



**ORDINARY MEETING OF COUNCIL
TO BE HELD ON TUESDAY, 8 APRIL 2008 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 25 March 2008
Minutes numbered 66 to 82

MINUTES FROM THE MAYOR

PETITIONS

GENERAL BUSINESS

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

GB.1 Amendment to the Council Meeting Cycle for September 2008 1

File: S02355

To amend the Council Meeting Cycle for September 2008.

Recommendation:

That Council amend its Meeting Cycle for September 2008.

GB.2 191 Warrimoo Avenue, St Ives - Retention of Caravan 4

File: P62434

Ward: St Ives
Applicant: Ms S Demirjian
Owner: Mr S Demirjian

To determine an application under Section 68 of the Local Government Act 1993 for retention of a caravan on the subject site to be used as a place of residence whilst the owner seeks development consent & subsequently builds a new dwelling upon the land.

Recommendation:

That Council grant approval to the continuance of the use of the moveable dwelling on land 191 Warrimoo Avenue, St Ives, for a period of two (2) years from the date of the Notice of Determination, subject to conditions.

GB.3 Sustainability Reference Group Meeting - Minutes of 25 February 2008 15

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File: S05396

To bring to the attention of Council the proceedings from the Sustainability Reference Group Meeting held on Monday, 25 February 2008.

Recommendation:

That the Minutes of the Sustainability Reference Group meeting held on Monday, 25 February 2008 and attachments be received and noted.

GB.4 Draft Sustainability Vision Report for Public Exhibition 22

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File: S05592

To present the Draft Sustainability Vision Report for public consultation.

Recommendation:

That the Draft Sustainability Vision Report be placed on public exhibition for 40 days and a report detailing community responses be brought back to Council for its consideration and adoption.

GB.5 Environmental Levy Programs Meeting - Minutes of 27 February 2008 193

.
File: S04553

To bring to the attention of Council the proceedings from the Environmental Levy Programs Forum meeting held on Wednesday, 27 February 2008.

Recommendation:

That the Minutes and attachment from the Environmental Levy Programs Forum meeting held on Wednesday, 27 February 2008 be received and noted.

GB.6 Local Heritage Assistance Fund 204

.
File: S05037

To seek Council's agreement to allocate funding for applications received under the Local Heritage Assistance Fund 2007 to 2008.

Recommendation:

That Council allocate the funds as recommended in the report.

GB.7 State Environmental Planning Policy (Infrastructure) 2007 223

.
File: S06566

To provide a summary of State Environmental Planning Policy (Infrastructure) 2007 and the actions to be taken by Council to ensure effective implementation at the local level.

Recommendation:

That the report be received and noted.

GB.8 2007 to 2008 Traffic Facilities Program 250

.
File: S03753

To advise Council of additional funding offered by the Roads and Traffic Authority and seeks approval to amend the 2007 to 2008 Traffic Facilities Program.

Recommendation:

That Council accepts the funding offer from the Roads and Traffic Authority for the construction of the three projects and funds Council's 50% share of the cost of the work, totalling \$31,000 from savings within the 2007 to 2008 Traffic Facilities Program.

GB.9 Cromehurst Special School - Request for Financial Assistance 255

.
File: 88/06148/01

Ward: Roseville

To advise Council of a request from Cromehurst Special School to provide financial assistance for the reconstruction of the driveway into the School.

Recommendation:

That Council fund 50% of the reconstruction costs of the driveway in Tryon Road from the recurrent budget for access crossings.

GB.10 **West Pymble Pool - Expressions of Interest Evaluation**

259

File: 06518

To inform Council of the submissions received during the expressions of interest process and seek Council's approval to commence selective tender processes for the design and for the management of the West Pymble Pool.

Recommendation:

That Council proceed to selective tender for the design of the indoor swimming pool and undertake a selective tender process to identify a provisional operator of the facility. Following completion of the design an open tender would be used for the construction. Reporting to Council on each of the three tender processes will be undertaken in accordance with Council's Purchasing Policy and the Local Government Act.

GB.11 **Proposed Land Reclassification Component (Schedule 4) for Draft Ku-ring-gai Local Environmental Plan 2006 (Town Centres)**

File: S05094

Report by Director Strategy dated 1 April 2008 - circulated separately.

EXTRA REPORTS CIRCULATED AT MEETING

MOTIONS OF WHICH DUE NOTICE HAS BEEN GIVEN

NM.1 **Reporting to Council**

269

File: S06347

Notice of Motion from Councillor T Hall dated 28 March 2008.

In view of the decision of the Ku-ring-gai Planning Panel (Minute no. PP8 of 12 March 2008) requiring our Council staff to provide reports to the Panel at least monthly on development applications and the like;

I move:

"That the General Manager also provide to this Council;

- A. A monthly report of all pending Development Applications more than 40 days old with reasons for delay. This report shall include all s96 and s.82 Applications.

- B. A report of all development applications refused under his delegation, including reasons for refusal
- C. A copy of all reports provided to the Ku-ring-gai Planning Panel as it resolved on 12 March 2008, for the duration of its term."

NM.2 Proposed Killara Station Precinct Resident Survey

270

File: S02848

Notice of Motion from Councillor Adrienne Ryan & Councillor Michael Lane dated 31 March 2008.

There is an opportunity to create a new small scale neighbourhood precinct at the gateway to Killara Station on Council owned land -Culworth Ave car park. A new mixture of local shops, cafes and services could provide for the needs of existing and new residents of the nearby apartments. The scale of development would be limited to 2 & 3 storeys with the bulk of current above ground car parking being retained. A local resident's survey could be conducted as the first step to gauge the community's views on such a proposal.

I move:

"That Council conduct a local resident's survey to ascertain the level of support for Council to developing a new local neighbourhood shop precinct. A draft survey be prepared and referred to next Council's planning forum meeting for endorsement."

BUSINESS WITHOUT NOTICE - SUBJECT TO CLAUSE 241 OF GENERAL REGULATIONS

QUESTIONS WITHOUT NOTICE

INSPECTIONS COMMITTEE - SETTING OF TIME, DATE AND RENDEZVOUS

CONFIDENTIAL BUSINESS TO BE DEALT WITH IN CLOSED MEETING - PRESS & PUBLIC EXCLUDED

**** ** * * * * * ****

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

Section 79C

1. *Matters for consideration - general*

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

a. *The provisions of:*

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

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

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

MAYORAL MINUTE

ECO AMBASSADOR AND SUSTAINABLE BUILDING PROGRAM

Living sustainability is one of the most pressing issues facing the world today. In recent months I have been involved with the sustainability visioning process, community consultation on climate change and discussions with environmentally committed developers seeking to create sustainable buildings and communities.

The Ku-ring-gai community has also signalled its support for becoming a more sustainable society and is seeking leadership from Council.

I propose that Council consider options for embarking on a comprehensive program aimed at:

1. empowering and rewarding our residents, businesses and developers to become leaders in sustainability
2. fostering an interest in sustainability issues and solutions that embody a socially responsible attitude to environmental stewardship and
3. breaking down the barriers to sustainable behaviour through removing cost and time inhibitors.

The program would have three key elements. The *Eco Ambassador Award* scheme would be designed to reward the efforts of households and business that have implemented a range of sustainability initiatives.

The *Sustainable Building Program* would encourage developers to extend beyond the State Environmental Planning Policy BASIX.

And Council would also explore options for a financial assistance package for households to install rainwater tanks and solar panels

The program would feature initiatives such as stormwater re-use, grey water and sewerage recycling, pollution control, energy conservation and generation, waste and recycling and protection of remnant vegetation.

The program would also incorporate social and financial considerations such as recognising the contribution of volunteering, engaging with local organisations and supporting local businesses with a strong environmental and social commitment.

Education and information would be a key part of the program, using measures such as the web, local sustainability festivals and individual liaison through specialist advice.

Item 1

S06585
9 April 2008

Having discussed this with the Sustainability Reference Group, I would propose that a sub-group be formed with group members and other committed people to develop the program.

Financially, the program will impact on Council's budget. As part of development of the program, a detailed financial assessment would be carried out to explore options for providing subsidies, grants, philanthropic donations and other means of support.

The time to act is now. I urge Councillors to support this initiative so that Ku-ring-gai can lead a sustainability revolution for both current and future generations.

RECOMMENDATION

1. That Council consider options for developing a program featuring:
 - a. an award scheme to reward the efforts of households and businesses for implementing sustainability initiatives; and
 - b. a sustainable building initiative that will offer awards and rewards and recognise excellence in environmental building design, construction and operation;
 - c. a financial assistance package for households to install rainwater tanks and solar panels.
2. That the program be developed in collaboration with the Sustainability Reference Group.
3. That the program be identified within the draft 2008/09 Management Plan.
4. That financial implications be reported back to Council as part of the finalisation and adoption of the 2008/09 Management Plan and budget.

Cr Nick Ebbeck
Mayor

Attachment: Outline of Program

Eco Ambassador & Sustainable Building Program

What is it?

The aims of the program are to:

1. Empower and reward our residents, businesses and developers to become leaders in sustainability.
2. Foster an interest sustainability issues and sustainability solutions that embody a socially responsible attitude to environmental stewardship.
3. Break down the barriers to sustainable behaviour through removing cost and time inhibitors.

What is the focus?

The program seeks to achieve a number of environmental, social and financial outcomes at a local, neighbourhood and regional level.

Participants in the *Eco Ambassador* program would be measured by a point score system determined against each of the criteria below:

Environmental

- Energy
- Water
- Waste
- Land management
- Transport
- Other pollution

Social

- Volunteering
- Engagement with local organisations
- Supporting local community
- Emergency response preparedness

Financial

- Purchasing – local or Australian
- Product choice
- Support for responsible businesses

A similar scheme would be used for the *Promoting Sustainable Buildings* program with a focus on expanding beyond BASIX requirements and look at:

- integrated water cycle management perspective (to incorporate stormwater reuse, grey water and sewerage recycling and pollution control).
- energy conservation and generation, material use.

- waste and recycling (during construction and occupation).
- use of technology and innovation.
- protection of remnant vegetation and providing greater habitat opportunities.
- providing opportunities for "open house" days to showcase and promote leading practice and design.

How would it work?

The Eco Ambassador program would acknowledge the efforts of households *and* business that have implemented a range of sustainability initiatives. This would take the form of three reward and recognition schemes, the latter two rewards being subject to a minimum point score with the Champion also subject to an independent review.

	ECO Participant	ECO Ambassador	ECO Champion
Categories	<ul style="list-style-type: none"> • Household (unlimited) • Business (unlimited) • Other* (unlimited) 	<ul style="list-style-type: none"> • Household (5) • Business (3) • Other* (3) 	<ul style="list-style-type: none"> • Household (1) • Business (1) • Other* (1)
Requirements	<ul style="list-style-type: none"> • Join incentive program 	<ul style="list-style-type: none"> • Join incentive program • Undertake self audit with min 70/100 point rating 	<ul style="list-style-type: none"> • Join incentive program • Undertake verified audit • min 90/100 point rating
Rewards	<ul style="list-style-type: none"> • Recognition in Council web/newsletters/newspapers • Free Residential audit • Access to incentives** 	<ul style="list-style-type: none"> • Recognition in Council web/newsletters/newspapers • Free Residential audit • Access to incentives** • Copy of 'Your Home' technical manual • Philanthropic donation*** • Water fix program OR Love your Garden program • Recognition at Australia Day festival 	<ul style="list-style-type: none"> • Recognition in Council web/newsletters/newspapers • Free Residential audit • Access to incentives** • Copy of 'Your Home' technical manual • Philanthropic donation*** • Water fix program OR Love your Garden program • Recognition at Australia Day festival • Financial reward (similar to S94 reduction for developer OR bonus payment)

* Schools/churches/community groups

** Incentives would be determined to supplement current State and Federal Government programs and to be provided where there are gaps in the incentives schemes and that would make a positive difference

*** Philanthropic donation by council to an organisation/s selected via Council process

The *Promoting Sustainable Building* program could incorporate aspects such as: faster development assessment times; reduction in fees; investigating options for flexibility in new section 94 contributions plans; use of bank guarantees for section 94 contributions as a mechanism to delay payments up until the sustainable elements are installed; providing greater marketing opportunities through larger site promotional signs; and providing carbon credits to Council to offset its emissions.

In terms of recognitions, best practice initiative could be: promoted through DA kit; providing a best practice case studies on Council's web page; promotions via a sustainable building open house scheme; and undertaking ratings of the buildings via the Green Star initiative and other programs.

Eligibility would take a similar form to a scoring system to *Eco Ambassador*.

Financial implications

Rates

It is not possible to give a rate rebate under the *Local Government Act* ("the Act"). However, Section 577 does allow for giving an extension for payment of rates to eligible pensioners.

Rewards

Council is eligible to give a donation or reward as in a competition such as proposed.

Rebates

Rebates for products and services would be allowed. These have been used in other council areas to supplement water tank rebates among others.

Example of current rebates include:

- Rain water tank Grey water system
- Solar hot water system
- Solar panels
- Insulation
- Window glazing
- Sydney Water Water Fix
- Sydney Water Love Your Garden
- Fridge Buyback

Interest free loans

Interest free or reduced loans could be provided through Council to allow residents to install high-cost fixtures, including solar hot water systems, insulation, water tanks or solar panels without requiring the upfront lump sum to undertake the installation. This may incur a cost to Council through funding the interest on the loans, however there may be potential for a grant application through the NSW Climate Change fund to assist in undertaking this initiative. It may be possible to bill through existing rate notices.

Budget

Note the implications for this program have not been included in the development of the 2008/09 budget. Options exist for partial funding through the existing Environmental Levy and the proposed stormwater charge. Further examination would be necessary along with agreement by Council and possibly the Department of Local Government.

Philanthropic donation

An innovative element to this program would be the introduction of a philanthropic donation scheme. This would apply where residents or businesses would forgo some personal financial gain such as a Council rebate to be donated to a selected organisation with a sound sustainable track record. The selection criteria are yet to be developed. By electing this option the global return on invested dollar by Ku-ring-gai residents would have a multiplier effect in terms of buffering against climate change.

For the case of example, a non-government organisation program that may be relevant include **Rainforest Rescue** (<http://www.rainforestrescue.org.au/index.html>) which purchase and protect 5 sq metres of Daintree rainforest for \$25. The rescued rainforest receives lifelong protection from rural, residential and commercial development. A "Plant a Rainforest Tree" Gift Card indicates how many rainforest trees you have planted for the recipient. The trees will be planted and cared for by Rainforest Rescue.

Oxfam run a range of international programs such as providing reliable vegetable seeds to ensure farmers in East Timor can improve the yield of their crops and help keep families healthy through improved nutrition. Cost \$10. In China local farmers can be provided with a sheep that gives them the opportunity to earn a living selling wool. Cost \$74.

Associated programs

Council currently has a grant from the NSW Government to promote urban sustainability. Its aim is to engage persons and households to improve their environmental performance and behaviours. As part of the program, two sustainability advisors be appointed will work with interested residents in the Ku-ring-gai, Hornsby and Willoughby Council areas. These advisors will work with residents to lessen their environmental footprint and improve local biodiversity.

Education

Local information

A series of local events or mini festivals could be used to raise interest in the project and raise awareness of the benefits of various sustainable goods and services that may be of benefit to the residents and business of Ku-ring-gai.

Web portal

Council currently has a web page dedicated to the dissemination of information to assist Ku-ring-gai residents in fostering more sustainable lifestyles. The page, located within the Natural Areas section of the Council web page, provides residents with online programs to measure their footprint, 'green' directories to locate services and products to reduce their footprint, an extensive selection of fact sheets on a variety of sustainable products and initiatives, and a continuously updated section listing current grants and rebates available to residents. However, this site currently is not highly advertised within the community.

Preferred suppliers

As part of the current NSW Government project a preferred contractor list of sustainable business providers is being developed. This will cover both goods and services. Application to the list will be used via an expressions of interest process in line with Council's purchasing policy.

Services

A free residential audit can be provided to residents. Several companies already provide this service to Ku-ring-gai residents however Council does not endorse any particular company due to anecdotal suggestions that the service quality may be below standard. However this can be overcome through undertaking an Expression of Interest process and ensuring the preferred tenderer adheres to a service quality agreement. The contractor will be funded through existing programs such as the Renewable Energy Certificates, with no cost to Council or the resident.

The above programs do not as yet, extend to businesses or schools, however there may be potential for Council to assist in providing this service. This may incur some cost depending on the administration of the Renewable Energy Certificate scheme.

Examples of similar awards

Northwest Business Environment Awards 2008 - UK

<http://www.merseybasin.org.uk/pate.asp?id=3004>

The Northwest Business Environment Awards are a great way to let customers and staff hear about your hard work. Winning an award can help raise your profile and boost your reputation, as well as gaining recognition from the high-profile media and marketing campaign. Previous finalists have all cited the awards as a great opportunity to demonstrate their green credentials.

Kitchener Council - Ontario Canada - Environmental Award

http://www.kitchener.ca/award_prog/ch_res.html

With the reality of water conservation and pesticide by-laws some residents question how it's possible to have a beautiful garden and still follow the Region's watering restrictions. The committee is working on developing educational tools to help residents keep their yards beautiful and be environmentally conscious.

In 2005 we introduced the Environmental Award. The award recognizes the use of drought resistant plant material, native plant species, compliance with watering restrictions and pesticide free lawns and gardens.

Also have business awards

The Consensus Environmental Challenge

<http://www.newsontheblock.com/articles/20080220>

Vincent Tchenguiz, Chairman of Consensus Business Group is pleased to announce that: "As one of the most substantial managers of residential properties and owners of residential freeholds in the UK, and as one of the largest private investors in environmentally friendly projects and technologies, I am delighted to join with News on the Block to support the Consensus Environmental Challenge."

The Environmental Challenge is divided into two categories:

- The Consensus Inspirational Environmental Award
- The Consensus Entrepreneurial Environmental Award

The built environment is responsible for a vast proportion of the UK's energy consumption and greenhouse gas emissions throughout the lifecycle of a property. We are seeking ways to make residential properties more environmentally friendly in all areas from construction and maintenance to servicing (heating, lighting, etc) and recycling. We invite suggestions in any and all residential property related fields including: design and construction; retrofitting; landscaping; alternative energy; services (lighting, sewage, etc.); insulation; recycling; and behavioural change – to name but a few.

Environment Awards for Kent Business

<http://www.environmentawards.net/details.asp?cid=12504>

Sponsored by the local council for large and small businesses.

Bromley's Environment Awards

www.bromley.gov.uk/environmentawards

Bromley's Environment Awards are open to anyone living or working in the London Borough of Bromley. The awards recognise and reward examples of sustainable development from school projects to built environment schemes. There are various categories including, preschool, schools, business, group, community, household, citizen. Built environment has the sub-categories of Housing, Public Realm, Commerce, Built Heritage and Environmental Improvement.

Durham County Council Environment Award - The Built Environment

<http://www.environmentawards.net/details.asp?cid=14>

For example: new buildings, or extensions and conversions that enhance the townscape of an area or paving schemes that improve the quality of the street scene. Projects that demonstrate sustainable development include energy conservation of buildings, alternative and renewable energy, the minimal use of scarce resources or other enhancement of the local environment. In addition to good physical design in all aspects of the environment, the Environment Award Scheme criteria will now include: The reduction of dependence upon private transport eg relationship to public transport services. reducing the need to travel to shops, social and leisure facilities by car. Safer and more attractive environments, including traffic calming schemes and crime prevention schemes. Organisations attempting good sustainable practices including waste management eg recycling and anti-pollution schemes. Seeking to reduce demands on natural resources by encouraging biodiversity and creating habitats etc. Minimising energy use or employing renewable energy sources eg solar, wind and water power, biofuels and energy saving in buildings. Safeguarding the County's rich architectural and natural heritage for the enjoyment of future generations which includes the retention and restoration of historic buildings, stonewalls and hedgerows. Advancing the understanding of environmental issues by creating educational programmes and producing publicity leaflets.

Philadelphia Sustainability Award

<http://www.philadelphiasustainabilityawards.org/>

Sustainable Community Outstanding Leadership Awards

<http://www.sustainableseattle.org/Programs/SustainabilityAwards/>

Sustainable Seattle has launched an annual Sustainable Community Outstanding Leadership Awards to recognise the sustainability achievements of organisations in our community. These awards are presented to organisations, individuals, businesses and government.

AMENDMENT TO THE COUNCIL MEETING CYCLE FOR SEPTEMBER 2008

EXECUTIVE SUMMARY

PURPOSE OF REPORT:

To amend the Council Meeting Cycle for September 2008.

BACKGROUND:

The date for the holding of the ordinary elections of Councillors has been changed to 13 September 2008

COMMENTS:

Options for Council's consideration.

RECOMMENDATION:

That Council amend its Meeting Cycle for September 2008.

PURPOSE OF REPORT

To amend the Council Meeting Cycle for September 2008.

BACKGROUND

The Local Government Act 1993 has been amended to change the date for the holding of ordinary elections of Councillors in and after 2008.

The Council had already amended its meeting cycle for 2008 to take into account the original date for the 2008 Local Government Elections, as follows:

8 April 2008	Ordinary Meeting of Council
29 April 2008	Ordinary Meeting of Council
22 July 2008	Ordinary Meeting of Council
29 July 2008	Ordinary Meeting of Council
9 September 2008	Ordinary Meeting of Council
23 September 2008	Ordinary Meeting of Council (CANCELLED)
14 October 2008	Ordinary Meeting of Council
21 October 2008	Ordinary Meeting of Council
2 December 2008	Ordinary Meeting of Council
9 December 2008	Ordinary Meeting of Council

COMMENTS

The 2008 Local Government Elections will not be held on Saturday, 13 September 2008. There was concern that the Elections would clash with the school holidays causing inconvenience to voters.

It is now recommended that the last scheduled meeting of the current Council be transferred from 9 September to 2 September 2008.

Following the Elections, the first scheduled meeting of the new Council should be held on 30 September 2008.

CONSULTATION

Not applicable.

FINANCIAL CONSIDERATIONS

Not applicable.

Item 1

S02355
17 March 2008

CONSULTATION WITH OTHER COUNCIL DEPARTMENTS

Not applicable.

SUMMARY

Not applicable.

RECOMMENDATION

That Council amend its meeting cycle for September 2008 as follows:

2 September 2008	Ordinary Meeting of Council
9 September 2008	[Transferred to 2 September 2008]
30 September 2008	Ordinary Meeting of Council

Geoff O'Rourke
Senior Governance Officer

John McKee
General Manager

SECTION 68 APPLICATION – LOCAL GOVERNMENT ACT 1993

SUMMARY SHEET

REPORT TITLE:	191 WARRIMOO AVENUE, ST IVES - RETENTION OF CARAVAN
WARD:	St Ives
DEVELOPMENT APPLICATION N^o:	Not applicable
SUBJECT LAND:	191 Warrimoo Avenue, St Ives
APPLICANT:	Ms S Demirjian
OWNER:	Mr S Demirjian
DESIGNER:	Not applicable
PRESENT USE:	Vacant residential land
ZONING:	Residential 2C
HERITAGE:	No
PERMISSIBLE UNDER:	Local Government Act 1993 Section 68
COUNCIL'S POLICIES APPLICABLE:	Nil
COMPLIANCE WITH CODES/POLICIES:	Not applicable
GOVERNMENT POLICIES APPLICABLE:	Local Government (Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation and Local Government Act (Approvals) Regulation 2005
COMPLIANCE WITH GOVERNMENT POLICIES:	Yes
DATE LODGED:	20 January 2006
PROPOSAL:	Retention of caravan
RECOMMENDATION:	That Council grant approval to the continuance of the use of the moveable dwelling on land 191 Warrimoo Avenue, St Ives, for a period of two (2) years from the date of the Notice of Determination, subject to conditions.

Item 2

SECTION 68 APPLICATION N^o	NOT APPLICABLE
PREMISES:	191 WARRIMOO AVENUE, ST IVES
PROPOSAL:	RETENTION OF CARAVAN
APPLICANT:	MS S DEMIRJIAN
OWNER:	MR S DEMIRJIAN
DESIGNER	NOT APPLICABLE

PURPOSE FOR REPORT

To determine an application under Section 68 of the Local Government Act 1993 for retention of a caravan on the subject site to be used as a place of residence whilst the owner seeks development consent & subsequently builds a new dwelling upon the land

EXECUTIVE SUMMARY

- Issues: Visual intrusion and privacy.
- Submissions Owners of the eight neighbouring properties immediately adjoining the site were advised of the application and invited to comment. Two submissions were received.

HISTORY

- 1991-1998 The property was damaged in a severe storm that affected the area and the owner vacated the premises. Shortly after the property was further damaged by fire. In 1998 Council found it necessary to arrange the carrying out of works to rid the land of overgrown vegetation and demolish the burnt out dwelling. The costs incurred for these works were claimed as a debt against the property. (This debt remains outstanding, with a judgement supporting Council's actions)
- 30 July 2002 Council received a development application for the placement of a caravan on the site as temporary living accommodation while the owner prepared documentation and obtained quotes for the rebuilding of the dwelling. Upon approval of the development application for the dwelling, the caravan would be used as a site office.
- 5 August 2002 Council notified the five immediate neighbours of the development application. Five letters of objection were received. At this time it was realised the application could not be dealt with as a development application and Ms Demirjian was advised. By letter dated 29 January 2003 Ms Demirjian made application under Section 68 of the Local Government Act 1993 for the installation of the caravan.
- 1 February 2003 Section 68 approval for the caravan was issued, subject to conditions, with the approval expiring on 2 February 2005.
- 6 May 2003 Council officers received a complaint from a neighbour concerning a breach of one of the conditions of approval. An inspection of the site confirmed that the setback of the caravan from the western boundary was 1.5m which was contrary to the condition requiring a 3 metres setback.
- 12 May 2003 Ms Demirjian was issued with a Notice of Intention to serve an order requiring the caravan be relocated so as to be in accordance with the Section 68 approval.

Item 2

- 28 May 2003 An order under Section 121 of the Environmental Planning and Assessment Act was served on the owner, requiring the caravan be relocated to 3 metres from the western boundary in accordance with the approval.
- 26 August 2003 The matter was referred to Council's lawyers given the breach of an order.
- 14 Nov 2003 Following legal advice, it was decided not to rely on the Order issued on 28 May 2003.
- December 2003 Council officers seek permission to enter the site and check compliance with conditions of approval.
- 16 Dec 2003 A new order is issued under Section 124 of Local Government Act.
- January 2004 Council sends letter to the owner requesting the removal of rhizomatous bamboo.
- 6 February 2004 Owner claims not to have received the order even though they had been addressed as listed on Council's records. A new mailing address was provided.
- 7 February 2004 A new order is served on the owner to relocate the caravan and provide privacy screening to the western boundary. Owner does not comply.
- 31 August 2004 A meeting took place between Council officers and the owner to discuss the outstanding debt to Council and issues relating to non-compliance with the Section 68 approval. The owner was also advised that the approval would expire on 2 February 2005 and that she should make arrangements to lodge a fresh application should she need to extend the period of use of the caravan.
- 8 Dec 2004 Council officers serve order on the owner to remove bamboo from the site.
- 3 May 2005 Council officers instruct Council's lawyers to commence action requiring removal of the caravan.
- 20 May 2005 The matter concerning the debt to Council for unpaid rates and clean up costs was heard in Hornsby Court. The owner, Ms Demirjian, did not attend.
- 1 June 2005 Warrant for arrest of Ms Demirjian issued by Hornsby Court for non-attendance at the 20 May local court hearing.
- 24 June 2005 Council's lawyers write to Ms Demirjian and ask her to meet with Council officers to discuss her now unauthorised occupation of the caravan.
- 12 August 2005 An agent hired by Council's lawyers serves a letter on Ms Demirjian advising her that Council will commence action in the local court to have the caravan removed.
- 31 August 2005 Ms Demirjian comes to Council Chambers to discuss means of gaining an extension of time to keep the caravan on site, stating that she is now preparing for her DA and wishes to build a replacement home.

Item 2

- September 2005 Mr Laxton, an associate of Ms Demirjian, approaches Council via letter to Councillors alleging that Council officers are harassing Ms Demirjian and asks for reconsideration of the matter.
- 20 Sept 2005 Mr Laxton relocates the caravan and organises for the screen planting to be in place in accordance the Section 68 approval. Mr Laxton also commences a regular program of assisting Ms Demirjian with mowing the property and some bamboo removal.
- 27 Sept 2005 Mr Laxton advises Council officers that Ms Demirjian will now lodge a new Section 68 application so as to continue living on site until her new house is built and ready for occupation. Mr Laxton requests Council officers to delay legal proceedings on the proviso that he will assist her in making a fresh Section 68 application and a DA for the proposed new dwelling. This is agreed to in principle and confirmed in a letter from Council's lawyers on the proviso the applications are submitted and the vegetation screens are established without delay.
- 4 Nov 2005 Ms Demirjian attends Council and presents plans for her intended house at a pre-DA meeting. Mrs Demirjian is advised that she needs to reconsider the proposal in line with Council's DCP 38. Ms Demirjian was also reminded of the need to lodge a fresh section 68 application.
- 16 Jan 2006 Ms Demirjian lodges Section 68 application devoid of the required fee.
- 24 Jan 2006 Ms Demirjian is contacted by Council officers and reminded that the fee for the Section 68 application is still outstanding.
- 10 Feb 2006 Council officers again request Ms Demirjian to pay the fee to allow consideration of Section 68 application.
- 3 May 2006 Council officers send letter to Ms Demirjian, advising that the Section 68 application will be refused unless the fee is paid and legal action will be commenced to have the caravan removed.
- 27 Aug 2006 Council receives a fax copy of a deposit slip, dated February 2006, with bank stamp as proof of payment of the Section 68 fee.
- 26 Oct 2006 An initial site inspection is undertaken as part of consideration of Section 68 application.
- Nov 2006 –
May 2007 Consideration of the Section 68 application suspended, pending evidence that a development application for a new dwelling house will be lodged.
- August 2007 As no development application has been forthcoming, Council officers resume consideration of the Section 68 application.
- 4 Sept 2007 Owners of surrounding properties were given notice of the Section 68 application.

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THE SITE

Zoning:	Residential Residential 2C
Visual Character Study Category:	N/A
Lot Number:	4
DP Number:	225765
Area:	1789 m ²
Side of Street:	Eastern
Cross Fall:	West to east
Stormwater Drainage:	On-site disposal
Heritage Affected:	No
Required Setback:	Nil, Battleaxe site
Integrated Development:	No
Bush Fire Prone Land:	Bushfire Prone Vegetation Buffer Zone
Endangered Species:	No
Urban Bushland:	No
Contaminated Land:	No

SITE DESCRIPTION

The subject site is located on the eastern side of Warrimoo Avenue, St Ives. The site is of battleaxe configuration and is not readily visible from the street. From the end of the access handle, the site falls gently to the east for approximately two thirds of the site's length and then slopes steeply to the eastern (rear) boundary.

The site is mainly covered with grass, with some incidental garden and vegetable beds and shrubs scattered around the boundaries.

The subject caravan is located in the north-western corner of the site.

The surrounding lots contain single dwelling houses.

THE PROPOSAL

The application is for the retention of a caravan on the site. The caravan is utilised as the principle place of residence for the owner/ occupier.

The applicant wishes to continue living in the caravan whilst preparing documentation for submission of a development application and the subsequent construction of a new dwelling upon the site.

The applicant has indicated that the caravan would be used as a residence until an interim occupation certificate could be issued on the new dwelling house. At that time, the applicant would transfer residency to the partially completed dwelling.

The caravan consists of a sleeping compartment, a small lounge/dining area, kitchen and bathroom.

CONSULTATION - COMMUNITY

Under the Local Government Act 1993 (LGA), Section 68 applications do not require resident notification. Further, Council's Notification DCP makes no provision for applications under Section 68 of the LGA.

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Notwithstanding the above given the history of this matter, a notification letter was sent to all owners and occupiers of neighbouring properties, advising them that an application is at hand and seeking their comment on the proposal.

Notification letters were sent to 2, 4, 6 and 8 Tomah Street, St Ives, 6 Snowden Place St Ives, 193, 195 and 197 Warrimoo Ave, St Ives on 4 September 2007.

In response, two submissions were received from the following:

Mr Colin Ash : 193 Warrimoo Ave St Ives.

Mr Harry and Mrs Annette Jaches: : 2 Tomah Street, St Ives

Both submissions raised the following issues:

- **Concern with the continued use of the caravan as a place of residency**

Nearby residents are concerned that the occupier of the caravan and owner of the land has occupied the caravan since February 2003 and a further extension of 2 years would not be in the best interests of the local neighbourhood.

