclassifying the only little piece of open space we have? I just don't understand what the plan is because it will be sold to a developer to extend from the back of the heritage shops. So I'd like to see a plan of Roseville with the car park as an open park. Thank you.

Mayor Ian Cross: Thank you, Sue. Helen [REDACTED], followed by Neil [REDACTED].

Helen [REDACTED]: No, I didn't put my name down to speak.

Mayor Ian Cross: Okay, Helen. Neil [REDACTED]? Okay. Rosa [REDACTED]. Rose [REDACTED]? Matthew [REDACTED]? Philip [REDACTED]? Noeleen [REDACTED]? Steven [REDACTED]? Cheryl [REDACTED]? Donald [REDACTED]? Paul [REDACTED]? Mr [REDACTED]?

Mr [REDACTED]: Mr Mayor, my main concern is the car park opposite Patterson's on Mona Vale Road. It was purchased by rate levy by the shopkeepers on Mona Vale Road and I'd be about the only one that is still around that had the rates levied at that time. Now, it's only half developed at the moment and the other half, with all the five-storey units going around the back half of that block should be kept as a green open space for the mums with little kids to have their coffee and whatever else. And if they rezone it for five-storey block it will be gone and previous council was talking about purchasing properties to make more green open space. They already have this here as a green open space with a car park in front and I cannot see why they should rezone it from other what it is now. I've been a Ku-ring-gai resident for over 78 years; I was born and bred in Turrumurra, grew up and moved to St Ives and I've been involved in St Ives since 1943. so I feel pretty strongly about all the rezoning and reclassification that's going on. Thank you.

Mayor Ian Cross: Thank you. Don [REDACTED]?

Don [REDACTED]: Mr Mayor, I'd like to defer (*inaudible*) so I'd like to defer to Alan [REDACTED]

Mayor Ian Cross: I thought you were going to defer to Desley.

Don [REDACTED]: Can I ask Alan to speak on my behalf at this meeting?

Mayor Ian Cross: You can, but I'll get Alan a little bit further down; I'm taking people on the list. Janet [REDACTED].

Janet [REDACTED]: Councillors, the reason why I'm speaking is not that I'm totally opposed to the reclassification of public land, but what I am opposed to

is the manner in which it appears to be presented. It looks like we're trying to remove all obstacles so that whatever development, whoever now or in the future wished to undertake it will be very easy, but the loss will be the welfare and wellbeing of the community and convenient community spaces. I was on council when this first came to council and I must say at the time there was a report from the Star that these lands, or most of them, would be operational. The council at the time – and thanks, I think particularly, to Councillor Pallan – saw that the car parks in particular were really, really important behind the shopping centres as a buffer. They saw that there were community facilities that we could ill afford to lose, so I ask you new councillors and all the councillors to please consider - your responsibilities are great, but your ability to make decisions has been greatly diminished. Please grasp this as one of the few chances you have of securing benefits for the community now and in the future because what it would appear is that where ideas and concepts have come up there is no plan for actual replacement of the facility, the function and the value to the community and the use, particularly, for instance, Wade Lane. It works and most of these spaces work. Please keep them working for the community.

Mayor Ian Cross: Thank you, Janet. Giles [REDACTED]? After Giles we'll have Frazer [REDACTED] if he's here.

Giles [REDACTED]: Thank you, Mr Mayor. Here we are, yet again, having to defend that which should never need to be defended. The context of Pymble – before I touch on Pymble properties themselves is this – so far as our village shops are concerned, they will be totally gone. One hundred percent of Pymble's old village shops will be demolished, razed, not one will be saved, zero. Our small village character so-called, that the government loves to describe as a small village in the case of Pymble – totally destroyed, with seven-storey towers on our narrow Grandview Street, on our steep section of the Pacific Highway, the steepest part of the municipality. So the small village character totally gone. Our sense of human scale totally gone. Let's look at the four pieces of land, because I think Mr Fabbro omitted one, if I've got it right, which is the small parcel of land in Post Office Lane. Four, not three. Let me start with Cresswell O'Reilly Lookout, it's a park. It's the only bit of green space we've got as the highway goes through Pymble. Far from it being simply the purpose of tidying up easements for drainage, may I remind those in council, councillors and staff, the purpose is, quote 'to achieve efficient development parcels.' The goal of tidying up the easements is not to facilitate drainage, it's to achieve efficient development parcels. So our only lookout in Pymble, named after the greatest man we've had, Cresswell O'Reilly. Well, one of the two greatest; the other one was Mr Thistlethwaite. Our lookout will now facilitate tower developments. So much for a lookout. The same fate as Grandview – the house which had the name Grandview – and what did we do? We put Hong Kong slum-style developments with exposed air conditioners. What a joke. The council rezoned it, though. It was too late by then. So here we are, Cresswell O'Reilly Lookout. What are we going to get? A facilitation – and I quote – 'to achieve efficient

development parcels.' This is council's note, 29th July 2009, page 10 of 6 or item 10 of 6. If that is the purpose, then don't do it. The second one is Alma Street. Number 2 Alma Street, here is an opportunity to create a pocket park, one of these jargon expressions that the Department of Planning is so fond of, a pocket park. This is the gateway area from the height from the railway station and Grandview Street to the park. Here is an ideal opportunity; it's there, we don't have to buy it. Use it as an adjunct to the Robert Pymble Park, our only open space. Why put high-rise? Why hand it over for future development? The third one is the lane, 65 Grandview, we now know in this enlightened era of good civic design that public pedestrian pathways are a good idea. They're essential for people with prams, children, to link areas within the small village without going through the smog and the busy road. Why alienate a public pedestrian pathway? And lastly, if I may, the item that I think Mr Fabbro overlooked, which is the piece of land in Post Office Lane that is an essential tiny piece of land to create a buffer between seven-storey towers and a heritage item at 4A Park Crescent. Here is a beautiful heritage property, the remnant residential housing of Robert Pymble Park on that side of the park and the small piece of buffer that will share it, on its back fence, it hasn't got much of a setback at all on the back fence, with seven-storey buildings is going to be handed over for eventual development. What a tragedy. What a way to treat heritage.

Mayor Ian Cross: Thank you, Mr [REDACTED]. Is Frazer [REDACTED] here? Maureen [REDACTED]? Mark [REDACTED]? Laurel's gone home. M [REDACTED]? L [REDACTED]? Alan [REDACTED]? I have to take you I'm running out of names.

Alan [REDACTED]: Before I start speaking there's just a couple of things I need to clear up because it's going to determine what I do say. So if we could go to the Turrumurra section of the presentation just quickly. Okay, well that slide's a good slide. I'm just curious about the Ray Street car park and they way William Street is outlined in yellow – yellow or green – can't tell. Is William Street part council-owned land or is it RTA owned land or...I don't know what it is.

Mayor Ian Cross: Road reserve.

Alan [REDACTED]: It's a road reserve, but who controls that?

Mayor Ian Cross: Okay. The yellow line is council-owned land.

Alan [REDACTED]: Okay. The next question I've got quickly is if we could go through a couple more slides. The next one there. Am I correct that the picture there shows a development on the Turrumurra Avenue car park? Is that correct? Or a potential development envelope? That's what it seems to be. If we can go to the next slide, another couple of slides on please. Another one. I'm just curious then because this one here says if I look there where the Turrumurra Avenue car park is it doesn't actually seem to be a development shown so I'm curious to what is

going on. Is there going to be a development there or is there not? Because those two pictures are in direct contradiction to each other.

Mayor Ian Cross: Okay, just keep talking.

Alan [REDACTED]: The next thing I've got is new central area...new civic space 2000 square metres. I just want to make sure that that is the area that used to be called William Square, is it? On the sort of area where the Coles supermarket is, is that correct?

Mayor Ian Cross: Are you having three minutes of questions?

Alan [REDACTED]: No, I just wanted to clear this up before I speak because this will determine what I say. I mean, I can't understand this. It's just all in conflict with itself so I don't actually understand what...I just want to clarify that.

Mayor Ian Cross: Just keep going.

Alan [REDACTED]: Okay. Alright, well I'll start now. Again, I'm not prepared to make a speech either, but I'd like to say these things. If we do look at the car park.

Mayor Ian Cross: It's okay. Keep going.

Alan [REDACTED]: Okay. Thank you. If we do look at the car park there on Ray William Street, that car park is 4,052 square metres in size, just the car park. Now we're being told that we're going to get a new civic space of 2,000 square metres, which is precisely half the size of the land that we're going to lose to development, so I don't actually understand what the public benefit there is. It seems to me we're losing half our land. So I have a direct objection there to that plan and the William Street area. It seems to me we're not getting value for money there. The next question I have and other people have brought it up – or the statement I'd like to make is this business of that we don't actually need this to meet our development yields. It does say explicitly in the Planning Panel documentation that we're meeting our targets with no development on council-owned land. And in fact, with only 50% of the B2 land developed as well. So it seems to me there's no justification for doing this reclassification in order to provide all these marvellous development opportunities that are being put to us. So again, I don't understand it. I'd like to go back to the retail study because if we forget dwelling yields and we look at just retail yields, the original retail study said for the population increase planned for Ku-ring-gai, the 10,000 dwellings that were coming to Ku-ring-gai, we needed 4,000 square metres of additional retail capacity in Turramurra, mainly as supermarkets. If you look at the size of the land there on William Street that is amalgamated...if we could go back...okay, if you look at that floor print for what they're proposing on the Coles library site, that floor area is something in the region of about 10,000 square metres. Now currently there's a 1600 square metre supermarket and 750 square metre library

there. If you then say well we're going to have two storeys of retail and commercial, that to me says in the region of 18 – 20,000 square metres of retail and commercial capacity there. If you subtract 30% for net floor area, okay we get down to 15,000. We take away what's already there; we get down to about 12,000. Well that to me says that one development there alone is three times the total requirement in the retail strategy for the whole of Turrumurra. Okay? That's before we get to...that's before we get to what you're going to do on the Turrumurra Avenue car park, what you're doing on the Franklin's site, whatever. So again, from a retail commercial yield point of view I can't see what's the purpose of giving this over for development. We just don't need it. We don't need it for dwellings. We don't need it for retail or commercial. Next thing, Turrumurra Avenue car park. I remember it as clear as crystal in a planning meeting here a number of...about a year and a half ago when we were looking at open space shortfalls for the centres and we got to the thing where we discovered that on the north-side of Turrumurra, in and around Turrumurra Avenue car park area there is a 3,600 square metre shortfall of open space. The Turrumurra Avenue car park is 3,619 square metres. Why would you reclassify it and give it over to development when it is the ideal size and ideal location to meet the open space shortfall. It makes no sense. I could keep going. I will keep going. The railway garden – this is another bugbear. The DCP tells us that with negotiation we may get the railway garden as open space. The LEP zones it SP2 infrastructure. Right? It will never, ever, ever be open space. Get that into your heads and stop lying to the community about this. This has been going for years. It's a flat lie that that railway garden will ever be open space. Again I think we have a major problem when we're looking at the reclassification of land separately from open space acquisition strategies. To everyone in this room, our car parks, all be they car parks and we're told...

Mayor Ian Cross: Thank you, Mr [REDACTED]. It sounds like a church service; you've had so many bells I can't believe it.

Alan [REDACTED]: We have more time so if other people want to speak that's fine, but if I can come back and speak I'd like an opportunity to.

Mayor Ian Cross: We'll see how we go.

Alan [REDACTED] Okay, thank you.

Mayor Ian Cross: Thank you. Are there any other people who have put their name on the list who would like to speak? Name, sir? Lawrence [REDACTED].

Lawrence [REDACTED]: My name's Lawrence [REDACTED] and I'm from St Ives and there are three areas that are under review for St Ives and I just don't understand why. First of all, there's a childcare centre. You're adding I don't know how many thousands of apartments to St Ives, aren't people going to come with kids? Are they going to need childcare facilities? Why turn it into a block of flats or

apartments? Mr [REDACTED] – depending on which pronunciation you prefer and I'm not sure which you prefer – spoke very adequately about that parking site. That is insane. We lose key parking that supports the shops on the corner of Stanley and Mona Vale Road. Where are people going to park? Oh, I know – let's make them go down to Stanley Street and go up a little lane and down a lane into a parking station. That doesn't make sense, gentlemen...and lady, sorry. The real problem, in my mind, is the public parking on the shopping centre or on the...that's the one...Village Green Parade. To give away key parking that's designated or in the minds of the community, at least, is designated for use for those people who want to use the village green or play sport on the field there. If I understand what's going to happen correctly, we're going to trust the goodwill of the developer to provide parking for people to use the village green and the sporting facilities. How many spots is he going to provide? Will they be fenced off from the general shopping public? Will they be in a convenient position for people to carry their sports bags and their sporting equipment and their barbecue gear into the public park? I answer no. I answer no. Will they be on the ground floor, you know, three basements down in a poky corner with no access to a lift? And when this shopping centre follows what every other shopping centre in the country is doing and charging for parking, will people who are using the public park, the village green, have to pay to park to use the village green? I'm willing to say yes. The other thing that I've heard tonight which didn't come to me – and I've got 30 seconds, which is just perfect – if I understand correctly our council is proposing to give away control of something that we have 100% control of. Why? Why? It doesn't make sense. It just does not make sense. If you own something that has value to you, that you use, that your community uses, and clearly the community loves, why are you giving up control of it? Thank you.

Mayor Ian Cross: Thank you. Okay. Kay [REDACTED]? No. Okay. B or G [REDACTED]? No. Sorry? Declined, okay. Thank you. O [REDACTED]

O [REDACTED]: I feel so strongly about this I've got to say something. I'm a former teacher of physical education in this area, teaching at Ku-ring-gai High School, Turrumurra High School...the...Hornsby Girls before then. I know the value of open space land and the desperate need for it to keep kids on the straight and narrow. They can work things out on a sporting field that they'll never work out any other way. They can learn about themselves doing that. They really have a need for open space. When you look at the village green and see it on a Saturday morning, it does wonderful things for me to see the enjoyment of people there, but where the heck are they going to park? They need space to park, but not at somebody's bidding of you will park here if you will pay. Please keep the parking. I parked today myself in that little car park opposite Patterson's and as I sat there I thought to myself what absolute stupidity to get rid of this space. We need all of the parking we've got there. We need lots more places for children to play, otherwise we'll have the hordes of kids being a nuisance to themselves, their families and this will not be the St Ives that it

should be. And I say the same for every other community around about here. Turramurra, the same thing. We need open space. We need people caring about kids and we need them to do it now. Thank you.