- **The lack of commitment by the owner to construct a new house on the allotment**

The applicant made preliminary approaches to Council in November 2005 to discuss development proposals for a new house on the site. Since that time, no further submissions or formal development applications have been received.

- **The caravan is unsightly when viewed from the adjoining properties**

This is particularly so when viewed from 193 Warrimoo Avenue. The Screen planting required in the original consent conditions, not having established to full potential. The ability to overlook the rear of premises at 193 Warrimoo Avenue when standing inside the caravan is also of concern.

- **Location of the caravan**

The location of the caravan, set back 3 metres from the common boundary with 193 Warrimoo Road, has been raised as an item of concern. This location was originally chosen to allow unencumbered access to the remainder of the site to allow for construction of the new dwelling.

COMMENT

Notwithstanding the best endeavours of Council officers, the applicant has not met her previous intentions to lodge a development application for a permanent dwelling upon the site. This is despite considerable encouragement over an extended period of time by Council Officers to Mrs Demirjian to lodge the required application.

At a pre-DA meeting held in late 2005 with Council's Team leader, Assessment, Ms Demirjian presented preliminary plans that had no regard for Council's controls in terms of height, setback or design. Ms Demirjian was advised to further consider the controls in DCP 38, amend her plans and

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make a fresh appointment for a pre-DA conference. To date, Ms Demirjian has not acted on this advice.

At the time of the pre-DA meeting Ms Demirjian, was reminded that her current Section 68 approval for residing in a caravan had lapsed. It is this reminder that appears to have prompted Ms Demirjian to make this second application.

In respect of the appearance of the caravan, it is noted that the caravan is not visible from the street and is generally well shielded from most properties by boundary plantings, both within the subject side and on adjoining sites, with the exception of 193 Warrimoo Ave, St Ives.

The intrusion of the caravan upon the privacy of 193 Warrimoo Road was recognised in 2003 at the time of the original Section 68 application. In this regard, the Section 68 approval required screen planting to be undertaken. A vegetative screen, consisting of "potato vine" upon a trellis was erected in September 2005. However, this immature planting only partially obscures the caravan at this time.

The caravan has one window to its western elevation that services a small lounge area and is located at a height that enables the occupier to view the rear open space of 193 Warrimoo Avenue.

CONSULTATION - WITHIN COUNCIL

Consultation with other departments of Council was not considered necessary. However, Council's Corporate Lawyer was asked to review the matter, particularly in respect of the provisions of Clause 121G of the Environmental Planning and Assessment Act, 1979 which deals with the service of Orders that are likely to make residents homeless. This issue is considered under "other relevant matters" below.

PROVISIONS OF RELEVANT LEGISLATION

1. Environmental Planning Instruments

This application is not a Local Development under Part 4 of the Environmental Planning & Assessment (Amendment) Act, as moveable dwellings are not classed as development under the Act.

Whilst Table 23 of the Ku-ring gai Planning Scheme Ordinance does not permit caravans as exempt development, as a moveable dwelling it is not classified as development or a building under the Environmental Planning and Assessment Act and therefore the Ku-ring-gai Planning Scheme Ordinance is not applicable.

2. The Local Government Act

The use of a caravan as a moveable dwelling is an activity that requires approval under Section 68 of the Local Government Act 1993.

In determining such applications, the Local Government Act 1993 requires the following considerations to be made:

(1) In determining an application, Council:

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- (a) must not approve the application if the activity or the carrying out of the activity for which approval is sought would not comply with the requirements of any relevant regulation, and*
 - (b) must take into consideration any criteria in a local policy adopted under Part 3 by the council which are relevant to the subject-matter of the application, and*
 - (c) must take into consideration the principles of ecologically sustainable development.*
- (2) If no requirements are prescribed for the purposes of subsection (1) (a), and no criteria are adopted for the purposes of subsection (1) (b), the council in determining an application:*
- (a) is to take into consideration, in addition to the principles of ecologically sustainable development, all matters relevant to the application, and*
 - (b) is to seek to give effect to the applicant's objectives to the extent to which they are compatible with the public interest.*
- (3) Without limiting subsection (2), in considering the public interest the matters the council is to consider include:*
- (a) protection of the environment, and*
 - (b) protection of public health, safety and convenience, and*
 - (c) any items of cultural and heritage significance which might be affected.*

COMMENT

In relation to 1(a) and (b) the application does not contravene any regulations of the Environmental Planning and Assessment Act 1979 or the Ku-ring gai Planning Scheme Ordinance. The proposed activity is permissible under the Local Government Act 1993.

In relation to 1 (c) the proposal is a pre-fabricated structure and, upon the use terminating, it can be moved to another location for a similar use without the need for materials to be discarded or additional materials being required.

The relatively small size of the moveable dwelling will not require large levels of power to sustain living standards.

In relation to 2 (a) and (b), the proposal affords practical low cost temporary accommodation for the applicant on her own land. Whilst living on site, the applicant can better maintain the site to an acceptable level whereby if the applicant was off site there would be a greater likelihood of neglect.

The proposed activity also provides a level of security to adjoining properties in that the access to the land is closed and the land is not left vacant which could possibly attract vandalism of the this or adjoining sites.

Issues such as privacy can be addressed by the provision of effective screen planting. There have already been measures put in place to address these issues.

In relation to 3 (a), (b) and (c) the moveable dwelling is located on a relatively level section of land where the unit can be safely and securely sited.

The caravan has been connected to public utilities for the period it has been in place and there have been no public health or environmental issues arising from these connections.

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The subject site is not located within a conservation area nor is the subject site or adjoining properties listed as items of heritage significance.

Local Government (Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation

Division 3 of the Regulation "Installation of moveable dwellings elsewhere than in caravan parks or camping ground" sets out criteria that apply to the assessment of this application and refers to conditions for design, construction and installation in accordance with Part 4 of the Regulation.

COMMENT

The installation generally complies with these provisions. The checking of hold downs and compliance plates is also required.

3. Likely impacts

The proposal is unlikely to have any significant impact on the environment, landscape or scenic quality of the locality, threatened species, populations or ecological communities or their habitats or any other protected fauna or protected native plants.

The site is not within a wilderness area nor in an area of critical habit.

The area of the site around the caravan can be adequately landscaped to address visual impact and privacy by way of conditions of approval. There is unlikely to be any significant impact on the existing or likely future amenity of the neighbourhood.

4. Suitability of the site

The site is suitable for the proposed activity.

5. Any submissions

The two submissions received have been addressed.

6. Public interest

The proposal is not considered to be contrary to the public interest.

OTHER RELEVANT MATTERS

Should Council determine to refuse this application, it may become appropriate to issue orders requiring the applicant to cease residing within the caravan and have the caravan removed from the site.

However, in the taking of such action it would be necessary for Council to give consideration to the provisions of Clause 121G of the Environmental Planning and Assessment Act 1979 as follows;

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121G Orders that make or are likely to make residents homeless

- (1) If an order will or is likely to have the effect of making a resident homeless, the person who gives the order must consider whether the resident is able to arrange satisfactory alternative accommodation in the locality.
- (2) If the resident is not able to arrange satisfactory alternative accommodation in the locality, the person who gives the order must provide the resident with:
 - (a) information as to the availability of satisfactory alternative accommodation in the locality, and
 - (b) any other assistance that the person considers appropriate.

The operation of this clause can be somewhat onerous upon Council, in some circumstances, particularly having regard to the uncertainty as to what may be "satisfactory alternative accommodation".

CONCLUSION

The proposed continuation of the use of the moveable dwelling is an activity that is permissible under Section 68, Local Government Act 1993.

Subject to conditions, the activity satisfies the criteria required to be considered in the assessment process.

Whilst it is acknowledged that the continued occupation of the caravan has the most affect upon the privacy and amenity of residents of 193 Warrimoo Road, it is considered that the vegetative screen , as now partly established goes some way to address this concern. Moreover, a condition is recommended requiring further dense screening.

Subject to a further screening condition, there would be negligible impact on the amenity of adjoining properties, therefore the application is recommended for approval.

RECOMMENDATION

Pursuant to Section 94 (1) (a) of the Local Government Act 1993.

That the Council as the approval authority, grant approval to the continuation of the moveable dwelling on land 191 Warrimoo Avenue St Ives, for a period of two (2) years from the date of the Notice of Approval, subject to the following conditions.

GENERAL CONDITIONS

1. The activity shall be in accordance with the application and plans attached to a Section 68 application, made by Ms Servart Demirjian dated 16 January 2006.
2. That a dense vegetative screen of appropriate species provided between the moveable dwelling and the property's western and northern boundaries so as to reduce the visual and privacy impacts of the caravan upon the adjoining property. Details of the required enhanced screening are to be provided to the satisfaction of Council's Landscape Assessment officer.

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T Cooper
Team Leader Compliance

A Seaton
**Manager
Regulation & Compliance**

M Miocic
**Director
Development & Regulation**

Attachments:
1: Notification Sketch - 913232
2: Photos of Caravan Site - 731094



















SUSTAINABILITY REFERENCE GROUP MEETING - MINUTES OF 25 FEBRUARY 2008

EXECUTIVE SUMMARY

PURPOSE OF REPORT:

To bring to the attention of Council the proceedings from the Sustainability Reference Group Meeting held on Monday, 25 February 2008.

BACKGROUND:

The role of the Sustainability Reference Group is to provide community, stakeholder and industry advice and feedback to Council on matters relevant to sustainability. This was the first meeting for the group.

COMMENTS:

For the meeting of Monday, 25 February 2008, five items were discussed including membership and the charter of the Sustainability Reference Group, an overview of Council's current plans and initiatives, the development of Ku-ring-gai's Sustainability Plan, climate change and future meeting times and agendas for the group.

RECOMMENDATION:

That the Minutes of the Sustainability Reference Group meeting held on Monday, 25 February 2008 and attachments be received and noted.

PURPOSE OF REPORT

To bring to the attention of Council the proceedings from the Sustainability Reference Group Meeting held on Monday February 25 2008.

BACKGROUND

The SRG will provide community, stakeholder and industry advice and feedback to Council on matters relevant to sustainability. This was the first meeting for the group.

COMMENTS

There were four items for general business discussion in the meeting of Monday, 25 February 2008. Minutes of the meeting are included as Attachment 1 to this report:

1. Membership and Charter of the Sustainability Reference Group. On this item the Reference Group asked if this could be discussed at the next meeting to enable members to consider the option of expanding memberships and other roles of working parties and the terms of the Charter. Presentations of by several staff members giving an overview of Council's 2008-2012 draft management plan, long term financial plan and capital works. Members were invited to comments on these preliminary documents prior to being formally considered by Council and placed on public exhibition.
2. A presentation outlining the development of Ku-ring-gai's Sustainability Plan. This item will be reported to Council in the coming weeks to place the document on exhibition following its development with the community.
3. Climate change and greenhouse gas emissions targets for Ku-ring-gai Council. The Reference Group asked that an expert presentation be provided at the next meeting to aid the Group in considering adaptation and mitigation targets.
4. Future meeting times and agenda items. Where it was agreed to move the meeting to 7.00pm, with the next meeting scheduled for Monday 7 April 2008.

CONSULTATION

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

FINANCIAL CONSIDERATIONS

There are no financial considerations related to this report.

CONSULTATION WITH OTHER COUNCIL DEPARTMENTS

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

SUMMARY

The Sustainability Reference Group considered five items of business at its meeting of Monday, 25 February 2008. The Sustainability Reference Group discussed membership and Charter for the Group, an overview of Council's current plans and initiatives, the development of Ku-ring-gai's Sustainability Plan, climate change and future meeting times and agendas for the group.

RECOMMENDATION

That the Minutes of the Sustainability Reference Group Meeting of Monday, 25 February 2008 and attachments be received and noted.

Peter Davies
Manager Corporate Planning & Sustainability

Andrew Watson
Director Strategy

Attachments: Minutes of Meeting held 25 February 2008 - 902647

Sustainability Reference Group

Monday 25 February 2008
Level 3 Council Chambers 5.00pm – 7.00pm

Attendees:

Members	Councillors	Staff
John Balint Cecil Blumenthal Jacqueline Harvey Janet Harwood Steven Holland Caspar Lewis Jenny Middleton Bernadette Pinnell Ron Rapee Angela Rozali Elijah Swift Giles Tabuteau	Clr. N. Ebbeck (Mayor) – Chair Clr. E. Malicki – Deputy Chair Clr. M. Lane Clr. T. Hall Clr. J. Anderson Clr. L. Bennett	Andrew Watson – Director Strategy Greg Piconi – Director Operations Peter Davies – Manager Corporate Planning & Sustainability Tino Caltabiano – Manager Finance Kirsten Davies – Sustainability Program Leader Jenny Scott – Sustainability Program Leader Louise Hayward – Sustainability Officer Kim English – Administrator Andrew Joyce – Trainee Sustainability Officer

Apologies:

Members	Councillors	Staff
Andrew Daff Andy Pitman Mark Taylor	Clr. I. Cross Clr. M. Shelley Clr. A. Andrew (Deputy Mayor) Clr. A. Ryan	

Meeting opened 5.05pm.

General Business:

SRG 1 - Welcome and introductions

The Mayor welcomed the first Sustainability Reference Group and members; staff and Councillors introduced themselves. The Mayor explained that this first meeting was to provide a snapshot of Council's programs and directions with future meetings to be more interactive, as the ideas and advice of members is sought.

SRG 2 - Charter and membership

The Mayor discussed the Charter for the group specifically the limits to membership given there were several people that missed out on nominations and since the closing date several others have expressed interest in participating in the group.

Two options were given:

1. Expand membership of the group beyond the current maximum of 15. Given initial and latent interest it was suggested that re-advertising for nominations would be necessary in order to ensure all residents had a opportunity to express their interest; and

2. Keep the membership limited to 15, but invite interested community members to attend meetings and form sub-committees to focus on specific issues relating to their expertise. This may require minor changes to the current charter to enable the Reference Group to form sub-groups and have members participate without prior approval by Council.

It was suggested that membership be expanded to 20, with the formation of two working parties. This option still had limitations in that it would be necessary to re-advertise and that the group was already a large number.

There was general consensus by the Reference Group that it was not reasonable to come to a decision on this at the meeting rather than this be discussed at the next meeting allowing time to consider options.

Action:

1. Manager Corporate Planning and Sustainability to send alternative charters to Reference Group members prior to the next meeting; and
2. This item to be listed on the agenda for further discussion.

Other issues raised included:

- The role and objectives of the Sustainability Reference Group - it was decided that these be discussed in detail at the next meeting;
- The need to identify skill-sets in the group and any weaknesses in the event of expanding the membership and formation of working groups;
- The extent of further community consultation; and
- Creation of a waiting list for prospective SRG members.
- Whether the SRG would have input into core planning policies such as Development Control Plans and Local Environment Plans, and whether the Planning Panel would have any regard for such input. The Mayor responded that the role of the SRG was not to curb development but to address sustainability issues across the whole range of Council's activities. Input from the group relating to planning issues would be received, but that its impact upon the Planning Panel was unknown.
- What other elements of planning the group would deal with, apart from core planning policies. The Mayor responded that there were many projects under the Environmental Levy (such as stormwater harvesting and sewer mining at Gordon Golf Club and other environmental initiatives that the group would be involved with.
- Need to restore a balance between environmental and development objectives in State departments;
- That past studies and reports be made available on Ku-ring-gai's website; and
- Whether an avenue for influencing retail activity exists in Ku-ring-gai (*to be flagged as a future agenda item*).

SRG 3 - Background and overview of Council's current initiatives

- Manager Corporate Planning & Sustainability gave a presentation on the 2008 – 2012 draft Management Plan;
- Manager Finance gave a presentation on Council's long-term financial model; and

- Director Operations gave a presentation on Council's proposed capital works programs and major projects.

Action:

3. Members to provide comment on the working draft Management Plan for the next meeting.

Issues raised included:

- The significant contribution of street lighting to Council's total electricity consumption;
- The sale of assets for financial sustainability;
- The utility of ascertaining per capita spending on various sectors to allow for comparison;
- Addressing a perceived lapse in some areas of spending on social issues and integrating cultural planning with financial planning; and
- Asset management, the level of funding needed to keep assets at a serviceable level and the question of intergenerational equity – who pays for maintaining assets.

SRG 4 - Development of the Sustainability Plan

The Sustainability Program Leader gave a presentation outlining the development of the Sustainability Plan. A DVD documenting Ku-ring-gai's sustainability planning progress was distributed to members.

Action:

4. Members to review the Sustainability Vision Report and provide feedback within the next two weeks.

General Discussion

Issues raised included:

- it was suggested that as part of Ku-ring-gai's future planning that it position itself as a biodiversity corridor, not a retail hub like Hornsby and Chatswood;
- how to use Section 94 Contributions funds to encourage and progress sustainability; and
- that Ku-ring-gai exploit opportunities to be pro-active, innovative and strategic in light of the 'brick wall' faced when opposing state government directives.

Meeting times

There was a general consensus that the meeting time of 5.00pm be changed to 7.00pm.

Other Business

Climate Change

The issue of the draft Climate Change Policy and the setting of greenhouse gas emission targets was put to the SRG for discussion, this followed a resolution by Council. As part of the discussion it was noted that the

Bushland, Catchments and Natural Areas Reference Group, suggested a reduction target of 60% by 2050. The group agreed that any proposed target must be high but realistic and achievable.

In order to progress discussion on this, the group asked that expert presentations be given so that decisions be made on the basis of knowledge not guesses. It was also suggested that the setting of targets follow from the Commonwealth and in particular those from the Garnaut Report, and that any target setting in Ku-ring-gai would require consistent action from all levels of government and community.

Action:

5. Climate Change presentation to be organised for the next meeting.

Eco Ambassadorship – Mayoral Initiative

The Mayor presented his 'Eco Ambassadorship' proposal (attached). This initiative would be a means of introducing incentives to reward citizens who take significant steps to make their homes more sustainable. Citizens who perform the requisite energy/ water saving steps will be eligible for financial rewards such as reduced rates and interest-free loans. The idea was met with widespread support.

Next Meeting

The next meeting has since been scheduled for Monday 7 April 2008 at 7.00pm in Council Chambers.

Meeting Closed at 7.10pm.

DRAFT SUSTAINABILITY VISION REPORT FOR PUBLIC EXHIBITION

EXECUTIVE SUMMARY

PURPOSE OF REPORT:

To present the Draft Sustainability Vision Report for public consultation.

BACKGROUND:

On 12 December 2006 Council resolved to develop a sustainability plan for Ku-ring-gai. The intention of this plan is to provide a direction for the long term management and planning of the LGA, consistent with the principles of sustainability and directions of the Department of Local Government.

COMMENTS:

During 2007 a range of consultations were undertaken with residents of all ages. Consultation was also supported by staff through an internal survey and via the establishment of the Sustainability Reporting Team and the recently convened Sustainability Reference Group. The visions and aspirations for Ku-ring-gai over the next 25 years (2008-2033) are incorporated in the draft Sustainability Vision Report.

RECOMMENDATION:

That the Draft Sustainability Vision Report be placed on public exhibition for 40 days and a report detailing community responses be brought back to Council for its consideration and adoption.

PURPOSE OF REPORT

To present the draft Sustainability Vision Report for public consultation.

BACKGROUND

On 12 December 2006 Council considered a report on the development of a sustainability plan for the Ku-ring-gai local government area. This report provided background on sustainability planning and the process for the development of the sustainability plan including the formation of an internal sustainability reporting team and a community Sustainability Reference Group.

The intention of the sustainability plan is to allow Council to fully align its long-term vision and strategy with its management plan and other planning documents as a means of progress and reporting against its vision. This approach is consistent with the 2006 directions by the Department of Local Government as part of its "Planning for a Sustainable Future Review" (November 2006) (that use the term Community Strategic Plan) and the local government reform program – promoting better practice review (that generically refer to strategic management).

The draft Sustainability Vision Report (Attachment 1) establishes the foundation upon which future sustainability activities can be based.

COMMENTS

The development of the draft Sustainability Vision Report has involved consultation with staff, Councillors and the community.

As part of the corporate sustainability planning, an internal sustainability survey was conducted in late 2006 and early 2007. From this a Corporate Sustainability Survey Report was developed (as provided as Attachment 2). To help implement the recommendations, a Sustainability Reporting Team (SRT) was established in October 2007 consisting of staff from each directorate of Council.

Community consultation on the draft Vision Report followed a process of individual interviews, focus groups and forums and specifically sought generational representation (refer to Attachment 1 for details). Areas of discussion surrounded society, environment (natural and built), economy and governance in an attempt to understand the whole picture for the future of Ku-ring-gai.

Key concerns articulated included the effects of climate change, consumption of resources, changing lifestyles, appropriate transport, decreasing bushland, open space and need for community areas associated with medium density development. Most participants connected to their neighbourhoods through social interactions but described Ku-ring-gai's bushland as a sanctuary and a place that they care for.

The key findings by Ku-ring-gai residents are as follows; they:

- felt a strong sense of belonging attributed to their social and environmental connections
- described the capacity of residents to live sustainably due to the community being established and educated

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- highly value the regions natural environment and sense of space
- identified water as the most valued resource
- aimed to minimise threats to their local and global environments such as the effects of climate change
- acknowledged that current consumption patterns regarding all resources, such as water and energy need to change
- requested that Council provide incentives and deterrents when addressing sustainability to encourage behavioural changes
- reinforced the lack of local social and environmental knowledge and the need to improve this area of education for all members of the community
- highlighted the need for private and public agencies to work in partnership with citizens to address sustainability challenges
- were concerned about the social and environmental impacts of local medium density residential developments
- recommended increased community participation in decision making processes
- wished to preserve the 'safe and friendly' atmosphere
- stressed the need for community meeting places
- wanted improved infrastructure particularly in regard to the town centre developments and neighbourhood shopping centres
- felt that residents' age should be considered when designing community and volunteer programs.

From this process, draft vision, values and principles have been developed as below:

25 year vision for Ku-ring-gai

Ku-ring-gai will be a creative, liveable place where people respect each other, conserve the magnificent environment and society for the children and grandchildren of the future.

Supporting this vision, draft values for Ku-ring-gai are to:

1. Care for the local environment and people
2. Respect the needs of future generations
3. Learn and share knowledge
4. Behave ethically
5. Take responsibility for our actions
6. Lead in sustainability

Ku-ring-gai's draft principles are to:

1. Support cohesive, inclusive 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 staff has developed additional draft 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

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The next phase in the sustainability planning will be the development of a detailed action plan. This will build on existing ideas from the visioning process to formulate short, medium and long term objectives and pathways therein to achieve the vision and deliver on the draft principles affecting the community and Council.

CONSULTATION

Through the process of formulating the draft Sustainability Vision Report, 264 residents participated in the individual interviews, focus groups and forums. This group included citizens representing ages 9-99 years of approximately equal gender mix, a geographic spread across the Local Government Area, differing ethnic backgrounds and a range of occupations, socio economic and educational levels.

At the February 2008 Councillors workshop, a copy of the draft vision report was provided. It was also distributed and discussed at the first meeting of the Sustainability Reference Group on 25 February 2008. Comments from the 3 members of the SRG were received. General areas raised for further discussion during the exhibit period include:

- a increased emphasis on social sustainability
- increased recognition of Aboriginal heritage
- how the plan relates to global issues
- also identified were a number of possible actions that will be discussed as part of the exhibition and in the development of the Action Plan.

The proposed methods of consultation will include email and postal networks, the town centre database, Council's website, Mayor's Column, the Resident Feedback Register along with a series of workshops during May 2008 that will also be used to develop the action plan. To this, each of the participants who have been involved in the process to date will be individually contacted to comment along with the Sustainability Reference Group.

External to Ku-ring-gai the project has involved the Department of the Environment, and Climate Change (DECC), Agency for Public Reporting, Melbourne City Council, City of Blue Mountains, Hornsby Council; Department of Local Government and Premier's Department.

FINANCIAL CONSIDERATIONS

The exhibition of the draft vision report and action planning is funded through existing operational budgets, State Government Grant and the Environmental Levy. Future actions will need to be incorporated within the Management Plan and budget and factored into the Long- term Financial Strategy.

CONSULTATION WITH OTHER COUNCIL DEPARTMENTS

Staff members from all departments have been involved with each phase of the development of this vision report. They have assisted with conducting interviews, focus groups and the forums and offered input to the draft document.

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The Sustainability Reporting Team (SRT) has been involved in the development of the draft report and an internal group has subsequently reviewed the draft vision, values and principles.

SUMMARY

The draft Sustainability Vision Report aims to:

- capture residents' aspirations for the future of Ku-ring-gai, identifying strengths, challenges and opportunities
- elevate and engender community responsibility and ownership for local sustainability
- facilitate the establishment of ongoing community sustainability projects

It forms the first step to the creation of a strategic plan for Ku-ring-gai that is in line with the current direction of the Management Plan and that expected of councils by the Department of Local Government. Community support for and involvement in the draft document reflects the growing interest and concern for sustainability in this area be it in protecting our bushland, connecting neighbourhoods or ensuring the appropriate development of our suburbs. Ongoing consultation on this report and action planning will further refine and develop the long term directions of the report and planning for this area.

RECOMMENDATION

- A. That the draft Sustainability Vision Report be placed on public exhibition for 40 days through which a series of workshops, meetings and on-line consultations will occur, as outlined in the report.
- B. That a report detailing all community responses to the original document come to Council for adoption.

Kirsten Davies
**Sustainability Program
Leader**

Peter Davies
**Manager Corporate Planning
& Sustainability**

Andrew Watson
Director Strategy

Attachments:
1. **Draft Sustainability Vision Report – 911033**
2. **Corporate Sustainability Survey Report - 830099**



Ku-ring-gai Council

About Us

**Corporate Sustainability
Survey Report**



Photographs:

Thank you to staff members who provided photographs, particularly David Wilks and Madeline Hourihan, who provided the majority of images.



General Manager's Foreword

To all staff members of Ku-ring-gai Council

The following Corporate Sustainability Survey Report, *About Us*, represents a first step in a strategic approach by Ku-ring-gai Council towards sustainability planning. In thinking about how we will achieve this, it was agreed that Ku-ring-gai Council will divide its research into two separate components: community and corporate.

This report is only concerned with corporate sustainability, the functions and activities of our organisation. It is based on a survey sent out in late December 2006 to all staff with the aim of capturing your professional input from the onset. It should be viewed as a starting point. Workshops, education programs reviewing policies and practices will become important ongoing processes involving staff. Based on the findings from within this report your ideas will be expanded upon by each department and action plans developed. In many cases, I trust that ongoing progress has been made subsequent to the completion of the survey last January.

Thank you to the staff members who completed the survey, you have provided insightful and constructive comments that demonstrate the depth of knowledge you have as experts in your respective fields.

Please continue to think about how we can improve our corporate performance, maximise the use of resources, minimise waste and improve the health and happiness of our workforce.

Thank you

John McKee
General Manager

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SUMMARY REPORT

1

Sustainability in Ku-ring-gai

Ku-ring-gai Council is undertaking sustainability planning in 2006 and 2007 on two levels: community and corporate sustainability planning. Community sustainability planning refers to all areas external to the administrative operations of Council such as the care of residents and the environment across the Local Government Area (LGA). The subject of this report is corporate sustainability and is concerned with all aspects of Ku-ring-gai Council's operations. It should be noted that Council's administration and residents' needs and aspirations are interconnected, but to assist in breaking down such an expansive area of investigation, some separation of corporate and community is helpful. The final aim will be a fusion of both plans to assist residents and Council staff as they continue to work together to achieve Ku-ring-gai's sustainability goals.

Connection to the Management Plan

Ku-ring-gai Council's 2007 Management Plan and 2006 Annual Report have been structured against our principal activities and the Quadruple Bottom Line (QBL) approach which divides each issue into social, economic, environmental and governance aspects. This report has adopted the same QBL approach to enable its future recommendations and actions to be incorporated into Council's Management Plan.

Global Reporting Initiative

Ku-ring-gai Council is using the Global Reporting Initiative (GRI) as a means of connecting local sustainability planning to global systems of reporting. GRI indicators can be seen attached to the recommendations in the main report together with an indicator index and explanatory text, located in Appendix 6.5.

Council

The implementation of sustainability planning at a corporate level is critical for many reasons, one of the most important being that Ku-ring-gai Council should be an exemplar for its residents, local businesses and Council staff.

Feedback

This report will be circulated to and discussed with all staff. It contains the survey data together with comprehensive analysis and comparisons with the findings of the 2006 Voice Climate Survey. Both surveys were conducted within a 6 month timeframe and support each other regarding sustainability recommendations. From these discussions a detailed sustainability action plan will be developed and implemented. This will be revised and updated annually alongside the management plan.

What is sustainability?

Ku-ring-gai Council has developed its own definition of sustainability which equally recognises the importance of environmental, economic and social care which can be assisted through effective governance.

The definition is as follows:

Sustainability is conserving a quality of life for present and future generations of Ku-ring-gai. This relies upon having a healthy, diverse community and environment which is supported by local culture, heritage, ethical practices and a stable economy. Being sustainable requires accepting that people are part of interconnected natural systems and begins with individuals, families and friends in their homes, backyards, workplaces, schools and parklands. Sustainability relies upon people adopting innovative solutions and making intelligent decisions particularly regarding the use of non-renewable resources.

Below: Mark Arnfield, tree planting day





Ku-ring-gai to global

Ku-ring-gai to Global

*Ku-ring-gai Council is aware of its regional and local role on sustainability issues, such as climate change. Its response as a Local Government Authority is to take a localised or 'ground up' approach to sustainability planning. To assist in reinforcing this position, the **Ku-ring-gai to Global** slogan and associated symbol has been developed with the intention that it can be used by Council, local businesses, community organisations and individuals to demonstrate a cohesive approach to sustainability.*

About the staff corporate sustainability survey

The Corporate Sustainability Survey conducted in December 2006 included open-ended questions on sustainability in the workplace (see appendix 6.1)

The survey was conducted using electronic and paper surveys and was open from 14 December 2006 to 8 January 2007.

One hundred completed surveys were returned from approximately 413 staff - a response rate of 24%.

It sought information across economic, social, environmental and governance aspects of Ku-ring-gai Council. The survey determined broad trends on:

- sustainability in practice
- staff understanding of corporate sustainability
- attitudes and receptivity to changing Council's internal processes.

Right: Outdoor staff encounter wildlife
Below: Dan Flannery



What we said

Analysis of the survey data revealed that respondents are committed to, understand and recognise the interconnected aspects of sustainability in their working environments. Responses indicated staff valued sustainable practices and have positive attitudes towards sustainability in their workplaces.

Key sustainability themes

The sustainability themes have been categorised into 10 main areas as follows:

1. Cross-section and departmental co-operation

Cross-section and departmental cooperation was a major concern across Council, raised in response to questions in the survey. Many responses identified the need to improve communications across Council, with staff, managers and Councillors working closely together. Respondents reported some duplication of work in different departments. Responses pointed to a need for more trust and cooperation amongst staff, managers and Councillors.

“Timesheet format updated so no paper/coloured ink is wasted and valuable time printing, signing then faxing them to only be processed by someone else.”

Below: Library Youth and Children's Assistant and belly dancer Linda Moore with Ray Amos at a recent staff party.



2. Community relationships

Developing community relationships was a key issue throughout the survey. Respondents suggested improved customer service skills, internet facilities and increased staff training to improve community relationships. Others mentioned the need to listen more to all sectors of the community.

3. Resource consumption

Staff overwhelmingly cited the need to reduce resource usage. The key resources mentioned throughout the survey were:

- paper
- energy
- vehicles
- office and outdoor equipment
- water
- stationery

Suggestions included an 'email only' policy where staff emailed documents rather than printing excess documentation. Another suggestion was to always print double-sided. Reporting dripping taps immediately, the installation of water tanks, dual flush cisterns, sensor operated taps, hand dryers (rather than paper towels) and dispensing with instantaneous hot water for drinks, are recommendations by staff to reduce consumption of water, energy and paper.

Many responses suggested turning off lights, computers and other electrical equipment to reduce energy use and decrease electricity bills.

Another major issue was the use of Council fleet cars. Some staff, across most departments, outlined a need for Council to restructure policies to allow only those needing cars frequently to have vehicles. Employees who do not need cars as regularly could book as required.

4. Recycling, composting and reusing resources

A major topic featured throughout the survey was the need for staff to recycle more frequently. Suggestions from various departments within Council include:

- installing more recycling bins in parks, Council buildings, pools and other Council facilities.
- recycling systems to include plastic, aluminium, and glass, not just paper.
- composting bins within Council buildings for all organic food waste with the compost to be placed on Council parks and gardens.