Mayor Ian Cross: Thank you. Orb [REDACTED]? Okay. Mr Brendan [REDACTED]? I'm happy to hear what you say. Mrs Brendan [REDACTED]. Larry [REDACTED]? Okay. Those who haven't put down their name...yes...you...ignore Alan. Come out.

Yvonne [REDACTED]: Yvonne [REDACTED]. I'll say my name because it wasn't done. I can't believe this whole thing. I'm sitting there thinking I'm on a different planet. There are two ministers involved; the Minister for Local Government and the Minister for Planning. It seems to me the planning has simply hijacked the whole thing. Now we went through one public hearing before and we got a reply back that it had not been followed correctly, so can we go back to the thing before the next steps – the process. Could we get that on? No, before that. Before that. Before that. Before the next step. Before...at the beginning you had one, two, three, four. That one. Okay. Now we have step four, look at that – formal public exhibition and public hearing, only after Ku-ring-gai Draft (*inaudible*) has been gazetted. Now once the thing has been gazetted it's no longer a draft. Okay. So that that means that all the thing has been gazetted as though it has been reclassified. So look at step five – a formal public hearing conducted – what's the point? What's the point of having a public hearing when you have a gazetted plan? And then you go down and it says final determination of draft LEP made by the Minister for Planning. It's no longer a draft LEP; it's been gazetted, so the whole thing just doesn't make sense. I think all our complaints should go to the Minister for Local Government to say that this whole thing has been absolutely hijacked by planning and that the two ministers work it out.

Mayor Ian Cross: Mr Watson.

Andrew Watson: Mr Chair, the draft LEP referred to in step 7 is only the reclassification LEP; it's not the town centres LEP. Back in step 4, that's talking about the gazettal of the town centres LEP. So there's, in fact, two LEP processes there. The reclassification is dealt with as a second LEP.

Mayor Ian Cross: My understanding is that we don't have to do it anyway.

Andrew Watson: Correct.

Mayor Ian Cross: Are there any councillors that would like to...Alan, we'll come to you in a minute. You, sir?

Speaker: Mr Mayor, councillors and especially the new councillors, staff and ladies and gentlemen. My wife and two friends, we come from Wahroonga and we came to this meeting out of interest in the reclassification of the sites in Ku-ring-gai shire. We're very sympathetic to the matters mentioned tonight and we

commend all you people who've spoken, as well. As a little sideline, I thought it was interesting when some people left early, they bowed to the Mayor as if he was the judge in a courthouse. We're really concerned...

Mayor Ian Cross: They were looking at a place to aim.

Speaker: We're really concerned about a small park in 78 Coonanbarra Road, near the Wahroonga town centre. We thought that was involved. There is an application to use this small community park as a school playground. We consider this would deprive many elderly residents and the local community of a lovely peaceful sanctuary.

Mayor Ian Cross: Their application has been withdrawn. That will never happen.

Speaker: Thank you. That's all I had to say, thank you very much.

Mayor Ian Cross: Eventually that will become public, I've been told. Now, the other hands that rose, towards the back, who haven't spoken and whose names weren't down. Councillors Keays?

Councillor Elise Keays: Hello, my name is Councillor Elise Keays and I represent Gordon ward and I suppose what I probably try and do in regards to the Wade Lane car park – our view was that you've got Wade Lane car park, where the public car park is now and then all those buildings on the other side are going to be redeveloped, which is not public land, that's under the rezoning. So our view was that should they get rezoned – well, they have been rezoned and it goes through the gazettal – if they get...people redevelop they have to provide parking underneath. So we thought if we can get enough parking underneath then we could possibly remove the Wade Lane car park in the sense of it being a car park and make it into a park to provide some open green space. But it would be on the proviso that there would be appropriate parking under the new redeveloped...on that side. So it could be a very long-term possibility, but we like the idea of providing some beautiful open space. I mean, whilst the car parking there is very functional, it's not attractive and it would be nice to be able to provide some open space on that side, but it would be absolutely dependant on there being parking provided as the developments go online. So, for me, it's a long-term process, but it's an important one to look at just to provide open space. I am not in favour at this particular point. I can only speak for myself and other councillors will have different points of view. The library site in Gordon, at this point in time I'm not happy to have rezoned because I feel...and my whole view on the rezoning, there are isolated sites that I am quite happy to see reclassified at this point in time, simply because I don't want bad planning outcomes. I don't want dead spaces. I want them to be proactive and reactive to the situation that we're facing. We're facing a difficult situation, but if we have rezoned land, which has been taken out of our hands I want to make sure that whatever we do there is a good planning outcome, but there should always be – if any community land

is involved – we have to state ‘if this land gets incorporated into development, here is what the public benefit is.’ And that doesn’t mean an extra 10-storeys or five-storeys or whatever. This is what we are going to provide and it has to be open and accountable and transparent. And as far as I can see at this point in time, for me personally, there’s only a very few sites that I think, at this point in time, could justify a reclassification because a lot of our other sites, like the Town Hall, which personally I think is a bit of a white elephant, but what do we do with it and how do we do it responsibly. And until we come up with something that absolutely the community has assessed and we’ve had good dialogue, at this point in time, to reclassify it without any kind of really concrete proposal, I don’t think is in the best interests of what council should do or what the community would want. But there, as I said, there...you know, Roseville, the site behind Hill Street – that car park there – I mean, I can’t see Hill Street being redeveloped for a very, very long time because possibly the highway would go first because it has more rezoning potential for a developer. So I think that is a long-term process. There are some sites that are very long-term, but there are other sites that I think small...

Interjection: *(inaudible)*

Councillor Elise Keys: Okay, well...

Mayor Ian Cross: Excuse me a sec...until council resolves to do one or the other, nothing is being reclassified. Councillors can only give their opinion until it comes to a vote and a resolution is done.

Councillor Elise Keys: Well I’m trying...I suppose I’m trying to give you my personal opinion as a councillor and unfortunately, because a person who has developed a site has got up and spoken before I’m feeling a little inclined not to make a comment on a particular site there, but it is isolated and it is of no real benefit in the sense of major open space. So would I consider that? Possibly. That’s something that I’ll be looking at very hard. The Lindfield library site, at this point would I consider reclassifying that? Absolutely not because it contains, for Roseville ward, some of the major community facilities, of which, whilst we have concepts and possibilities, until something is absolutely concrete then you can go to the community and you can say ‘right, we have this proposal for this new facility, but to do that we might have to...we may have to reclassify and we may have to sell. What do you think?’ And if at the time you say ‘actually we’re going to get fundamental benefits from that’ and the community feels that that is appropriate, then I think we, as a council, can move forward. So my view of reclassification, the process, I think, is being possibly a certain amount of overreaction in the sense of what reclassification could be, but I want site by site specifics and I think that is absolutely crucial because reclassification is an issue that is...well, it brings a lot of emotion, it’s incredibly sensitive, but I think if you look at a site as a part of the overall process you can say well I can see the value in that site being reclassified because this is what you’re planning to do with it.

But if you don't have something concrete then I believe, at this point in time, me personally, this is my point of view, and I would debate this on the floor of council, I don't believe in reclassification. Thank you.

Councillor Duncan McDonald: Being the newest councillor of all, I guess this is quite an experience right now going through this and becoming familiar with the whole area of reclassification. I think the points that Councillor Keays made, I think is extremely relevant here. I think the key things that are coming out here are that a lot of these things that are being discussed now need to be far more carefully thought through and I believe, from my perspective, and as a person that's lived in Wahroonga most of my life, and for driving past a lot of these places over most of my life, I feel that we need to be absolutely detailed and thorough with what's been going on. In other words, the concrete evidence to suggest it needs to change. The reclassification, as well, would have to be addressed on a case by case basis and I firmly believe that as well. I think there's been a lot of generalisations and concerns about the number of areas that are being considered for reclassification, but I think the take home message, from my perspective and how I'm seeing this, is that it has to be specifically on a case by case with a lot of details attached to that and conditions to that extent. Anyway, that's all I just wanted to pass on. Thank you.

Councillor Cheryl Szatow: Fellow residents, I'm also a Gordon ward councillor. I work with Elise Keays and we've looked...we...you may not know that councillors were taken around in a bus to look at proposed sites and they were mostly car parks. I'll say at the outset I'm philosophically opposed to reclassification of community land. That...having said that, I also agree with Councillor Keays that occasionally there may be a piece of land that, if the community is in agreeance about having it reclassified and it's going to give back some good to the community, then we could look at it, but it needs a lot of work. I'm totally against blanket reclassification. It seems to me that there is a movement to put car parks underground. I'm really not sure about this movement. There are two opposing views to this – if you put car parks underground, elderly people and disabled people will be able to use lifts easily to get up to a first-storey or a second-storey. The other view is that elderly and disabled people don't like being stuck underground, they like to be able to park somewhere that's convenient. I, frankly, like to buzz round, park in an open car park and get in and out very quickly. If I want to spend a long time at the shops or doing a lot of shopping, I might go to an underground car park, but I think a lot of our shopping - and I think this is where we need to do a bit of a social analysis – a lot of our shopping is done on the hop, very quickly, and people don't want to go into underground car parks. With regard to Wade Lane, I agree with our Councillor Keays about the conversion of the car park to a park, to a green space. We thought that was preferable to the previous proposal which looked at putting five, six, seven storeys of apartments, because if you did that you'd have a wind tunnel down Wade Lane between the highway – which was going to be developed – and Wade Lane that was going to be developed. We thought it was much more

sensible - and we actually did speak to some members of the community about this - to have a park there and to have...to look at other ways of putting in car parks. I'm very much in favour of having some above ground car parking for the public, as well as underground car park. I mean, I could go through a great deal more than this, but I just wanted to assure you that councillors...well, the Gordon councillors and certainly the councillors that have spoken are very much on the side of the community. We represent you. We represent your views. This is what we were elected to do and I can speak for myself, I'm not going to go off and willy-nilly support reclassification on a blanket scale. I'll just speak about the Lindfield library site, which I didn't know anything about, but when we looked at it and looked at the facilities that it offered, we thought there's no point in reclassifying this. We, as a community, can develop this and work with this so we've got something that we can work with and I think there are lots of other ways in which we can give back to the community what's there in better and bigger ways than just doing blanket reclassification. Thank you for your time.

Mayor Ian Cross: Councillor Anderson.

Councillor Jennifer Anderson: Yes, I'd certainly like to say that even on surface examination from comments tonight amongst councillors you'll find that we don't all agree on even individual sites. I think we mostly would all agree that we need to look at each parcel site by site and that was the intention of tonight was to hear specifically on each site. And obviously post-tonight we're still keen to hear further from residents here tonight or other residents who haven't been able to attend. I'd certainly like to point out that I think Councillor Keays and myself have a difference of opinion on the Pymble Town Hall and Presbytery, for example. I don't think it's a white elephant. They are both heritage listed and the Town Hall is the only location we provide currently to our Ku-ring-gai philharmonic orchestra for rehearsal space. So I'm certainly not in a rush to do anything about that location. With regard to the Lord Street car park, that I think was mentioned perhaps twice tonight, absolutely acknowledge that Roseville is desperately short of open space and indeed, the suggestion that the current above ground car park could be turned into a green town square was to achieve that very thing, to provide some desperately needed green open space near the town centre. And people have mentioned, in various locations, that there's nowhere to go to have a coffee or sit down in the park if you do buy something to eat from shops in various town centres. And that same theme occurs through those town centres in efforts to create some private...some public open space. Admittedly though, as Councillor Keays mentioned, it could be a long way off achieving in that location because it would be dependant on some development arrangement there whereby the developers paid to provide the underground parking that would have to go under that site to enable the current above ground car park to become a green open space. If that doesn't happen or it doesn't happen for many years or perhaps decades, then it's not looking very promising to find an alternative site within the Roseville precinct. But nevertheless, we'll be trying to look at all options that might be available. But as residents of Roseville will

know, we have many beautiful homes in that area and I'm not personally a fan of knocking down beautiful homes for parks. I'd also like to say that there was a comment made that only one public benefit needs to be achieved to reach the extra storey...of benefit to development. Now, can I say that's slightly off what we're looking at tonight. That's more to do with the LEP and the DCP, but it is not true to say that only one public benefit needs to be achieved to gain that extra storey. There was also a comment in general about developers only needing to give a little bit of community benefit to achieve anything as a result from these reclassifications, if any proceed. That, too, is not correct. Somebody said why would you let go of something you had 100% control of? Well, we won't be and obviously because we do have 100% control of these sites, being in council ownership, we're not likely to consider anything that would be relatively insignificant in terms of community benefit, otherwise we'll stay with the status quo. I would also like to say that there was a comment about no staging and no master plans. Obviously at the moment, councillors can only work on what has been prepared by the Planning Panel and if the Minister changes that or doesn't gazette it or whatever, then we will have to act accordingly and bear that in mind with any future considerations. So that is why nothing is set in concrete at the moment. Also, there was mention of the small car park opposite the shops on Mona Vale Road, St Ives. I think the intention of looking at that site was because that it is perhaps on the opposite side of Mona Vale Road to the shops that it is meant to serve and so residents have to park on the other side of Mona Vale Road and cross Mona Vale Road, which is getting increasingly busy. However, it has been acknowledged that it may be very difficult to find a location on the other side of Mona Vale Road for a car park and personally, and I can only speak for myself, I won't be inclined to get rid of one car park if there's not another one on the other side of the road available to replace it. Lastly, I just want to say that residents who said we want a say in each parcel of land, I can assure you that beyond tonight there will be many more opportunities and please feel free to contact me - and I'm sure other councillors would say the same - directly if you want to speak with us more and I'm certainly looking at each parcel of land and happy to hear from residents on each parcel of land.

Mayor Ian Cross: Councillor Hardwick, you're next. Councillor Holland first. You go last.