Importance was placed on using 'green' products for cleaning, purchasing only recycled paper, reusing print cartridges and recycling batteries.

5. Policies and procedures

Most respondents mentioned the need for Council to restructure their policies and procedures to include sustainability.

Others suggested the need to put policies and procedures on the Council website, easily accessible for both staff and the community. They stated the need for technology and systems to be updated with a more efficient intranet system to allow staff to check policies and procedures without duplicating work.

6. Professional development, training and rewards

The majority of respondents mentioned these areas in at least one section of the survey. Staff generally considered more training and career planning would help to retain good employees. Training was seen as an option to diversify roles within Council. Workshops during lunch times were suggested to educate staff in more sustainable practices in the workplace and at home. Secondment opportunities both internally and externally to the organisation were seen as positive steps to help retain staff and save money in the long term by having multi skilled staff.

Some respondents identified the need for a fairer and more frequent appraisal process to allow hard working and successful employees the opportunity to progress their careers.

Some staff members felt there was a need for Council to increase salaries to be more in line with the corporate sector which would help to retain good quality staff members.

"I would like a workplace with enough natural light that there was no need during daylight hours for artificial lighting. A workplace where windows could be opened for cooling and there would be less reliance on the use of air-conditioners".

Below: Katrina Annis-Brown
Right: Graeme Williams



7. Physical working conditions

Working conditions were a key issue in several sections of the Survey. The following issues were specifically noted:

- more natural lighting within the workplace to create a happier atmosphere
- less use of artificial lights
- air-conditioning is a major problem - it is too cold for staff sitting in the lower levels of Council buildings and too hot for those sitting at the top of the building.
- lack of desk space within Council buildings.

Better building design, insulation and access to fresh air were all suggestions to improve air circulation, air quality and staff well being. Some respondents suggested increased open style office areas where team work could be more effective.

8. Organisational objectives

The organisation should clearly outline its short and long term values, aims and objectives across all areas of Council so staff members understand their roles as part of 'the big picture'. This will assist the implementation of the Management Plan and formulating Key Performance Indicators.

By having Council's annual and long term objectives on the website, the community will also be happier knowing what the organisation is working towards.

9. Regional council groups

It was widely proposed that Council should be increasingly involved in regional council groups such as NSROC (Northern Sydney Regional Organisation of Councils). By working together, economies of scale could lead to more region-wide funding for the benefit of the local environment and community.

10. Long term planning and budgeting

The need for long term rather than short or medium term planning was highlighted in response to a number of questions. This included funding allocations for the future to assist long term projects. Some participants recommended seeking other sources of revenue through additional business enterprises.

“Promote our sustainability achievements in the media and on websites to impact community knowledge”



Left: James Bently



BACKGROUND

2

How we conducted the survey

The Corporate Sustainability Survey instrument was built upon the findings of the previous Climate Survey and the Quadruple Bottom Line reporting framework adopted by Council. A mixed methods approach was used with quantitative data being collected along with qualitative responses from open ended questions. Digital and hard copy survey forms were distributed to ensure that staff without access to computers were included. The General Manager issued several emails to all staff encouraging their involvement throughout the survey period which was from 14 December 2006 – 8th January 2007.

Ninety-seven surveys were returned from a total of approximately 413 permanent staff (23% response rate).

Although this response rate is acceptable, it is lower than expected due to being administered during the Christmas holiday period. Some respondents provided feedback that the questions were difficult, particularly in relation to governance.

Survey data analysis was thematic using clustering and coding particularly with the Quadruple Bottom Line groupings as this is consistent with Council's Management Plan approach.



Above: James Rose

“Review Council’s tasks and services as well as the methods and practices to ensure that unnecessary, expensive but historically ingrained processes and practices are discarded.”

Below: Ku-ring-gai graffiti busters



Voice Climate Survey

Main sustainability findings

In June and July 2006 Ku-ring-gai Council's first Voice Project Survey was completed. With a response rate of 93%, it provided an excellent representation from all levels across Council. The responses are assisting in improving Council's systems and work practices. Action plans were developed by the General Manager, Directors and Managers in 2006 and are regularly updated and reviewed.

Two survey items directly asked staff about sustainability in the Climate Survey:

1. Statement on sustainability

"I am committed to the principles of sustainability."

The majority of staff (86% agreed or strongly agreed) reported they are committed to the principles of sustainability.

2. Open-ended question

"List three ways Ku-ring-gai Council could become more sustainable."

Of the 69% of respondents who answered this question, the most frequent topics were:

Recycling	15%	Vehicles	13%
Resources	13%	Processes	10%

Other relevant findings from the Voice Climate Survey

The three top performing management practices were:

- 1. Role clarity:** employees understand their roles and the services that they provide to the community.
- 2. Teamwork:** employees have good working relationships with their colleagues and feel that they are part of a supportive team.
- 3. Work/life balance:** employees feel that they can balance their work requirements and their home and social life outside of Council.

There are also some clear areas for improvement:

- 1. Council and community relationship:** some employees did not feel that customers were satisfied with the services provided to them.
- 2. Goals and objectives of Ku-ring-gai Council:** staff members expressed their concerns that goals and objectives were not being clearly defined. They highlighted the need for policies and procedures to be accessible, simply worded and for Council's technology to be kept up-to-date.
- 3. Leadership:** respondents felt that Council needs to increase staff awareness and understanding of its direction, strategy and values and to build a strong focus on results.
- 4. Communication:** Staff stated that Council needs to implement better communication systems, including top down (from the General Manager and Directors) and bottom up (by listening to staff, consulting with them and involving them in decision making), and horizontally within and between departments.



Right: Mayor Nick Ebbeck, Maureen Ayers, Peter Clarke
2007 Biggest Morning Tea



WHAT STAFF SAID

3

Summary of survey responses

Ku-ring-gai Council employees were asked to provide their ideas on sustainability in their workplace and across Council generally.

Staff stated their ideas for each of the four areas of corporate sustainability - economic, social environment, and governance. A summary of the most common topics follows:

- 1. Economic** – resource use / consumption, human resource use, equipment and funding for environmental projects.
- 2. Social** – cross-section cooperation, community relationships, teamwork, job satisfaction and work / life balance.
- 3. Environment** – recycling, composting and reusing resources, waste, public transport and car pooling, physical working conditions, such as lighting, heating, ventilation and office space.
- 4. Governance** – policies and procedures, learning and development, rewards and recognition, salary packages, leadership, safety and technology.

Below: Katherine Debono



Respondents – by department

Figure 1 shows the proportion of survey responses from each department (prior to the restructure). Community Services made up the largest proportion (39%), with 36 staff completing the survey.

The most common responses across Council were oriented towards resource management issues and interdepartmental communication.

Recycling, reuse, composting, and resource consumption were the major topics from **Open Space** respondents.

Community Services responses centred on suggestions for more cross-section cooperation. Many responses were from staff working externally to the administrative Council building, such as libraries. These staff have less opportunity to interact with staff from other departments.

Community relationships was a common concern for **Community Services** and **Open Space** respondents. These departments have frequent community contact which would inform responses.

Open Space, Technical Services, and Planning generally commented on issues relating to physical working conditions. Mostly located on Level 2 of the Council administrative building, staff pointed out air-conditioning problems, lack of ventilation, insufficient desk space and poor natural light.

Policies and procedures were key to **Development and Regulation** staff.

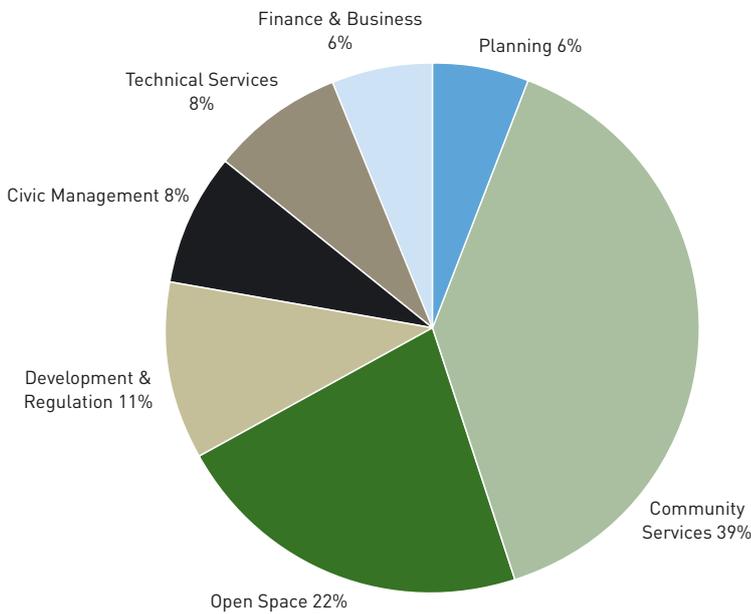


Figure 1 – Proportion of respondents by department

From a personal point of view, greater opportunity to update and extend my knowledge and skills would make my position more sustainable in the long term by enabling me to make greater contribution to the organisation, and also realise my own goal of personal development.



Above: Jenna Bloom

Right: Ku-ring-gai Council mens soccer team



Survey responses

Question 1

Sustainability in work areas

A summary of responses follows:

Several respondents commented on the accessibility of Council policies, suggesting they should be available on the intranet or Council's website.

There is more to be done within the Council buildings, parks, libraries and other facilities to reduce waste, such as better access to recycling facilities, not simply paper recycling. Some suggested putting more types of recycling bins in buildings, parks, libraries and pool facilities. Using ceramic plates and mugs was one way to limit waste sent to landfill. Money could be saved by limiting resource use, especially energy and water, and by not purchasing non-recyclable or non-reusable items.

Responses included comments that there should be more interdepartmental communication and cooperation. Relationships between Councillors, staff and management could be improved. One way this could be done is to offer staff social activities at lunch time, such as fitness classes.

Council needs to allocate increased funding for long term strategies. Maintaining adequate resources and retaining talented staff and managers to achieve these goals was also mentioned.

Many respondents were unhappy with their physical working conditions including lack of natural light, problems with air-conditioning, heating and desk space. This was particularly the case for Open Space, Planning and Community Services

A large proportion of responses asked for more career planning including training, career advancement, incentives and regular feedback from managers.

Customer Service could be improved by training staff to work in different areas of Council. This would increase role diversity, staff resources and general happiness in the work place. Some stated that there is insufficient staff in their area which could be addressed through multi skilling.

Right: Summer Reading Club participant James Tarbotton shows off his prize with Linda Moore

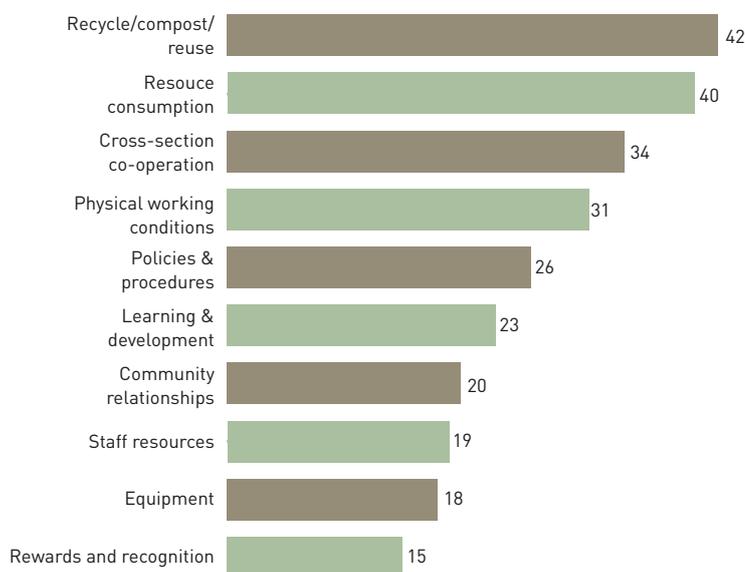
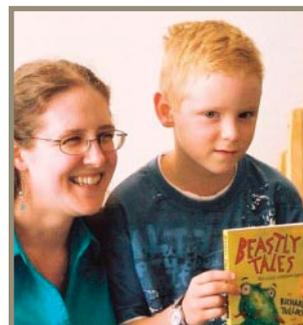


Figure 2 Number of topics in relation to sustainability in own work area

Question 2

Economic Sustainability of Ku-ring-gai Council

There were 92 responses to this question. Resource consumption was the major focus for economic sustainability. As with Question 1, respondents emphasised the need to reduce expenditure by minimising the consumption of resources, such as paper, energy and water.

A summary of responses as follows:

Across the organisation staff pointed to a need to re-assess the Council vehicle fleet. Many said vehicles should be smaller, more economic, fuel efficient and environmentally friendly. Some suggested that cars should only be given to those who need them on a regular basis. Council should also encourage the staff use of public transport.

Resource consumption in general was a key topic that needs to be reduced. Council should purchase more efficient equipment to save financially in the long term.

The organisation could look for alternative sources of revenue, either by adding business units and activities, or charging for existing services. Others suggested seeking funding from external grants.

Many employees said there was a need to update technology within Council such as improving TRIM rather than spending money on new systems. Streamlining software programs ensuring that they interface was seen as a priority.

Others said there is a need to purchase more reliable equipment, such as photocopiers and printers. This will lead to long term cost savings.

More career planning will help to retain good employees, leading to improved workplace happiness, efficiency, skill levels and reduced costs for Council (eg. recruiting and training new employees). By rewarding staff with more frequent appraisals, increasing training and with salaries on par with the corporate sector staff will be happier to stay.

Council should be revising policies and procedures to assess whether some processes can more economically sustainable. Innovation was also regarded as important for Council's economic sustainability.

Investing for the environment was recommended by several respondents. Staff suggested buying only 'green' products from sustainable businesses, as a new policy. Some said that training and support should go towards helping staff to understand what they can do to improve the environment.

"More career path planning to retain good employees with better performance measurements."

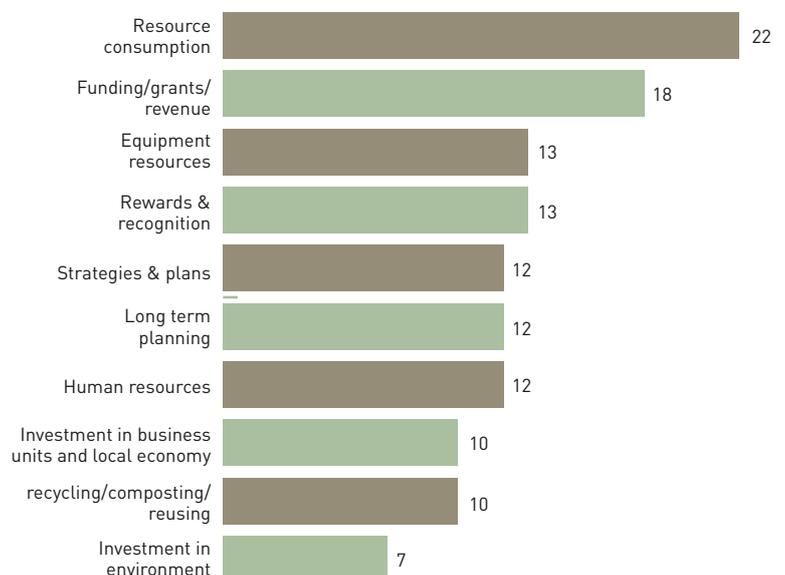


Figure 3 Number of responses in relation to topics for economic sustainability

Question 3

The Social Sustainability of Ku-ring-gai Council

Of the 88 responses, cross-section cooperation was the largest area identified for social sustainability.

A summary of responses follows:

Staff members were concerned at the perceived lack of communication and cooperation between different sections of Council.

Many responses from Community Services suggested working for a stronger relationship with the community. This could be achieved through improving facilities and community consultation. Council's website should offer online payments of facility bookings, and access to Council policies.

Several respondents said workplace happiness would grow through recognition and appreciation for work well done. Managers could facilitate stronger communication and feedback systems. Increased training options, mentoring and career planning would assist growth and development for individuals and the organisation.

Council could contribute to staff wellness and work/life balance by introducing lunch hour fitness classes every day, discounts on gym and swimming pool memberships, supplying fruit, and increasing activities in the Social Club.

According to some respondents, departments are currently too segregated; open-style offices would encourage better teamwork.

Question 4

Environmental Sustainability of Ku-ring-gai Council

There were 92 respondents to environmental sustainability, with resource management and consumption issue the most common issues, reiterating responses to Question 1 and Question 2 of the survey.

A summary of responses follows:

Council should adopt environmental policies and implement an environmental management system to reduce the amount of non-renewable resources it consumes. A large proportion of staff recommended composting, improving recycling, and minimising the use of resources, particularly paper, energy, water, and food. Some said that 'environmental champions' overseeing resource use in their workplace would encourage staff to rethink wasteful practices.

"Appreciation for works well done. This does not necessarily have to be monetary. (A pat on the back is always well received)."

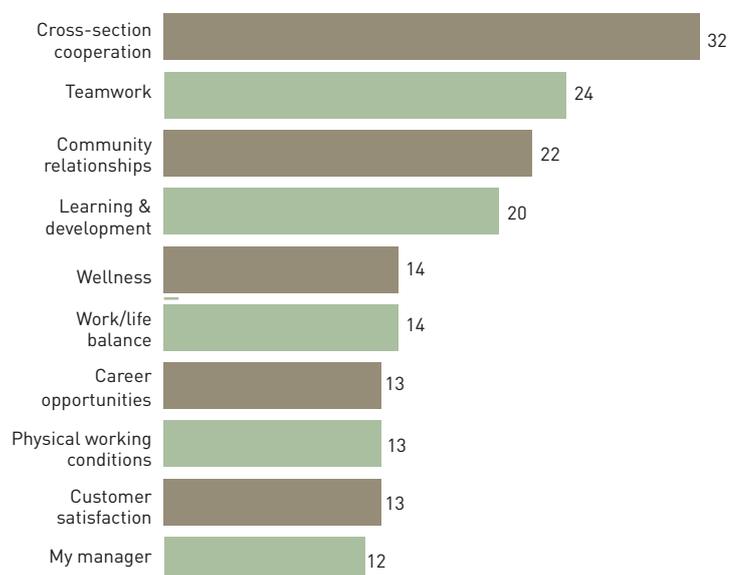


Figure 4 Number of response topics in relation to social sustainability

“Easy access to policies and procedures (e.g. all accessible in one place on the network)”.

“Scrap all disposable cups, plates, cutlery...”

Leaving lights and computers on at the end of the work day was a major concern for most respondents. Light timers and motion detectors were recommended together with locating more offices close to windows to provide natural lighting. Solar panels on Council buildings would help save energy and CO₂ emissions. Energy from Council's provider should be sourced only from renewable sources.

A large number of responses mentioned transport and Council's vehicle fleet. This has been outlined in responses to questions 1 and 2. Additional comments were: Council could adopt a car pooling system, a bus service to increase public transport in the region and more bicycle and footpaths. These would aim to reduce traffic, increase wellbeing and reduce CO₂ emissions and pollution.

A sustainable Ku-ring-gai “... would be a place where people are happy and proud of what they are achieving, a place where each person understands the importance of their part of a whole entity and what the whole entity is aiming to achieve.

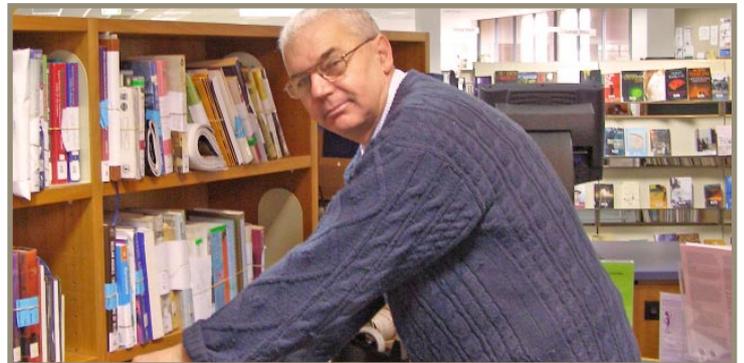


Above: Tony Strbik

Right: Thai Dinh



Below: Wayne Woolner



“Improve opportunities for working from home and other child friendly measures.”

A substantial number of responses stated they suffered from their physical working conditions. Respondents highlighted air-conditioning problems, where the lower floors are cold while the upper floors are hot, and lack of ventilation. Suggestions to address this included, allowing windows to be opened for fresh air, installing fans, and designing a new building with more efficient insulation.

Internal training and education was viewed as a very important component of organisational sustainability.

Having an updated intranet system will help cut paper wastage, and having the timesheet system updated will help save time.

Staff members recommended that Council adopts a policy to allow staff, where appropriate, to work from home. This would reduce the need for more office space, increase productivity by decreasing travel time to work, and relieve stress by parents needing to arrange childcare. Another proposal was to have childcare facilities at Council.

Below: Peter Clarke

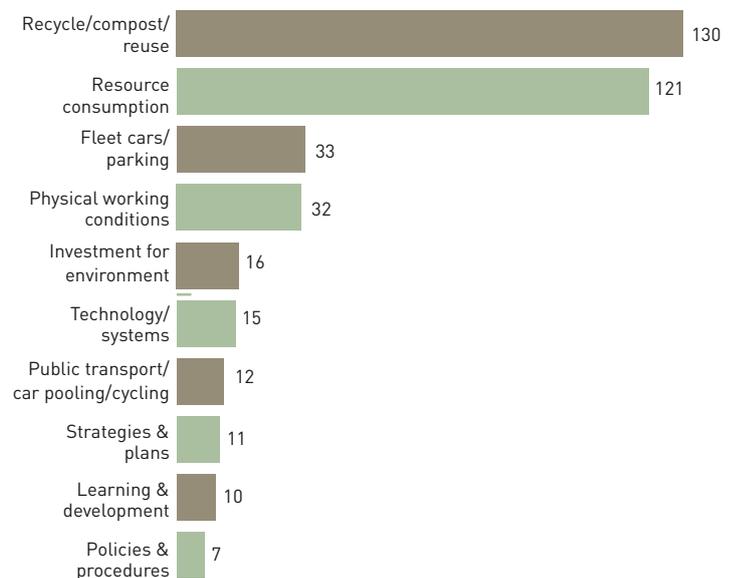


Figure 5 Number of response topics in relation to environmental sustainability

Question 5

Governance for Sustainability at Ku-ring-gai Council

Throughout the 78 responses, the major subject for improving governance for sustainability was the need to simplify policies and procedures for easy access and use.

A summary of responses follows:

Adopting standards, policies and procedures across Council that are simple, effective and can be adapted to all areas will improve efficiency, effectiveness and reduce duplication.

Policies and procedures need to be accessible to both staff and the public. This could be improved by having policies on Council's website.

Respondents would like the opportunity to work in different Council areas. This would increase the diversity of their skills, and create a more efficient and happy workplace with improved communication between departments.

A common response was the need for a clearer understanding of Council's goals and directions, with stronger communication from managers to filter through to staff.

Staff suggested researching other local councils, State and Federal Governments to look at adapting successful policies and programs that may suit Ku-ring-gai Council.



Above: Damian Collins

Question 6

Other Sustainability Opportunities for Ku-ring-gai Council

There were 74 responses to the question, with many stating Ku-ring-gai Council should be increasingly involved with regional Council groups, which would help to pool funds for regional issues.

A summary of responses follows:

Staff stated a need to reallocate some responsibilities to the State and Federal Governments unless funding is provided for these activities. Respondents would like Council to be more involved with all levels of government and to lobby for further funding.

"The air conditioning would work. Those of us at the core of the building wouldn't need to run heaters in summer to offset hypothermia, or fans to make it less stuffy. Oxygen levels would be liveable so we didn't sleep from overdosing on CO₂ (mid afternoon torpor)"

"Offering rebates for solar power and water tanks. It is very important for Council to consider the opportunity it has to showcase best practices through urban design in the new town centres. This can include low wattage street lights, rain gardens, public art, historical information and telling the story of Aboriginal history and culture in Ku-ring-gai."

As many of Ku-ring-gai's service areas are closely tied with neighbouring councils, Council should strengthen regional relationships. This would provide more leverage in lobbying the NSW State and Federal Government for funding regional programs, and improve environmental and social programs across the region. The general consensus was that by sharing resources and pooling funds, Council can make a greater difference to Ku-ring-gai, for example, working on catchment areas that fall within two or more Council boundaries.

Council could further empower and assist local resident and environment groups, by offering them involvement in strategic planning and additional financial assistance. Ku-ring-gai Council as an organisation setting an example to the community on sustainability practices will help the Council-community relationship.



Above: Ryan Blouin
Right: Kim English



“Long term strategies backed by appropriate financing, resources, methodology and the skill to deliver effective services to our ratepayers.”



Below: Mary-lou Lewis

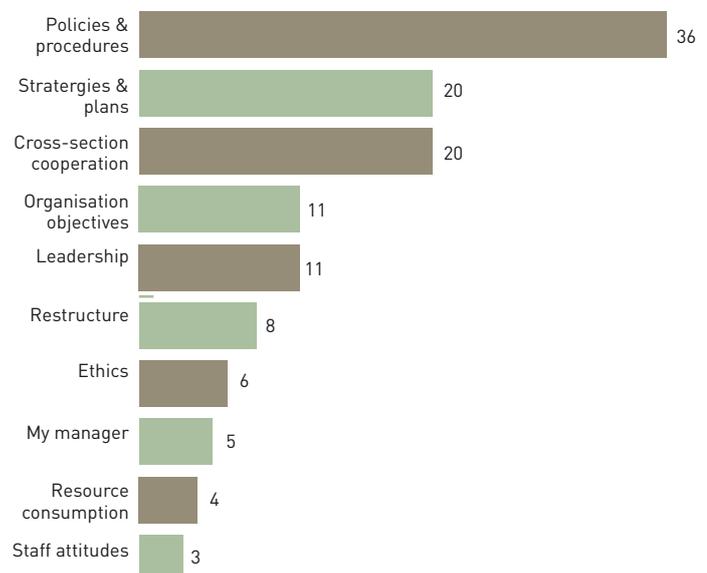


Figure 6 Number of responses in relation to governance



RECOMMENDATIONS

4

Recommendations

The following recommendations have been developed through analysis of staff responses to the 10 key themes from the Sustainability Survey together with relevant recommendations from the 2006 Voice Climate Survey.

Recommendations are grouped into the four areas of sustainability: social, environmental, economic and governance. They have also been matched with GRI indicators. Refer to Appendix 6.3 for the glossary of GRI indicator meanings.

Ku-ring-gai Council will:

Social Sustainability

1. Formalise organisational and staff commitment to sustainability. (GRI: LA6, LA8)

This could include developing a sustainability vision, commitment policy, values and objectives. A summary of these will be incorporated (as appropriate) in all future position descriptions, work plans, advertisements and annual reports.

2. Assess and report on how the physical and professional working conditions at Ku-ring-gai Council can be improved with the aim of increasing staff productivity and morale. (GRI: LA6, LA7, LA8, LA9, LA11, LA12, S01)

Aspects of this investigation will include social and environmental initiatives such as introducing systems to improve inter departmental and organisational communication and career development. It will also include assessing how working conditions can be improved within Council premises and other community buildings, while minimising the use of energy (particularly non renewable energy) and

natural resources. Examples include: reducing temperature fluctuations, improving air quality within work spaces and natural light within buildings.

3. Undertake a project which examines the relationship between Council and the community. (GRI: S01, PR5)

Both the Climate Survey and Sustainability Survey have highlighted the need to build upon the relationship and connections between Council's administration, residents and local businesses. This would include ongoing discussions on services, expectations, communications and relationships.

Environmental sustainability

4. Revise resource management policies and practices. (GRI: EN5, EN6, EN7, EN11, EN14, EN18, EN20, EN26, EC2)

This will focus on how staff and the organisation will use resources including energy, land, water, products, chemicals and how to minimise waste. Use, re-use, recycling and disposal of resources will be addressed such as moving towards a paperless office.



Above: Outdoor tree staff



Left: Cheryl Pillai

5. Investigate and report on how Ecologically Sustainable Development (ESD) Principles can be further adopted and implemented into Development and Regulation areas. (GRI: EN26)

This will include a review of existing policies and practices to ensure they are consistent with Council's direction. This will involve corporate, planning and regulatory areas.

Economic sustainability

6. Revise contracting, procurement and purchasing policies. (GRI: EC2, EC6, EN26)

This will include the principles of sustainability, extended producer responsibility and certified sustainable companies, both up-line (suppliers) and down-line (contractors).

7. Undertake a cost benefit analysis that measures savings to Council through sustainability initiatives (GRI: EC2, EC9, EN26)

For example, measuring financial savings from reducing, re-using and recycling materials. This will build on the energy and water saving program.

8. Review and report on grant funding opportunities to support projects that address sustainability principles as a priority. (GRI: EC1)

This would link to Council's long term financial model and would incorporate external and internal grant programs such as Federal and State Government initiatives, the Environmental and Infrastructure Levies and Community Grants programs.

Governance

9. Form (across Departmental) Sustainability Reporting Team (SRT). (GRI: LA11, EN26)

This team will assist with the further development of a Corporate Sustainability Plan, Action Plans, and oversee the implementation of staff recommendations.

10. Design and implement staff sustainability knowledge and empowerment strategy (GRI: LA11)

Staff training and development would be extended to incorporate general and specific information on sustainability. This would include staff induction, project teams and general information through lunchtime seminars, newsletters and team meetings.

11. Review and report on opportunities to update information and communications systems. (GRI: S01)

This will aim to improve professional service delivery and enhance internal communication. It will include an assessment of the accessibility of Councils policies.

12. Investigate how Council can work increasingly within regional national and international contexts. (GRI: S01)

Ku-ring-gai Council currently has many partnership ventures. However, it has been identified that more opportunities exist and warrant further investigation.

“Initiatives to expand electronic service delivery to ratepayers, such as internet bookings, electronic DA tracking.”



STAFF IDEAS FOR ACTION

5

Staff Ideas for Action

This section outlines the recommended actions for sustainability from the Voice Climate Survey and the Corporate Sustainability Survey.

It should be noted that the following comments were extracted directly from the survey responses. They will be considered in the following action planning phases but should not be interpreted as a definitive list.

1. Actions suggested through the 2006 Voice Climate Survey

Question - List three ways Ku-ring-gai Council could become more sustainable

Of the 69% of respondents who answered this question:

A. Recycling	15%
B. Vehicles	13%
C. Resources	13%
D. Processes	10%

Suggestion A: Recycling (15%)

- Review recycling initiatives
- Provide ways to recycle garbage from Council's own building
- Improve recycling waste
- Recycling plastics/packaging
- More obvious bottle and can recycling bins within the Council chambers
- Better paper recycling at remote locations
- Greater emphasis on, and encouragement of, recycling
- Provide our service with recycling opportunities - we have no glass, plastic service
- More education for staff and public regarding recycling
- Being more aware of recycling and wastage
- More opportunities for recycling
- Continue to recycle resources
- Use recycled materials for all printing.

Suggestion B: Vehicles (13%)

- Electric cars
- More fuel efficient cars – smaller
- Buy smaller cars for staff and managers
- Less cars with focus on car pools
- 4 cylinder cars for fleet - go to gas
- Reduce the fleet vehicle size and use more environmentally friendly fuel
- There are some people that have cars and don't even use them
- Smaller or more efficient fleet
- Provide public transport travel options to encourage public transport use and discourage private vehicle use.

Suggestion C: Resources (13%)

- Provide easy access to information that assists in carrying out your work
- Survey the public on their needs and where to spend money
- Improve on the infrastructure
- Ensure staff are catered for with up-to-date equipment
- Stop budget reductions that impact on service areas - make hard decisions to cut a service completely rather than expect more with less
- Waste less money
- Better equipment
- More financial resources into on-ground improvements and asset improvements
- More urgent attention to repairs and upgrading of equipment
- Rationalise the resources on a usage basis
- Better use of budgets
- Replacement of small plant equipment
- Use higher quality equipment/installation objects to reduce maintenance costs.

Suggestion D: Processes (10%)

- Innovative planning policies which preserve the environment
- Link our financial planning to asset management and delivery of services and functions to our community

It's great to have sustainability on the agenda, and there needs to be a Sustainability Department or section located at the top of Council's hierarchy so that it's core to every department, decision and plan...