Councillor Steven Holland: I used to be able to say that I was one of the new councillors on board, but he stole my opening phrase. Anyway, look this is the first time I've been to such a public thing and I think it's very good and I think, you know, the more open we are as a council and the more communicative we are as a council, the better we can get feedback and the better we can, I guess, do this democratic process. Okay, there were good questions, there's no doubt. I think all of the councillors would agree that we will try and find some of those answers or get as many answers as we possibly can and we'll be, you know, working with our staff to be able to provide those answers. I guess in having sort of gone on the tour, something that...and all the other councillors are saying this, as well -

the one thing that struck me was that we're not about losing space at all. We're definitely not. If anything, I think we're looking at trying to increase space, community space as much as we possibly can. Whether that be green space or just, you know, hang out space or facilities as well. I think we're very much about community, which means, I guess, questioning the commerce within community, but also understanding that it is also an integral part of our modern way of life. So there...as the other councillors said there's certainly some sites when I came upon them I thought well, maybe there is an opportunity where we can sort of mesh an LEP and a DCP and open space or, you know, in a way that is best possible outcome and I think that's certainly what we would be looking at. And when we say best possible outcome...when I say best possible outcome I come from a, I guess, sort of a thinking that looks at social needs as an individual and as a group and also, the needs of nature. So, you know, I definitely do look at that type of thing so you have things like ecosystem services embedded into town centres and trying to, you know, facilitate that outcome as much as you possibly can. I don't we're at sort of in any way losing a car park and that would actually go against the whole, I guess, Planning Panel's and state government's (*inaudible*) so I think it would be very...I don't know if *amiss* is the right word, but wrong to do that. So we would certainly be looking at trying to increase it and I can understand the whole sort of concern that it becomes a commodified (*sic*) community asset, parking, because one of my pet hates is actually having to pay for parking. So how we try and sort of, I guess, stop that, I guess they're the sort of things we need to explore as a group and with the staff. I think that's about it. It's a difficult decision, there's no doubt about it. Oh no, no, no, no, because there are some sites, there's no doubt, where if you, from my point of view, they could just become this site that if something doesn't happen to it, it could just become a waste, a wasteland and there's an opportunity, from my point of view, there's an opportunity where...well, no, no...again, I'm saying from my point of view there's some spaces where that car park can be greened, but still provide car parking. Okay? Now, as far as underground parking, I'm not for or against. I haven't looked into it long enough or hard enough, but it kind of makes sense to me if we can actually sort of provide two facilities – open space and car parking – it kind of makes a lot of sense to me. But that's where, to me, some of those difficult ones are where there are some isolated sites, but anyway, I think I've said enough there.

Mayor Ian Cross: Thank you. Councillor Hardwick.

Councillor Hardwick: Now, firstly let me say I also concur that each site listed for reclassification should be judged individually on its merits. Secondly, I am definitely a proponent for the development of underground car parking, particularly in relation to the St Ives shopping village green area. There's lots of advantages and I have suggested it before, that it would be a good idea here, but the cost factor gets in the way. So one major advantage if we put, say, on that big area which, when you look at these plans here St Ives seems to have the biggest areas of this green area to protect. One major advantage would be to

maintain the aesthetics and the ambience of the green open space there. Not to mention the health benefits of the fresh open air. Put the cars underground i.e. under the village green where they play the sport. There was talk earlier about what happens with all the people playing sport. Now I did suggest it before here that we should go up there somewhere of Cowan Road and go underground to put in lots and lots of car parking. I work in the shopping centre. I know what that place is like for car parking; it's impossible on the Saturdays with this car parking. Now, put them underground, under the village green – it keeps the fresh air and keeps the eyesore of the parked cars off the streets in that area. Okay, I don't think I've got anything else to say. Thank you.

Mayor Ian Cross: Thank you. Residents, it's obvious as you have listened to those councillors who have attended tonight and have made comments that not everything which is currently community land will be reclassified. There is much where each councillor has, I suppose, personal decisions about certain sites. I've said to somebody in an email going back to them, I do have some, but they're remaining with me until I have an opportunity to discuss with other councillors, until we make a decision. A report will then come to council and it will be discussed again and then it would go on public exhibition. I'm all for residents commenting for or against, but I think once the list comes out it will be not as enormous as what you might think, having come tonight, and will be the reasons given for one way or the other – leaving it as it is or whether there's a suggestion of reclassification. Any councillor that might suggest reclassification would not in their right mind offer it to any developer for anything unless council knew what was anticipated going on and where the benefit would be. In a minute.

Janet [REDACTED]: It relates to that very point.

Mayor Ian Cross: Alright, I'll give you three seconds. What have you got, Janet?

Janet [REDACTED]: I've got an email, which was received under pressure again, under Freedom of Information and it says...

Mayor Ian Cross: From who?

Janet [REDACTED]: It's from [REDACTED]

Mayor Ian Cross: Okay, at this stage I'll cut you short. [REDACTED] does not make decisions. It's 10 councillors make decisions.

Janet [REDACTED]: These councillors need to know what he says.

Mayor Ian Cross: It doesn't matter what he said. I'm telling you that the decision is not...the decision is not made by him, it's by councillors. He can suggest to councillors what his recommendations are, but at this particular time I was more

interested in what your opinion was, not his and I'd prefer that you didn't mention it tonight because he's not here to defend himself anyway.

Janet [REDACTED] (*inaudible*)

Mayor Ian Cross: I am not interested in hearing it tonight. You can come to me at the conclusion of the meeting and highlight it to me. What...

Janet [REDACTED] He says 'we need a revised proposal that considers council land and Coles as one site.' Why?

Mayor Ian Cross: People have spoken about Coles site, more particularly Alan Parr, who knows a heck of a lot about it. Councillors will take that...council will take that into consideration and consider it. Alan has suggested the amount that a proposed development application might take is most of a site. There's two, four, six, seven councillors here tonight – has not made any decision in relation to that and so I'd prefer it to be discussed by them later on. I can only give you my own personal opinion and I think it's irrelevant to that which we sought to find tonight. Thank you for coming out. There's every opportunity...I'll talk to you in a second.

Interjection: When is it coming back to council? All these people, they want to come and hear and speak when it comes back to council.

Mayor Ian Cross: Yes.

Interjection: We need a date.

Mayor Ian Cross: Okay. We have the names of everyone who has come, but most will be advised prior to any briefing for councillors and before it comes to council. Christiane?

Christiane: Excuse me, it's not half past and I just want one question, please.

Mayor Ian Cross: Don't expect me to answer, but yes, you can.

Christiane: I'd just like to know that when valuations are done on community land – and I'm talking of an area I know, which is the St Ives village green parade – where about 13,000 of land, the sliver of land that was referred to before, may be incorporate in part into the shopping centre, with seven-storey buildings on it. Is the valuation for that land done with the rezoning in place? In other words will the community benefit...the value of that land be considered as so many square metres of land zoned for seven-storey buildings with views over the village green facing north, so that we get the full valuation of that block of land.

Mayor Ian Cross: It will be looked at, but I'd need to make sure that some of the land in St Ives was going to be reclassified and at this point in time, much of it won't be.

Christiane: Thank you.

Mayor Ian Cross: That's all I'll say. Thank you for coming. Please continue to bombard councillors - make the emails shorter - with your comments and you will be advised as to what happens. Thank you for your attendance.

END

COMMUNITY STRATEGIC PLAN 2030

EXECUTIVE SUMMARY

PURPOSE OF REPORT:

For Council to adopt the draft Community Strategic Plan 2030 for Ku-ring-gai.

BACKGROUND:

The draft *Community Strategic Plan 2030* has been developed to comply with the Integrated Planning and Reporting Reforms by the Department of Local Government and equally importantly to guide Ku-ring-gai Council to become a more sustainable organisation.

This draft *Community Strategic Plan 2030* is Council's first long term corporate and community planning document and has been prepared in consultation with Councillors, community, staff and other stakeholders. The draft *Community Strategic Plan 2030* reflects the aspirations of those working and living in and for this Council, and builds from the vision as adopted by Council on 29 July 2008.

COMMENTS:

The draft *Community Strategic Plan 2030* was placed on public exhibition for the period 1 May 2009 - 29 May 2009. The draft *Community Strategic Plan 2030* was also referred to the Sustainability Reference Committee for review. While there was limited feedback from the consultation process, it is recommended that Council adopt this as its' forward plan

RECOMMENDATION:

That Council adopt the draft Community Strategic Plan 2030.

PURPOSE OF REPORT

For Council to adopt the draft *Community Strategic Plan 2030* for Ku-ring-gai.

BACKGROUND

The draft *Community Strategic Plan 2030* was developed in line with the Department of Local Government (DLG) planning reforms. The draft *Community Strategic Plan 2030* was considered by Council at its General Committee meeting of the 28 April 2009 where it resolved:

- A. *That the draft Strategic Plan 2030 be placed on public exhibition for a period of four (4) weeks concurrent with exhibition of the draft Management Plan 2009 to 2012;*
- B. *That the draft Strategic Plan 2030 be referred to the Sustainability Reference Committee when formed prior to further consideration by Council;*
- C. *That Consultation on climate change mitigation targets be undertaken with consideration to the resolution of Council on 24 March 2009; and*
- D. *That a report is brought to Council following consultation and a subsequent briefing for further consideration.*

This report seeks to report back to Council on these resolutions following the exhibition and subsequent consideration of the comments.

COMMENTS

The draft *Community Strategic Plan 2030*, as amended, is included as **Attachment A**. This was exhibited between 1 May 2009 and 29 May 2009. It was subsequently referred to the Sustainability Reference Committee on 3 August 2009.

There were no comments from the public during the exhibition period, however various members of the Sustainability Reference Committee made comments as summarised in **Table 1**. Many of these comments were incorporated within the report to the General Committee on 25 August 2009 (GB11) as the Notes of the Committee's meeting on the 3 August 2009.

Table 1 Comments and responses to the draft *Community Strategic Plan 2030*.

Comments	Changes	Actions
Comparative statistics for Sydney	Yes	Where possible data has been included for the Sydney Statistical Division, Sydney Metropolitan Catchment Management Authority and NSW averages.
Needs a clear focus on (and definition of) sustainability.	Yes	Ku-ring-gai's definition of sustainability inserted as paragraph 2 in the <i>Foreword</i> .

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Comments	Changes	Actions
Consistency of reference to <i>Community Strategic Plan 2030</i> .	Yes	Amendments made to title, <i>Directions</i> and <i>Consultation (figure 2)</i> .
Expression of Council's role and responsibility in addressing external issues.	Yes	Additional section created to identify external issues, Council's role and the potential contributors.
Community development aim: <i>'Our community is culturally and socially aware and participates in activities that contribute to a sense of wellbeing'</i> Rephrase or delete as it is not measurable.	Yes	Aim deleted. The key themes are now consistent with a single aim for each.
Consistency with 5 year and 1 year objectives – remove targets.	Yes	Targets have been removed from 5 and 1 year objectives. Further details of these objectives can be referred to in the Management Plan.
Identify energy, water and resource use targets in urban environment table.	Yes	Acknowledged however, these targets are listed under the natural environment table. Further targets are listed in the Management Plan.
Specify carbon emissions reductions for the entire community or for Council maintained facilities.	Yes	Corrected. Targets are for Council facilities as community data is not accurate at present.
Include 'continuously monitor' sources of CO ² emissions in the objective: <i>'Identify the sources of CO² emissions and actions implemented to reduce green house gas emissions'</i> .	Yes	Inserted into the objective.
Need a measure for community agreement in urban planning and development assessment.	Yes	Achieved through the customer satisfaction survey. We need to start identifying the level of satisfaction with Council's service if we are to improve the process.
Include implementation of public transport strategies.	Yes	Acknowledged in external issues.
Consider sustainability standards for town centre developments.	Yes	Already included in Development Control Plan and Local Environment Plan.
Revise climate change objectives and targets	Yes	New 20 year objective: That Council minimises its levels of CO ² and showcases sustainable energy technology. New 20 year target: 40% reduction of Council's CO ² emissions. Revised 5 year objective: Reduce Council's carbon footprint. Revised 1 year objective: Develop and implement a carbon accounting method.

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Comments	Changes	Actions
Clearly define the staff surveys in <i>figure 2 pp. 7 Consultation</i> .	No	No change as it is clear these are all organisational surveys.
Statement about how this document fits in to corporate governance.	No	Acknowledged but already included in <i>Directions</i> .
Categories for the function areas are not aligned with those in the tables.	No	This matter will be addressed in the 1 year review once the Community Plan becomes redundant.
Make reference to 5 year and 1 year targets.	No	These are outlined in the Management Plan where short-term changes are accommodated.
Define the focus of tourism.	No	This will be outlined in a Tourism Strategy which will be integrated with the Economic Development Strategy.
Adjust low targets regarding community use of Council recreational facilities and programs.	No	A large percentage of users are from outside the Ku-ring-gai LGA.
Create function area sub-categories.	No	This is broken down further in the Management Plan
Specify sustainable standards for Council's assets.	No	Each asset has a different standard. Too detailed for this strategy. Best practice models have been identified and will be used to benchmark standards.
Identify sustainable standards for tenders.	No	Too detailed for this strategy. This is addressed in tender proposals.
More targets on sustainable use of resources in new developments.	No	This issue is addressed in external issues.
Identify sustainability design excellence as a specific element of development processes.	No	Acknowledged but too detailed for this strategy. We recognise that sustainability is an underlying part of all processes.
Relate sustainability goals with place-making and place management strategies.	No	Acknowledged but sustainability is recognised as an underlying part of these strategies.
Consider trading off limited DCP/LEP concessions for development contributions – funded community infrastructure e.g. higher Floor Space Ratio in return for more energy efficient building.	No	This would be included in the detailed project outline.
Many objectives are 'aspirational' and too broad to allow real progress / performance to be rigorously assessed.	No	Acknowledged, however refined actions have been identified and will make up part of the communications strategy. Too hard to break down at this level.
Specify behavioural sustainability initiatives.	No	Too detailed for this strategy.
Some measures need improvement as they lack accuracy.	No	This is a high level planning document. Broad statements have been used for

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Comments	Changes	Actions
		inclusiveness, simplicity of understanding and as a general guide. More detailed strategies are guided by this document.
Need better benchmarks in order to more accurately assess progress.	No	Each of the targets have been reviewed in response to this comment
Tie goals and objectives more closely, currently there appears to be a gap.	No	Each of the targets have been reviewed in response to this comment
Look to possibilities of Section 94 funds for financing projects.	No	The more detailed projects, including financial and Section 94 contributions are included in the Management Plan and Council's recent development contributions plan.

CONSULTATION

The draft *Community Strategic Plan 2030* was placed on public exhibition for 28 days between 1 May and 28 May 2009. Copies were available on Council's website as well as at Council libraries and Customer Service of Council Chambers. No submissions were received during this time.

The draft *Community Strategic Plan 2030* was referred to the Sustainability Reference Committee and was discussed at a meeting on 3 August 2009. The committee generally supported this document though noted the need to review the wording of a number of objectives and targets.

FINANCIAL CONSIDERATIONS

There are no immediate financial impacts on Council. However, the draft *Community Strategic Plan 2030* contains a number of targets that will require ongoing review and revision to programs and services across Council. This will need to occur as part of the preparation of the draft Management Plan and budget process each year. It is foreseeable that this will lead to a change in priorities of funding and allocation of other resources across the organisation to meet the objectives and directions as expressed by the community and Council.

CONSULTATION WITH OTHER COUNCIL DEPARTMENTS

The development of the draft *Community Strategic Plan 2030* has been undertaken in consultation with all departments across Council.

SUMMARY

This report brings to Council its first long term draft *Community Strategic Plan 2030*. It has been formed over two (2) years of consultation and discussion with Councillors, the community, staff and other stakeholders. The draft *Community Strategic Plan 2030* has encapsulated a vision for Ku-ring-gai and many objectives and targets from which the organisation will be able to work towards and measure its performance as part of quarterly, annual and term of Council reports.

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The draft *Community Strategic Plan 2030* is compliant with the integrated reporting reforms as set out by the Department of Local Government and has placed Ku-ring-gai Council in a strong position for its future planning and delivery of services and projects for our community.

RECOMMENDATION

- A. That Council adopt the draft *Community Strategic Plan 2030*.
- B. That the draft *Community strategy Plan 2030* be used as the basis for the preparation of future Management Plans in line with the Integrated Reporting Framework outlined by the Department of Local Government Reforms.

Jeremy Pendergast
Corporate Planner

Peter Davies
**Manager Corporate Planning &
Sustainability**

Andrew Watson
Director Strategy & Environment

Attachments: **Draft Community Strategic Plan 2030 - 2009/151362**

Ku-ring-gai Council Community Strategic Plan 2030

**Ku-ring-gai to Global: Sustainability for a better
tomorrow**



Ku-ring-gai at a glance



	Ku-ring-gai LGA	Sydney Statistical Division
Locality		
Area	84km ²	-
Distance from Sydney CBD	16km	-
Demographic		
Estimated residential population	105,875	4,102,049
Projected population in 2026 ¹	126,181	5,395,000
Proportion of families with children	58%	49%
Aboriginal persons	112	43,722
Persons born overseas	32,406	1,303,975
Australian citizens	87,054	3,389,649
Environment		
Area of bushland reserves (hectares)	1,100	33,348
Area of riparian corridors (hectares)	982	-
Flora species ²	843	3320
Fauna species ²	537	626
Endangered plant communities ³	5	-
Greenhouse pollution Tonnes per person/year ⁴	25.32	18.9
Water use Mega litres per person/year ⁴	1	0.7
Eco-footprint/ resource use Hectares per person/year ⁴	7.64	6.4
Economy		
Residents living and working in Ku-ring-gai	12,189	-
Total in labour force	47,870	1,903,527
Households in the highest weekly income bracket (>\$1,700)	50.7%	25%
Total businesses ⁵	12,555	441,090
Society		
Proportion of population in volunteer work	27.1%	14.8%
Residents with a Bachelor or higher degree	39.1%	20%
Separate houses as a proportion of dwellings	79.8%	57.1%
Public and private schools	42	-
Index of disadvantage (SEIFA) ⁶	1143.3	-

This data has been collated from a number of Council's resources including 2006 ABS data (profile id 2008) and Ku-ring-gai's Biodiversity Strategy (2006).

¹ Estimated population for Ku-ring-gai based on the Sydney Metropolitan Strategy: Department of Planning, 2005. *City of Cities A Plan for Sydney's Future*, New South Wales Government. For Sydney: Department of Planning (2008) *New South Wales State and Regional Population Projections, 2006-2036: 2008 release*. Sydney. Department of Planning.

² Statistics for the Sydney region are based on Sydney Metropolitan Catchment Management Authority data supplied by NSW National Parks and Wildlife Services Atlas of NSW Wildlife, 2009.

³ Endangered plant communities include Blue Gum High Forest, Sydney Turpentine-Ironbark Forest, Duffys Forest, Estuarine saltmarsh and estuarine fringe forest – Swamp Oak floodplain forest.

⁴ Data supplied by the Australian Conservation Foundation Consumption Atlas, 2007. Data for the Sydney region is based on NSW averages.

⁵ Data supplied by ABS, 2008.

⁶ The SEIFA index of disadvantage (ABS, 2006) measures the relative socio-economic disadvantage of the Sydney Metropolitan area. Ku-ring-gai is measured as the least disadvantaged area for the Sydney region.

Foreword

This Community Strategic Plan is the first of its type prepared by Ku-ring-gai Council. It has been developed in partnership with our community drawing on the contributions of residents aged 9 to 99 as well as business, community groups, government departments and other councils in Sydney's north.

It is imperative that Ku-ring-gai Council and its community contribute to a global effort to become more sustainable. This term is defined as the ability to maintain a good quality of life for future generations, which relies upon a fair, just and dynamic community, a healthy and diverse environment and an active and stable economy.

This plan aims to make Ku-ring-gai a more sustainable place. It includes matters that Council has direct control over, those we can influence, and those where we can work with and encourage others. It represents simply what local government should do – care for public spaces, help manage private land, empower communities and provide first-rate community facilities and services.

The plan's vision is for Ku-ring-gai to be a creative, healthy and liveable place where people respect each other and conserve the magnificent environment for the benefit of future generations. How and when we achieve this are of utmost importance. For this reason, the plan links each long-term objective to our annual Management Plan, which sets targets and details our activities, initiatives and services over the coming 12 months. Coupled with this is Council's annual report that provides an account of what we have and have not achieved.

As an organisation we are already on the path to sustainability. Some of our key initiatives include a detailed 20-year financial strategy to properly manage our finances. Our environmental programs lead the way in water and waste recycling, while the management of our bushland reserves aims to balance the tensions between conservation, development impacts and community use. We have one of the State's largest community volunteer programs and offer a diversity of events and opportunities for our residents to become involved in their neighbourhoods.

Engaging and informing our organisation and community continues to be a focus as we strive to become a more transparent and accountable organisation.

We thank all who took part in the development of this vision and plan. We trust it will lead to our local government area as being truly sustainable by current and for future generations.

John McKee
General Manager

Cr Ian Cross
Mayor

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Directions

The journey toward a more sustainable society must involve the community, decision makers, and those who support and implement programs and changes that affect the way we live, play and work. Creating a road map is one of the most important first steps. This plan details the aspirations of the community, elected representatives and staff within strategies which are guided by government policy and legislation.

The Community Strategic Plan 2030 seeks to capture many views of those living and working within Ku-ring-gai and align them with Council's Management Plan and other planning frameworks (Figure 1). The purpose is to assure that the day-to-day activities are in line with and directed towards longer term goals. This approach is supported by the Department of Local Government, and is one that incorporates sound asset, financial, social, cultural, environmental and workforce management.

This Strategic Plan is based around the following principle activity areas that align with Council's Management Plan:

- community development
- urban environment
- natural environment
- planning and development
- civic leadership and corporate services
- financial sustainability.

Other guiding documents used in the development of the Strategic Plan include the Global Reporting Initiative (GRI); the Regional Sustainability Plan 2009-2014 of the Northern Sydney Regional Organisation of Councils (NSROC); and the Business Excellence Framework, which provides guidelines and a checklist against which progress can be measured.

As a final note, we should remember that this is simply a plan. Its value is how it is implemented and reviewed to remain relevant. If it meets these requirements, the Strategic Plan will serve to guide us towards a more sustainable future.



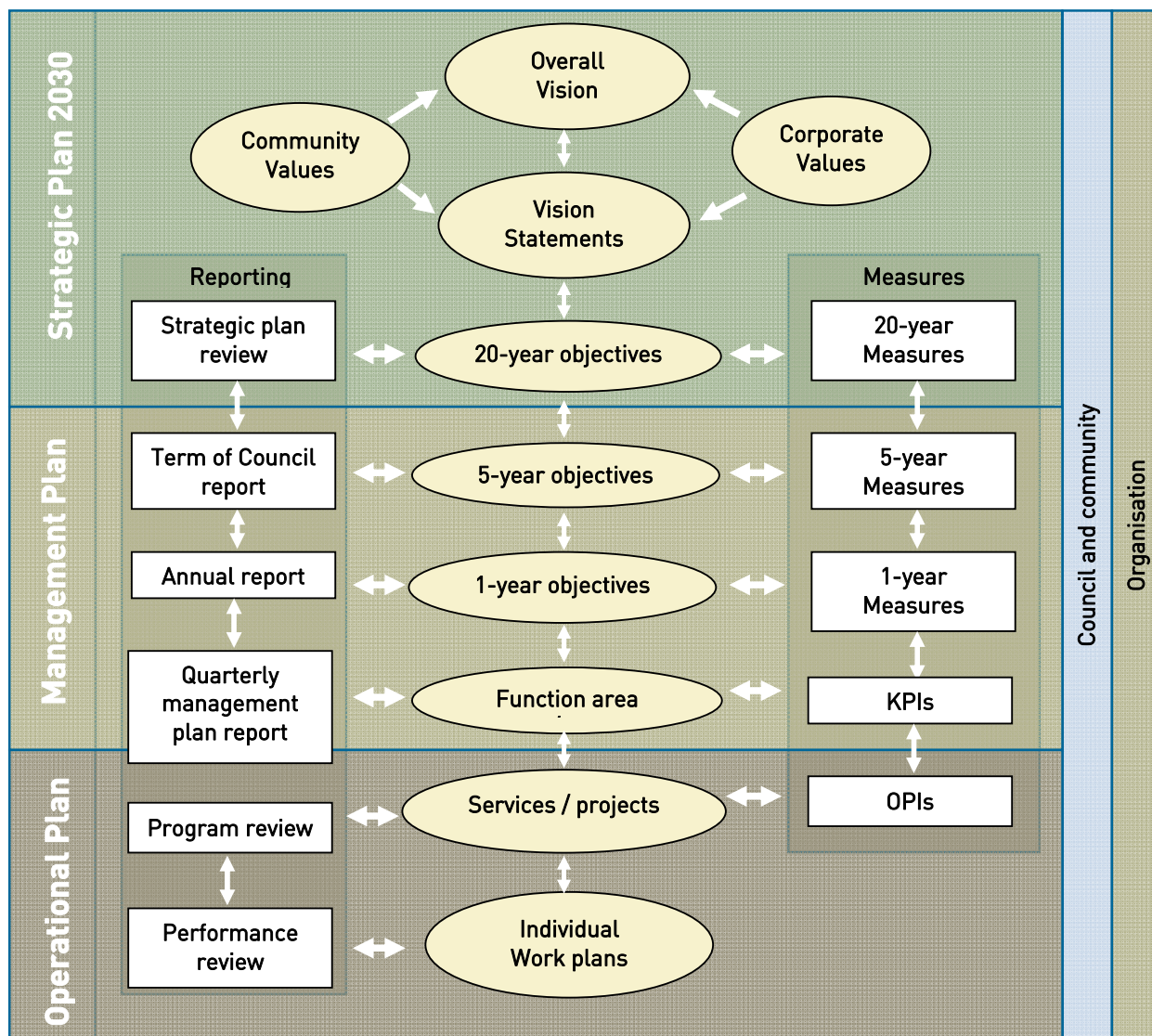
 <p>Global Reporting Initiative</p> <p>The Global Reporting Initiative (GRI) is a sustainability reporting framework which allows organisations to measure and report their economic, environmental and social performance (GRI, 2000-2006). The foundations of the framework are a set of guidelines, principles and indicators which assist organisations in being accountable for their actions.</p> <p>Transparency about economic, environmental, social and governance issues are fundamental to local government. Working towards sustainable development has required Ku-ring-gai Council to implement new ways of thinking that involve their policies, operations, functions and services.</p>	 <p>NSROC Regional Sustainability Plan</p> <p>The Regional Sustainability Plan 2009-2014 is a first for the Northern Sydney Regional Organisation of Councils (NSROC). It was produced to address growing concerns about the impacts from continued growth and development on the environmental assets and community livelihoods in the region. It draws on current and future projects of member Councils (Hunters Hill, Hornsby, Ku-ring-gai, Lane Cove, North Sydney, Ryde and Willoughby) and focuses on the top 10 issues for the region.</p> <p>As well as contributing to the Plan, Ku-ring-gai used the key issues to guide its actions following on from the community consultation.</p> <p>5</p>	<p>Business Excellence Framework</p> <p>The Australian Business Excellence Framework is a corporate management model through which organisations can become more sustainable. It aims to drive innovation and improve performance in leadership and management. The framework is recognised internationally as best practice for empowering staff, improving value to customers and improving overall performance.</p> <p>A set of principles are used to assess performance. These include:</p> <ul style="list-style-type: none"> • leadership • strategy and planning • data, information and knowledge • people • customer and market focus • innovation, quality and improvement • success and sustainability.
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Figure 1. Integrated planning framework



Consultation

This plan is the culmination of a wide-ranging consultation with the community, Council staff, government and other parties. The consultation explored matters of social, environmental and economic importance, and corporate responsibilities associated with sustainability. The processes of consultation included staff surveys, internal reviews, community interviews, focus groups, forums and workshops, and organisational and community reference groups (Figure 2).

Intergenerational approach to planning

In 2007 Council embarked on an intergenerational consultative process involving Ku-ring-gai's community as a method of creating strategic directions for our future. The consultation was undertaken in two stages: 'vision planning' and 'action planning'. This approach assisted in capturing residents' aspirations and concerns for the future while also identifying how to achieve goals from a social, environmental and economic perspective.

As a new public planning model, this method of consultation achieves more equitable community representation when making planning decisions for future generations. It helps when engaging with citizens of all age groups — from children to the elderly. And it provides a multi-dimensional understanding of sustainability priorities by recognising that at different stages of an individual's life, their ideas, interests and relationships may change.