Below: Lance Maskey



- Benchmark performance of all employees against sustainability indicators
- Introduction of better systems (bookings)
- Make sure procedures are more energy and water efficient
- Greater emphasis on environmental outcomes in DA processes
- Demonstrate best practice in key projects e.g. environmental design
- Ensure that planning for sustainability is coordinated
- No overlapping between departments
- Improved work design
- Better accounting practices
- Consolidating some tasks e.g. bookings and merging some departments
- An individual plan tailored for each department for an increase in sustainability.

“A sustainable Ku-ring-gai would reduce non-renewable resources in my area - including electricity generated from fossil fuels.”

Below: Derrek Walker



2. Actions recommended through the Corporate Sustainability Survey

The following actions have been grouped under the headings economic, social, governance and environment.

a: Economic

Funding / Grants / Broadened Revenue Base

- Charge for car parking
- More funding to keep roads in good repair
- Grants to encourage community in projects with businesses and schools
- Invest in traffic management – better traffic light flow, less roundabouts
- Have a broadened revenue base
- Reduce levies – roads, environments, should be taken from the rates.

Physical Working Conditions

- Building – provide access to balconies on each level
- Provide adequate offices and desk space in the Council
- More natural light needed via windows and sunlights
- Ceiling fans
- Window awnings for shade
- The new depot to be designed to collect rainfall, north facing, energy efficient materials, lots of open space, lots of natural light
- Indoor office plants, create a better atmosphere and absorb CO₂, creating healthier air
- Address construction on the west side of Council building to reduce heat load on air-conditioning
- More use of the Council rooftop area
- More outdoor space for lunch times.

Long term planning / budgeting

- Councillors to focus on long term outcomes, not short term.

“Regional local government will be the future of local government. We need to be less parochial and more inclusive with our neighbouring Councils. Sharing of resources, economies of scale, pooling of funds for the betterment of the region.”

Resource Consumption

- Track use of supplies and resources
- Energy efficient light bulbs
- Sensor lights, especially for bathrooms and kitchen
- Lights to be turned off when leaving the room
- Energy-efficient air-conditioning and appliances such as refrigerators
- Turn the air-conditioning up a few degrees in relevant areas as this will save a lot of energy and reduce power bills
- Improve insulation of older buildings to improve air-conditioning/heating efficiency
- Solar panels/co-generation units
- Computers to be switched off at the end of the day and set to 'sleep' mode when not in use during the day
- Cleaners to turn off computers and lights that have been left on by staff
- Toilets to have dual flush cisterns and urinals to be either waterless or manual flushing system
- All dripping taps to be fixed immediately
- Water saving mechanisms installed for council taps and showers
- Sensor system for taps
- Energy efficient hand dryers to be installed in bathrooms and removal of paper towels
- Energy and water saving options have been investigated and should be fast-tracked
- Solar water heating
- Ensure all electrical equipment has good energy ratings
- Staff uniforms to be made of cotton or hemp
- Solar power panels for Council buildings
- Reduce printer/photocopier problems – currently spitting out multiple copies and not double siding
- Get advice from relevant agencies such as Sydney Water
- Opt to have only renewable energy used from electricity company
- Separate water/energy accounts to allow

building custodians to benchmark, identify variances and recover outgoings effectively

- Implementation of email use only for work to cut down on paper consumption (e.g. Reserve Bank of Australia, Sydney office)
- Timesheets to be completed online to save paper; if not possible then black and white paper to be used instead of coloured
- More use of scanners instead of using more paper
- Use CDROM for development applications, information packages and other documents to save paper wastage
- Kitchen duty roster to save water when washing up – instead of running water for individual washing up
- Edit and get documents checked by a second person before printing to save paper.

Human Resources

- Adequate staffing / restructuring and moving resources between departments
- Close library branches earlier as no-one is visiting them after 7.30 or 8.00pm
- Provide more than one governance officer for information / systems.

Equipment Resources

- Purchasing good quality equipment that doesn't need premature replacing.

Below: Mark Arnfield and Craig Roberts, Fire Trail



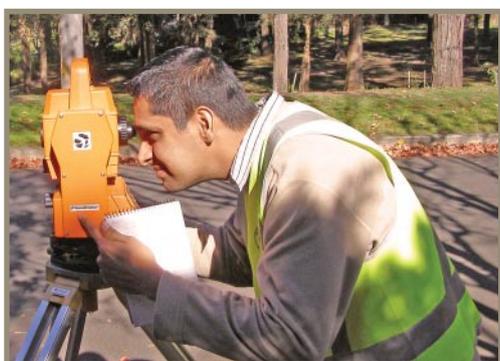
Governance (i.e. structure, management, policies, directions, processes, and reporting).

b: Social

Cross-Section Cooperation

- Managers to keep abreast of what is happening in their departments, staff and be more open to approach
- Online directory with staff phone, job title, photo and interests
- Staff newsletters - newcomers, leavers, promotions, what's happening.

Below: Jatish Singh



- Look at SSROC – Village Green, local shops can get involved in sustainability, environment reporting
- Community based environment projects for our bushland and waterways. E.g. PROJECT – replace all existing lighting with energy-efficient lights that are sensor-activated and turn off after 20 minutes of no activity
- Community panels for Councillors – more accountable to the community
- User pays solar barbeques
- Clubs and field users to pay the true price for power and facilities
- Community to pay for waste by a user pay system – more waste = more pay
- Low-wattage street lights
- Build a package for the community to buy all necessities to put in a rainwater tank – planning information, physical items and experts to do the installation.

“Diversification of some roles to allow for greater job interest and open up opportunities.”

Community Relationships

- More involvement in charities – e.g. Staff donating blood day, Daffodil Day
- Encourage staff involvement in Council volunteer programs with 2 work-free days per year to be involved in volunteering. E.g. bush care, meals-on-wheels
- More community involvement regarding development plans, commercial / retail development
- Adopt a Council social plan for the community to access different opportunities and activities to improve quality of life
- Promote sustainability achievements in the media and on websites to impact community knowledge
- Council should be marketed as a supplier of skilled workers and resource providers. eg. open space – parks maintenance, landscaping, tree work, nursery supplies.
- Media releases, hot issues, brochures for the community to be more informed

“Policy to offset greenhouse emissions from Council cars via subsidy of renewable energy programs, rather than tree planting”

Wellness / Health

- Flexibility in work hours
- Fitness classes for staff, walking club, yoga
- More benefits for staff – free entry or discount to West Pymble pool, discounts to gyms, massages
- Free fruit provided to staff twice a week to encourage staff to be healthier and therefore more efficient at work
- More social / sports clubs to revive more of a family feel to Council
- More sporting events for Council.

Job Satisfaction

- Diversification of job roles to relieve boredom and reduce the high turnover of staff. Staff to be trained in other areas of Council and staff then able to move around when required due to leave / sickness.

My Manager

- Balanced feedback from managers.

Staff Attitudes

- Staff to be accountable for their departments.

Team Work

- More open and informal offices for better team work
- Social organisers – have someone employed, or a social committee
- Employee suggestion box.

c: Governance

Work From Home / Flexible Work Hours

- Work from home option for staff.

Diversity, EEO and OHS

- OH&S training
- Bullying and workplace harassment issues to be dealt with effectively
- Counselling service to talk to staff regarding their concerns
- Outdoor staff to use face mask at all times when using any form of aerosol.

Child Care

- Child care in Council.

Learning and Development

- Career related training programs
- Motivation courses
- Study leave
- Opportunities for training, development, increase in salaries, secondments between departments internally and externally.

Policies and Procedures

- Better communication of and accessibility to policies and procedures
- Policies put in place for environmental and social sustainability
- Centralised databases of policies and procedures
- Policy with development to use locally native species of plants
- Restructure the policies and make them more “common sense” and easy to work with

*Below: Woody AKA Jeremy Pendergast
Easter Show 2006*



- Adopt a similar standards policy to International Standards Organisation (ISO)
- Policies put in place to ensure staff take annual leave to ensure staff are more relaxed and happy in the workplace
- Simplify structure and hierarchy of Council and communicate this to staff
- Involve staff in new policies and procedures planning
- Policy to reduce greenhouse gas emissions and oil use by 50% by 2025, within Council and Ku-ring-gai area – implement steps to achieve this
- No policies to be older than 5 years
- Improved development of performance indicators to measure the success of sustainability policies and plans, incorporate these into corporate management plan, State of the Environment Report, State of Shire Report and ensure the efficient timing of these processes
- Put policies on the web that are easy to interpret for residents
- Fix contradiction of policies. eg. fire trail policy and environment issues such as encroachment
- Sustainability department needs to be at the top of Council's hierarchy so that it is core to every department, decision and plan
- Fairer sick leave arrangements – responsible employees are currently treated the same as irresponsible staff
- More efficient reporting (e.g. fixing broken toilets, to prevent duplication of work)
- Establish an environment committee to examine the environmental impact of any Council action.

Rewards and Recognition / Salaries

- Equal opportunity to pay advancement after assessment – for all levels of staff
- Pay fair salaries – competitive with industry
- Budget to include more money / incentive for longevity of employment. e.g. 1 year, 5 years, 10 years.

Career Opportunities

- Career progression plans to retain staff.

Organisation Objectives

- Unified goals for all of Council.

Strategies and Plans

- Long term strategies – appropriate financing, resources and methodology
- Flexible planning options
- Reduce the duplication of work practices, better planning
- Property strategy to have a total asset management approach
- Risk management strategies
- Detailed recording and distribution of minutes for meetings held in Council
- Development of a Sustainability Plan
- Research other Councils' successes and mistakes, adapt them, work with state and federal governments for ideas to avoid duplication.

Restructures

- Restructuring of middle management.

Performance Appraisals

- Equitable performance management.

Ethics

- Implement ethical and transparent business practices
- Invest/partner with ethical investment companies.

Technology / Systems

- Online payment for bills
- Better IT systems in place to reduce duplication of work and reduce paper filing
- Introduce appropriate IT equipment for field staff e.g. blackberry for downloading information from records system to take into field instead of printing wasteful paper copies.

“Council should encourage local resident groups/ environmental groups with competitions and awards for sustainability incentives.”

Other Government Input

- More inclusive with neighbouring Councils, pooling of funds
- Give back State / Federal responsibilities until enough funding is provided
- Control our local issues and not have State government take over those issues
- Encourage LGSA to push Federal government to sign the Kyoto agreement
- Councillors should develop stronger relationships with their political counterparts
- More work with NSROC on sustainability generally, environment, crime prevention.

d: Environment

Investment for Environment

- Consider a staffer whose function includes looking after environment initiatives
- More financial investment in the environment will lead to long term economic stability
- Offset greenhouse emissions from Council cars via a subsidy of renewable energy programs
- Encourage local resident / environment groups with competitions/awards for sustainability incentives
- Ensure environment programs have tangible and long term benefits
- Produce a pamphlet or CDROM for the community on how they can make practical changes to benefit the environment
- Educate the community about local fauna and flora to encourage them to care about their environment

- Educate and inform staff of successful conservation policies from other businesses and councils nationally/internationally
- Education stall at St Ives Show showing sustainability issues and remedies
- Education program for staff and the community about sustainability – what it is and how to achieve it
- Staff environment days where staff can do proactive work (example Westpac staff)
- Environmental reporting – quadruple bottom line
- Annual awards program for sustainability
- “Wildlife Warriors” – encourage protection of wildlife and WIRES volunteer programs.

Fleet Cars / Car Parking

- Cars to be leased only to necessary staff (field/operational staff)
- Reduce the car fleet, have an internal car pool booking service and use the saved money for other environment projects
- Regularly maintain vehicles and servicing to prevent more pollution caused by the vehicles
- No free fuel on lease back vehicles – encourages less car use, long distance commuting staff to be compensated.

Public Transport / Car Pooling / Cycling

- Offer a discount/incentive to staff for not taking cars – free or discounted public transport, cab charge if working late, or increase in salary as an option not to have a car
- Council staff bus
- Car pooling system for Council staff – have a register on the internet for staff interested to travel with other staff to work and back
- More cycling tracks and footpaths
- Improved and more frequent public transport in town areas.

Recycling / Reusing / Composting

- Worm farms/composting of food waste then deposited onto Council gardens/parks
- Recycling programs (paper, plastic, aluminium, glass) in all parks, offices and businesses
- Double-sided printing, using single sided prints for scrap paper, recycling all paper waste and only purchasing recycled paper
- Re-fill items such as toner, print cartridges, pens
- Audit on Council's energy, waste and water usage
- Paper recycle boxes next to each desk
- More encouragement of recycling – email sent to all staff to inform what can and can't be recycled
- Staff training on how to double side print when using the photocopier
- Workshops for staff during lunch breaks on composting, recycling
- Recycled office furniture and sustainable, good quality materials to be used
- Provide coffee that is sourced through fair trading scheme
- Incentive scheme to encourage staff to produce less paper, waste and each month reward the winner or winning team
- Adopt "champions" to oversee the environment issues in their area. eg. waste, recycling, computers, lights,
- Recycle office furniture and computers, buy recycled furniture
- Recycling container in libraries for broken video cases
- Organic food to be served at functions
- Plastic, glass, recycling in libraries
- Ban use of disposable cups, ask everyone to bring in their own mug if they do not already have one
- Sports fields to be fed by rainwater tanks fed from amenities building
- Free trees for the community to plant
- Free water tanks for residents in the LGA
- Pools to have covers to prevent evaporation

Below: Barry Watson



Left: Ben Imasuen Broderick

Below: Jocelyn Chenu, feeding baby abandoned rosella



- Replace lawns needing to be watered and mowed with more sustainable native species
- Deciduous trees for solar access/climate control
- Ovals could have acrylic surfaces over concrete constructed trees so no need to water
- Compost used on council gardens and open space areas
- Urban design in town centres – showcase low wattage street lights, rain gardens, public art, historical information and telling the story of Aboriginal history and culture in Ku-ring-gai
- Conduct long term water conservation studies
- Program required to target dumped rubbish by the public with advertising, follow-ups and fines applied to prevent rubbish dumping
- Better pollution control devices at the entrances to our waterways
- Curb-side clean up to promote second hand goods and discourage rubbish dumping
- Perhaps an area on the Council website to give away or sell second hand goods locally
- Projects from the Environment Levy and grant funds to carry out works such as sewer mining
- Store and re-use road making and other salvaged material
- Storm water harvesting
- Encourage businesses and provide incentives – green certificates for environmental performances
- Information in the local paper with guidelines to help the environment, how and what can be recycled, pet care to avoid wildlife disturbance
- Demonstration of alternative building construction methods – straw bale
- Organic community vegetable gardens
- Provision of water tanks, solar electricity and water recycling units to homes – possibly partly funded or fully by council?
- Programs to actively remove weeds
- Use by date on trees? Once a certain age, can be replaced if required for construction
- Sustainable purchasing guide for green products
- Recycled water to be used in the office
- Recycled water for irrigation and toilet flushing.

Below: Jenny Cronan



We would be a hub of awareness where people and other councils could learn from our example... that highlights the environment as its number one priority - for it is our home and we are stewards of it.



APPENDICES

6

6.1 Survey instrument

Staff sustainability survey 2007

Your ideas on Sustainability at Council

What is sustainability?

It is the ability of a community to maintain a good quality of life which relies upon:

- a healthy and diverse environment
- a fair and just community
- an active and stable economy

An important aspect of sustainability is accepting the integrated nature of living systems which means we need to consider peoples' roles within these cycles. Re-building these systems begins in our own work place, backyards, schools and parks, as well as by making wise lifestyle choices that reduce the consumption of non-renewable resources.

Ku-ring-gai Council is commencing the development of our sustainability plan and, as the first step, we would like to hear your ideas through the following survey.

There are no 'right' or 'wrong' answers. We would appreciate any thoughts you may have regarding the challenges and attributes of our organisation. Your responses will remain confidential.

If you have any questions, please call Kirsty or Jenny on ext 818.

Question 1 asks your ideas on the area in which you work; questions 2 to 5 seek your responses on Council as a whole.

1. In the area(s) in which you work, what would a sustainable Ku-ring-gai Council be like? (E.g. resources, relationships, working conditions, opportunities, policies and procedures).

2. Economic (i.e. finance, people, equipment and other Council resources, and long term financial planning)

Looking at Council as a whole, how can we become more economically sustainable?

3. Social / workplace team (i.e. employee health, happiness and opportunities at work; relationships with the community, customer satisfaction).

Looking at Council as a whole, how can the social / workplace team area become more sustainable?

4. Environment (e.g. use of water, paper, energy, transport, and pollution, and other environmental matters).

Looking at Council as a whole, how can we become more environmentally sustainable?

5. Governance (i.e. structure, management, policies, directions, processes, and reporting).

Looking at Council as a whole, how can these be improved to make us more sustainable?

6. What other sustainability issues do you think Council should be involved in, e.g. regional Council groups, State or Federal Government programs and policies, local resident group or environmental group?

7. What percentage of your work relates to each of these above areas?

- Economic issues
- Social /workplace team issues
- Environmental issues
- Governance issues

8. I work for Council in the following area (please circle the one that best describes your work area):

- Accounting/purchasing
- Civic office
- Communications
- Community development

Community services
Customer relations
Development and regulation - team south,
north and central
Development and regulation - building,
engineering assistant
Development and regulation - compliance
and regulation
Development and regulation - others
Family day care
Human resources
IT
Leisure and cultural dev
Library - Gordon
Libraries - other
Open space - parks, sport and recreation
Open space - external locations, landscape,
and tree assessment
Open space - trees and vegetation, natural
environment and bushland
Open space - other
Planning
Property services
Records
Technical services - support and traffic
Technical services - depot, maintenance and
building
Technical services - fleet and waste
Technical services - other
Other (please specify)

9. THANK YOU FOR YOUR IDEAS !

If you would like to discuss any of these,
please add your name and work phone
number here:

6.2 Comparison between the Climate and Corporate Sustainability surveys

The following table outlines the findings from both the 2006 Voice Climate Survey and the 2006 Corporate Sustainability Survey. It should be noted that the corporate Sustainability Survey verified the major findings of the Voice Climate Survey.

Note: ● mostly positive responses from staff ✕ mostly negative responses from staff - there was no response from staff regarding this topic

Topic	Voice Climate Survey Response (CS)	Corporate Sustainability Survey Response (CSS)	CS	CSS
Role clarity	Role clarity was a positive topic in this survey. Staff generally understand their roles and the service they provide to the community	Role clarity was not rated frequently in this survey. The sustainability survey asked staff to comment on how Council can become more sustainable. This issue was not formally addressed	●	-
Leadership	Staff awareness and understanding of the direction, strategy and values of Council was rated poorly by staff	The same issues of leadership were addressed in the sustainability survey	✕	✕
Cross-section communication / coordination	Communication was featured as a major problem in this survey. Communication between departments and from managers to staff needs to improve	Communication was again stated as a major problem in this survey	✕	✕
Teamwork	Staff have responded with positive feedback about teamwork in their work area	Staff have responded again with positive feedback regarding team work in their work area	●	●
Work / life balance	Staff were very positive about work / life balance, suggesting they are able to balance work, social life and family well	Staff generally responded well to work / life balance. Some staff have made suggestions to improve this balance though, e.g. work from home, and child care facilities	●	●
Sexual harassment / bullying	The vast majority of staff responded that the issues of sexual harassment and bullying were prevented and discouraged	There were very few responses regarding these issues, however two staff have stated that more could be done to discourage this behaviour	●	●
Commitment to sustainability	A large proportion of staff responded that they were committed to sustainability	The sustainability survey featured a good response rate from staff, and staff have responded in detail to the sustainability questions offering feedback and ideas on how to help Council become more sustainable, particularly regarding the environment and social areas of sustainability	●	●
Organisational objectives	Responses from staff in this survey were generally positive with staff understanding the general direction and goals of Council	Generally responses were positive, however there were a few responses suggesting Council communicate clearer directions	●	●
Job satisfaction	Staff responded positively to this topic with most staff happy in their role	Staff mostly responded positively regarding job satisfaction however, some recommended more training, feedback, pay packages and multi-skilling staff to retain good employees	●	●
Physical working conditions	This was a problem area staff responded to in this survey, with some stating Council needs to improve buildings, grounds, facilities and roads	There were many responses regarding working conditions in this survey also, including air-conditioning problems, lack of natural light, desk space, roads maintenance, and other Council facilities	●	●
Career planning	There was a negative response from staff generally, with some staff stating there should be more career planning, training and programs in place to help staff achieve their career goals	There was a negative response regarding this issue with staff suggesting more training, career development plans and programs	✕	✕
Restructure	Some staff do not believe restructuring has been handled well, that it is too time consuming and that staff are feeling vulnerable in their positions	Some staff responded again to the inefficiencies and time it takes to complete a restructure	✕	✕
Policies and procedures	Responses to this topic were generally negative with staff stating that policies and procedures are not well designed	Staff have responded negatively regarding policies and procedures. Staff have recommended Council update, simplify and communicate policies better and make them easy to access and use	✕	✕
Performance evaluation	Generally staff responded negatively to the topic of performance evaluation with some staff stating that there needs to be clear guidelines for them to improve their performance	Many staff have responded with a need for Council to offer more frequent appraisals, feedback and reviews of salaries to retain good employees	✕	✕

6.3 Explanation of terms as used in this report

Terminology used by respondents can be open to interpretation depending on its context. For clarity, the content analysis used the following terms as defined here.

Economic Sustainability Category

Human Resources refers to staffing resources, e.g. understaffing and overstaffing and how staffing levels can be more sustainable.

Equipment Resources are the machinery used within Council facilities, internal and external, e.g. photocopiers, printers, tools and outdoor machinery.

Community Resources includes facilities for community use, such as libraries, pools, parks, and sporting facilities.

Physical Working Conditions is about the resources and physical environment to help staff work comfortably, e.g. air-conditioning, lighting, ventilation and office desk space.

Resource Consumption refers to the way all types of resources are used, including energy, water, paper, Council's vehicle fleet, and any other resource mentioned. The obvious connection of resource consumption with environmental sustainability is recognised; however, it has been categorised under Economic Sustainability here when respondents discuss it in terms of cost efficiencies.

Social Sustainability Category

Staff Attitudes – refers to the way a staff member states a view on a certain issue.

Staff Behaviour – relates to the way staff act regarding a certain issue.

Wellness – refers to responses about the general health and well-being of an employee.

Cross-Section Cooperation – is about the way staff interact and cooperate across different sections of Council. It also refers to communication effectiveness across sections of Council.

My Manager – includes the views staff members have expressed in regards to their manager/s and includes staff/manager relationships, motivation, staff feedback and other related staff/management relationship issues.

Work/Life Balance – refers to the ability to balance a healthy workload and life outside of work, e.g. family life, sports, social activities and holidays.

Governance Sustainability Category

Work From Home / Flexible Work Hours – includes the flexibility of the job role in relation to work hours and the ability to work from home, either part or full time.

Policies and Procedures – concerns all policies and procedures that Council has adopted, e.g. Standard Operating Procedures (SOPs).

Organisation Objectives – are Council's short, medium and long term goals.

Strategies and Plans – these are the methods and action plans Council has to achieve their policy and operational goals.

Ethics – refers to Council's principles and can be in relation to any part of Council's operation, e.g. community relationships, staff, and business operations.

Leadership – is in relation to Council’s management structure in its entirety, and the efficiency and effectiveness of different tiers of management.

Learning and development – is regarding staff training opportunities and development of a person’s role. It can include on-the-job training, external institution training, and education programs regarding sustainability.

Rewards and Recognition / Salary – are any type of award or recognition for an employee, including award certificates, verbal feedback from managers, prizes and extra training. Salary package changes are also included in this area.

Technology / Systems – are the electronic machinery, programs and I.T. equipment of Council, e.g. computer system efficiency, website structure and Council’s I.T. programs.

Environmental Sustainability

Public Transport / Car Pooling / Bike

Tracks – this broad area includes issues of public transport, car pooling, construction of new bicycle tracks and walking paths.

Fleet Cars / Council Car Parking

– this topic is closely tied with Resource Consumption in relation to Council cars. This topic is identified separately when staff have specifically stated Council cars’ environmental impact, e.g. a suggestion to install meters for the Council car park to deter staff from driving to work.

Green Product Use – refers to Council purchasing products that are less damaging to the environment than current products, e.g. cleaning products, office stationery and paper.

Recycling / Reusing / Composting – this is a broad topic in relation to all types of recycling, reusing resources and food composting. Resources include plastics, aluminium, glass, batteries, appliances and especially paper. The reuse of resources included paper, crockery and cutlery. Other issues falling under this topic include renewable sources of energy and water.

Note that some statements by staff were categorised into multiple areas, and have been accounted for in each key area mentioned (see Table 3.1). For example, the quote “Car parking – charge for parking – to better manage parking and assist to offset environmental impacts and generate revenue” was recorded in the topics of:

- Resource consumption
- Funding / grants / broadened revenue base
- Fleet cars / car parking.

6.4 Interlinked Sustainability Issues

Inter-linked sustainability issues as mentioned in responses (* indicates the issue is interlinked)
Shaded areas - issues not discussed

Issue	Economics	Social	Governance	Environment
Long term planning/budgets	*		*	
Human resources (staffing)	*	*	*	
Equipment	*		*	*
Community resources (e.g. library, pools)	*	*	*	
Funding/grants/revenue	*		*	
Physical working conditions	*	*	*	*
Resource consumption (e.g. energy use, water, paper, cars)	*		*	*
Investment in local economy	*	*	*	
Staff wellness/health	*	*		
Cultural awareness		*		*
Cross-section cooperation	*	*	*	
Staff involvement	*	*		
Customer satisfaction		*	*	
Community relationships		*	*	
Teamwork	*	*		
Work/life balance	*	*		
Work from home/flexible work hours	*	*	*	*
Policies and procedures	*	*	*	*
Strategies and plans	*	*	*	*
Ethics		*	*	
Organisational objectives	*	*	*	*
Change and innovation	*		*	
Diversity, EEO and OHS		*	*	
Safety	*	*	*	
Leadership	*	*	*	
Recruitment and selection	*	*	*	
Learning and development	*	*	*	
Rewards and recognition /salary	*	*	*	
Career opportunities		*	*	
Role clarity		*	*	
Restructure	*	*	*	
Technology/systems	*	*	*	*
Child care facilities	*	*	*	
Public transport /car pooling	*	*	*	*
Fleet cars/car parking	*		*	*
Green product use	*		*	*
Recycling/reusing/compost	*	*	*	*
Investment for environment	*	*	*	*

6.5 Glossary of GRI Indicators

The following guidelines describe the third generation (or G3) of the Global Reporting Initiative indicators which have been incorporated into this report.

1. Strategy and Analysis

1.1 Statement from the CEO and chair, or head of the organisation who is independent of the reporting organisation's executive management about the relevance of sustainability to the organisation and its strategy.

1.2 Description of Key Risks and Opportunities

Section A should cover the following points:

- Description of the major impacts of the organisation related to sustainability and associated major challenges and opportunities, including the effect on stakeholders' rights as defined by national laws and the expectations in internationally-agreed standards;
- Explanation of the organisation's prioritisation of its approach to these challenges and opportunities;
- Key conclusions regarding progress in addressing these issues and related performance in the reporting period, including assessment of reasons for underperformance; and
- Description of major processes in place to address performance and/or major changes.

Section B should cover the following points:

- Description of the most important risks and opportunities deriving from sustainability trends;

- Explanation and prioritisation of key risks and opportunities according to their potential contribution to business strategy, competitive position, qualitative and (if possible) quantitative organisational value drivers;
- Table(s) summarising:
 - targets, performance against targets, and commentary on lessons for various key risks and opportunities;
 - priorities, objectives, and mid-term goals (i.e., 3-5 years) for key risks and opportunities;
 - Concise description of governance mechanisms in place specific to managing these risks and opportunities, and identification of other related risks and opportunities.

2. Organisational Profile

2.1 Name of the reporting organisation.

2.2 Major brands, products and/or services, including volume or quantity of products/services provided.

2.3 Operational structure of the organisation and major divisions, operating companies, subsidiaries, and joint ventures.

2.4 Countries in which the organisation's operations are located.

2.5 Nature of ownership and legal form.

2.6 Markets served (including geographic breakdown, sectors served, types of customers/beneficiaries).

2.7 Scale of the reporting organisation, including:

- number of employees;
- net sales (for private sector organisations) or net revenues (for public sector organizations); and

- total capitalisation broken down in terms of debt and equity (for private sector organisations).
- total assets; and
- breakdowns by country/region of the following:
 - sales/revenues by countries/regions that make up 5 percent or more of total revenues;
 - costs; and
 - employees.

2.8 Major decisions during the reporting period regarding the location of, or changes in operations, including facility openings, closings, and expansions.

3. Report Parameters

Report Scope / Profile

3.1 Contact point for questions regarding the report or its contents.

3.2 Reporting period (e.g., fiscal/calendar year) for information provided.

3.3 Date of most recent previous report (if any).

3.4 Significant changes from previous years in the inclusion of, and measurement methods applied to, economic environmental and social issues and indicators.

3.5 Plans for future reporting.

3.6 Identify which GRI reporting framework documents have been applied, including supplements and protocols, and the extent of their application.

Explanation of Processes

3.7 Process for defining report content, including the process for determining the materiality and prioritisation of issues within the report, and identification of the stakeholders that the organisation expects to use the report.

Reference to how the organisation has applied the Guidance on Defining Report Content and the associated principles will ordinarily be appropriate.

3.8 State any specific limitations on the scope of the report.

3.9 Data measurement techniques and the bases of calculations, including assumptions and techniques underlying estimations applied to the compilation of the indicators and other information in the report.

3.10 Approaches to stakeholder engagement activities undertaken specifically for the report, broken down by type of engagement and by stakeholder group.

3.11 Type of information (such as key issues and concerns) generated by stakeholder engagement activities implemented specifically for the purposes of report preparation.

Reporting Boundary

3.12 Boundary of the report (countries/regions, divisions/facilities/ joint ventures/ subsidiaries).

If boundary and scope do not match the full range of economic, environmental, and social impacts of the organisation, state the strategy and projected timeline for providing complete coverage.

3.13 Significant changes in size, structure, ownership, or products/services that have occurred since the previous report.

Include an explanation whether these changes have affected the boundaries of the report.

3.14 Basis for reporting on joint ventures, partially owned subsidiaries, leased facilities, outsourced operations, and other situations that can significantly affect comparability from period to period and/or between reporting organisations.

3.15 Explanation of the nature and effect of any re-statements of information provided in earlier reports, and the reasons for such re-statement (e.g., mergers/acquisitions change of base years/periods, nature of business, measurement methods).

GRI Content Index

3.16 Table identifying the location of the standard disclosures.

Identify the page numbers where the following disclosure items and performance indicators can be found:

- Strategy and Analysis 1.1 – 1.2;
- Organisational Profile 2.1 – 2.8;
- Report Parameters 3.1 – 3.16;
- Governance, Commitments, and Engagement 4.1 – 4.18;
- Disclosure of Management Approach, per category;
- Core performance indicators;
- Any GRI additional indicators that were included; and
- Any GRI sector supplement indicators included in the report

Assurance

3.17 Policy and current practice with regard to seeking independent assurance for the report. If not included in the assurance report accompanying the sustainability report, explain the scope and basis of any independent assurance provided as well as nature of the relationship with the assurance provider.

4. Governance, Commitments, and Engagement

Governance

4.1 Governance structure of the organisation, including committees under the highest governance body responsible for specific tasks, such as setting strategy or oversight of the organization.

Describe the mandate and composition (including number of independent members and/or non-executive members) of such committees and indicate any direct responsibility for economic, social, and environmental performance.

4.2 Indicate if the Chair of the highest governance body is also an executive officer (and, if so, their function within the organization's management and the reasons for this arrangement).

4.3 For organisations that have a unitary board structure, state the number of members of the highest governance body that are independent and/or non-executive members.

State how the organisation defines 'independent' and 'non-executive'. This element applies only for organisations that have unitary board structures. See the glossary for a definition of independent.

4.4 Mechanisms for shareholders and employees to provide recommendations or direction to the highest governance body.

Include reference to processes regarding: (i) the use of shareholder resolutions or other mechanisms for enabling minority shareholders to express opinions to the highest governance body; and (ii) informing and consulting employees, the working relationships with formal representation bodies such as organisation level 'works councils', and representation of employees in the highest governance body.

Identify major issues related to economic, environmental and social performance raised through these mechanisms during the reporting period.

4.5 Linkage between compensation (including departure arrangements) and the organisation's performance (including social and environmental performance) for members of the highest governance body, senior managers, and executives.

4.6 Process for determining required qualifications and expertise of the members of the highest governance body to guide the strategy of the organisation, including on issues related to economic, environmental, and social performance.