Figure 2. Processes of community and corporate consultation

Ku-ring-gai to Global 2008-2030		
Internal staff	Community	Elected officials
<ul style="list-style-type: none"> • Staff surveys included <ul style="list-style-type: none"> - Climate - Health - Corporate sustainability • Sustainability Reporting Team¹ • Internal review • General Manager and Directors • Senior Managers group 	<ul style="list-style-type: none"> • Vision planning <ul style="list-style-type: none"> - 72 resident interviews - 51 residents in seven focus groups - 104 residents in two intergenerational forums • Nine local schools • Written and online submissions • Public exhibition period • 15-member Sustainability Reference Group² • Primary school artwork • 171 residents involved in eight action planning workshops 	<ul style="list-style-type: none"> • Council reports and resolutions • Briefings and workshops • Individual surveys and interviews • Sustainability Reference Group²

¹ This is a cross organisation team formed under the direction of the General Manager to discuss and progress sustainability across the work place.

² This was a community expert group of 15 members formed to provide recommendations to Council.

Guiding vision, values and principles

The vision, values and principles set out below were formulated from the 'vision planning' stage of the consultation. Council's practices, as guided by the Management Plan, must adhere to these sustainability values and principles. The Management Plan is segregated into six key areas ('function areas'). These same functions have been used to guide the visions, objectives and measures that form the Strategic Plan.

Vision for 2030...

Ku-ring-gai will be a creative, healthy and liveable place where people respect each other, conserve the magnificent environment and society for the children and grandchildren of the future

Values



Principles

- 1** Support cohesive, inclusive, diverse and dynamic communities
- 2** Protect the natural, social, cultural and built heritage
- 3** Decrease the consumption of resources
- 4** Maintain a strong and stable local economy
- 5** Balance health, work and personal commitments

Ku-ring-gai Council has additional principles which reflect its role as the Local Government Authority, these are as follows:

- 1** Lead through example
- 2** Encourage active citizenship and work in partnership with citizens
- 3** Deliver sustainable services that meet current and future needs
- 4** Practice open and ethical decision making
- 5** Responsibly manage Council's people, assets and finances

The role of Council

Through the community consultation process a number of issues and challenges were identified that would affect the sustainable future of Ku-ring-gai. This process determined that Council would have to assess what role it would play in addressing the issues that were raised.

This plan sets out objectives that are achievable by Council as well as those that require the contribution of other sectors including businesses, community groups, other organisations and government divisions.

Issues that require assistance in order to be addressed have been outlined separately along with the potential contributors. Council's responsibility for these issues are described as follows:

Influence/ facilitator Supporter	Council can help others in setting and delivering programs and services the strategic objective is external to local government responsibility and where Council can take an advocacy role speaking on behalf of the community
Service Provider Partner	Council provides the primary services and facilities for the communities use the strategic objectives are achieved through affiliations and shared funds from two or more organisations

Theme	Issues	Council Responsibility	Other contributors
Community Development	Poor access for those less mobile in the public domain, shopping centres and public transport facilities	Facilitate/ influence Supporter Partner	Local business/ shopping centres; Roads and Traffic Authority; State Rail; Bus companies/ local transport providers; Aged care and disability service providers
	Lack of educational opportunities	Supporter	Department of Education; local schools; State and Federal Governments; community groups, Universities; private colleges; other research bodies
	Unsafe social areas and opportunities for youth	Facilitate/ influence Partner	Police; community groups; Local businesses and shopping precincts; Developers/ builders
	Limited local networking opportunities for educational and socialising	Supporter Partner Service provider	Department of Education; Local schools; Parenting groups; Local businesses/ shopping precincts; local sports groups; Community and cultural groups; Police; National Parks and Wildlife Services; World Wildlife Fund - Earth Hour; Research bodies
	Crime and violence	Supporter	Police; community groups; Safety House Program; Neighbourhood Watch Program; Local businesses
Urban Environment	Suitable facilities, community services and infrastructure to cater for the increasing population	Service provider Facilitate/ influence Supporter	State Government Department of Planning; Department of Education; Local schools; Local businesses and shopping precincts; Chambers of Commerce; Energy companies; Developers/ builders; Historical Society and other heritage organisations
	Reliable integrated public transport networks	Partner Supporter Facilitate/ influence	State Transit Authority; Private bus companies; Local transport providers; State Rail; Research bodies; Roads and Traffic Authority
	Safe roads	Supporter Partner	Department of Education; Local schools; Roads and Traffic Authority; Department of Planning; Federal Government
	Traffic congestion	Partner	Local businesses/ shopping precincts; Chambers of Commerce; State Rail; Bus companies/ local transport providers; Department of Planning; Roads and Traffic Authority; Community groups
	Alternative transport opportunities to reduce environmental impacts	Partner Supporter Facilitate/ influence	Roads and Traffic Authority; Austroads; Other Councils; Department of Planning; Bicycle NSW; Community cycle groups; Department of Education/ local schools.

Theme	Issues	Council Responsibility	Other contributors
Natural Environment	Impacts of climate change and consumption of natural resources.	Facilitate/ influence Supporter Partner	NSW Fire Brigades; NSW Rural Fire Service; Department of Education/ local schools; Manufacturers; RTA; Energy companies/ suppliers; Research bodies
	Natural area conservation	Facilitate/ influence Partner	Department of Education; local schools; National Parks and Wildlife Services; Department of Environment and Climate Change; Federal Government; Other Councils; NSROC; Sydney Water; Energy companies; local action groups; community groups; Other research bodies
	Environmental education	Partner Supporter	Roads and Traffic Authority; Department of Education; National Parks and Wildlife Services; Department of Environment and Climate Change; Catchment Management Authority; Local businesses/ shopping precincts; Sydney Water; State Rail; Developer/ builders; Police; Environmental groups
	Financial incentives, rebates, rewards and subsidies for investments in sustainable technology	Supporter	National Parks and Wildlife Services; State Government; Department of Planning; Federal Government; Car Manufacturers; Sydney Water; Energy companies; Developers and builders
	Sustainable and conservative use of water resources.	Facilitate/ influence Partner Supporter	Department of Planning; Sydney Water; Energy companies; Department of Environment and Climate Change; other environmental research bodies
Planning	Sustainability design standards and innovative practices in new developments	Facilitate/ influence Supporter Partner	Department of Education; Local schools; National Parks and Wildlife Services; State Government; Federal Government; Sydney Water; Energy companies; Developers/ builders; Other research bodies
Civic and Corporate	Business, research and tourism opportunities	Supporter Facilitate/ influence Partner	Tourism; Historical Society; Aboriginal Heritage Office; National Parks and Wildlife Services; Department of Environment and Climate Change; Community groups; Local businesses and shopping precincts; Chambers of Commerce; Sydney Water; Energy companies; Consultants and other research bodies, Department of planning and other Government Agencies; Local businesses/ shopping precincts; Chambers of Commerce; Media; Other Councils
	Local job opportunities and incentives	Supporter Partner	Local businesses/ shopping precincts; Chambers of Commerce; Local schools; Department of Education; Research bodies

Key Themes

This strategic Plan is divided in to six themes. Aims, targets and objectives of each are described and linked to the relevant vision.

- **Community development**
- **Urban environment**
- **Natural environment**
- **Planning and development**
- **Civic leadership and corporate services**
- **Financial sustainability**

Community Development

Aims

Council's community and cultural programs and services are accessible, affordable and meet current and emerging needs.

What we do	
<p>Service planning and development</p> <ul style="list-style-type: none">• service planning and development <p>Aged care and disability planning and development</p> <ul style="list-style-type: none">• aged services <p>Leisure, art and cultural development</p> <ul style="list-style-type: none">• community programs• Ku-ring-gai Art Centre <p>Volunteer planning and development</p> <ul style="list-style-type: none">• community volunteer programs <p>Library services</p> <ul style="list-style-type: none">• library services <p>Children's planning and development</p> <ul style="list-style-type: none">• Thomas Carlyle Children's Centre• family day care• children services development• immunisation	<p>Community functions</p> <ul style="list-style-type: none">• community functions <p>Youth planning and development</p> <ul style="list-style-type: none">• youth services <p>Environmental education</p> <ul style="list-style-type: none">• Ku-ring-gai Wildflower Garden <p>Sport and recreational planning</p> <ul style="list-style-type: none">• community facilities unit• community halls• meeting rooms• Gordon Golf Course (revenue)• parks (revenue)• North Turrumurra Golf Course (revenue)• tennis courts revenue)• general sports grounds (revenue)• St Ives Showground (revenue)

Function	Vision	20 year Objective	20 year target	5 year objective (2015)	1 year objective (2011)
Community services	Ku-ring-gai is a place that prioritises knowledge, learning and information for the community	Libraries and information centres provide the community with modern and diverse educational facilities	30% of the community actively using Council library facilities	Libraries and information centres that meet and adapt to changing needs of the community	<ul style="list-style-type: none"> • Provide a range of library services in response to community needs • Provide a range of community services that are affordable and accessible • Provide and promote Navigators to customers with vision impairments
		Community services satisfy emerging community needs	90% of community satisfied with community services and opportunities	Community services developed in response to emerging local needs	<ul style="list-style-type: none"> • Provide a range of community services that are affordable and accessible
	Ku-ring-gai is a place supporting and promoting local stewardship and community participation	Increased profile of volunteer work within the community	20% of the community participating in volunteer programs	Increased volunteer participation, and recognition of volunteer contributions to the community	<ul style="list-style-type: none"> • Resource and support programs to enhance volunteer involvement
	Ku-ring-gai is a place that is vibrant and celebrates its rich cultural and environmental heritage	Ku-ring-gai promotes its natural and cultural tourism opportunities	2000 people participating in tourism programs	Ku-ring-gai has a recognised cultural, ecological, heritage and tourism program	<ul style="list-style-type: none"> • Develop a tourism strategy to promote Ku-ring-gai's culture, environment and heritage
Community programs	Ku-ring-gai is a place engaged in partnerships with the community and external stakeholders	Council promotes community and local business cohesion through opportunities at council events	20% increase in participation in council community programs	Increased integration of council and the community through council events	<ul style="list-style-type: none"> • Increased attendance at council events • Foster partnership and sponsorship opportunities for services, programs and events.
Sport and recreational planning	Ku-ring-gai is a place striving for healthier lifestyle practices	Increased participation in social, sporting and recreational activities	15% of community using council recreational programs and facilities	Increased participation in social, cultural, sporting and recreational activities	<ul style="list-style-type: none"> • Develop and provide opportunities for the community to engage in the public life of Ku-ring-gai
			85% usage of council recreational facilities and open space areas	Parks, recreational facilities and other public spaces are a focal point for the community	<ul style="list-style-type: none"> • Organise activities, programs and events to increase use of public spaces and community facilities
			90% satisfaction of council recreational facilities and open space areas	Council's community, cultural and sporting facilities and management systems meet the needs and expectations of the community	<ul style="list-style-type: none"> • Implement facility management plans and programs to increase accessibility and utilisation • Promote Ku-ring-gai as a destination for cultural, environmental, recreational and heritage tourism

Urban Environment

Aim

Our assets are managed effectively to meet community needs and standards within our available resources.

What we do

Engineering services asset maintenance and management

- building maintenance
- building trade maintenance
- building contractor management
- road maintenance
- access crossings
- footpath maintenance
- kerb and gutter maintenance
- patching
- restorations
- road maintenance-road shoulders

Infrastructure design and construction

- infrastructure restoration
- engineering capital works projects
- open space capital works projects
- public lighting

Fleet maintenance and management

- management support - fleet
- passenger fleet
- plant maintenance
- fleet maintenance and repair
- small plant and equipment

Traffic and transport

- investigation and design
- road safety
- traffic management
- road safety programs

Emergency management

- local emergency management
- rural fire brigade services
- state emergency services

Security

- security services

Cleaning

- cleaning services

Waste management

- street sweeping
- routine pit clearance
- litter control and clearing
- unformed shoulder clearing
- domestic waste
- green waste service
- recycling service
- trade waste
- drainage maintenance

Open space services

- management support open space services
- asset management

Park maintenance

- park maintenance
- playground maintenance

Sportsfield maintenance

- sportsfield maintenance

Tree maintenance

- tree maintenance
- tree preservation order process

Strategic asset management and services

- strategic asset management

Open space planning

- open space planning

Function	Vision	20 year Objective	20 year target	5 year objective (2015)	1 year objective (2011)
Infrastructure Projects	Ku-ring-gai is a place with infrastructure and facilities that accommodate the needs of the community	An adopted program for the implementation of new facilities and identified funding sources	30% use of recycled products and recycling of waste products compared with 2007 levels	Increase in the use of recycling products and recycling of waste products in all Council-managed infrastructure developments compared with 2007 levels	<ul style="list-style-type: none"> • Increase the use of recycling materials and recycling of waste products in Council's road construction works
				An established program that provides funding to maintain Council's assets at a sustainable standard	<ul style="list-style-type: none"> • Adopt an asset management plan for all of Council's assets and an agreed funding profile in accordance with the Long Term Financial Plan
				Developed asset management strategy that integrates into Council's Long Term Financial Model and capital works program	<ul style="list-style-type: none"> • Develop a 5-year program that incorporates the requirements of the condition audit and brings Council's buildings up to a satisfactory standard
				A new depot completed which bases all Council's operations area	<ul style="list-style-type: none"> • Commence construction of the new depot following approval of tenders by Council
				A program and funding strategy adopted to implement new community facilities	<ul style="list-style-type: none"> • Develop a plan for the replacement or upgrading of Council's buildings or facilities
Operations Maintenance	Ku-ring-gai is a place addressing and responding to climate change	Reduced energy output by using alternate sources of energy]	30% reduction in energy consumption (kwh) for street lighting from 2008 levels	Reduce energy consumption for street lighting	<ul style="list-style-type: none"> • Examine options with Energy Australia for reducing energy consumption for street lighting
				Alternative energy sources used to supplement conventional energy use	<ul style="list-style-type: none"> • Research alternative energy sources for Council
				Council recognised as a leader in resource use efficiency	<ul style="list-style-type: none"> • Take a leadership role in implementing sustainable design and systems through demonstration projects
				A more sustainable fleet that reduces the impact on climate change and reduces consumption of fuel	<ul style="list-style-type: none"> • Reduce consumption of fuel
				Established service level agreements with emergency service organisations	<ul style="list-style-type: none"> • Establish a memorandum of understanding with adjoining councils and emergency service organisations
	Ku-ring-gai is a place that provides access to emergency services and resources	Emergency services are able to respond efficiently to community emergency needs	100% of emergency situations are responded to		

Function	Vision	20 year Objective	20 year target	5 year objective (2015)	1 year objective (2011)
Open space services	Ku-ring-gai is a place where our open spaces are enhanced	Council's open space assets are maintained at a sustainable standard	90% of the community satisfied with community open space assets provided	Established service level agreements for all asset maintenance areas	<ul style="list-style-type: none"> • Adopt service levels for maintenance of Council's assets and develop programs for all areas • Draft a security contract that provides upgraded security for all of Council's buildings and public areas
Waste	Ku-ring-gai is a place progressively reducing its consumption of resources through increased use of recycling and reuse	Council recognised as a leader in resource use efficiency	30% decrease in the consumption of resource materials compared with 2007 levels	Disposal of general waste to new waste technology centres instead of landfill	<ul style="list-style-type: none"> • Issue a new tender for disposal of general waste
			30% reduction of waste to landfill from 2008 levels	Remediation of former landfill sites at St Ives and North Turramurra	<ul style="list-style-type: none"> • Do not exceed 4% Reduce contamination by weight for domestic dry recyclables and green waste
				Implementation of bin lid colour system in accordance with Australian Standards	<ul style="list-style-type: none"> • Replace paper recycling bins with blue coloured lids
				20% Increase in the corporate use of recycled products compared with 2007 levels	<ul style="list-style-type: none"> • Increase corporate use of recycled products by 4%
Traffic	Ku-ring-gai will have safe and accessible local roads	Improve the condition of local roads	No increase in recorded accidents on council managed roads	No increase in recorded accidents on Council managed roads	<ul style="list-style-type: none"> • Undertake education campaign on road safety programs
				A transport network that complies with accessibility standards	<ul style="list-style-type: none"> • Implement accessibility improvements for public transport areas
Recreational planning	Ku-ring-gai will provide open spaces and facilities that promote healthier lifestyle practices	Continue to provide quality open space, community and recreational facilities that meet the needs of our community	90% satisfaction with open space, community and recreational planning processes	Open space, community and recreational facilities that meet the needs of our changing population	<ul style="list-style-type: none"> • Effectively plan for increased and more diverse usage of open space recreational areas

Function	Vision	20 year Objective	20 year target	5 year objective (2015)	1 year objective (2011)
				Aquatic leisure needs of our changing population met	<ul style="list-style-type: none"> • Progress the redevelopment of an aquatic facility at West Pymble Pool
				Multi-use sport and recreation facility provided at North Turramurra Recreation Area as part of a staged development process	<ul style="list-style-type: none"> • Progress the redevelopment of the North Turramurra Recreational Area
				Part of St Ives Showground precinct developed for recreational use	<ul style="list-style-type: none"> • Identify opportunities for recycling of waste and re-use of the sites for recreational services
					<ul style="list-style-type: none"> • Develop part of Council Nursery site for recreational use as part of St Ives Showground precinct
				Provide a viable site for recreational purposes provided	<ul style="list-style-type: none"> • Identify opportunities for recycling of waste and re-use of the sites for recreational services

Natural Environment

Aim

Council and the community value, respect and actively participate in the care and management of our environment.

What we do	
Bushland <ul style="list-style-type: none">• flora and fauna• riparian• fire• bushland maintenance• plant nursery	Water <ul style="list-style-type: none">• water re-use• water conservation• water sensitive urban design Energy <ul style="list-style-type: none">• energy consumption• climate change

Function	Vision	20 year Objective	20 year target	5 year objective (2015)	1 year objective (2011)
Environmental Education	The Ku-ring-gai community has a strong understanding of environmental issues and impacts in the local area	Our environmental education programs meet natural area management plans, policies, strategies and objectives	40% of the community engaged in Council environmental education opportunities	Increased environmental awareness within Ku-ring-gai	<ul style="list-style-type: none"> • Increase participation in environmental education programs
Bushland	Ku-ring-gai is a place of extensive bushland with native flora and fauna which we highly value and protect	Protect, enhance and where appropriate increase local biodiversity and terrestrial, habitats and connectivity between reserves	10% improvement of bushland condition	Improved conservation and recovery of flora and fauna	<ul style="list-style-type: none"> • Increase resilience of bushland areas under regeneration • Improve condition of tracks and trails • Improve condition of biodiversity within Ku-ring-gai
				Increased corporate understanding and implementation of best practice ecological management	<ul style="list-style-type: none"> • Maintain benchmark environmental management practices
	Ku-ring-gai has adequate access to all bushland areas for fire protection operations	The management of bush fire risk for extreme to high prioritised areas addresses our need to protect life, property and the local ecology	75% of Ku-ring-gai bushland with adequate fire trail access	Management of bush fire risk for extreme to high prioritised areas addresses our need to protect life, property and the local ecology	<ul style="list-style-type: none"> • Manage community concerns in relation to bushfires • Implement the Hornsby - Ku-ring-gai bush district fire management plan • Comprehensive review all Council policies and operations in relation to bushfires to determine possible areas for improvement
Water	Ku-ring-gai cares for the condition of its natural waterways and riparian zones	Protect and enhance aquatic ecosystems	15% of Ku-ring-gai waterways demonstrate an improved riparian condition	<p>Improved condition of Ku-ring-gai waterways and riparian zones</p> <p>Increase community awareness of approaches to sustainable water management</p>	<ul style="list-style-type: none"> • Implement water savings and water sensitive urban design projects to improve urban water ways
				Improved the adoption of integrated water cycle management	<ul style="list-style-type: none"> • Complete one sub-catchment integrated water cycle management plans
			50% decrease in the use of potable water consumption of community and Council based on levels in year 2008	Decreased potable water consumption of community and Council	<ul style="list-style-type: none"> • Reduce Council's potable water consumption
			50% increase in the use of non-potable water at Council's major water using facilities based on 2008 figures	Increase the use of non-potable water in Council's major water using facilities	<ul style="list-style-type: none"> • Identify Council sites to increase non-potable water consumption

Function	Vision	20 year Objective	20 year target	5 year objective (2015)	1 year objective (2011)
Climate change	Ku-ring-gai is a place addressing and responding to climate change	That Council minimises its levels of CO ₂ and showcases sustainable energy technology and to identify and continuously monitor the sources of CO ₂ emissions and actions implemented to reduce green house gas emissions	40% reduction of Council's CO ₂ emissions	Council and community better adapted to climate change	<ul style="list-style-type: none"> Identify gaps in knowledge of climate change and impacts on Ku-ring-gai
				Reduce Council's carbon footprint	<ul style="list-style-type: none"> To develop and implement a carbon accounting method
				Reduce the community's carbon footprint	<ul style="list-style-type: none"> Build partnerships with other Councils and industry to address funding for energy and water alternatives
				Procurement strategy that incorporates sustainability and climate change	<ul style="list-style-type: none"> Review existing procurement strategy by comparison to other councils and organisations

Planning and Development

Aim

Our urban area will become more liveable and sustainable as we respond to State Government and community demands for additional housing, greater housing choice and associated facilities.

What we do	
Urban planning <ul style="list-style-type: none">• urban planning• urban design Development control <ul style="list-style-type: none">• management support - development and regulation• administration	Development assessment <ul style="list-style-type: none">• development assessment engineer• landscape assessment Regulation and compliance <ul style="list-style-type: none">• development compliance• public health services• animal control• parking and traffic• area rangers• building unit

Function	Vision	20 year Objective	20 year target	5 year objective (2015)	1 year objective (2011)
Urban Design	Ku-ring-gai is a place with infrastructure and planning systems that accommodate the identity of the community	Council planning systems apply the principles of sustainability, best practice urban design and place making to meet the needs of the community	90% implementation of the Local Environment Plan and Development Control Plan	High quality urban design integrated through plans, guidelines and urban design service	<ul style="list-style-type: none"> • Conduct training and education in urban design principles within Council and community (e.g. DA staff, councillors) • Put a strategy in place to provide ongoing urban design advice service for development including capital works, design excellence, development contributions agreements, public domain, quality assurance, design panel and pre DA advice
				Comprehensive Integrated Principal LEP and Development Control Plan (DCP) completed for the local government area (LGA) that addresses the Metropolitan Strategy and North Subregion objectives	<ul style="list-style-type: none"> • Progress completion of Principal LEP/DCP for rest of Ku-ring-gai • Complete DCP controls and integrate within the Comprehensive LEP • Develop an action plan for LGA-wide integrated transport and access including strategic bike plan and pedestrians • Commence planning for the strategic bus corridors and the upgrades to bus interchanges • Reclassify Draft LEP
				Place management and place making strategies developed	<ul style="list-style-type: none"> • Implement Parking Management Strategies for each centre in alignment with the Town Centres Program • Continue implementation of Public Domain Plan for town centres • Develop a proposal for place management strategies for the town centres
				Leadership role taken implementing sustainable design and systems through demonstration projects	<ul style="list-style-type: none"> • Implement the Town Centre LEP and DCP • Prepare and implement the Architectural style guide for development within the town centres areas
				Preparation for electronic delivery of all planning documents –(e-plan) commenced	<ul style="list-style-type: none"> • Review and report on 3D virtual modelling to support Urban Design Advisory Service and prepare plan for integration into the development assessment process
				Long term planning and funding strategy established for the delivery of high quality infrastructure that meets the needs of the community	<ul style="list-style-type: none"> • Implement consolidated development contributions system

Function	Vision	20 year Objective	20 year target	5 year objective (2015)	1 year objective (2011)
Regulation, compliance and development assessment	Ku-ring-gai provides planning systems that accommodate the needs of the community	Continue to provide development assessment and regulatory services that are consistent with Council's statutory, policy and planning objectives	100% of development proposals approved by Council are compliant with statutory regulations, Council's policies and codes	Continued community confidence in our assessment, regulatory and environmental processes	<ul style="list-style-type: none"> • Ensure development, land use and activities are consistent with statutory regulations and Council's policies and codes
			80% of development works are compliant with Council's policies	Development assessment and regulatory service provided that is consistent with Council's statutory, policy and planning objectives	<ul style="list-style-type: none"> • Maintain an efficient and effective development assessment certification and regulatory service
				An automated development assessment (DA) certification and regulatory system is implemented	<ul style="list-style-type: none"> • Require plans and documents to be lodged in electronic format • Introduce electronic infringement devices
				Companion Animals Management Plan is implemented	<ul style="list-style-type: none"> • Undertake annual review

Civic Leadership and Corporate Services

Aim

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

What we do	
Communication and marketing <ul style="list-style-type: none">• communication Governance <ul style="list-style-type: none">• corporate governance• print room• councillor support• executive support Ombudsman service <ul style="list-style-type: none">• ombudsman service Corporate planning and reporting <ul style="list-style-type: none">• corporate planning Information management <ul style="list-style-type: none">• records management	Information technology <ul style="list-style-type: none">• telecommunication• land information• land information (GIS) Human Resources <ul style="list-style-type: none">• occupational health and safety• integrated OH&S management plan• training, learning and careers• workforce management• HR systems and payroll Customer service <ul style="list-style-type: none">• customer services

Function	Vision	20 year Objective	20 year target	5 year objective (2015)	1 year objective (2011)
Governance	Council is a transparent organisation that provides community leadership and opportunity in decision-making processes	Council continues to have policies that ensure customer satisfaction through the delivery of quality service in all internal and external transactions	100% of policies are in line with legislative requirements and service provision needs	Policies are regularly reviewed to ensure they are maintained and effectively communicated across the organisation and, where appropriate, across the community	<ul style="list-style-type: none"> • Develop, update and implement all Council policies as per Department of Local Government's Promoting Better Practice Review Action Plan • Ensure that Council's website is updated with all relevant policies
				Ongoing commitment throughout the whole of Council to our service standards to ensure customer satisfaction through the delivery of quality service in all internal and external transactions	<ul style="list-style-type: none"> • Implement customer service standards effectively across Council • Continue to develop and implement Council's intranet • Continuously improve the services we provide to all our customers
Information Technology	Ku-ring-gai is embracing innovation and technology, to assist in finding solutions to the issues which face us	Council provides modern integrated information systems that support council's services and needs	95% satisfaction with council's IT systems	Council has in place an integrated information system and trained staff to facilitate the provision of services to all our customers	<ul style="list-style-type: none"> • Improve training, utilisation and understanding of Council's corporate system across the organisation • Implement new systems in accordance with Council's Information Technology Strategy
				An expanded e-business capability to enable internal and external customers to conduct business with Council and access information electronically	<ul style="list-style-type: none"> • Develop a plan to implement e-business solutions • Continue to provide an effective support service to the organisation
Human Resources	Council is a safe supportive, equitable and appropriately equipped workplace	Ensure that council values it's staff, and its workforce culture is adaptable, harmonious, flexible and conducive to high levels of innovation, empowerment, motivation and productivity	95% staff satisfaction with their workplace and position	The range of human resource services is enhanced and remains current with organisational needs	<ul style="list-style-type: none"> • Implement and enhance a workforce plan • Implement and update human resources systems in accordance with the Council's Information Technology Strategy • Implement occupational health and safety (OH&S) strategic plan
Customer service	Ku-ring-gai is a place that provides quality customer services to its community	Council's customer service provision is accessible to the diverse Ku-ring-gai community	90% satisfaction with council's customer services	Ongoing organisational commitment to our customer service standards to ensure customer satisfaction through the delivery of quality service	<ul style="list-style-type: none"> • Monitor customer service standards throughout the organisation • Continue to develop and implement Council's intranet • Continuously improve the service we provide to all our customers • Undertake customer service survey on implementation of standards

Function	Vision	20 year Objective	20 year target	5 year objective (2015)	1 year objective (2011)
Communications	Ku-ring-gai is a place engaged in partnerships with local, regional, national and global sectors	The community is well informed of council's practices, programs and events	85% satisfaction with council's communication processes	Improved communication and engagement with the staff and the community	<ul style="list-style-type: none"> • Develop a communications plan to promote local businesses and encourage local shopping • Enhance functionality of Council's website and intranet • Re-evaluate the Communications Strategy in light of findings from reputation and communication surveys
Corporate planning	Ku-ring-gai prioritises knowledge, learning and information that integrates sustainability into Council's strategic planning framework	Council continues to provide an integrated strategic planning framework that incorporates all of councils activities and services	100% of necessary legislative requirements are integrated into councils strategic planning framework	Council recognised as a leader in sustainability planning, action and reporting	<ul style="list-style-type: none"> • Establish reporting frameworks against the Sustainability Action Plan • Implement behavioural sustainability initiatives within Council • Improve transparency in Council's reporting process
				A community sustainability culture established that is engaging and innovative	<ul style="list-style-type: none"> • Improve education strategies to promote sustainability in Ku-ring-gai
Business engagement	Ku-ring-gai is a place with a strong and stable local economy			Business sustainability strategies developed and undertaken with participating NSROC councils	<ul style="list-style-type: none"> • Improve the relationships between Council and the business community
Consultation	Council is a transparent organisation that provides community leadership and opportunity in decision-making processes	Increased community engagement in decision making processes	20% of the community are engaged in decision making processes	A better informed community	<ul style="list-style-type: none"> • Implement a consultation strategy
				Increased communication and engagement with the staff and the community	<ul style="list-style-type: none"> • Enhance the participatory process in internal and external decision making

Financial Sustainability

Aim

Council's effectively manages our financial position to meet community expectations for service delivery.