4.7 Processes of the highest governance body to ensure conflicts of interest are avoided.

4.8 Internally developed mission and values statements, codes of conduct, and principles relevant to economic, environmental, and social performance and the status of their implementation.

Include the degree to which these (i) are applied across the organisation in different regions and department/units and (ii) relate to internationally agreed standards.

4.9 Processes of the highest governance body for overseeing the organisation's identification and management of economic, environmental, and social performance including the identification and management of relevant risks and opportunities, and adherence or compliance with internationally agreed standards, codes of conduct, and principles.

Include frequency with which the highest governance body assesses sustainability performance.

4.10 Processes for evaluating the performance of the highest governance body, particularly with respect to economic, environmental, and social performance.

Commitments to External Initiatives

4.11 Explanation of whether and how the precautionary approach or principle is addressed by the organisation.

This could include examples that illustrate the organisation's approach to risk management in operational planning or the development and introduction of new products. For reference, see the glossary for text of Article 15 of the Rio Principles on the precautionary approach.

4.12 Externally developed, voluntary economic, environmental, and social charters, sets of principles, or other initiatives to which the organisation subscribes or which it endorses.

Include date of adoption and countries/operations where applied and the range of stakeholders involved in the development and governance of these initiatives.

4.13 Significant memberships in associations (such as industry associations), and/or national/international advocacy organisations.

Stakeholder Engagement

These disclosure items refer to general stakeholder engagement conducted by the organisation over the course of the reporting period which was not specifically for the purposes of preparing a report.

4.14 List of stakeholder groups engaged by the organisation.

Examples of stakeholder groups are:

- communities;
- civil society;
- customers;
- shareholders and providers of capital;
- suppliers;
- trade unions; and
- workforce, direct and indirect.

4.15 Basis for identification and selection of stakeholders to engage.

This includes the process for defining an organisation's stakeholders, and for determining with which groups to engage, and those groups not to engage.

4.16 Approaches to stakeholder engagement, including frequency of engagement by type and by stakeholder group. This could include surveys, focus groups, community panels, corporate advisory panels, written communication, management/union structures, and other vehicles.

4.17 Key issues and concerns that have been raised through stakeholder engagement and how the organisation has responded to those key issues and concerns.

Economic Performance Indicators

Aspect: Economic Performance

EC1. Economic value generated and distributed, including revenues, operating costs, employee compensation, donations and other community investments, retained earnings, and payments to capital providers and to governments (core)

EC2 Financial implications of climate change (core)

EC3 Coverage of the organisation's defined benefit pension plan obligations (core)

EC4 Financial assistance received from government (core)

Aspect: Market Presence

EC5 Entry level wage compared to local minimum wage for significant locations of operation (core)

EC6 Practices and proportion of spending on locally-based suppliers at significant locations of operation (core)

EC7 Procedures for local hiring, and proportion of senior management in locations of significant operation from the local community" (core)

Aspect: Indirect Economic Impacts

EC8 Description of infrastructure investments and services supported that provide public benefit (core)

EC9 Indirect economic impacts (additional)

Environmental Performance Indicators

Aspect: Materials

EN 1 Weight of materials used (core)

EN2 Percentage of materials used that are recycled (core)

Aspect: Energy

EN3 Direct energy consumption broken down by primary energy source (core)

EN4 Indirect energy consumption broken down by primary source (core)

EN5 Percentage of total energy consumption met by renewable resources (additional)

EN6 Total energy saved due to conservation and efficiency improvements (additional)

EN7 Initiatives to provide energy-efficient products and services (additional)

EN8 Initiatives to reduce indirect energy consumption (additional)

Aspect: Water

EN9 Total water withdrawal by source (core)

EN10 Water sources and related habitats significantly affected by withdrawal of water (additional)

EN11 Percentage and total volume of water recycled and reused (additional)

Aspect: Biodiversity

EN12 Location and size of land owned, leased, or managed in, or adjacent to, protected areas (core)

EN13 Description of significant impacts of activities on protected areas (core)

EN14 Area of habitats protected or restored (additional)

EN15 Programs for managing impacts on biodiversity (additional)

EN16 Number of IUCN Red List species with habitats in areas affected by operations broken down by level of extinction risk (additional)

Aspect: Emissions, Effluents, and Waste

EN17 Greenhouse gas emissions (core)

EN18 Emissions of ozone-depleting substances (core)

EN19 NO_x, SO_x, and other significant air emissions by weight (core)

EN20 Total amount of waste by type and destination (core)

EN21 Total water discharge and quality (core)

EN22 Total number and volume of significant spills (core)

EN23 Other relevant indirect greenhouse gas emissions (core)

EN24 Weight of transported, imported, or exported waste deemed hazardous under the terms of the Basel Convention Annex I, II, III and VIII (additional)

EN25 Water sources and related habitats significantly affected by discharges of water and runoff (additional)

Aspect: Products and Services

EN26 Initiatives to manage the environmental impacts of products and services and extent of impact reduction (core)

EN27 Percentage of products sold that is reclaimed at the end of the products' useful life by product category (core)

Aspect: Compliance

EN28 Incidents of, and fines or non-monetary sanctions for, non-compliance with applicable environmental regulations (core)

Aspect: Transport

EN29 Significant environmental impacts of transportation used for logistical purposes (additional)

Aspect: Overall

EN30 Total environmental protection expenditures by type (additional)

Social Performance: Labour Practices and Decent Work Performance Indicators

Aspect: Employment

LA1 Breakdown of total workforce by employment type and by region (core)

LA2 Total number and rate of employee turnover broken down by age group and gender (core)

LA3 Minimum benefits provided to full-time employees, which are not provided to temporary or part-time employees (additional)

Aspect: Labour/Management Relations

LA4 Percentage of employees represented by independent trade union organisations or covered by collective bargaining agreements (core)

LA5 Minimum notice period(s) and consultation and negotiation practices with employees and/or their representatives regarding operational changes (core)

Aspect: Occupational Health and Safety

LA6 Percentage of workforce represented in formal joint management-worker health and safety committees that help monitor and advise on occupational health and safety programs (core)

LA7 Rates of injury, occupational diseases, lost days, and absenteeism and number of work-related fatalities (core)

LA8 Education, training, counselling, prevention and risk-control programs in place for assisting workforce members, their families or community members affected by HIV/AIDS or other serious communicable diseases (core)

LA9 Elements of occupational health and safety management approach (additional)

LA10 Health and safety topics covered in formal agreements with trade unions (additional)

Aspect: Training and Education

LA11 Average hours of training per year per employee broken down by employee category (core)

LA12 Programs for skills management and lifelong learning that support the continued employability of employees and assist them in managing career endings (additional)

LA13 Percentage of employees receiving regular performance and career development review (additional)

Aspect: Diversity and Opportunity

LA14 Composition of governance bodies' and breakdown of employees per category according to gender, age group, minority group membership, and other indicators of diversity (core)

LA15 Ratio of average remuneration of men and women broken down by employee category (additional)

Social Performance:
Human Rights Performance Indicators

Aspect: Management Practices

HR1 Percentage of significant investment agreements that include human rights clauses or that under went human rights screening (core)

HR2 Percentage of major suppliers and contractors that under went screening on human rights (core)

HR3 Type of employee training on policies and procedures concerning aspects of human rights relevant to operations, including number of employees trained (additional)

Aspect: Non-discrimination

HR4 Incidents of discrimination (core)

Aspect: Freedom of Association

HR5 Incidents of violations of freedom of association and collective bargaining (core)

Aspect: Child Labour

HR6 Incidents of child labour (core)

Aspect: Forced and Compulsory Labour

HR7 Incidents of forced or compulsory labour (core)

Aspect: Disciplinary Practices

HR8 Procedures for complaints and grievances filed by customers, employees, and communities concerning human rights, including provisions for non-retaliation (additional)

Aspect: Security Practices

HR9 Percentage of security personnel trained in organization's policies or procedures regarding human rights (additional)

Aspect: Indigenous Rights

HR10 Incidents involving rights of indigenous people (additional)

Social Performance:
Society Performance Indicators

Aspect: Community

S01 Programs and practices for assessing and managing the impacts of operations on communities, including entering, operating and exiting (core)

Aspect: Corruption

S02 Extent of training and risk analysis to prevent corruption (core)

S03 Actions taken in response to instances of corruption (core)

Aspect: Public Policy

S04 Participation in public policy development and lobbying (core)

S05 Total value of contributions to political parties or related institutions broken down by country (additional)

Aspect: Anti-Competitive Behaviour

S06 Instances of legal actions for anti-competitive behaviour, anti-trust, and monopoly practices and their outcomes (additional)

Social Performance: Product Responsibility

Performance Indicators

Aspect: Customer Health and Safety

PR1 Procedures for improving health and safety across the life cycle of products and services (core)

PR2 Number and type of instances of non-compliance with regulations concerning health and safety effects of products and services ** (additional)

Aspect: Products and Services

PR3 Procedures for product and service information and labelling (core)

PR4 Number and type of instances of non-compliance with regulations concerning product and service information and labelling (additional)

PR5 Procedures related to customer satisfaction, including results of surveys measuring customer satisfaction." (additional)

Aspect: Marketing Communications

PR6 Procedures and programs for adherence to laws, standards, and voluntary codes related to marketing communications including advertising, promotion and sponsorship (additional)

PR7 Number and type of instances of non-compliance with regulations concerning marketing communications including advertising, promotion and sponsorship. ** (additional)

Aspect: Customer Privacy

PR8 Percentage of customer data covered by the data protection procedures (core)

PR9 Number of substantiated complaints regarding breaches of customer privacy (additional)

The following web sites provide more information on sustainability:

International Action

Global Education: The Environment.

Includes a list of some global environmental issues, Australia's responses, and a list of global conventions and treaties
<http://www.environment.nsw.gov.au/candc/usp.htm>

International Institute for Sustainable Development

<http://www.iisd.org/>

National Action

Australian National Sustainability Network

Opportunity to join a nationwide network and share ideas on sustainability

<http://www.sustainabilitynetwork.org.au/home.html>

National Centre for Sustainable Development

<http://www.ncsustainability.com.au/?id=links>

Local Government Action

Australian Local Government Association

Local Agenda 21 and WSSD

<http://www.alga.asn.au/policy/environment/sustainability/>

Department of the Environment and Water Resources

Local Government sustainability case studies and Local Agenda 21 program

<http://www.environment.gov.au/esd/links/local.html>

Sustainability Plan Links

6.6 Links for Sustainability

Government Plans

Department of Environment and Conservation (NSW)

Urban sustainability program

<http://www.environment.nsw.gov.au/candc/usp.htm>

City of Melbourne

Growing Green Environmental Sustainability Plan

<http://www.melbourne.vic.gov.au/info.cfm?top=218&pa=1612&pg=1622>

Education Plans

General

The Australian Research Institute in Education for Sustainability (Macquarie University)

<http://www.aries.mq.edu.au/>

Department of the Environment and Water Resources

Sustainability education

<http://www.environment.gov.au/education/>

School Education

SaveWater.com.au

Ways to include the importance of water conservation into schools, water conservation programs

<http://www.savewater.com.au/index.php?sectionid=16>

Gould group

Schools sustainability and environmental education programs including: 'Sustainable schools', 'The sustainables challenge', and 'Water wise schools'

<http://www.gould.edu.au/html/schools.asp>

Environmental Links

Air

CSIRO

Feature article: "Reshaping Cities for a More Sustainable Future".

Evaluates the impact of urban development on air quality

<http://www.csiro.au/science/psaq.html>

Australian Greenhouse Office

<http://www.greenhouse.gov.au/>

Water

CSIRO Sustainable Ecosystems: Water

Links to current research including Water for a Healthy Country Research Flagship

<http://www.cse.csiro.au/research/water.htm#research>

NSW Department of Natural Resources

Managing Water in NSW

Links to 'Legislation and Policy, Water Management Plans, Water Licences, Water for the Environment, Water Data Online, Water Quality, Compliance

<http://www.dnr.nsw.gov.au/water/index.shtml>

Climate

CSIRO Sustainable Ecosystems

Links to current climate research

<http://www.cse.csiro.au/research/climate.htm>

NSW Department of Energy, Utilities and Sustainability

Renewable energy targets for NSW, NSW Greenhouse plan (current action), Links to information on Green Power, Renewable energy etc

<http://www.deus.nsw.gov.au/Sustainability/Climate%20Change.asp>

Origin Energy

Calculating your greenhouse emissions

<http://www.originenergy.com.au/carbon/?cp3965082467519>

Land

Department of the Environment and Water Resources

Sustainable Land Management: with links to Environmental management systems, Local Government and Conservation planning, Native vegetation policies etc

<http://www.environment.gov.au/land/management/index.html>

Biodiversity - Flora & Fauna

Australian Museum

Australia's Biodiversity, What is biodiversity, what's happening to our biodiversity, what can be done, sustainable living

<http://www.austmus.gov.au/biodiversity/how/sustainable.htm>

Community Links

People

Ecological Footprint

EPA Victoria

Victorian site on ecological footprints
Very comprehensive site: how it works, what it means, information on Australia's footprint, questionnaire to calculate personal footprint, as well as a calculator for home, office, retail tenants etc, some case studies

<http://www.epa.vic.gov.au/ecologicalfootprint/default.asp>

Ecological Footprint Quiz

Global ecological footprint site

<http://www.earthday.net/footprint/index.asp>

Powerhouse Museum

Calculate your ecological footprint

<http://www.powerhousemuseum.com/education/ecologic/bigfoot/mid/>

The Community Sustainability Project

Understanding the nature of community from local to global

<http://www.communitysustainability.info/links/links.html>

Volunteers

Communitybuilders.nsw

Volunteers in NSW govt agencies, including fish care volunteer program, landcare, national parks and wildlife, and others

<http://www.communitybuilders.nsw.gov.au/builder/volunteering/agenciesvol.html>

Waste

Department of Environment and Conservation (NSW) - Recycling and Waste

Lots of links, eg to Sustainability Education, including guides to easy recycling, worm farming composting etc

<http://www.environment.nsw.gov.au/education/recyclingandwaste.htm>

Department of Environment and Conservation (NSW) "Waste"

Includes 'trends at a glance', 'waste generation and disposal', 'pressures on waste', and 'waste reduction responses'

<http://www.epa.nsw.gov.au/soe/97/ch5/4.htm>

Business and Industry Links

Corporate Responsibility Index

http://www.corporate-responsibility.com.au/about/corporate_social_responsibility/what_is_csr.asp

World Business Council for Sustainable Development

<http://www.wbcsd.org/templates/TemplateWBCSD5/layout.asp?MenuID=1>



Further Information

Contact: Ku-ring-gai Council

Web: www.kmc.nsw.gov.au, Sustainability Program Leader,

Postal Address: Locked Bag 1056, Pymble NSW 2073 Australia

Email: kdavies@kmc.nsw.gov.au. Telephone: 02 94240800



Draft Sustainability Vision Report

Ku-ring-gai to global



Seven generations of Ku-ring-gai residents
Planning for a sustainable future

2008 - 2033

This project has been financially assisted by the New South Wales Government through its Environmental Trust and by the citizens of Ku-ring-gai through the Environmental Levy.



Cover image: 7 generations of Ku-ring-gai residents.

Photographer: Stephanie Cooper photography

This vision report is dedicated to the present and future children and citizens of Ku-ring-gai



'Ku-ring-gai, how I want it when I'm 30' by Lucy Taylor, Year 4, Abbotsleigh Junior School

Mayor's Foreword



To the residents of Ku-ring-gai,

It is with great pleasure I present the Sustainability Vision Report which encapsulates the aspirations and challenges for a sustainable future. This vision has been described through the voices of residents from 9 to 99 years of age. The hopes and dreams of our young people are represented together with the wisdom and knowledge of our older residents.

I would like to take this opportunity to confirm Council's commitment to sustainability as it represents an extension on our excellent history of environmental care. We recognise that Ku-ring-gai's society and environment are important in the global community and we need to do our bit locally to address broader issues such as climate change. Our obligation to sustainability requires us to act now to conserve the wonderful community, culture, history, economy and natural environment we all enjoy today.

Council recently established a sustainability reference group to work with the community to realise the visions in this document. Councillors and staff will continue with our inclusive and equitable approach working with residents of all ages to create sustainable suburbs.

Internally we are reviewing Council's administration, policies, practices and programs with the aim of positioning the Council as a leader in sustainability.

On behalf of the Council, I would like to extend my sincerest gratitude to those of you who have contributed your time and knowledge during the planning phases to date. If you would like to become involved in the future, I urge you to do so by making small changes to your everyday lives or by contacting Council for information on community programs.

We need to focus on a sustainable Ku-ring-gai for our children and their children so they too can enjoy our safe, friendly community and live under the Blue Gum canopy as we are so fortunate to do.

Nick Ebbeck

Mayor

Acknowledgements

Ku-ring-gai Council would like to thank the 264 people, Councillors and staff members who generously gave their valuable time, ideas and knowledge to assist in planning Ku-ring-gai's vision for the next 25 years. We would also like to thank the participants of the Centenary Essay Competition and those who contributed through written submissions, including:

Ms Anne Carroll, Friends of Ku-ring-gai (FOKE)

Ms Anne Connolly.

Ms Kerry Dominish, Lifestart Early Childhood Intervention Program.

Miss Lauren Hansen.

Ms Janet Harwood.

Mr Jonathan Herrman.

Master Patrick O'Connell.

Miss Claire Offord.

Ms Nancy Pallin cited by FOKE.

Mr David Wood.

Ku-ring-gai - an asset of State significance, 2002 report by Ku-ring-gai citizen's for the NSW Government.

The vital inclusion of young people in this research could not have occurred without the support of the following schools:

Primary schools – Abbotsleigh Junior School, Gordon West Primary School, Pymble Ladies College Preparatory School, Sydney Grammar School (St Ives), Wahroonga Public School (The Bush School)

High schools - Killara High School, Knox Grammar School, Ku-ring-gai Arts High School, Roseville College

Council acknowledges with gratitude the students and teachers of Wahroonga Bush School and Abbotsleigh Junior School for contributing artwork used throughout the report.

Executive Summary

Aim

Ku-ring-gai to global is Council's first sustainability vision report spanning 25 years from 2008- 2033. It describes the findings of an extensive visioning process in 2007, consisting of community discussions involving 264 residents. Citizens aged from 9-99 years of age shared their concerns and aspirations for the future from social, environmental, economic and governance perspectives. Capturing the views of residents of all ages has provided a strong foundation upon which sustainability programs can be built.

Findings

Ku-ring-gai residents:

- highly value the region's natural environment and sense of space
- identified water as the most valued resource
- aimed to minimise threats to their local and global environments such as the effects of climate change
- acknowledged that current consumption patterns regarding all resources, such as water and energy need to change
- requested that Council provide incentives and deterrents when addressing sustainability to encourage behavioural changes
- described the capacity of residents to live sustainably due to the community being established and educated
- reinforced the lack of local social and environmental knowledge and the need to improve this area of education for all members of the community
- highlighted the need for private and public agencies to work in partnership with citizens to address sustainability challenges
- were concerned about the social and environmental impacts of local medium density residential developments
- felt a strong sense of belonging attributed to their social and environmental connections
- recommended increased community participation in decision making processes
- wished to preserve the 'safe and friendly' atmosphere
- stressed the need for community meeting places
- wanted improved infrastructure particularly in regard to the town centre developments and neighbourhood shopping centres
- felt that residents' age should be considered when designing community and volunteer programs

Key Statistics

Key statistics from Ku-ring-gai support its strong position to address a sustainable future.

1. The community of Ku-ring-gai has the capacity to care for its long term future as defined by the SEIFA index which indicates that it is the most advantaged LGA in Sydney as measured by economic stability, education and employment (ABS, 2001).
2. The community of Ku-ring-gai is one of the most educated and established in Australia (ABS, 2001) and ideally positioned to instigate significant change towards protecting a sustainable future.
3. Ku-ring-gai has an outstanding record of volunteerism which was presented for the first time through the 2006 census. 27% of the population are active volunteers as opposed to the Sydney average of 15% (ABS, 2006a).
4. A large percentage of people over 55 years live in Ku-ring-gai (ABS, 2006b). They also require age appropriate recreation opportunities, services and facilities for the less mobile, essential home services and an accessible public domain that is user friendly for older residents.
5. Ku-ring-gai has a higher percentage of 15-24 year olds living at home (ABS, 2006c). This highlights the need for sport and recreation facilities and entertainment venues as well as affordable housing options that enable young people to rent or buy a home in the area where they grew up.
6. Statistics supplied by the Bureau of Crime Statistics and Research (2006) indicate that crime incidents are well below NSW averages, supporting the majority of participants who felt that the area was safe.
7. Statistics released by the Australian Conservation Foundation (2007) show that Ku-ring-gai exceeds national and state averages in terms of the Ecological Footprint, greenhouse emissions and water use. Ku-ring-gai residents:
 - use 1,000,000 litres of water per person per year.
 - emit 25.32 tonnes of greenhouse pollution per person per year.
 - have an ecological footprint of 7.64 ha per person.
8. Ku-ring-gai's bushland was described as a sanctuary by participants. Over 100 reserves covering 1100 ha are home to over 800 flora species, including 3 ecologically endangered communities and 500 fauna species, of which 28 are threatened (KMC, 2006; KMC, 2004).

Vision

Ku-ring-gai's overarching 25 year vision was developed through the community visioning processes and is as follows:

Ku-ring-gai will be a creative, liveable place where people respect each other, conserve the magnificent environment and society for the children and grandchildren of the future.

Vision statements

To further assist in achieving Ku-ring-gai's vision the following statements reflect future aspirations. Additionally these have been divided into social, environmental, economic and governance sectors to assist their implementation. Where:

 = social  = environmental **E** = economic **G** = governance

1. Creative and liveable

Ku-ring-gai will be a place:

- that is safe, friendly and accessible for all people 
- that is vibrant and celebrates its rich cultural and environmental heritage  
- with infrastructure and planning systems that accommodate the identity and needs of each suburb  **G**
- with opportunities for local businesses and employment **E**
- with a strong and stable local economy **E**
- that prioritises knowledge, learning and information that benefits sustainability  **G**
- that embraces innovation and technology, to assist in finding solutions to the issues which face us **G**

2. Respect

Ku-ring-gai will be a place:

- where all people are valued 
- supporting and promoting local stewardship and community participation 
- engaged in partnerships with local, regional, national and global sectors **G**

3. Magnificent environment

Ku-ring-gai will be a place:

- of extensive bushland with native flora and fauna which we highly value and protect 
- where our open spaces are enhanced  
- progressively reducing its consumption of resources, leading in recycling and reuse 
- addressing and responding to climate change 

Values

Ku-ring-gai's values are to:

1. Care for the local environment and people
2. Respect the needs of future generations
3. Learn and share knowledge
4. Behave ethically
5. Take responsibility for our actions
6. Lead in sustainability

Principles

Ku-ring-gai's principles are to:

1. Support cohesive, inclusive 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

Future steps

A Sustainability Reference Group has been formed to advise Council and oversee the next phases in development of this vision report. This group of 15 community representatives ranging in age from 12-80+ years offer a broad range of knowledge and experience and will work closely with Council's internal staff Sustainability Reporting Team. Integrating sustainability in Council's Management Plan and Annual Report commenced in 2007 and will continue to be phased in as a priority. Policy development and action planning will be undertaken during 2008. Sustainability strategies will be progressively developed on an annual basis for each of Ku-ring-gai's suburbs commencing in 2009.

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1. Introduction

(Previous page: Top: Group discussions at the intergenerational forum, 2007; Middle: Dalrymple Hay Nature Reserve; Bottom: Residents at the intergenerational forum, 2007. Photos: D. Wilks)

1 Introduction

"Sustainability is a word that we have been hearing a lot about. It is now permeating government public policy pronouncements and documents, and it presents, I suggest, an opportunity to re-examine what previous generations in Ku-ring-gai have left to us, the present generation – and that is, of course, an extraordinary legacy..."

...Sustainability requires that we...together with the descendants of the Aboriginal people...are trustees, and the onus is on us, the responsibility is on us, for the sake of the next generation..."¹

(Giles Tabuteau, 2007)

Ku-ring-gai to global is the first sustainability vision report representing a continuation of much of the past work of citizens and the Council. Residents, volunteers, Councillors and staff members have a long history of caring for the local community and environment. They have researched, planned and worked to protect Ku-ring-gai's exceptional natural environment and community. To assist in reinforcing this position, the *Ku-ring-gai to Global* slogan and associated symbol has been developed with the intention that it can be used by Council, local businesses, community organisations and individuals to demonstrate a cohesive approach to sustainability.



Image: Ku-ring-gai to Global logo. Source: KMC, 2007

Sustainability is not a new phenomena but rather a contemporary term that encapsulates past and present practices of long term planning and management in all sectors. In Ku-ring-gai we define sustainability as:

The ability to maintain a good quality of life for future generations, which relies upon a fair, just, and dynamic community, healthy and diverse environment, and an active and stable economy.

An important aspect of sustainability is accepting that natural and human systems are interconnected. Achieving and maintaining these systems begins in our work place, backyard, schools, neighbourhoods and parklands.

We now have greater knowledge of the limits of Earth's resources and the implications of technology on the future of the planet. We understand the need to modify our consumption patterns, adopt alternate sources of energy, limit our uses of non renewable resources and that climate change is upon us. For these reasons it is imperative that Ku-ring-gai adopts a sustainable direction and commences a program of change to secure the future for our children and the environment.

There are four commonly accepted sectors of sustainability: social, environmental, economic and governance. Council reports on these sectors in what is known as the Quadruple Bottom Line (QBL).

¹ Refer to Appendix 8.1 for the full transcript.

This approach has been incorporated in Council's Annual Report and Management Plan.

The term *environmental sustainability* is given to principles and practices that aim to reduce the environmental impact while meeting the needs of the present without compromising that of future generations (Brundtland, 1987; Earth Charter Initiative, 1997). Environmental sustainability seeks to improve human welfare by protecting, conserving, restoring and assisting natural ecosystems and environmental processes necessary for supporting life.

Social sustainability is concerned with creating balance in human systems. It focuses on the cohesion of community for mutual benefit and working towards social equity, tolerance and care irrespective of age, ability, income or culture. Social sustainability is linked with quality of life and the protection of the environment in the common interest of humanity (Earth Charter Initiative, 1997; Goodland, 2002).

Economic sustainability addresses the maintenance of capital, while being able to sufficiently reduce and manage consumption patterns. It involves achieving sustainable levels of consumption and production by accounting for resource and energy efficiency, benefit-cost, equity and technological advancement (Earth Charter Initiative, 1997; Goodland, 2002).

Governance is concerned with the values, policies and procedures that Council adopts to provide ethical, democratic and accountable outcomes, while engaging the community and representing citizens. (LGASA, 2007; VLGA, 2007).

Discussions with our community in 2007 provided the basis upon which this vision report was created. A total of 264 residents participated in this process, describing and discussing their visions and ideas for a sustainable Ku-ring-gai. These are summarised in Chapter 4 of this report.

A new generational model of consultation was adopted. This involved residents from the age of 9 through to 99 years participating in sustainability visioning through individual interviews, focus groups and intergenerational forums. The age based methodology was used as a means of capturing the changing perspectives and views of individuals at different stages of their lives. This method lays the foundation for designing future sustainability programs and aims to build stronger connections within local communities where people of all ages are respected for their contributions. Importantly this approach ensures young people have a voice in the decision making processes that affect their futures.

The vision, values and principles which have emanated from the community discussions are described in Chapter 5 of this report. They capture the essence of community concerns and aspirations for the next 25 years of Ku-ring-gai's future.

Ku-ring-gai's aim is to address global, national and regional issues with the main concentration of efforts being locally based. Council has committed to researching sustainability strategies for Ku-ring-gai's suburbs over the next nine years which will celebrate each suburb's distinctive identity, social and environmental attributes and address the challenges.



2. Ku-ring-gai snapshot

[Previous page: *'This is what I want Ku-ring-gai to look like when I am 30'* by Alice Johnson, Year 4, Abbotsleigh Junior School]

2 Ku-ring-gai Snapshot

Location

Ku-ring-gai Local Government Area (LGA) is located in Sydney's northern suburbs, 16km north of the city centre. It comprises nine suburbs (see Figure 1), covering 84 square kilometres. The area is predominantly residential with 95 per cent of the residential areas comprising of low-density housing. There are significant areas of park and bushland with very little commercial and no industrial land use (KMC 2007a).

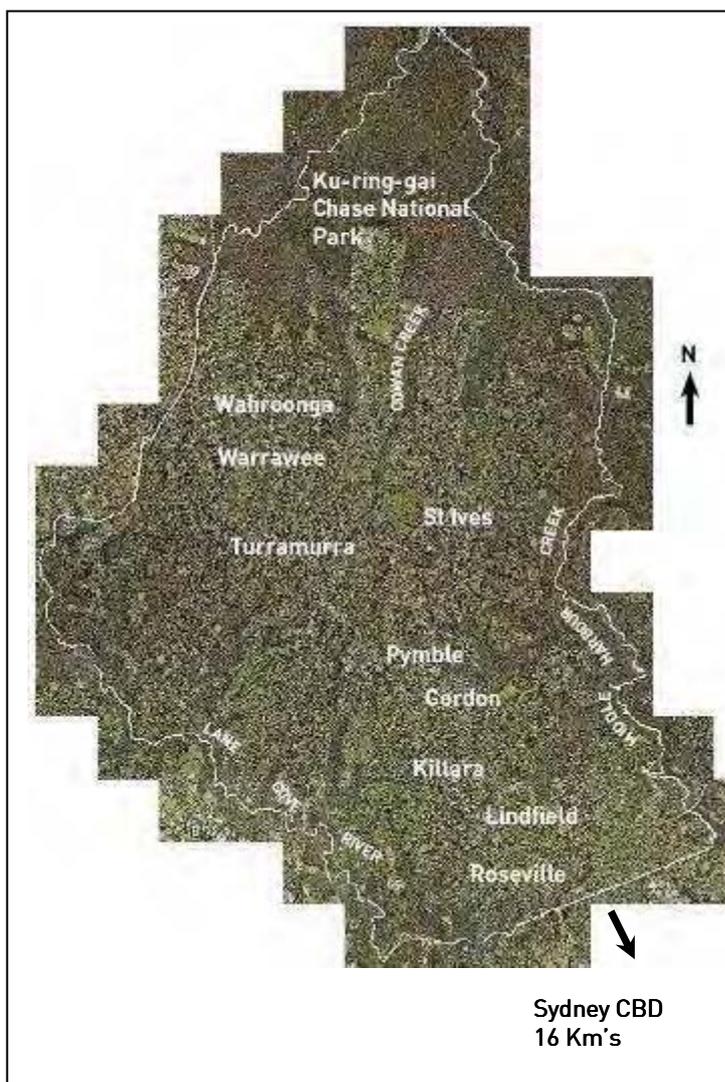


Figure 1. Satellite image of the Ku-ring-gai Local Government Area showing suburbs. Source: KMC, 2007

Ku-ring-gai's heritage

The name Ku-ring-gai loosely translated means, 'belonging to the Aborigines' and is derived from the language of the Kuringgai (or Guringai) people, the traditional inhabitants of the region (Koettig, 1988).

The Kuringgai people left an indelible mark on the landscape. As European occupation became established, Aboriginal burning was noted in the journals of early settlers. Early historic accounts of North Head report that the Cannalgal Clan used fire to intensively burn the area on a regular basis (Kohen, 2001). By 1848 there had been a change in the vegetation pattern, with an increase in the amount of undergrowth. Major Mitchell attributed this change to the "omission of the annual burning by the natives" (Koettig, 1988). Aboriginal occupation of Ku-ring-gai is still evident today with 92 sites recorded within the LGA (Aboriginal Heritage Office and Ku-ring-gai Council, 2007).

The Aboriginal population was greatly reduced by the introduction of exotic European diseases such as smallpox, to which indigenous people had no built resistance. Death rates of the Kuringgai tribe are estimated at being between 50 and 90 percent throughout the 1790's (Kohen, 2001). By the 1830's records suggested that the total Kuringgai population was less than 100 people (Kohen, 2001). The impact of disease on the population decline was further exacerbated by competition for resources. Hostilities between the Kuringgai and Europeans occurred as the indigenous people were displaced from their traditional lands (Kohen, 2001).