What we do

Revenue Accounting

- levy rates and charges
- recovery rates and debtors

Management Accounting

- budget development
- budget review
- long term financial planning

Financial Accounting

- statutory accounts
- accounts payable

Procurement and Risk Management

- procurement
- insurance and risk

Function	Vision	20 year Objective	20 year target	5 year objective (2015)	1 year objective (2011)
Financial management	Council is financially sustainable	Balancing the community needs with the long term financial sustainability of council	Maintain a minimum level of internal discretionary cash reserves (excluding liability cash reserves) of 10% of revenue, as a buffer	Long Term Financial Model provides funding options to address Council's infrastructure renewal gap and town centre facilities plans and to maintain and improve service delivery to the community	<ul style="list-style-type: none"> • Review and update the Long Term Financial Model to incorporate information from the asset management plans • Consider funding sources to address the funding gap relating to the town centre facilities plans
				Long Term Financial Model incorporates Council's strategic plans	<ul style="list-style-type: none"> • Further refine funding, timing and prioritisation of major projects and incorporate these projects in the Long Term Financial Model
			An operating surplus, before capital income items, to fund capital expenditure	Long Term Financial Plan (LTFP) provides for Council's working capital balance to increase to \$3.9M by 2012/13, as recommended by Council's external auditors	<ul style="list-style-type: none"> • Continue to identify efficiencies and savings to increase working capital balance to \$3.9M by 2012/13
			A minimum working capital of \$3.9M	Council's revenue base is broadened and increased to reduce our reliance on rates	<ul style="list-style-type: none"> • Identify revenue opportunities and implement changes to Council's Revenue Policy where appropriate (e.g. rates restructure and implementation of pricing principles and basis of goods and services)
				A review of Council's financial and business services implemented to identify areas for improvement	<ul style="list-style-type: none"> • Develop a service review methodology and program

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ELECTRICITY SUPPLY COMMENCING 1 JULY 2010 - OPTIONS

EXECUTIVE SUMMARY

PURPOSE OF REPORT:

To seek Council approval for participation in group tender for large use sites electricity supply, including street lighting, for 5 year period commencing 1 July 2010.

BACKGROUND:

Council has a number of sites where electricity consumption exceeds 160MWh each year, putting them outside the scope of small retail customers and the related standard form energy prices schedules. However they are addressed in a Negotiated Customer Supply Contract. Currently Council is part of the Department of Commerce 777 three (3) year contract for energy supply. This contract was extended by 12 months to 30 June 2010.

COMMENTS:

Over 90% of our electricity is consumed through sites using over 160MWh per annum. Street lighting is about 60% of this part. Being part of a group tender is seen as providing Council with better value than Council preparing its own invitation for tender.

RECOMMENDATION:

That Council formally joins the group tender facilitated by SSROC for supply of electricity for large use sites.

PURPOSE OF REPORT

To seek Council approval for participation in group tender for large use sites electricity supply, including street lighting, for 5 year period commencing 1 July 2010.

BACKGROUND

In January 2004, Council rolled its street lighting into the Department of Commerce "777" contract for the retail supply of electricity. Contract 777 is the NSW State Government electricity supply contract established by State Procurement on behalf of the State Contracts Control Board. The contract is for the use and benefit of NSW/ACT Government agencies and was developed through a competitive tendering process.

The 2004 contract expired on 30 June 2006 and was replaced with a State Contracts Control Board Contract 777 for a 3 year period expiring on 30 June 2009. In November 2008, agreement was reached between the Department of Commerce and EnergyAustralia on rates to extend the existing contract for a 12 month period. Council accepted this option in February 2009.

COMMENTS

Before the current contract expires in June 2010, it is prudent that Council make arrangements for a renewed contract.

Tendering is required under the Local Government Act 1993 and Local Government (General) Regulation as the estimated cost of electricity supply to the sites using more than 160MWh per annum, excluding street lights, is in excess of the \$150,000 threshold provided in the Regulation. Street lighting energy is estimated to cost approximately \$1.2M per annum.

As part of this process, Council has been reviewing options through alternative suppliers.

Council has investigated the options available for the retail supply of electricity. An outline of five options is provided below:

Option A - Default Street Lighting Rate from EnergyAustralia

In 2009/10, this is 5.084c/kWh and included all network and transmission losses, market charges, metering provision, renewable energy certificates and NSW Greenhouse Gas certificates. The Default Rate for 2010/11 or following years has yet to be confirmed by EnergyAustralia but it would seem unlikely that it would be less than this rate of 5.084c/kWh. This rate varies annually.

Option B – Department of Commerce "777" Offer

In 2009/10, the Department of Commerce "777" has charges of 3.3793c/kWh off peak and 8.6523c/kWh shoulder and also peak as a base, but with all the additional charges for network

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losses, market charges, metering provision, renewable energy certificates and NSW Greenhouse Gas certificates, the all up rate appears to be about 3.74c and 9.58c respectively.

The Department of Commerce requires a commitment of load to be part of their tender invitation which is for a period up to 5 years. Council is then committed to the loads and rates accepted by the Department of Commerce for a period of at least 2 years. These rates will be fixed for the period of the contract so Council may have up to 5 years certainty in pricing. This rate with allowance for operating times in peak, shoulder and off peak through the year is about 3% saving on the default rate.

Option C - Participate in 3rd Party Joint Tendering Effort by Energy Consultant

Trans Tasman Energy Group contacted Council with an offer to join a strategic sourcing process. Apart from their process being separate to the State Government, and therefore independent from the possible sale of the NSW Electricity industry, most other features appeared to be similar to other group contracts. Based on previous experience, the energy consultants were not able to achieve a substantial financial benefit over other contracts .

Option D - Stage a Tender

Council could stage a tender of their own however because of the costs and complexity involved a better method would be to include our load in a larger group such as in conjunction with other councils.

Option E – Join a regional group Local Government Tender

SSROC are preparing to stage a joint tender for electricity supply. The SSROC tender is aimed at the needs of Local Government and separate to the State Government needs and desires. As the current 777 contract has not achieved the savings expected, an alternative more focused on Council's needs is desired. Having our supply co-ordinated by an organisation outside the State Government is considered to provide a more stable environment than an organisation that is part of the sale process.

Option F – Participate in a State Wide Local Government Tender

Local Government Procurement (LGP) surveyed the Councils across the state to determine interest in joining in a tender for provision of energy to major sites. Ku-ring-gai Council responded to the survey, however as less than about 60% of Councils expressed interest, LGP has decided against conducting the tender.

The group tender process requires Council to commit to a group tender before the invitation to tender is issued so Council's load profile can be included in that tender. This will require the decision on which group tender to participate with before final pricing is known. While this increases the risk that another option may be cheaper, until our load profile is included in the tender, this cannot be determined.

The Department of Commerce tender is aimed at its main customers, the state government bodies that are required to join the 777 contract. Street lighting is not the main feature of the 777 load profile, even though it is Council's main electricity cost.

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Currently, the State Government is investigating selling part of the electricity sector. The uncertainty of how this will affect the tender prices for the Department of Commerce or what affect the sale will have on the management of the contract by the Department of Commerce, makes a contract managed by a body separate to the Department attractive.

CONSULTATION

Council has consulted with Program Manager for Street Lighting Improvement Program, which is co-ordinated by SSROC, and also with the Department of Commerce and Trans Tasman Energy Group.

FINANCIAL CONSIDERATIONS

As well as the expected expenditure for electricity supply exceeding the threshold requiring the calling of a tender, the electricity supply makes up around 2% of Council's budgeted expenditure. This is roughly 1.5% for street lighting and 0.5% for other sites using in excess of 160MWh pa.

The supply of electricity, for both site supplies, and street lighting, involves the costs of preparing a tender that meets the requirements of the Local Government Act and Regulations as well as complying with the Electricity Supply Act and Regulations. A group tender is considered to give the best combination of tender preparation costs as well as a large volume for supply costs. A group tender by a Local Government related body is considered to be the best way to meet Council's needs in electricity supply as well as data for reporting needs and the flexibility to suit Council's changing needs.

A local government related body is independent of the State Government who is considering selling part of the electricity industry, and, as such, there should be less impact on the contract if this sale goes ahead.

Carbon Polluting Reduction Scheme or similar charges for CO² are likely to start during the life of the contract. Electricity supply to street light and buildings is estimated at 85% of the Scope 1 & 2 emissions, hence consideration for this should be included in the electricity contract.

CONSULTATION WITH OTHER COUNCIL DEPARTMENTS

Operations Department has consulted with the Strategy Department on the sustainability and CO² aspects of the options and Corporate Department on the financial and tendering aspects of a group tender .

SUMMARY

Council's street lighting energy supply, along with the energy supply for a number of other locations where the annual usage is greater than 160MWh pa, has been part of the Department of

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Commerce 777 Contract. The current contract expires on 30 June 2010. Under the Local Government Act, supply that has an estimated cost over \$150,000 is required to be obtained through a tender process.

Electricity supply contracts involve specialised knowledge that Council doesn't have in house. The total load for the Ku-ring-gai Council area is more suited to be included in a group tender, rather than organising its own tender and specialised advice.

There are a number of options available to Council in joining group tenders or engaging a consultant.

Option A - Default Street Lighting Rate from EnergyAustralia

Option B – Department of Commerce "777" Offer

Option C - Participate in 3rd Party Joint Tendering Effort by Energy Consultant

Option D - Stage a Tender

Option E – Join a regional group Local Government Tender

Option F – Participate in a state wide Local Government Tender

The current extension of the Department of Commerce 777 contract has resulted in street lighting prices about 2% lower than the Network Price available from EnergyAustralia. The State Government is currently considering selling part of the electricity distribution system. Having our supply co-ordinated by an organisation outside the State Government is considered to provide a more stable environment than being part of the sale process.

A local government based body, such as SSROC would result in a tender oriented towards the requirements of local government, such as the large street lighting energy component. Local Government Procurement surveyed Councils to determine interest in a state wide Local Government supply contract. There was insufficient interest in their proposal for LGP to continue with the tender process.

Council must commit to a group tender before the invitation to tender is issued so Council's energy load profile can be included in the tender. This will require the decision on which group tender to participate with before final pricing is known. While this increases the risk that another option may be cheaper, until our load profile is included in the tender, this cannot be determined. There is greater risk of higher prices in Council running its own tender process than in committing to a group tender.

RECOMMENDATION

That Council enters into the group tender being facilitated by SSROC for the retail supply of electricity for street lighting and to sites that fall outside the 'Standard Form' prices available to 'Small Retail Customers' and that the General Manager be the delegated authority to sign the documents to join the tender and the contract.

Jim Turner
Acting Manager Design & Projects

Greg Piconi
Director Operations

John Clark
Director Corporate

36 BUNGALOW AVENUE, PYMBLE - CONNECTION TO COUNCIL DRAINAGE EASEMENT

Ward: Wahroonga

EXECUTIVE SUMMARY

PURPOSE OF REPORT:

To consider a request by the owners of 36 Bungalow Avenue, Pymble, to alter the terms of the Council drainage easement over downstream properties to permit discharge into a Council pipeline.

BACKGROUND:

The applicant proposes to connect to the Council drainage system traversing the subject property as part of a future Complying Development Application. This requires the terms of the easement over 19 Reservoir Road only to be altered.

COMMENTS:

The development site is currently a two storey dwelling.

RECOMMENDATION:

That the proposal be approved subject to Conditions A. to C. noted in the recommendations.

PURPOSE OF REPORT

To consider a request by the owners of 36 Bungalow Avenue, Pymble, to alter the terms of the Council drainage easement over downstream properties to permit discharge into a Council pipeline.

BACKGROUND

The owners are seeking to obtain a Complying Development Certificate through a Private Certifier in accordance with the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008. To address the stormwater requirements under this Policy and Council's Water Management Development Control Plan 47, the Applicant is required to connect to a legally recognised public drainage system.

The site is currently burdened by a Council drainage easement, covered under LD 1130, traversing the rear of the property. Therefore, to permit stormwater to be directed to this Council system, the terms of the drainage easement require amendment.

The terms over 21A Reservoir Road do not require amendment as they were changed as part of DA 8981/94 (LEC Appeal No. 10311 of 1994).

COMMENTS

The applicant has obtained a letter of consent from a downstream property owner to permit the conveyance of runoff through the stormwater system and to amend the terms of the easement on their title. A location plan showing the Council drainage system is attached as **Attachment A**. As Council's GIS system only provides an indicative digital representation of the easement, **Attachment B** has been included, which has been prepared by a registered surveyor.

There will be no significant increase in the flow in Council's system as a result of the amended terms or the construction of a Complying Development on the property.

CONSULTATION

Consultation has been held with the applicant and his consultant (Mr. Hepburn).

FINANCIAL CONSIDERATIONS

There is no community benefit in granting approval to alter the terms of the easement, therefore legal, survey and administrative costs should be borne by the applicant.

CONSULTATION WITH OTHER COUNCIL DEPARTMENTS

Consultation has been carried out with Council's Drainage Asset Engineer.

SUMMARY

For the legal discharge of stormwater from 36 Bungalow Ave, the easement over 19 Reservoir Road must be amended to allow the conveyance of runoff from surrounding lands.

RECOMMENDATION

- A. That Council grants approval to alter the terms of the Council easement created by DP 7321 burdening 19 Reservoir Road.
- B. That authority be given to affix the Common Seal of the Council to the appropriate instrument for the extinguishment, amendment, alteration or creation of the drainage easement as necessary.
- C. That all costs associated with the extinguishment, amendment, alteration or creation of the drainage easement be borne by the applicant.

Kathy Hawken
Team Leader-Engineering Assessment Unit

Greg Piconi
Director Operations

Attachments: A. Location Plan – 2009/153333
 B. Survey Plan – 2009/153339



NORTH

Scale:1:2000

DATE:21-08-2009

Development Constraints

- | | |
|---------------|--------------------------|
| SUBJECT LAND | DEVELOPMENT CONTROL PLAN |
| HERITAGE ITEM | CONTAMINATION CONDITION |

36 Bungalow Avenue, PYMBLE

**Ku-ring-gai
Council**

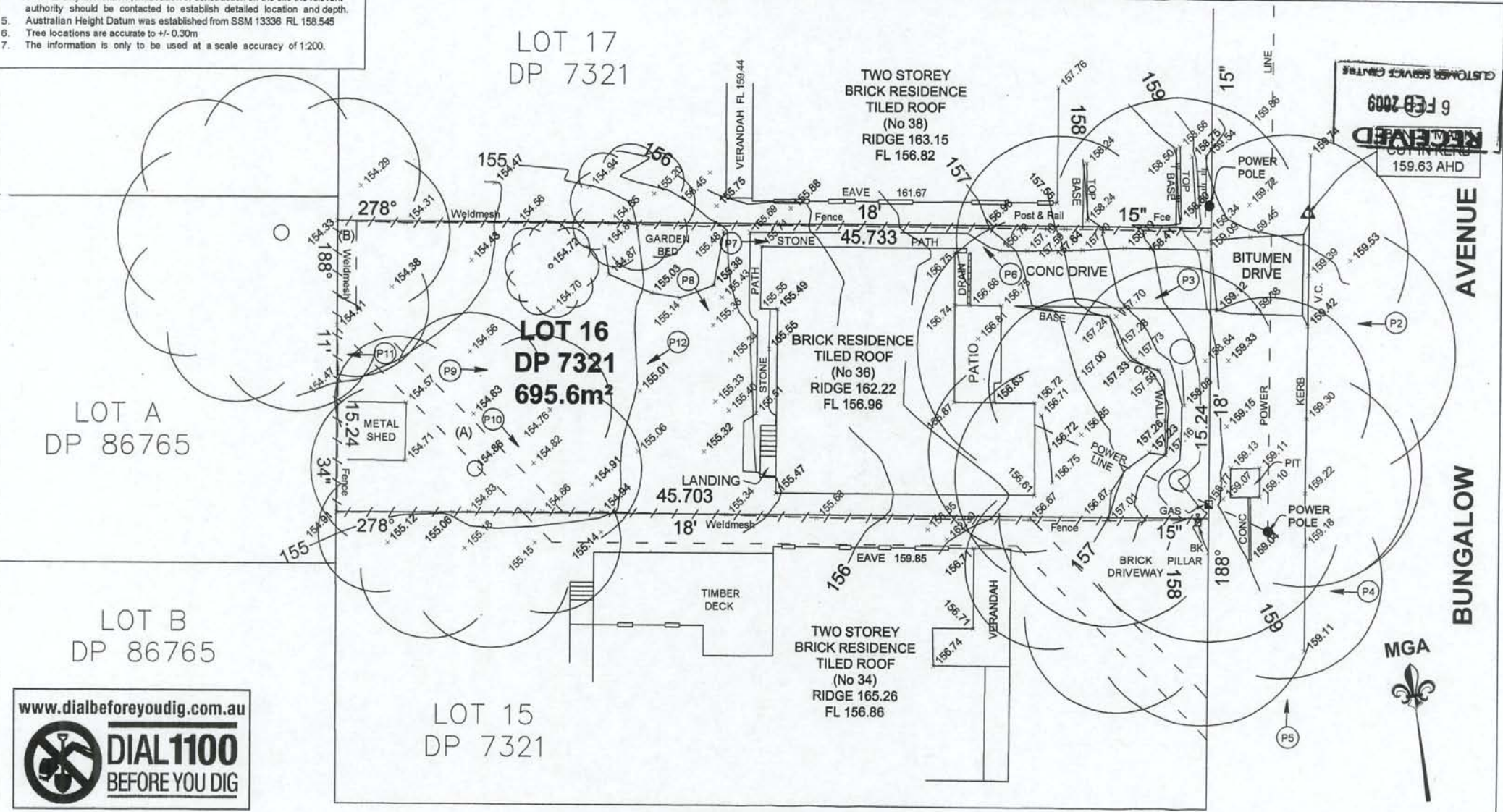


NOTES

- 1. Bearings and distances are by Title and/or Deed only. This detail survey is not a "survey" as defined by the Surveyors Act, 1929. If any construction is planned it would be advisable to carry out further survey work to determine the boundary dimensions.
- 2. Relationship of improvements to boundaries is diagrammatic only. Where offsets are critical they should be confirmed by further survey.
- 3. Contours shown depict the topography, except at spot levels shown they do not represent the exact level at any particular point.
- 4. Services shown hereon have been determined from visual evidence only. Prior to any demolition, excavation or construction on the site the relevant authority should be contacted to establish detailed location and depth.
- 5. Australian Height Datum was established from SSM 13336 RL 158.545
- 6. Tree locations are accurate to +/- 0.30m
- 7. The information is only to be used at a scale accuracy of 1:200.

LEGEND

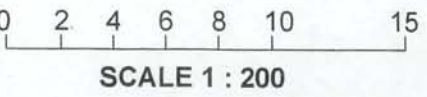
WATER METER	BENCH MARK	SEWER INSPECTION POINT
TELSTRA PIT	GAS METER	STOP VALVE
SIGN	SEWER MAN HOLE	ELECTRICITY BOX
SEWER VENT	FENCE LINE	TREE
POWER POLE	HYDRANT	



(A) = EASEMENT TO DRAIN WATER 1.524 WIDE
(B) = EASEMENT TO DRAIN WATER 1 WIDE

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SURVEYED CNRM	LGA KU-RING-GAI	TEERMAN NEWTON RICHMOND PTY LTD CONSULTING SURVEYORS PO BOX 282 RICHMOND NSW 2753 PHONE 02 45782649 FAX 02 45782611 EMAIL tnrlp@nrc.com.au	CLIENT HEPBURN	SHEET 1 OF 1 SHEETS
DRAWN G GIBSON	DATUM AHD		PROJECT DETAIL AND CONTOUR SURVEY OVER LOT 16 DP 7321 No 36 BUNGALOW AVENUE, PYMBLE	SCALE 1 : 200
CHECKED G GIBSON	LOCALITY PYMBLE			PLAN REF 15577
PATH / MY DOCUMENTS / 15577-DETAIL	DATE 26 / 09 / 2008			

OUTCOME OF NEGOTIATIONS TO ACQUIRE 12 WOONONA AVENUE, WAHROONGA

EXECUTIVE SUMMARY

PURPOSE OF REPORT:

To advise Council of the outcome of negotiations to acquire 12 Woonona Avenue, Wahroonga.

BACKGROUND:

In accordance with Council's resolution staff appointed an independent agent to negotiate the acquisition within the determined price range.

COMMENTS:

Given the GST liability the total contract price now exceeds Council's determined price range, and contracts can not be entered into without a new resolution of Council.

RECOMMENDATION:

That Council confirms its original determined acquisition price range for the purchase of land at 12 Woonona Avenue, Wahroonga being the former curtilage of 'The Briars' is GST exclusive, and that Council proceeds with the purchase on the basis that the nett purchase price of 12 Woonona Avenue, Wahroonga is within Council's adopted price range.

PURPOSE OF REPORT

To advise Council of the outcome of negotiations to acquire 12 Woonona Avenue, Wahroonga.

BACKGROUND

At the Ordinary Meeting of Council held on 8 September 2009, a report was submitted to Council detailing the results of two independent valuations. At this meeting a Notice of Motion was placed on the agenda by the Deputy Mayor, Councillor Jennifer Anderson concerning the acquisition of 12 Woonona Avenue Wahroonga, at which time Council resolved that:

- "A. That Council commence negotiations to acquire 12 Woonona Avenue, Wahroonga for open space in the terms discussed.*
- B. That Section 94 funds be used for the purchase.*
- C. That Council engage the services of an experienced independent agent to immediately commence acquisition negotiations within the determined price range and that costs for the agent be included in the Section 94 budget for the acquisition.*
- D. That the General Manager continue investigations with the National Trust, and others, to establish a tax deductible fund for public donations to assist Council to benefit from appropriate philanthropic gestures.*
- E. That if negotiations result in a purchase price, the Mayor and General Manager be delegated authority to execute all documentation associated with the purchase of 12 Woonona Avenue, Wahroonga."*

As a result of the above resolution being adopted, three [3] Councillors submitted a Notice of Rescission which rescinded the resolution until the next Ordinary Meeting of Council.

At the Ordinary Meeting of Council held on 22 September 2009, the Notice of Rescission was put before Council and was lost.

In accordance with the resolution of 8 September 2009 Council staff appointed an independent agent to negotiate the acquisition within the determined price range.

COMMENTS

On 24 September 2009, the Cushman & Wakefield Agency was engaged to undertake negotiations to acquire the property.

Council staff wrote to the owner of the subject property advising of Council's interest to enter into negotiations and provided contact details of the agent representing Council.

On 25 September 2009, the property owner was contacted by the agent from Cushman & Wakefield and a meeting was arranged for 28 September 2009.

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7 October 2009

Negotiations commenced on the 28 September 2009, with the agent providing an update to Council on 29 September 2009 (**Confidential Attachment 1**).

On 2 October 2009, Council's agent received written acceptance from the owner of the subject property, at the upper limit of Council's price range to acquire the property which was subject to a prompt exchange and early settlement (**Confidential Attachment 2**).

Solicitors for both parties were instructed, and contracts were issued and received on 6 October 2009. Upon review of the contract Council's solicitor advised that the purchase price was subject to GST, and queried whether the contract amount was inline with Council's resolved purchase price.

Given the GST liability the total contract price now exceeds Council's determined price range, and contracts can not be entered into without a new resolution of Council.

The fundamental issue is that upon settlement Council will be issued with a Tax Invoice for the GST inclusive amount, and subsequently receive an input tax credit for the GST component, which essentially results in the purchase price being within the original resolved range voted upon at Council's meeting of 8 September 2009.

CONSULTATION

Council staff have had verbal and written contact with the property owner on several occasions regarding the potential purchase.

Council staff obtained fee proposals from three independent agents in accordance with Council's Procurement Policy. As a result the Cushman & Wakefield Agency was engaged to undertake negotiations.

Council's solicitor has reviewed the Contract for Sale of Land, and provided an initial response.

Council's solicitor, Mr John Boland has verbally advised that if the total contract price exceeds Council's resolved acquisition range then a new resolution of Council is required to consent to the GST component associated with the subject purchase of land, notwithstanding that ultimately the nett price is within Council's adopted price range.

FINANCIAL CONSIDERATIONS

A financial assessment of the three [3] fee proposals submitted to undertake negotiations is attached (**Confidential Attachment 3**). All fee proposals required a retainer as well as a success based fee.

Negotiations to acquire the subject property within Council's price range were successful and acceptance of Council's offer has been received from the property owner (**Confidential Attachment 2**). Given the GST liability the offer now exceeds Council's resolved acquisition range.

CONSULTATION WITH OTHER COUNCIL DEPARTMENTS

Not applicable.

SUMMARY

In response to a Council resolution of 8 September 2009, Council staff engaged an independent agent to undertake negotiations to acquire the subject property.

Negotiations commenced on 28 September 2009, and by the 2 October 2009, the property owner had accepted Council's offer subject to a prompt exchange and early settlement.

Upon review of the contract Council's solicitor advised that the purchase price was subject to GST, and queried whether the contract amount was inline with Council's resolved purchase price. As a result of the GST liability, the total purchase price now exceeds Council's resolved price range and the purchase can not progress any further without a new resolution of Council. As such a resolution of Council is required to consent to the GST component associated with the acquisition of the subject property.

However, upon settlement Council will be issued with a Tax Invoice for the GST inclusive amount, and subsequently receive an input tax credit for the GST component, which results in the purchase price being within the original resolved range voted upon at Council's meeting of 8 September 2009.

RECOMMENDATION

That Council confirms its original determined acquisition price range for the purchase of land at 12 Woonona Avenue, Wahroonga being the former curtilage of 'The Briars' is GST exclusive, and that Council proceeds with the purchase on the basis that the nett purchase price of 12 Woonona Avenue, Wahroonga is within Council's adopted price range.

Deborah Silva
Manager Strategic Assets & Property Management

Andrew Watson
Director Strategy & Environment

Attachments:

- 1. Email from agent - Confidential**
- 2. Email from owner - Confidential**
- 3. Buyers Agent Assessment Sheet - Confidential**

NOTICE OF MOTION

CANCELLATION OF MEDIA MONITOR SERVICE

Notice of Motion from Councillor Tony Hall dated 6 October 2009

I refer to the Council's advice dated 30 September 2009 that the media service contracted by Council for some years principally for the use of the Mayor of the Day, called Media Monitors Pty Ltd cost the Council in the financial year 2008/9 \$7,361.76. Council otherwise relies on a weekly monitoring of media report which provides an excellent service to the Mayor and Councillors, since its inception in 1988.

I move:

"That this Council cancel the services of Media Monitors forthwith as this expense in the sum of \$7,361.76 for the financial year 2008/9 cannot be justified to our Ratepayers."

RECOMMENDATION

That the above Notice of Motion as printed be adopted.

Tony Hall
Councillor St Ives Ward

Attachments: **Background Information, circulated under separate cover:**

 e-mails from Councillor to General Manager & Director & from Manager Media Relations - 2009/169164

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