European settlement in Ku-ring-gai began in 1814. One of the first white settlers was William Henry who farmed land along the Lane Cove River. The early population consisted of itinerant workers, loggers, farmers and orchardists who were often

self-sufficient and lived in communities that were both isolated and without access to a reliable water supply (KHS, 1996). These two limiting factors to population growth were overcome in the mid to late 1800's with the establishment of major transport routes, including the completion of a railway line from Hornsby to Milsons Point in 1893. Construction of water tanks at Wahroonga and Pymble connected the district to the Sydney metropolitan water supply based on the Nepean Catchment. The series of isolated farming communities transformed into residential suburbs with the establishment of local government to the area in 1906 (KHS, 1996).

The interwar period saw vast improvements in infrastructure and an era of urban consolidation. With the increase in building applications, local government needed to expand. In 1928 the Shire was converted into a Municipality with four wards each represented by three aldermen. The original building of the present Council Chambers was opened in 1928 (KHS, 1996).

Ku-ring-gai is renowned for its architectural heritage, particularly the homes built in the Federation and interwar periods (KHS 1996). The larger than average suburban allotments, building covenants, fine gardens, retention of native flora and restriction of industrial and commercial development are indicative of Ku-ring-gai's heritage.

Ku-ring-gai has a long history of migration commencing with the Chinese arriving in the 1920's at a time when the insect pest, fruit fly, put an end to commercial cultivation of fruit on the North Shore. As a result, many orchardists leased their land

to Chinese settlers for market gardens. The market gardeners grew a range of produce including bulk vegetables. These gardens disappeared from Ku-ring-gai by the end of World War II (Curby & McLeod, 2006).

Italians moved to Ku-ring-gai during the 1920's and 1930's, working in orchards and on farms. Between 1941 and 1946, many Italian Prisoners of War (P.O.Ws) being held in Australia were permitted to work on farms largely located at St Ives (Halstead 1982).

Society

Ku-ring-gai is one of the most advantaged Local Government Areas in Sydney with high levels of education, employment and financial security (ABS, 2001). Christian religions are highly prominent, with Judaism being the largest non-Christian religion.

Ku-ring-gai is characterised by populations of older residents and families with school age children. It has a significant ageing population with 29 percent of people aged 55 years and over residing in the vicinity (ABS, 2006b). The other dominant group, families with children, account for 58 percent of the total population. Statistics released by the ABS (2006c) show that the percentage of 15-24 year olds that live at home is higher in Ku-ring-gai than the Sydney average (see Figure 2).

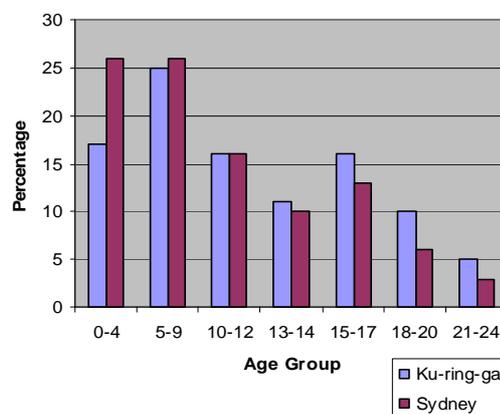


Figure 2. Age of dependent children within Ku-ring-gai (ABS, 2006c)

Ku-ring-gai can be described as a safe area. Statistics for crime rates in NSW indicate that recorded criminal incidents of assault, domestic violence, sexual offences and malicious property damage are significantly below the averages for other NSW LGA's (Table 1 and Figure 3). Most crime rates remained stable or declined between 2002 and 2006 (BOCSAR, 2006).

The estimated residential population of Ku-ring-gai in 2006 was 106,029 (ABS 2006d), with 0.1 percent being indigenous. More than 32 percent of Ku-ring-gai's population were born overseas, mainly in the United Kingdom, South Africa, Hong Kong, New Zealand and China (see Table 2).

The 2006 Census Data (Table 2) provides a snapshot of Ku-ring-gai's society and the changing trends from 2001 to 2006. It shows population and family statistics, dwelling characteristics, income, qualifications and volunteer rates.

Type of crime	Ku-ring-gai	Sydney	Rank (out of 143 NSW LGAs)
Assault	106.1	585.6	142
domestic violence	77.5	337.4	140
Sexual offences	32.3	109.3	141
Robbery	40.6	158.6	64
Break and enter – dwelling	450.2	695.9	104
Break and enter – non-dwelling	179.9	310	136
vehicle theft	94.1	460.3	132
Steal from retail store	36.9	288.8	127
Steal from dwelling	183.6	269.5	128
Steal from person	48	232	78
Fraud	197.4	619	112
Malicious property damage	626.5	1390.7	141

Table 1. Crime rates and ranking for Ku-ring-gai (BOCSAR, 2006)

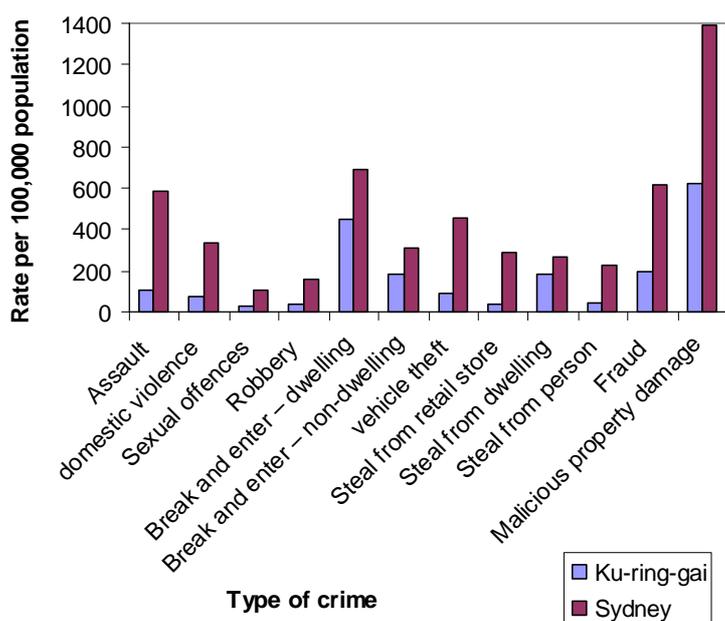


Figure 3. Crime rates for Ku-ring-gai (BOCSAR, 2006)

Census Data 2006 Ku-ring-gai Local Government Area				
PERSON CHARACTERISTICS				
	Number of people	Change from 2001 Data	% Total persons (Ku-ring-gai)	% Total persons (Sydney)
Total persons (census count)	100,460 *	-886	-	-
Total persons (estimated resident population)	106,029	-1,626	-	-
Australian citizenship	87,054	-156	87.6	82.6
Persons born overseas	32,406	930	32.6	31.8
Indigenous persons	112	4	0.1	1.1
Persons involved in volunteer work	21, 334	N/A	27.1	14.8
AGE				
0 – 4	5,238	-149	5.3	6.6
5 – 11	10,354	-59	10.4	9.1
12 – 17	10,210	159	10.3	7.9
18 – 24	8,648	-919	8.7	9.9
25 – 34	6,809	-1,194	6.9	15.3
35 – 49	21,857	-227	22	22.5
50 – 59	14,071	31	14.2	12.2
60 – 69	9,443	1,025	9.5	7.8
70 – 84	9,932	106	10	7.3
85 and over	2,823	458	2.8	1.6
COUNTRY OF BIRTH				
Australia	63,371	-1,725	63.8	60.3
United Kingdom	6,979	206	7	4.2
South Africa	3,834	102	3.9	0.7
Hong Kong	2,515	-242	2.5	0.9
New Zealand	2,168	-46	2.2	2
China	2,047	533	2.1	2.7
LANGUAGE SPOKEN AT HOME				
English only spoken at home	79,484	-1,821	80	63.9
Others/not stated	19,901	1,054	20	36
FAMILIES				
Couple families with children	15,989	64	57.9	49.3
Couple families without children	8,709	165	31.5	33.2
One parent families	2,644	85	9.6	15.6
Other families	294	-71	1.1	1.9

PEOPLE PER HOUSEHOLD				
1 person	5,371	91	16.1	22.4
2 persons	9,763	92	29.5	30.7
3 persons	5,336	20	16.2	17.2
4 persons	7,754	-30	23.7	17.4
5 persons	3,615	25	10.9	8.1
6 persons or more	1,155	-36	3.6	4.2
HOUSEHOLD INCOME**				
Lowest group	3,687	N/A	12.9	25
Medium lowest	4,699	N/A	16.4	25
Medium highest	5,601	N/A	19.5	25
Highest group	14,677	N/A	51.2	25
QUALIFICATIONS				
Bachelor or Higher degree	30,847	3,497	39.1	20
Advanced Diploma/Diploma	9,002	1,088	11.4	8.1
Vocational	6,557	-1,121	8.3	14.9
No qualifications	25,248	-3,306	32	42.8
Not stated	7,209	-674	9.1	14.3

* The Census count is not the official population of an area. To provide a more accurate population figure which is updated more frequently than every 5 years, the Australian Bureau of Statistics also produces "Estimated Resident Population" (ERP) numbers. Based on population estimates as at 30 June, ERP's take into account people who missed the count on Census night, including people who were temporarily overseas, an under-count adjustment for those who did not complete a Census form and an over-count adjustment for anyone who was double counted.

** The income quartile method has been adopted as the most objective method of comparing change in the income profile of a community over time. The income quartile method assumes an even distribution within each income group. Quartiles are calculated from the Sydney Statistical Division household income data.

Table 2. Ku-ring-gai Population Snapshot (adapted from ABS, 2006).

Natural environment

Ku-ring-gai is home to more than 100 bushland reserves covering approximately 1,100 hectares (KMC, 2004a). There are a large variety of native plant species with over 800 recorded, including around 18 threatened species, two endangered ecological plant communities and one critically endangered community (KMC, 2004a). Of note is the Blue Gum High Forest which covered the shale ridgetops of northern Sydney prior to European settlement. Less than 5% of the original forest remains today and is particularly vulnerable to the pressures of urbanisation.

Ku-ring-gai has an unusually high variety of native fauna for an urban area so close to Sydney. There are more than 500 species of native animals (KMC, 2004a).

Water management is a significant issue in Ku-ring-gai as it is positioned at the head of three major catchments and falls within one of the highest rainfall zones in Sydney (KMC 2007b). Review of water quality data collected over a recent 8 year period has shown significant contrast between the area's natural and urbanised waterways both in water quality and ecology. This has emphasised the need to be conscious of the negative impacts of urbanisation and to protect Ku-ring-gai's better quality waterways such as Tree Fern Gully Creek and Cowan Creek.

Transport

Two arterial roads traverse Ku-ring-gai: the Pacific Highway running southeast to northwest and Mona Vale/Ryde Roads running southwest to northeast. Congestion on these roads is a major issue for Ku-ring-gai residents, resulting in increased air and noise pollution as well as lengthy traffic delays during peak travel periods. This situation is exacerbated by the number of school students who are driven to school and a high proportion of residents preferring to travel by personal vehicle to work (Table 3).

Public transport by bus is sporadic and focuses on transport of school children with few services at other times or during school holidays. Bus routes service major centres such as Macquarie Centre to Gordon Station and St Ives shopping centre but are limited in the smaller town centres and residential areas.

Adjacent to the Pacific Highway is the North Shore rail line. Train stations are situated in all Ku-ring-gai suburbs except St Ives. Trains on this line receive high patronage from Ku-ring-gai residents, with 19 percent of workers using only the train to get to work (ABS 2006e). The percentage of those who commute to work by bus, walking or cycling is low. A larger proportion of Ku-ring-gai residents (8 percent) work from home.

Mode of Travel	Ku-ring-gai	Sydney Average
Car (as driver)	51.2%	53.7%
Car (as passenger)	3.5%	5.3%
Train	19.2%	12.3%
Bus	1.5%	5.4%
Walked only	2.2%	4.2%
Bicycle	0.3%	0.6%
Other	1.5%	3.3%
Worked at home	8.4%	3.9%
Did not go to work	10.6%	9.5%
Not stated	1.5%	1.9%

Table 3. How people travel to work in Ku-ring-gai (ABS 2006e).

Economy

Almost sixty percent of Ku-ring-gai residents are employed as managers or professionals (ABS, 2006f). Schools account for a significant proportion of business activity in Ku-ring-gai. Sixteen public primary schools, four public high schools, eighteen private schools and four schools devoted to educating children with special needs are located in the area.

Ku-ring-gai is an affluent residential area. There is no industrial activity and the predominant type of business in Ku-ring-gai is small-medium sized enterprise. Ku-ring-gai does not have a CBD, the six town centres identified in the NSW Metropolitan Strategy (Gordon, Turramurra, Pymble, St Ives, Lindfield and Roseville) serve as local business and retail hubs. It is notable that there is not a major shopping complex within the LGA.

Changing landscape and society

Ku-ring-gai is currently experiencing unprecedented residential development particularly in relation to medium density housing in response to continued population growth of Sydney. This has been the result of the New South Wales Government's Sydney Metropolitan Strategy to accommodate population growth along transport corridors and urban consolidation which enables dual occupancy and accommodation for the over 55's (NSW Department of Planning, 2005).

Ku-ring-gai Council is developing a revised Local Environment Plan (LEP) and Development Control Plans (DCP). These will cover the whole LGA in line with the directions by the NSW Government. The plans involve a revitalisation of each of the town centres as business, social and cultural precincts. The town centre strategy is predicted to create an additional 10,000 new dwellings in Ku-ring-gai during the next 25 years, with a projected population increase of 17 percent on the 2001 Estimated Resident Population (ABS, 2001 cited in

KMC, 2004b) from 107,819 to 126,181 in 2026
(refer to Table 4).

Precinct	2001[*]	2004	2009	2026
Roseville	8,776	8,905	9,182	10,015
Lindfield	12,524	12,785	13,695	15,212
Killara	11,842	11,998	12,573	14,216
Gordon	6,184	6,289	6,907	8,254
St Ives	18,547	18,816	19,357	20,939
Pymble	15,343	15,593	16,376	17,163
Turramurra	21,249	21,614	22,281	24,032
Wahroonga	13,356	13,825	14,452	16,351
Total	107,819	109,824	114,823	126,181

Table 4 – Projected Resident Population by Precinct (adapted from Ku-ring-gai Section 94 Contributions Plan 2004 – 2009 – Residential Development, p. 39)

Sub totals do not sum to totals due to rounding

*2001 Census figure for Estimated Resident Population (ERP)



3. Capturing Voices

[Previous page: Top: *Roseville College students*; Centre: *Filming of Aboriginal Heritage Office Staff*;
Bottom: *Participants at the Intergenerational Forum*. Photos: D.Wilks]

3 Capturing Voices

Introduction

The purpose of this report is to provide a 25 year vision for Ku-ring-gai. A qualitative research approach was adopted where residents participated in face to face interviews, focus groups and public forums. A generational dimension was added and is outlined in section 2. Those who were unable to attend a discussion group yet wished to contribute additional information were invited to make written submissions. Prior to the commencement of this research, a writing competition had been conducted in 2006 for local young people as part of Council's celebration of its Centenary. The competition asked young residents to describe their future visions for Ku-ring-gai. The finalist submissions were examined and their thoughts were incorporated in this report. The flow chart (Figure 4) summarises the process of data collection and analysis used by Council.

New generational method for sustainability planning

Sustainability is concerned with planning for future generations to ensure they enjoy the quality of life and environment we experience today. The new generational method provides opportunities for children and young people to plan their futures along side older residents. It encompasses the knowledge and wisdom of the elderly whom may have lived in Ku-ring-gai for 80 years or more and have experienced many changes. This is a new public planning model targeting a more equitable community representation in planning and decision making processes. It has a core aim of building stronger human and environmental relationships and consequential behaviours leading towards sustainability. The generational approach is able to cut through educational, socio-economic, gender, special needs and ethnic barriers by the formalised age-based grouping system. It builds intergenerational respect by incorporating, including and valuing citizens' views regardless of their age. The method recognises that at different stages of an individual's life their ideas, priorities, interests and relationships may change. Capturing age based perspectives provides a multi dimensional understanding of sustainability priorities (see Figure 5). This knowledge greatly assists future planning, engagement and participation in programs.

"We should work to a level where children's views are regarded just as important as any adults as we are the ones that shall be living the future and we are the ones who know what could make Ku-ring-gai and the world a better place..."

Quote from a 10 year old Ku-ring-gai resident

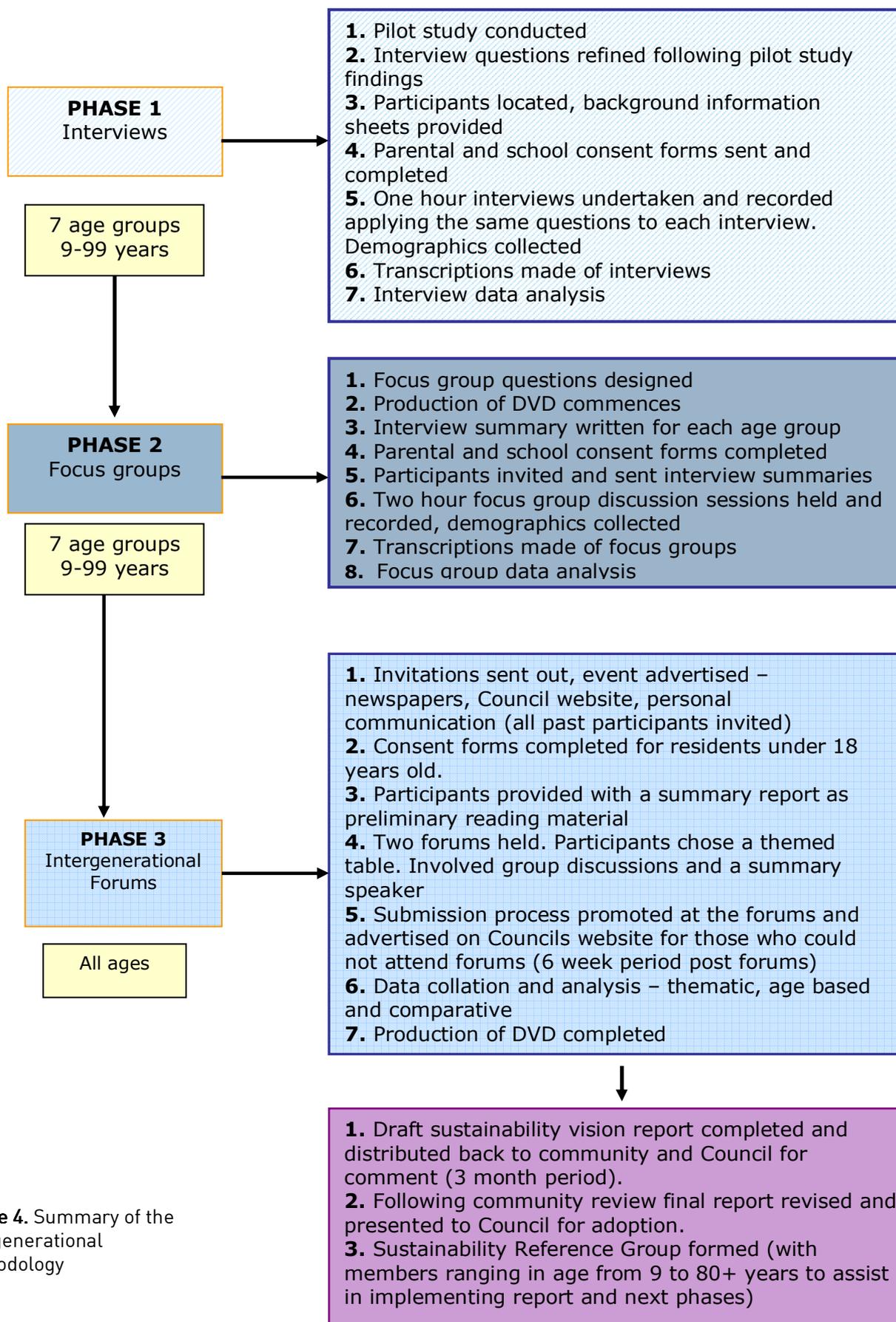


Figure 4. Summary of the new generational methodology

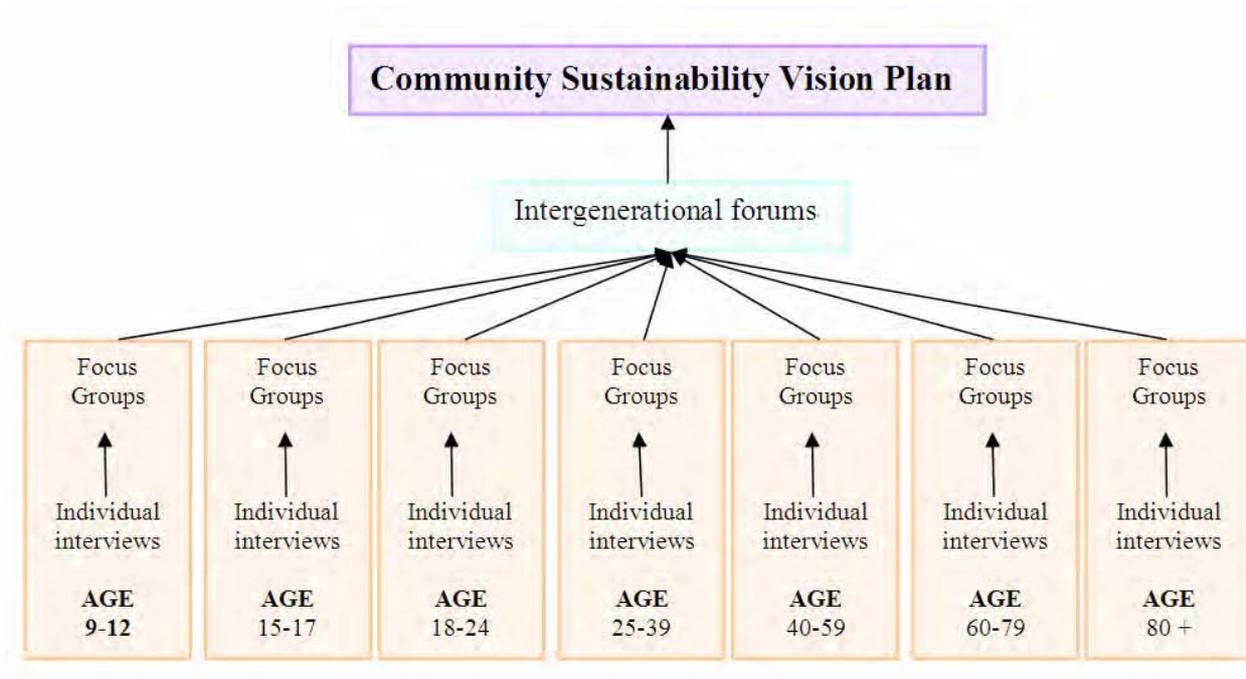


Figure 5. New generational method for sustainability visioning showing the age based approach.

Ku-ring-gai's community discussion process involved a total of 264 local citizens between 9 and 99 years of age. Within 7 age groups they contributed towards planning Ku-ring-gai's future. They took part in face to face interviews, focus groups and forums from February to June 2007. Participants were purposefully selected, not only by age, but also by gender, and their ability to represent differing community sectors. The breakdown of this approach is shown in Tables 5 and 6. Councillors also participated in the interview phase of the research.

Total number of participants as per participatory approach	
Pilot study participants	37
Interview participants	67
Focus group participants	51
Forum participants*	104
Councillors	5
Observers^	7
Total	271

*An estimated 32 people did not provide personal details.

^Observers were non-residents of Ku-ring-gai.

Table 5. Total number of participants at each of the discussion phases.

Participants grouped by gender and age		
Age	Male	Female
9-12	14	15
12-17	11	15
18-24	13	10
25-39	15	21
40-59	28	36
60-79	18	16
80+	11	9
Total	110	122
Details not given	32	
Combined total	264	

Table 6. Gender and age breakdown of participants.

Pilot Study

The findings of a preliminary pilot study undertaken as part of a PhD research project in partnership with Ku-ring-gai Council are included in this report. The research involved 4 focus groups two of which consisted of Australian born residents and the other two groups were residents from overseas. They participated in a number of discussions concerning environmental sustainability, ethnicity and attachment to an area. This provided an opportunity to test the research questions and key themes (Davies, 2007).

Submissions

If people were unable to attend either the focus groups or forums they were encouraged to contribute their thoughts through a written submission. Upon request people were sent a submissions procedure information pack which included the summary report provided to all participants. This information was made available on Council's web site. A period of 6 weeks following the project's completion was provided for residents to send in their submissions. A total of 8 submissions were received.

Essay competition

The winning entries for the 2006 Centenary Essay Competition were added to the collective data and included within the vision report. The competition formed part of the celebration of Ku-ring-gai's Centenary Year. All schools in Ku-ring-gai were invited to participate in the essay competition which was sponsored by Council and local businesses. Primary school students were asked to describe the best aspects of living in Ku-ring-gai while high school students wrote about their vision of Ku-ring-gai in 2016.

Data Analysis

This required a process of refining the data commencing with individual interviews and culminating in the vision statement. Once the data was summarised and collated, the analysis involved determining generational commonalities and variations as well as examining the relative knowledge, awareness and concern for sustainability.

The data was interpreted using three approaches:

- age-based
- thematic
- comparative

As part of the process of describing their vision participants often suggested ways in which Ku-ring-gai can be sustainable. These were captured and included in the analysis to assist future action planning.

A more detailed description of the NGM data analysis is included in Appendix 8.2.



4. What Residents said

(Previous page: Top: *Intergenerational Forum*. Centre: *Speaker at the intergenerational Forum*.
Bottom: *Resident during the filming of Ku-ring-gai to Global*. Photos: D. Wilks)

4 What residents said

The Analysis of responses has been undertaken using two approaches: age based and theme based. This section of the report describes participants' responses to the questions they were asked about their future vision for the sustainability of Ku-ring-gai. The questions² covered nine themes:

- natural environment
- built environment
- local economy and business
- transport access and traffic
- belonging
- community and neighbourhoods
- culture
- technology
- governance

4.1 Sustainability from age-based perspectives – key issues

4.1.1

9-12 year olds

The 9-12 year olds were particularly concerned about their lack of decision making power and wanted to have a say in planning their futures. They were deeply frightened by climate change and believed that they were inheriting a world which is doomed. They felt powerless to make a difference in reversing this trend.

"I think it's both [the responsibility of young people and adults] because the adults need to make sure that the young people understand about these issues and the young people, because they're the adults of the future."

Resident from the 9-12 age group

They wanted their children to be able to play in the bushland, describing their joy in building cubby houses and riding their bikes through the bush. They were concerned that native fauna will lose their habitats due to urban development. They emphasised the need to conserve open space and recreation areas for future generations.

"I just wanted to emphasise the point that there should be national parks and there should be playing fields in the future..."

Resident from the 9-12 age group

Repeatedly this group used the words 'safe' and 'friendly' when describing Ku-ring-gai's society saying that this was partially due to elderly residents in their streets usually being at home. They described their parents concern for their safety as the reason they were not

² Refer to Appendix 8.2

able to play in the streets, walk or travel by public transport to school.

Technology discussions centred on addressing environmental problems such as, reducing greenhouse gas emissions, creating cleaner industries and saving energy and its negative impacts in regard to increasing trends in childhood obesity and less time spent outdoors. Young people believed the fuel and energy consumption could be reduced by walking, riding bicycles or catching public transport.

"...definitely the power situation. If we don't decide on it in the next 5 years, we don't put it into action in the next 10, 15 years then I really think we're going to be in deep trouble".

Resident from the 9-12 age group

Children of today (in Sydney) have been raised in multicultural classrooms and neighbourhoods. They spoke of their acceptance and interest in cultural and ethnic differences although two Australia born girls of Asian heritage described experiencing some racial torment with children yelling 'Asian invasion'.

Actions:



- When a non-native tree is removed it should be replaced by two local native species.
- Fines for littering.
- Additional possum bridges.
- Incentives for installing solar panels that heat pools and hot water systems and lessen the demand on the energy grid.
- Participation in class recycling programs and Bushcare.
- Council working with schools in an 'adopt a park/reserve program'.



- Intergenerational connections through buddy programs with the elderly and young people on

utilising information technology could be introduced.

- Develop partnerships with schools to promote programs such as 'adopt a grandparent'.
- Include young people in decision making processes and discussions.

4.1.2

15 – 17 year olds

The 15 – 17 year olds discussed the importance of integrating local sustainability with their school curriculum saying that they currently learnt about global issues, such as climate change, but highlighted the lack of knowledge of how it can be addressed at a local level.

"We don't get taught anything at high school about Aboriginal people and those issues, unless you elect to do Aboriginal Studies."

Resident from the 15-17 age group

Young citizens spoke of being 'bummed out' by the negativity of sustainability issues, such as climate change advocating for less 'heavy' hype and more positive solutions. They were keen to be involved in environmental programs designed for people of their age, saying that at present 'being green' is not 'cool' and stressing the influences of their peer groups. They said they would be interested in sustainability programs that provide opportunities to meet people of the same age, particularly those of opposite gender.

"In terms of community involvement, I think just more involvement in the actual street...so people actually know what's going on and can actively contribute."

Resident from the 15-17 age group

They described people of their age as fortunate, indulged and avid consumers. While understanding that their consumption patterns are unsustainable they said that their current lifestyles were what they know as 'normal' and felt that it would be extremely difficult to change their behaviours and lifestyles.

The lack of places for young people to socialise within Ku-ring-gai was highlighted as an important aspect of future planning. Females in this age group generally met at shopping centres such as Chatswood or Hornsby. If young males wish to meet females they will go to a shopping centre but otherwise tended to connect with other males at sporting events or through activities.



Image: Roseville College students. Photo: D.Wilks

Significant barriers were identified between those who attended private or public schools and the participants stated the need to address this issue in the future.

It was recognised that modern technology is associated with teenage obesity and some loss of social skills. Global relationships and access to knowledge were identified as positive aspects of technology. The most common method of communication between this age group was text messaging and through computer applications such as MSN and Myspace which offer platforms to assist sustainability programs but suggested their school newsletter as the most effective form of local communication with the Council. All participants had mobile phones, access to personal computers and were receptive to technological developments and innovation.

Young residents were accepting of multiculturalism although some expressed their fear of gangs sparking racial tension particularly in areas of Southern and Western Sydney.

"...If you're forced to do something you're likely to rebel against it but if you decide to do it yourself then you're more likely to follow through."

Resident from the 15-17 age group

G

- Improve communication. Promote events through school newsletters, text messaging, online bulletins, websites and emails.

Actions:



- More 'power-off' hours and rebates for putting energy back into the grid.
- Stormwater harvesting to irrigate golf courses, public gardens, playing fields and school grounds.
- Include local sustainability programs within the school syllabus.



- Market sustainability - targeting residents of this age.
- Devise certificates of participation in sustainability programs to assist building CV's.
- A citizen's contract was suggested as a way of developing personal commitment to sustainability without it being legally binding. In following with a Duke of Edinburgh or Scouts recognition of achievement.
- Provide incentives and introduce fun activities to increase participation levels in community and environmental activities.
- Create activities that mix gender, social groups and schools to break down barriers between public and private schools, encourage friendships and a more integrated community.

4.1.3

18-24 year olds

"I've really learned that you can't conserve what you don't understand or you can't love what you don't understand."

Resident from the 18-24 age group

The 18-24 age group focussed their discussions on local education for sustainability especially the conservation and protection of bushland and wildlife and the promotion of sustainability. They referred to their reactions towards climate change as progressive responses from being overwhelmed to now understanding that they can assist with solutions.

This group felt that commercial and industrial sectors needed to play a bigger role in reducing their energy consumption and emissions. Design technology was identified as a way of improving energy efficiency, reducing greenhouse gases, creating cleaner industries and discovering alternate energy sources that are not fossil fuel or nuclear driven.

A majority of participants still lived at home with their parents, many pursuing tertiary education, while some had entered the workforce. They stressed the need for places for people of their own age to meet and the importance of strengthening the community through village style living creating a balance between built and natural environments. Emphasis was placed on the importance of locally based leisure activities in contributing to community spirit.

They identified the professional opportunities that the sustainability industry is now presenting in areas such as marketing, architecture, technology and interior design.

While participants were concerned about the implications of medium density housing, they recognised that it would offer more affordable housing choices for people of their age to remain in Ku-ring-gai. They proposed that young people would engage with short term volunteer programs and should be offered forms of recognition or incentives.

This age group recommended that if public transport systems were to replace private vehicles, frequent and affordable services would be required.

"...a really good vision is a little pocket of Sydney that can be a real symbiosis between the environment and the built-in environment..."

Resident from the 18-24 age group

These young participants had a positive outlook on the future, believing that solutions would be found for areas such as climate change appearing to be more optimistic and less overwhelmed regarding this issue than the two younger groups.

They were accepting and excited by cultural and ethnic differences within Sydney citing the range of multicultural cuisine available as one example of positive cultural contributions. The lack of generational connections was discussed with the young people wanting to create more intergenerational relationships especially with the elderly.

Actions



- Install boardwalks as designated bushwalking areas.
- Relocating power lines underground would improve the regularity of supply, protect the infrastructure against storm and tree damage and conserve streetscapes.



- Short term volunteer projects to accommodate time constraints.
- Concerts, food and social events accompanying environmental projects.
- Design a volunteer program where young people can assist the elderly with technology challenges they may face. This will help to build intergenerational relationships.
- Leisure activities such as markets, bands, festivals and street parties to increase community spirit.
- Places for people to socialise, such as intimate bars and live music venues, community meeting places within village style town centres and boutique shopping.
- Parks require more facilities for young people such as skate parks and basketball hoops.
- Increasing road safety for bicycles and bicycle storage would encourage people to take up alternative transport.

E

- Small businesses that bring the community closer and discourage consumer driven franchises.
- Incentives aimed at local residents could also increase community support. A 'shop local' card that offered discounts for Ku-ring-gai residents could strengthen local retail businesses.

4.1.4

25-39 year olds

"...if anywhere's got potential to be a sustainable suburb, I think this area does. The amount of wealth that's in here, people have the capacity to make investments into sustainable living practices..."

Resident from the 25-39 age group

The 25-39 age group were positive in their outlook for sustainability within Ku-ring-gai. Many had young families and were focused on protecting their children's futures. They believed local government could promote initiatives such as: extending the 'sustainability street' model into streets and schools, assisting residents to retro fit water tanks, solar panels and insulation into existing dwellings and further expanding design and construction requirements (such as BASIX) for new buildings and renovations.

The need for Council to demonstrate leadership was emphasised, including more stringent enforcement of compliance, fines and policies concerning the protection of Ku-ring-gai's trees and bushland. They were concerned about the current amount of medium density residential development but acknowledged that people needed to accept change, recommending that public infrastructure should be improved before development takes place.

They spoke about the detrimental effects of consumerism on the environment and emphasised the importance of reducing waste, recycling and reusing.

"...the true heart of the environmental sustainability- reduce, re-use, recycle....That cycle will lead you to be better able to basically be self-sustaining..."

Resident from the 25-39 age group

Accessibility to services and community facilities for those less mobile was identified as a priority.

They saw the potential of technology to assist sustainability by enabling work from home, cutting transport time, fuel consumption and reducing traffic congestion. They described green options as being more accessible and affordable as technology advances.

This group was accepting of multiculturalism but identified the lack of cultural expression, such as Chinese New Year celebrations. They felt that despite its cultural diversity, Ku-ring-gai residents suppress their cultural differences and largely aspire to conservative Christian values. Socialising occurs inwardly within homes detracting from a collective community spirit.

Actions



- Council could shift the focus of consumerism by creating more sustainable village-like shopping environments, reducing business waste and recycling.
- Develop recycling centres within Ku-ring-gai including a 'free box' system.
- Council could run a recycling centre similar to what the Salvation Army operates in Tempe based on a model from Belgium. Workers are on hand to fix broken furniture and appliances and people can buy items at reduced prices.

- Waste recycling services in public domains such as new town centres.



- Improve access to services and facilities for people with special needs. This includes footpaths, access to shops from the street and transport.
- Additional picnicking areas and dog off leash zones.
- Financial incentives or rebates to increase community support for environmental issues.
- Integrate urban renewal with transport solutions. Need to be innovative to create better approaches to planning transport corridors that service town centres in the future.
- A 'welcome new neighbours' program.
- Hold more cultural festivals and celebrations such as Chinese New Year, Oktoberfest and themed days with different ethnic groups.
- Open days and excursions to historical parts of the community.
- Local stories could be presented at Council events or published in Council publications with the help of the Historical Society.

E

- Replace advertising space on bus shelters to promote local business.
- Street lighting retrofitted with energy efficient alternatives.



Image: Australia Day festival (2007). Photo: Ku-ring-gai Council

4.1.5

40-59 year olds

As with the previous age group one of the key issues for **40-59 year old residents** was sustainability in terms of community participation and neighbourliness. They suggested the need to break down barriers between cultural groups recognising that small actions result in big impacts if everyone participates. Personal commitment and responsibility were seen as critical if people are to become more sustainable in their everyday lives. They pointed out the importance of leadership and incentives to move the community towards sustainability, advocating for the need of sensitive and innovative urban design.

"It's hard to create a sort of community spirit without everybody participating in it, when you've got people that are there for themselves because of what's available and aren't necessarily giving back."

Resident from the 40-59 age group

Concern regarding loss of trees from the impact of development was an issue with participants requesting greater enforcement of existing rules and mandatory check backs for tree plantings.

They preferred to support local businesses if they offered the right services, pleasant atmospheres and reduced travel time.

"It is totally unsustainable that I drive all the way up there [Hornsby and Chatswood] to do a few groceries. So we've got to think beyond our own backyards and take responsibility for global problems."

Resident from the 40-59 age group

This group described the poor relationship between Council and the community but acknowledged that Ku-ring-gai Council had fought medium density housing instigated by the NSW State Government, which had helped to improve relationships as Council was seen to be representing community opinion.

The majority appeared to accept most cultural differences however some felt that if an Islamic mosque were to be built in Ku-ring-gai, the 'call to prayer' would impinge on residents.

'A big Muslim community [in Ku-ring-gai] would want to build a Mosque which would have a call to prayer, How would we deal with that? ...we want them to have religious freedom...but it is not fair to others.'

Pilot study focus group participant

Actions



- Enforce existing fines concerning Tree Preservation Orders. Make replanting and check backs mandatory.
- Provision of setbacks between the developments and bushland particularly that located near Blue Gum High Forest.
- Council needs to reject large development proposals adjacent to bushland.
- More appropriate native trees to be planted near footpaths to avoid damage from falling limbs and danger to pedestrians.
- Regular e-waste collection.
- Solar powered traffic and street lights.
- Relocate power lines underground to improve the regularity of supply, protect the infrastructure against storm and tree damage and conserve streetscapes.
- It was suggested that policy changes could make the installation of a standard of green technology part of all future building developments.
- Select building style guidelines according to what is appropriate for the area. For example, where the building style is older e.g. federation - designs could follow this era.
- Allocate smaller buses to run frequently and service a wider area.



- Consulting services available to residents and education initiatives held at the Town hall or

shopping centres to improve community knowledge on environmental issues.

- Community integration projects and education about the environment, energy and water saving, climate change and technology usage. Updates, events and reminders could be sent out with rates notices.
- Local history and geography could be taught at school.
- Create community areas within every high rise development.
- Creation of technology hubs with high-end computer facilities in libraries, shopping centres and community halls.
- Facilities in parks for younger generations - basketball hoops and skate parks.
- Socialising areas for young people. For example 'blue light' dances; community centres with facilities for young people such as tv rooms and pool tables; an indoor basketball and pool facility.
- Establish safer cycleways.

G

- Design programs and improve communication to strengthen community and Council relationships.
- Remove the ward system. Let the community elect the councillors for the whole area.

4.1.6

60-79 year olds

The key issues for the 60-79 year olds involved the Council's role in creating more sustainable communities believing it needed to demonstrate best practice, rigorously plan, legislate, educate and offer incentives to encourage residents and businesses to make changes.

"Changing individual behaviour is what will fix things."

Resident from the 60-79 age group

Some of the participants believed they had adequate community facilities with the exception of community meeting places, stressing that if Council wished to promote volunteerism it should not be charging hire fees for the use of community halls. They identified the need to involve new residents and those of differing ethnic backgrounds to strengthen neighbourhoods and work towards common goals stating the importance of community events. Lack of knowledge of Ku-ring-gai's heritage was seen as a critical area to address.

As they age, this group stressed the importance of neighbourhood centres in obtaining all their needs locally including shopping, socialising and medical care.

"...Neighbours, friends, community support, medical support, hospital support. All of those things are available in a very close and very supportive environment."

Resident from the 60-79 age group

Like other age groups they were concerned that medium density residential development

was changing the character of Ku-ring-gai particularly in regard to the loss of heritage houses and gardens. As with other age groups they wanted increased protection of trees and education on sustainable initiatives.

Although embracing communication and information technology, such as emailing and the internet, this age group was largely reliant on hard copy information, word of mouth and telephone communications.

Actions



- Charge more for water and energy to encourage people to reduce consumption.
- Develop an awards program to acknowledge those who make changes in their personal lives relating to sustainability.
- Wider eaves and basements for thermal energy management and larger underground water storage for all new developments.



- Programs could aim to encourage a sense of community belonging. 'Try it out' sessions and information sheets could assist this process.
- Improve the infrastructure for the increasing population.
- Build smaller homes that are more sustainable and affordable for younger generations.
- Review fees on community halls for volunteer activities.

- Council could use fairs and events to facilitate communication with the community. This could include holding community information stalls and community group stalls.
- A heritage pathway around St Ives Green.

E

- Develop programs, such as star ratings, that support local business to promote a community minded village atmosphere and encourage businesses to work with the community and schools to invest in environmental projects such as installation of solar panels.
- Provide businesses with information about residential needs.

G

- Council could communicate with the community in smaller groups within a councillor's own ward.

4.1.7

Over 80 year olds

"I believe the future of Ku-ring-gai is utterly dependent on local council being more and more independent."

Resident from the 80+ age group

Most of the participants of 80 plus age group had lived in Ku-ring-gai for over 60 years and witnessed substantial changes particularly regarding land use, technology and multiculturalism. They remembered a time of market gardens and orchards within Ku-ring-gai's semi-rural environment.

People within this age group experienced World War II. These memories are difficult for some and may still impact upon their acceptance of Asian migration in Australia and multi-cultural residents of Ku-ring-gai.

Participants emphasised the need to conserve natural areas for future generations, urging young people to conserve their environments. They stated their concerns surrounding high density residential developments and the stress of noise and air pollution but recognised the need for compromise in order to accommodate the increasing population. These residents thought that medium density housing could be designed sensitively and would offer more housing choices for the elderly so they could remain in Ku-ring-gai.

Many identified loneliness and isolation as issues for their age group which demonstrates a societal disconnection as children described their feelings of safety due to knowing that elderly residents were at home. They wanted Council to develop better communication services for older

people and involve them more in decision making processes. Few citizens of this age used email or the internet and rely on hard copy information, word of mouth and telephones for communication.

Residents preferred smaller local shopping centres which are accessible, convenient and where they can socially interact. They supported other age groups need for accessible public transport systems.

Elderly residents urged everyone to do their bit, become more active in their community and reduce waste. They described living through The Depression and experiencing a time when consumption of resources was reduced and were optimistic that younger generations can change their behaviours to secure a sustainable world.

"...we must preserve the natural environment of the bushland and habitat... But we've also got to accept that there will be an increase in population in all areas and we must take our share of it and therefore you've got to make adjustments accordingly."

Resident from the 80+ age group

Actions



- Provide facilities to encourage communal activities such as starting a market garden.
- Reduce charges for the collection of white goods and reuse the parts.



- Create 'Avenue Action' groups to improve the street value, amenities and community spirit.

- Develop clubs with a generational mix such as choirs, orchestras, artistic and theatrical groups.
- Upgrade the infrastructure so it can support an increasing population.
- More frequent connecting bus services from the railway station to a wider area of Ku-ring-gai.
- Presentation of notable historical figures as a monthly publication in the local paper.

4.1.8 Further age based analysis

Residents of all ages within Ku-ring-gai cherished its green, leafy character with extensive areas of bushland and open space. They described it as a sanctuary where they can escape from more confined workplaces and locations such as Sydney's city centre. The words safe and friendly were continuously used by participants of all ages to describe Ku-ring-gai's community.

There are assets of Ku-ring-gai all participants wish to conserve and strengthen into the future. They wanted to protect the natural environment for future generations to enjoy and were concerned that new medium density housing trends will threaten Ku-ring-gai's natural environment and identity. They identified these impacts as: increasing stress in residents due to decreased space; reduced air quality; increased waste; worsening traffic congestion; decreased community cohesiveness; a decline in habitat for flora and fauna and the resulting decrease in populations of native species.

All ages mentioned the need for places where people can congregate. They proposed that common spaces shared by the community would help to create and maintain a community atmosphere and environment where all people are equal. Most participants emphasised the need for informal meeting places particularly open space, in areas of medium or high density residences.

All ages recognised the increasing trend in consumption of resources and acknowledged the difficulties in changing these behaviours. Water shortages was a prominent topic of discussion with all ages agreeing that water was the most valued resource.

Education was a commonly discussed issue with general agreement that there is a lack of local knowledge within the Ku-ring-gai community. Participants believed that it is vital to understanding and valuing of the social and natural heritage of Ku-ring-gai. Participants in the intergenerational forums noted the lack of knowledge about local Aboriginal heritage. For example, translations of the meanings of suburb names.

All age groups noted the neighbourliness, friendliness and familiarity within the community. They associated these feelings with perceptions of a safe, low crime environment.

Most participants discussed traffic congestion. They linked increasing traffic with new medium density development and poor supporting infrastructure, particularly along the Pacific Highway.

Actions suggested by all ages



- Tighter water restrictions.
- Introduce a public system of waste separation.
- Introduce more recycling solutions: e-waste collection, furniture and appliance recycling and redistribution centres.
- To counteract the undesirable consequences of consumerism, financial

incentives, such as discounts, rebates, and tax incentives were recommended.

- Water recycling and solar energy to be used in council buildings to set an example for the community.
- Investigate alternative technologies such as hybrid, electric, hydrogen fuel cells and ethanol.
- Improve the bus transport system to encourage residents to leave their private vehicles at home.
- Council provided rental service for electric and hybrid cars and car docking stations that are wind or solar powered.



- Develop more educational activities about sustainability such as community murals, a youth environment council, a personal commitment contract, community information nights, a consulting service available to residents, community competitions and school education programs.
- Strengthen, grow and support volunteer programs.
- Equitable access to community facilities.
- Improve accessibility to services by installing lifts at all train stations; buses and trains need to better accommodate people with special sight and ability needs.
- Creation of more community space – a civic centre, community halls, museums, galleries theatres, meeting rooms and youth cafes.
- Participants proposed facilities such as a cinema in St Ives, more nightlife including pubs, late night bars and cafes, bookshops and live music venues.
- Develop Bicentennial Park (West Pymble) as the civic heart of Ku-ring-gai and include amenities such as a coffee shop or restaurant.
- Reduce traffic around town centres by creating pedestrian malls and community spaces.

- Create designated 'set-down' zones at schools and train stations.
- Improved cycleways and footpaths.
- Support families by improving and maintaining parks and facilities, especially for children and the elderly.
- Activities such as markets, bands, festivals, street parties, open air movie screenings, dances, mentoring programs, sports and visiting hospitals were suggested as ways to connect residents.
- Indigenous festivals, ceremonies and reconciliation programs to celebrate local history.
- Cultural integration through organisations, volunteering and school pen-pals program to create inclusiveness within communities.
- Public and private school facilities should be shared. Friendships could be encouraged by holding interschool sporting and cultural events.
- Reintroduce the Safety House and Neighbourhood Watch programs.
- Encourage parents to car-pool when taking children to school.
- Stagger school start times.
- Plan and improve infrastructure prior to approving developments, particularly large-scale residential development.

E

- Encourage businesses to fund and support community and environmental programs.

G

- Reviewing planning instruments so that they are based on sustainability principles.
- Introduce appropriate communication methods: email, a newspaper lift-out or a calendar of events, publications such as *Sydney's Child* and the *Seniors Magazine*.

4.1.9 Similarities between age groups

The following points outline similarities between specific age groups.

- The 9-12 and 15-17 year olds were very concerned about **climate change** and felt powerless in regard to the future.
- The 9-12 and 15-17 year olds were concerned that there would be considerably less **biodiversity** and wildlife in the future.
- The 9-12 and 15-17 year olds felt there could be more connections between private and public **schools**.

"The private and public systems are really divided between the schools, they don't mix at all... private schools tend to have a lot more facilities than the public schools and that perhaps the private schools could share their facilities with the public system."

- Forum participant

- The 18-24, 25-39 and 60-80+ age groups were optimistic about the **future**.
- The 9-12, 15-17 and 25-39 age groups discussed methods that could be used to best **communicate**. It was suggested that younger people would respond better to email, bulletins on Myspace or by a calendar of events. Adults suggested targeting age groups, for example through publications such as Sydney's Child, Senior Citizens magazines and the North Shore Times.
- The 25-80+ age groups were concerned about **traffic** congestion and focussed discussion on alternative transport routes and infrastructure required.
- The 25-39 and 40-59 year olds were distressed at the loss of canopy **trees** as a result of development. They suggested tougher penalties for breaches of Tree

Preservation Orders and tighter controls on development affecting trees.

"There should be some way of reporting to the community the amount of trees that are being cut down and people aren't necessarily aware of the number of trees that are sold for development"

-Forum Participant

- The younger age groups have grown up in **multicultural** surroundings and are very accepting of cultural differences.
- The 60-80+ groups found it more difficult to accept **cultural differences** due to their life experiences and upbringing. Although all groups enjoy the diverse range of ethnic cuisines.
- The 25-39 and 80+ age groups discussed the future demographics of Ku-ring-gai. They both thought that there would be more variety in ethnicity in future years and that different **cultures** will introduce new skills into the area.
- The 25-39 and 80+ age groups appreciated the **respectful** community. They described Ku-ring-gai as a private area with a generally accepting community.
- The 18-24 and 60-79 age groups defined Ku-ring-gai as **peaceful, tranquil and quiet**.
- The 18-24 year olds, 25-39 year olds and 40-59 year olds were dissatisfied with the range of **shopping facilities**, cafes and restaurants. They would like to see a more **cosmopolitan** environment.
- The 25-39 and 40-59 year olds commented on the **good education** opportunities

available in Ku-ring-gai. This is relevant as many have school age children.

- The 18-24 and 25-39 year olds emphasised that Ku-ring-gai was a very **family orientated** area and that there was more variety in housing than in other locations around Sydney.
- The 25-39 and 80+ age groups discussed **housing affordability** finding it less affordable than other areas. Their financial positions (less savings or income) may influence their response.
- The 25-39 and 80+ age groups thought that the types and style of buildings will change in the future. They would like to see more **sustainable housing**.
- Those between 25 and 79 related feelings of belonging to meeting and **socialising** through sports, clubs, associations and networks.
- The 25-39 and 80+ age groups both identified attachments to the area through **childhood associations**. Being born or having grown up in the area made them feel as if they belonged.

4.1.10 Gender based perspectives

Gender differences emerged through all of the stages of research and tended to be age related or linked to an individual's life stage development. In general, women were easier to attract as participants and tended to be more socially focused. Men appeared to gravitate towards projects, technology, governance and business. A total of 110 males and 122 females participated in the 3 research phases.

The following is a summary of the broad gender based observations that will assist future planning:

9-11 year olds: Males described action related environmental relationships such as sport, making cubbies in the bush and riding their BMX bikes. The preservation of sporting fields and bushland for future generations to play in was especially important. Males mentioned technology more often in terms of information technology and digital games. Females were more concerned about human relationships and frightened by the consequences of climate change on humans and wanted to ensure adequate habitat for native fauna. Both genders described Ku-ring-gai as a friendly place where they felt safe.

15-17 year olds: There was a marked difference between genders in terms of their social interactions. Females met in shopping malls while males connected through activities such as going to the beach or playing sport. Females appeared to be more receptive to environmental care, whereas males were concerned about being seen as 'cool'. Males said that relationships were of primary importance and that they would engage in activities which offered opportunities to meet other people of their age or were combined with socialising events such as live music. Both genders reinforced the importance of peer groups which was not so apparent in other age groups.

18-24 year olds: This group demonstrated the least amount of gender differences. Both genders were focused on career progression, identifying the sustainability movement as one offering career opportunities. They were interested in being proactive in addressing sustainability issues and were optimistic about the future.

25 – 59 year olds: The two age groups, combined under this heading, involved residents who were often in the process of rearing families, had mortgages on their houses and a deep investment in Ku-ring-gai and its future. Females were focused on care based perspectives such as: disability access, education, public transport and environmental health. They stressed the importance of social incentives such as awards programs for citizens and encouraging the participation of children in local community and environmental programs. Males outlined their concerns for legislation, governance and business development. Females appeared to be more concerned about issues such as climate change while males tended to be sceptical that it is a genuine issue. Both genders had limited time to become involved in community programs but indicated that they would facilitate their children's participation.

60-79 year olds: This age group was largely beyond child rearing and had more time to give to community projects. As a result many of the current volunteers are of this age. The discernable differences based on gender were that females appeared to be more vocal, involved and prepared to commit their time. Men and women were equally interested in opportunities for socialisation and stressed the importance of historical and local knowledge. They were passionate about protecting the natural environment and resistant to change, including the move to medium density housing and multiculturalism. Their perceptions of caring for the environment were more concerned with programs, such as Bushcare and less concerned with pollution, waste management and climate change than people of other ages.

80+ year olds: Women in this age group focused on human relationships. They recounted the depression and how people survived without many

of the possessions they have today. Men in this age group like most of the groups before them were more concerned about governance, legislation, economics and infrastructure. Both genders often referred to history and what they had experienced as their 'touch stone' for today's decision making and were optimistic about the future of the earth in the face of sustainability issues.

4.2 Sustainability from theme based perspectives – key issues

The following summaries outline participants views and visions regarding the 7 themes. As they identified issues they often suggested solutions or actions which are presented at the end of each theme.

4.2.1 Natural environment

"We are terribly lucky that we are surrounded by wonderful national parks."

Resident from the 60-79 age group

Ku-ring-gai residents highly value the natural environment and believe that it is a magnificent asset of national and international significance. Ku-ring-gai's natural environment differentiates it from the rest of Sydney. Its parks, bushland, trees, air, water and wildlife are necessary to keep the local beauty and identity. Ku-ring-gai's space and bushland is vital to community health and wellbeing. Residents love being close to the city, and still having the natural environment so near to their homes. They hope that future generations will be able to experience this same environment but they are concerned that many parts will be lost in the future due to increasing urban development and population growth. In a 10 year vision submitted to the Australian Council of National Trusts, Ku-ring-gai was described as a safe, friendly environment where resources are shared equitably and the overall ecological footprint is reduced.³

The most valued environmental aspects of Ku-ring-gai identified by residents were the bushland and

³ Ms Nancy Pallin, cited by FOKE, *submission* p. 3.

open space. Residents wished to conserve the healthy, clean environment, easy access to the city, relatively low density housing and the areas biodiversity (refer to Figure 6).

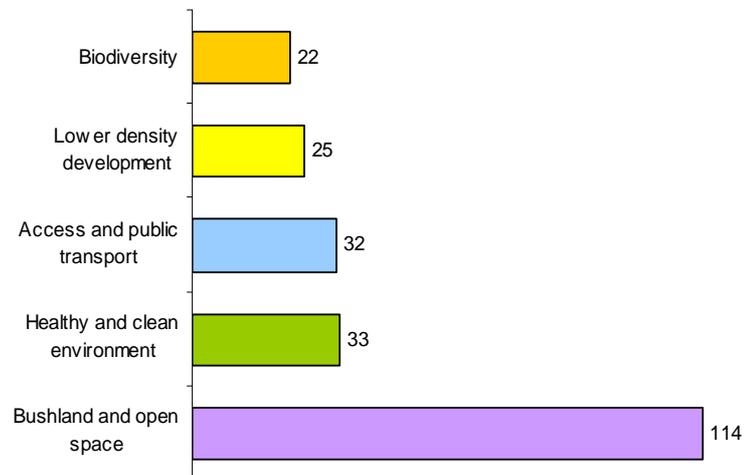


Figure 6. Top five environmental strengths⁴

Concern for Ku-ring-gai's natural environment and biodiversity was reiterated by most participants. They considered education to be crucial to protecting, restoring and re-creating native vegetation and habitat for wildlife.⁵ Almost all residents strongly supported the need to focus on education including programs for:

- learning about local natural and social heritage
- illegal dumping and encroachment
- weed removal
- native flora and fauna protection
- water management
- sustainable land management practices on private land, and
- reducing consumption, reusing and recycling.

⁴ These figures represent 226 responses to 4 questions

⁵ Ms Anne Carroll, *submission* p. 8-9.



Image: Flying Foxes (*Pteropus poliocephalus*) in Kuring-gai. Photo: D. Wilks

The top five environmental concerns expressed by participants are shown in Figure 7. Increasing urban development and associated loss of bushland and wildlife represented the greatest concerns for residents. Climate change, traffic congestion and public transport were also prominent topics.

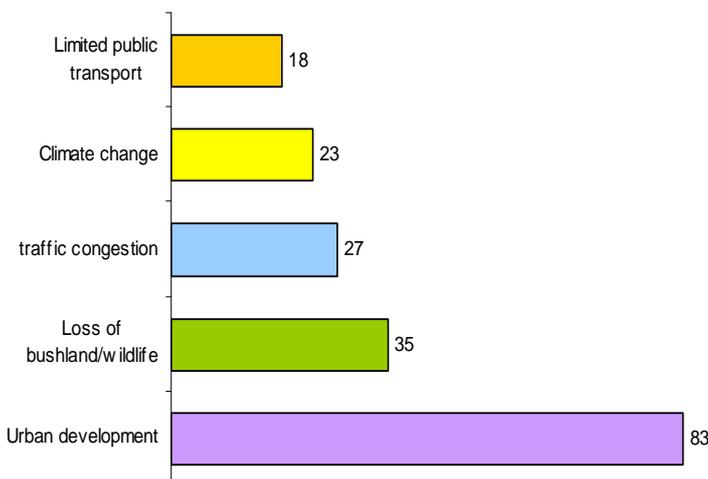


Figure 7. Top five environmental concerns⁶

Many participants mentioned rebates or incentives for the installation of water tanks and solar

⁶ These figures represent 186 responses to 3 interview questions.

powered systems. They raised the need for tougher penalties for those who breach consent conditions or remove trees without approval. Residents would like to see more proactive maintenance of the Blue Gum High Forest and increased monitoring and reporting of canopy cover.

"It's remarkable that in a large city and country that there was the foresight however many years ago to designate these areas of bushland and to preserve them because if you go to the other countries it just doesn't exist."

Resident from the 40-59 age group

The need to protect, and increase tree cover and replace trees through enforcing tree preservation orders was significant for residents in all age groups. Limiting 'high-rise' development in tree-lined areas was identified as vital to the visual amenity. One written submission cited the continued elimination of indigenous tree species is resulting in increased isolation and decreased genetic diversity, affecting species' abilities to respond to environmental changes including climate change.⁷

A number of residents acknowledged that Kuring-gai is required to accept "our share" of Sydney's increasing population. This, however should not occur at the expense of the local natural character and not impact detrimentally on the local environment. Participants wanted tighter controls on development affecting trees and natural areas through the building approval processes, particularly in regard to medium density housing developments.

⁷ Ms Anne Carroll, *submission* p. 5.

Air pollution was mainly discussed in relation to increasing traffic. Residents expressed concern about declining air quality in the future. Noise pollution was associated with traffic levels and it is expected that noise will increase as a result of higher density living.

Litter was a concern for residents with emphasis on greater recycling and reuse considered for households and in the public domain.



Image: Ku-ring-gai Bushland. Photo: D. Wilks

Climate change was an important concern particularly for younger residents. They commented that the legacy will fall to them and believe that they have no power to influence current and past decisions. Participants were very concerned about the global impacts of climate change, especially rising temperatures and sea levels. They stressed the need to reduce energy use and increase renewable energy sources. They commented that the commercial and industrial sectors need to do more to minimise their impact, particularly in regard to energy consumption and emissions. Council's leadership role on climate

change policy, mitigation and adaptation was highlighted.

"I'm probably most concerned about pollution for other generations and the global warming... like how hot it's going to be in 25 years."
Resident from the 9-12 age group

Residents were very concerned about increasing numbers of bushfires in future years, attributing this trend to climate change. Participants wanted greater preventative measures in designated fire zone areas together with disaster preparation for the community.

Water was identified as the most critical natural resource that needs to be managed and protected into the future. Water usage issues were important for all groups with residents being particularly concerned about water utilisation and availability into the future. Most participants were optimistic about water recycling, stormwater harvesting and incentives for water tank installation that would act to reduce water consumption.

4.2.2 Built environment

Conversations with residents show a very strong link between the built and natural environments, especially in regard to urban development. Residents generally support medium density development but want it “in the right places”. This is in areas needing renewal, not in the “leafy back streets”. They are distressed about the number of older homes which have been demolished to accommodate a higher density of housing and greatly value the heritage buildings which are part of Ku-ring-gai’s identity.

"We live in such a unique municipality that we should preserve the good things about the area like the trees, but not the over-developed urbanisation that's going on."

Resident from the 18-24 age group

The New South Wales Government’s Metropolitan Strategy attracted a large amount of discussion from residents. Most participants were aware that medium-density in Ku-ring-gai is a State Government directive to address Sydney’s population growth. As the transition to medium-density development is now inevitable, it has been acknowledged that sustainable urban design is critical. A written submission stated that pressures from the State Government had forced sustainability to take a back seat position in favour of developer ‘viability’⁸. Concern was expressed over the inability to reverse the effects of rezoning.

Another group submission, *Ku-ring-gai an asset of state significance*, expressed concern

over the unsustainable nature of the imposed planning policies. These respondents illustrated a number of recommendations from baseline studies of the Ku-ring-gai residential development strategy (2002) to show how critical it is that good planning be undertaken to conserve Ku-ring-gai’s environment.⁹

"Unfortunately, when you bring politics in, I think the State Government sees Ku-ring-gai as a wonderful spot to increase the density and I think we will go from our reasonably large blocks to unit living, without the infrastructure that should be there."

Resident from the 40-59 age group

Residents said that present medium density residential development will have significant social and environmental impacts. Many believed development has reached capacity and has resulted in a reduced ratio of trees to buildings, which poses a threat to the maintenance of bushland corridors and biodiversity conservation. A number of submissions were received with reference to the critically endangered Blue Gum High Forest Communities. These respondents were concerned that medium density development, overuse of open space and exemptions to Tree Preservation Orders would result in the permanent loss of Blue Gum High Forest¹⁰.

Participants raised concerns that an influx of new residents may reduce the safety and neighbourliness of their local areas. On a more positive note it was acknowledged that denser

⁹ Ku-ring-gai community groups, *Ku-ring-gai – an asset of State significance, submission*

¹⁰ Ms Anne Connolly, *Submission* ; Ms Janet Harwood, *Submission* p. 6 and 13.

⁸ Ms Janet Harwood, *submission* p. 2-3.

housing can benefit the environment on a per capita impact basis.

Most residents were concerned that the character of the area would be lost along with the period style homes. A possible solution lies with Council adopting building guidelines that conserve local style, while selecting appropriate architecture for the Australian environment.

Population growth in Ku-ring-gai has resulted in increased traffic congestion and competition for parking, sparking comments on the need for supporting infrastructure before development approval. This included improving the water mains, providing parking, underground power lines and an accessible and efficient public transport system.

Residents requested aesthetically pleasing shopping environments based on a village type atmosphere - more trees, planter boxes, public art, meeting places and clean streets that will draw people to the area. There is a preference for cafe type environments with alfresco dining, bars, live music venues, galleries and bookshops. Incorporating open space areas into each town centre or within higher density developments was seen as important in maintaining environmental connections and a sense of community. Conserving existing open space and playing fields was identified as a key priority.

"Bicentennial Park is one of the few parks and you go there on the weekend and it is absolutely chocka-block with families."

Forum participant

Ku-ring-gai is unusual in its lack of a civic centre. Participants identified the need for places where the community can come together formally and informally. Bi-centennial Park was continually mentioned as the potential civic heart of Ku-ring-gai.

Participants were concerned about community facilities within Ku-ring-gai. The improvement of equity in access was important for many participants. Residents also want to be able to make more use of open space and encourage recreation activities for the young generations.

"...there's no focal area where we can congregate. I think part of the problem is geography as well. It's all kind of spread out."

Resident from the 25-39 age group



Image: Tulkiyan House, Gordon. Photo: Ku-ring-gai Council

4.2.3 Local economy and business

Ku-ring-gai enjoys financial stability and is a place where small business can establish and grow. Many residents have benefited from the current resources-based economic growth and this in turn helps to maintain the local economy.

There was general recognition of the need to balance lifestyle with economic development. A resident in a forum commented that "Without business Ku-ring-gai can only grow so much..." There were many suggestions from residents to identify Ku-ring-gai as a hub or "centre of excellence" for small businesses. Planning town centre developments to become small business hubs was important to residents who increasingly want to shop, socialise and work locally.

"If the community tries to support their local communities, be it the local council or local shops that will help make our suburb or Ku-ring-gai a better place to live."

Resident from the 25-39 age group

A recurring theme throughout the forums was the need to support local business to sustain the town centre atmosphere. Community and marketing support is required for local businesses to be able to compete with the larger market. Local advertising and community listings would promote small business within Ku-ring-gai.

Residents want Ku-ring-gai to remain an attractive place with vibrant urban centres that encourage people to work, shop and socialise locally. Residents highlighted the need for high quality office space facilities catering for 5-10 person businesses that are located near the railway stations.

Residents suggested that Council encourage businesses to take a more active role in caring for the environment. They specified that businesses should target recycling, water and energy saving, composting and worm farming. It was recommended that businesses are provided with separate bins for recyclable waste.

The consumer culture was discussed by all adult focus groups (aged 18 and over). They were especially concerned with the detrimental effects of waste on the environment. They said that individuals and households should conserve more and act responsibly in using resources, especially fossil fuels. Residents saw growing consumerism as replacing neighbourliness and traditional cultural values. For example, extended shopping hours leave less time for family events.

People associated affluence with high resource consumption, which consequently increases Ku-ring-gai's ecological footprint. They considered it important that people begin to change consumption patterns. Ku-ring-gai should develop a vision that draws together the relationships between local identity, business, consumption and inhabitancy. "Lifestyle sustainability" can then be balanced while encouraging sustainable economic development.

Older residents expressed concern and dislike for large shopping complexes such as those at Hornsby and Chatswood. Participants preferred smaller shopping areas, which perform an important role in maintaining community relationships by providing boutique shopping strips, community areas and entertainment venues. Conversely, younger residents, particularly females, gravitate out of Ku-ring-gai to the large shopping areas usually to meet friends.

Developing greener technologies was a significant point of discussion. Ideas focussed on reducing, recycling and implementing more environmentally friendly devices in the home and business. Recycling and re-use was an important issue with residents regarding more education on what could be recycled.

The increasing cost of living and reduced affordability in Ku-ring-gai was a common concern. The affordability of housing was especially troubling as it was perceived to be more difficult for young people to buy into this area where they were raised.

"If we're talking about sustainability, that means we have to think about the kids and as a child that was born and bred in Ku-ring-gai – I left and then came back – the only opportunities I have to purchase in Ku-ring-gai would be units."

Forum Participant

Residents pointed to the high land values causing the lack of availability in housing. They believe that the growing population is adding pressure to prices. Some suggested that more medium-density should mean cheaper housing.

Rents were widely regarded as expensive, forcing students and young people to live at home or move out to live in share accommodation. Participants discussed how high commercial rental prices disadvantage local businesses by favouring franchises and conglomerates.

"We realise [the] mainstay of funding for this Council is residential rates and there needs to be greater input from business rates so we do need to grow business... infrastructure needs to match business and community needs for growth and sustainability."

Forum participant

Residents wanted local business, industry, government, and community groups to work in partnership to create dynamic and healthy communities. Together they can plan ways to jointly fund and support programs that combine community building and environmental goals. This could include planning for community spaces, bringing people of all generations to gather together in natural settings and plazas. Business could sponsor schools and community organisations in similar programs and benefit from raising their profiles.

4.2.4 Transport access and traffic

Mobility is necessary for Ku-ring-gai's people to support themselves, remain independent and socially interact. Participants believe that public transport services are inadequate within and between Ku-ring-gai and other areas. Access to public transport for less mobile people needs to be improved.

A properly planned, comprehensive transport system was recommended as necessary by many residents. Propositions ranged from taking a broad visionary approach by having a total flow plan based on demand, to integrating urban renewal and transport solutions considering land uses and mixes.

"I think the development has come before the infrastructure and traffic and that should have been done first."

Resident from the 25-39 age group

Residents noted that public transport had to be easy, affordable, efficient, regular, reliable and accessible before people would use it. If such a system were to be established, participants said they would be more likely to reduce the use of private vehicles and take public transport. This would ease traffic congestion particularly during school times when many residents take their children to and from school.

Transport planning was an important focus in the discussions with residents. The main concerns were based on traffic flow and management. Residents wanted to minimise traffic shortcutting through localised residential areas. Forum participants discussed alternative and additional road access to avoid 'choke points' particularly in Turrumurra along The

Comenarra Parkway, Ryde Road and the Pacific Highway. Residents highlighted that Ku-ring-gai is a thoroughfare for commuters from the Central Coast and suggested that a road or tunnel bypass would ease traffic congestion.



Image: Evening traffic in Gordon. Photo: D. Wilks.

Parking was identified as an issue at many of the train stations. Space concerns may require parking to be built underground but residents believed sufficient parking would reduce congestion and encourage people to commute. Parking areas close to train stations and shopping centres should increase in capacity.

Cycling was presented as a viable option for some community members, provided that facilities such as safe cycleways were built and bike stands were installed at train stations.

Walking was encouraged through suggestions for 'walk to school' and 'walk to work' programs. However, parents tended to raise concerns about safety. The 'walking bus' and reintroduction of the Safety House Program

could combat this. A cultural shift is required to encourage more walking within the community. At present walking is inhibited by poorly lit streets, degraded pavements, kerbs and footpaths. These need to be improved, particularly for less mobile members of the community.

4.2.5 Belonging

"It's a place where I bought my little piece of Australia and it made me feel like I belonged...it's a place where my children have been given a very good schooling and very good opportunities and I feel very much a part of Ku-ring-gai."

Resident from the 40-59 age group

While it is difficult to separate Ku-ring-gai's environment and society, residents connect primarily with their neighbourhoods through social interactions. While some people identified with their suburbs through the natural places and open spaces, very few mentioned they felt they belonged *only* through the natural environment (refer to figure 8).



■ Community and culture ■ Environment

Figure 8. In response to the interview question, 83% of respondents said their community, social lifestyle and culture created a sense of belonging while 17% identified their connection with the area through the environment alone.

Ku-ring-gai's residents generally felt very much a part of their neighbourhood however many believed consumerism, increased residential development and lifestyles were creating a sense of isolation. Opportunities to increase social interactions were mentioned as ways to promote community relationships and establish a stronger sense of belonging. Residents described sport as a conduit for creating more social interaction. Younger generations particularly wanted to maintain sporting facilities and playing fields. Some suggested creating interschool sporting and

cultural events between public and private schools to lessen the barriers and promote community cohesion.

The importance of local knowledge was highlighted. Knowing more about local history was described by many participants as a vital aspect of people feeling connected to their community and place.

A common theme brought up in the pilot study between Australian born residents and migrants was the need to own land to feel like they belong. These feelings extended to long term residents many commenting that although young people leave their suburbs after finishing school or university, they usually intend to return when planning to start a family.

"I'd like to bring my children back here."

Resident from the 18-24 age group

The bushland, wildlife, open spaces and large, leafy properties were highly valued by residents in terms of belonging. Participants from all age groups emphasised the conservation of natural areas as they give Ku-ring-gai character and make it a 'sanctuary' that people come home to. In a submission for the Centenary Essay Competition, a young Ku-ring-gai resident described the familiarity of the trees and wildlife and wanted to see the happy, hardworking and caring nature of this area conserved.¹¹

¹¹ Miss Claire Offord, *submission*.

4.2.6 Community and neighbourhoods

People in Ku-ring-gai enjoy a high standard of public and private schools, many healthcare facilities and sports fields. Participants tended to focus on the need for leisure activities that would encourage community spirit, such as street parties, festivals and concerts.

Ku-ring-gai is considered a good place for families bringing up young children. Most residents regard it as a safe and friendly community. Children believed that the high number of older people at home makes them feel safe. Conversely older residents feel isolated and lonely. Adults were more concerned about child road safety and wanted places where young people could socialise within safe environments.

"...a safe community is one which has trust and I think you can only have trust by really knowing what your community is about, being aware of who is around, what they do."
Resident from the 18-24 age group

Many residents commented that perceptions of threat regarding safety were "overblown" as Ku-ring-gai is a safe place. They cited examples of concern over safety, such as driving children to school and increased ownership of mobile phones.

Throughout discussions participants identified the strengths in Ku-ring-gai society. Figure 9 shows the most common responses, indicating that residents highly value the friendliness and safety associated with their neighbourhoods along with shopping, sports and food facilities. Some residents saw the integration of cultures as a positive influence and education opportunities were regarded as beneficial to residents and the area.

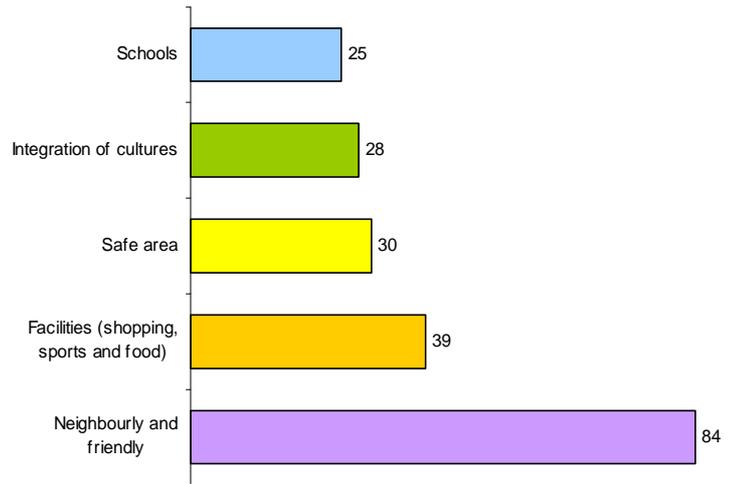


Figure 9. Top five social strengths¹²

Developing more ways for people of all ages, abilities and backgrounds to meet, mix and play was central to conversations with all age groups. Residents want more opportunities for communicating and connecting with people from different generations and backgrounds so they can understand and learn from each other.

"More interaction between private and public schools, in particular for same-sex schools... [create] relations between girls and guys."
Resident from the 15-17 age group

Community acceptance, involvement, infrastructure, services and access for residents with special language, hearing, intellectual, mobility and sight needs were raised by all groups as important components for future planning. One submission cited the feelings of exclusion, isolation and lack of acceptance directed

¹² Figures represents 206 responses to 6 questions.

towards families with disabled children¹³. Shared facilities that encourage integration of special needs are required to remove existing barriers.

“What families and children (with disabilities) need is access to services, inclusion and understanding...When you have a child with a disability it is isolation that is your greatest feeling.”

Kerry Dominish, *submission*

The Ku-ring-gai Local Government Area needs central ‘town’ and/or village centres that represent the heart of each suburb and provide meeting places. The new town centre developments represent opportunities to create these places but many still do not wish the overall character of Ku-ring-gai to change.



Image: Gathering at the Ku-ring-gai Wildflower Garden. Photo: D. Wilks

Many residents expressed fears that the friendly neighbourhood character is being lost and people are now less involved in community activities,

resulting in diminishing community spirit. There is more isolation and loneliness for those remaining at home particularly the elderly as people increasingly leave the area daily for work and school and have little time for community involvement. Many people do not know the range of local associations and interest groups they can join. With preferences changing to indoor leisure activities, often computer-based, fewer people gather in the streets and spend time in the parks and bushland.

Community consultation by Council was discussed by participants. They suggested Council hold forums and focus groups with residents more regularly. People wanted a greater role in the decision making processes to achieve better outcomes and favourable community opinions.

“Policies should be community-initiated and community-driven.”

Forum Participant

Ways to motivate young people to be involved in the community was considered to be important. School programs could perform a significant role in this area.

People across all ages wanted to cultivate a greater sense of community spirit and pride. They were concerned that the increase in population with higher density living may further erode the feeling of community isolation with growing numbers of people living alone in units. Programs where new residents are welcomed by Council and their neighbourhood were recommended.

Council, local neighbourhoods and businesses could be actively involved in promoting dynamic and healthy communities

¹³ Ms Kerry Dominish, *submission*. P. 1.

and encouraging knowledge of local history. Volunteer programs were seen as very important with local people being motivated to commit time to community involvement in volunteer organisations, sport, clubs, and/or church.

Physical linkages in the community would make it easier for people to connect. The lack of museums, art galleries, theatres and meeting halls was noted. Buildings and infrastructure need to incorporate sustainability principles including social infrastructure, such as safe cycleways, and walkways. Neighbourhood shopping centres perform vital roles in connecting communities and should be supported in this area. Council's infrastructure could be better used to support youth culture and activities such as through more neighbourhood centres.

A greater supply of affordable housing that offers different styles and choices to suit varying needs and budgets is required. For example, many older people may prefer villas where they can have pets and a garden.

A number of social concerns were discussed throughout the interviews. Figure 10 represents the most predominant community and cultural issues raised by participants. Suppression and acceptance of cultural diversity was the greatest concern with many people speaking negatively about integration of cultures into the community as well as the prevalence of a mono-cultural attitude. Participants were also concerned with the lack of facilities, overcrowding, loss of a sense of community and community spirit as well as elitist attitudes.

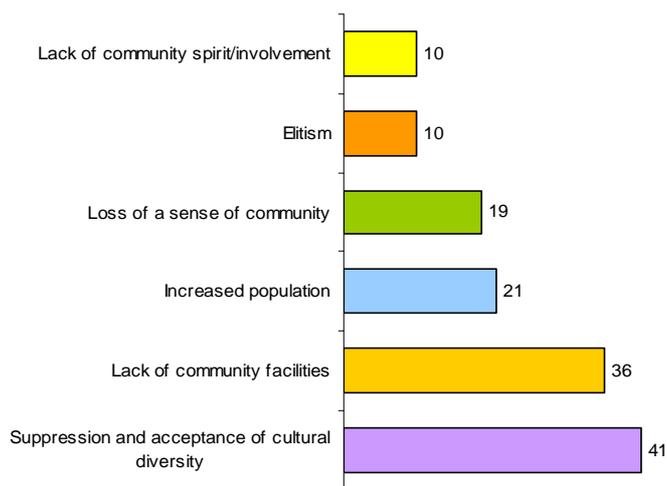


Figure 10. Top social concerns¹⁴

The importance of Council leadership in sustainability was stressed by participants. Ku-ring-gai residents focused on the need to increase the community awareness and educate citizens about sustainability.

Recognition for excellence in sustainable practices was discussed. Council awards, plaques or medallions displayed on houses and businesses could be used to gain community support.

¹⁴ Figures represent responses from 137 responses to 4 interview questions.

4.2.7 Culture

Ku-ring-gai residents belong to many cultural groups which include various lifestyles, religions and cultures. Residents considered their local culture and environment as interlinked due to Ku-ring-gai's bushland identity. It is an established and prestigious area with many long-term residents and a relatively high number of older people. Residents are well-educated and often successful in their careers. Ku-ring-gai was described as polite, safe, conservative and resistant to change.

Residents from all age groups recognised the need to accept and welcome cultural diversity within their communities. There appears to be less diversity than in most areas of Sydney but residents tend to be like-minded with generally similar attitudes and aims. Most people wanted to encourage cultural integration to overcome language barriers and differing value and belief systems. Celebrating cultural diversity was seen as important for the spirit of each suburb.¹⁵

"...we spoke about learning the culture of various groups that are within Ku-ring-gai but also integrating them to the greater community. The example that we came up with was Chatswood... and the Chinese New Year and how people go there to see the dragon dancers. That actually brings the greater community in to enjoy that perspective."

Resident from the 25-39 age group

All residents emphasised the need to learn about local history, particularly Aboriginal heritage. Churches, religious groups and non-religious groups, such as scouts and guides were said to have important roles in teaching values to young children. This aspect was reiterated through a

submission which recommended that identifying local 'heroes' and the individuality of each suburb would help to foster pride within Ku-ring-gai.¹⁶

"I guess we have to regard ourselves as mono-cultural because we don't have the obvious culture like in other areas like Leichhardt with the Italians."

Forum participant

In the pilot study research, migrant and Australian born groups in Ku-ring-gai were the focus of a study on sustainability, ethnicity and belonging. Australian born groups recognised the diminishing influence of Britain and acknowledged that the stereotypical Australian image is slowly becoming more multicultural.

Asia now has more of a place at our table than before. Muslims are copping it now, it used to be Vietnamese, seems to go in cycles who will be next?

Ku-ring-gai resident – pilot study focus group

Conversely migrant groups still felt their ethnicity was being isolated and that it needed to be examined in relation to age, personality, life experiences, education and profession. They stressed that good and bad people exist in all parts of the world, regardless of where they come from, and related this to the need for acceptance.

¹⁵ Mr Jonathan Herrman, *submission* p. 3-8.

¹⁶ Mr David Wood, *submission*

4.2.8 Technology

"...technology can assist by using resources more efficiently, such as helping create more use of green energy and developing that technology. It also helps to reduce waste of resources... things like free broadband for all households could help workers work from home, shop online to reduce use of cars..."

Resident from the 18-24 age group

Most residents supported technology being used in a responsible way for social, environmental and economic benefit. Communications technology is making social interaction faster and easier, especially for younger people. Technology is being used to create new forms of social networks, however there were some concerns that new technologies were promoting a more isolated, indoors lifestyle and obesity.

Technology was generally seen as a benefit to communication and the ability to access information. Innovations that could potentially improve society and sustainability should be encouraged.

Most age groups contributed ideas towards ways of increasing the amount of recycling. These related to recycling e-waste with suggestions of Council run e-waste collection of old computers, cartridges, mobile phones and printers.

Several residents reported that they find information about various technologies confusing, making it difficult to choose the best technology for their homes and families. Some environmental technologies are not as convenient to use, are **4.2.** very expensive, or are not as efficient as the technologies they are designed to replace.

Many people commented that technological advances have unintended side effects. Increasingly, people are becoming removed from others and the natural world, spending too much time indoors. Communicating mainly via the internet and mobile phones discourages physical interactions and mixing with people, especially between younger and older people. Lifestyles are now more sedentary with work and leisure for many based on stationary technology. This causes reduced fitness and increases obesity.

Participants discussed the development of green technology that would aim to improve resource management and reduce consumption. Cleaner industries to reduce pollution levels in waterways and the atmosphere were identified as important, while ways to improve transport were highlighted as Ku-ring-gai is a largely car dependent community.

"There are a lot of technologies in the infrastructure which could be made green. For example, the street lights and traffic lights could be replaced."

Forum participant

9 Governance

"It can only be done with all levels of government working for a single vision and working with the individual residents and businesses of the community."

Resident from the 25-39 age group

People depend on Council as their closest level of government. It is the advocate and representative body of the community as well as protector and manager of social and environmental assets. It is imperative that Council leads by example in managing resources, its assets, programs and community in a sustainable manner.

Residents spoke of their concerns regarding governance in Ku-ring-gai (refer to Figure 11). The most prominent issues regarded developmental policy following the furore over the State Governments decision to increase medium density residential development within Ku-ring-gai. Facilities, public transport and water conservation were all issues demanding attention, while residents would like to see better communication and representation by Council.

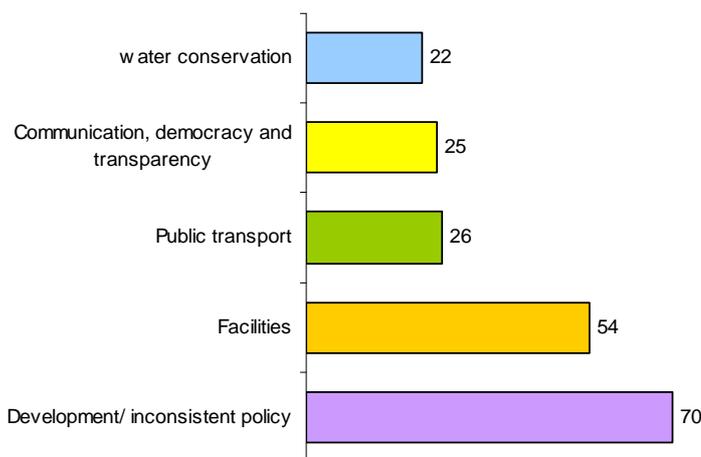


Figure 11. Top five governance concerns as identified by residents¹⁷

¹⁷ Figures represent 197 responses to 1 interview question.

Many people felt that the Council could do more to involve people of all ages in decision-making processes and planning. Young participants expressed that the opinions of children were often overlooked and that there was no formal recognition of children's views regarding the future. A submission further supported this position and Council's intergenerational approach to sustainability planning.¹⁸

"Young people should have a vote in future [sustainability] planning for the area."

Resident from the 9-12 age group

Most age groups wanted to be more informed of policy changes and to be invited to comment on those changes by Council in small focus or forum groups. Residents suggested that Council use financial incentives and rebates to increase community support for environmental issues.

Communication was seen as a key area for achieving community actions towards sustainability. Some commented that Council has improved its communication with residents, for example through the Mayoral columns, but stated that it can be better. It needs to do more to encourage and inform local business and residents about sustainability.

Residents stressed the need for tougher penalties for people who breach development consent conditions or illegal tree removal. They suggested that Council prioritise monitoring and enforcement. It was proposed that to

¹⁸ Master Patrick O'Connell, *submission* p. 1-2.

continue to protect Ku-ring-gai's bushland for future generations, Council should aim for quality over quantity.¹⁹

Many residents saw a need for Council to have sustainability built in to all its policies and decisions if it is to become integral to Ku-ring-gai. Council needs to create a vision where the culture and image of Ku-ring-gai is the blend of built and natural environments, where development does not lead to the loss of the local character. This includes embedding sustainability in zoning, Development Control Plans (DCPs), orders and regulations.

Council could function increasingly as the 'bridge' between the State Government, community organisations, businesses, and residents. Many residents highlighted the importance of Council's leadership role. Aside from its own corporate practices, this would involve Council facilitating partnerships and fostering community involvement and participation. In a vision statement as part of the Centenary Essay Competition, a Ku-ring-gai resident believed that the community could be lead by a Council that encouraged sharing of ideas and enthusiasm for an actively participating community. It was seen that by remaining as a community, Ku-ring-gai could achieve more for its citizens.²⁰

¹⁹ Lauren Hansen, *submission* p. 2.

²⁰ *ibid.*



***5. Ku-ring-gai's
Visions, values and
principles***

[Previous Page: Top: *National Tree Planting day*. Photo: D. Wilks; Middle: *Town centre sketch*. Ku-ring-gai Council; Bottom: *Ku-ring-gai resident's at the intergenerational forum*. Photo: D. Wilks]

5 Ku-ring-gai's visions, values and principles

The following vision, values and principles will guide both the residents of Ku-ring-gai and the Council from 2008 - 2033 as we work together for a sustainable Ku-ring-gai.

Vision

Ku-ring-gai's overarching 25 year vision was developed through the community visioning processes and is as follows:

Ku-ring-gai will be a creative, liveable place where people respect each other, conserve the magnificent environment and society for the children and grandchildren of the future.

What our words mean

Liveable – safe, friendly, easy to get around, areas to shop, play and recreate which create a sense of belonging

Creative – we will provide opportunity for innovation and creative expression with facilities that are vibrant and meet the needs of all generations

Respect – this covers equity, access, attitudes and people of different gender, ages, abilities and cultures

Vision statements

To further assist in achieving Ku-ring-gai's vision the following statements reflect future aspirations. Additionally these have been divided into social (Soc.), environmental (Env.), economic (Ec.) and governance (Gov.) sectors to assist their implementation.

1. Creative and liveable

Ku-ring-gai will be a place:

- that is safe, friendly and accessible for all people 
- that is vibrant and celebrates its rich cultural and environmental heritage  
- with infrastructure and planning systems that accommodate the identity and needs of each suburb  **G**
- with opportunities for local businesses and employment **E**

- with a strong and stable local economy **E**
- that prioritises knowledge, learning and information that benefits sustainability  **G**
- that embraces innovation and technology, to assist in finding solutions to the issues which face us **G**

2. Respect

Ku-ring-gai will be a place:

- where all people are valued 
- supporting and promoting local stewardship and community participation 
- engaged in partnerships with local, regional, national and global sectors **G**

3. Magnificent environment

Ku-ring-gai will be a place:

- of extensive bushland with native flora and fauna which we highly value and protect 
- where our open spaces are enhanced  
- progressively reducing its consumption of resources, leading in recycling and reuse 
- addressing and responding to climate change 

Values

Values are core beliefs that link to the vision and are applied through the ways we conduct our everyday lives, business and interact with people.

Ku-ring-gai's values are to:

1. Care for the local environment and people
2. Respect the needs of future generations
3. Learn and share knowledge
4. Behave ethically
5. Take responsibility for our actions
6. Lead in sustainability

Principles

These describe our main aims which are fundamental to achieving the vision.

Ku-ring-gai's principles are to:

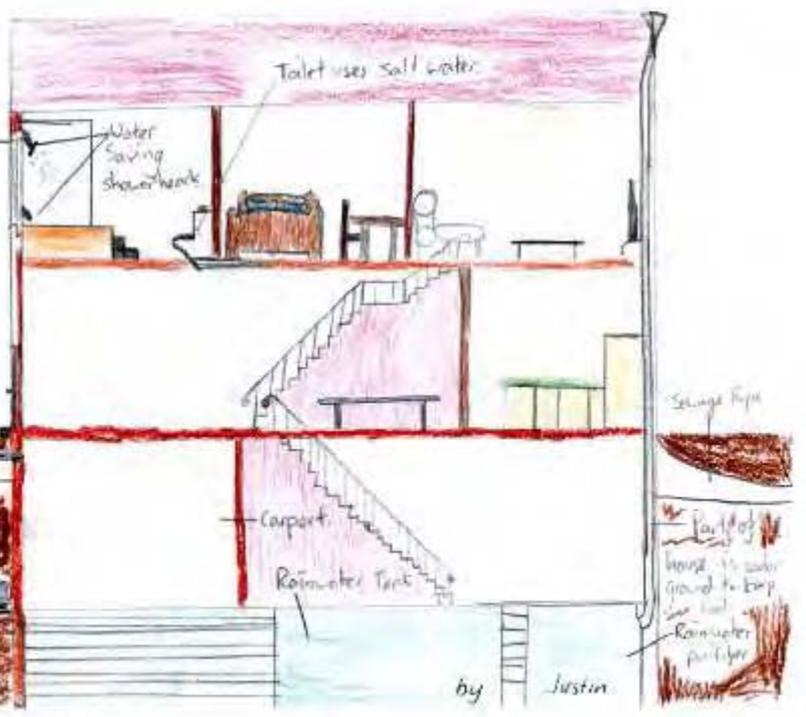
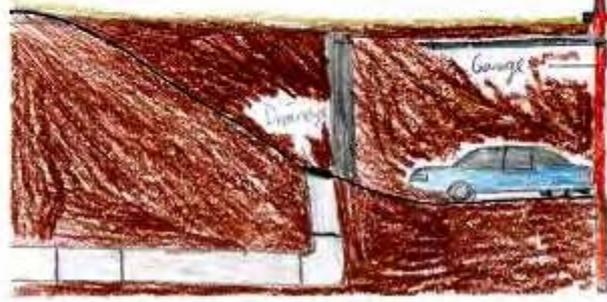
1. Support cohesive, inclusive and dynamic communities
2. Protect the natural, social, cultural and built heritage
3. Decrease the consumption of resources
4. Maintain a strong and stable local economy
5. Balance health, work and personal commitments

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



WHAT I THINK...



6. Conclusions and Future Research

(Previous Page: '*What I think...*' By Justin, Class 5/6F, Wahroonga Bush School)

6 Conclusion and future directions

This vision report provides a foundation upon which sustainability activities can continue to grow. The next phases (Figure 12) will include:

1. Developing a sustainability action plan to provide a framework for the implementation, monitoring and reporting of sustainability activities in Ku-ring-gai between the years 2008-2033. The new generational approach will be applied through aspects of future action planning, decision making and monitoring phases.
2. Commencing in 2008, a sustainability strategy for each suburb will be researched and written. These will focus on driving sustainability at a local level recognising that each suburb has different identities, attributes and challenges.

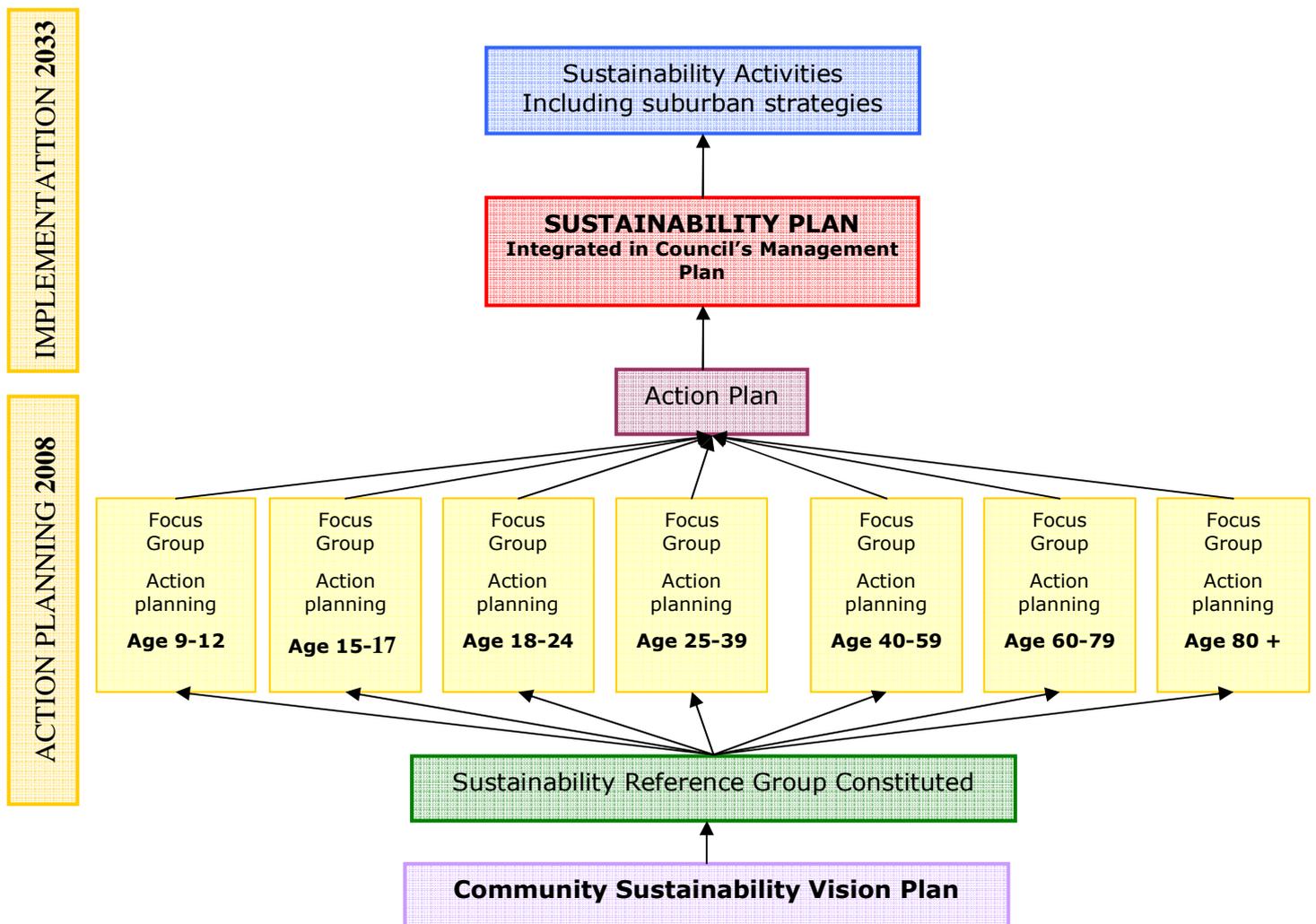


Figure 12. Future sustainability planning.

A Community Sustainability Reference Group (SRG) has been formed to oversee the next phases of this project. It has representation of local people of differing ages with a broad range of expertise and includes two residents under 18 years of age. This group, together with the Council, community members, government agencies and other organisations will then oversee the implementation of sustainability programs.

On a corporate level sustainability is being integrated into all aspects of Council's Management Plan ensuring that it is embedded in the operational fabric of the organisation. The introduction of the Global Reporting Initiative and the formation of a Sustainability Reporting Team which has representation from all departments accompanied this phasing-in process which commenced in 2007.

The findings of this report present opportunities for future research especially in the areas of: young people and climate change, education and knowledge, governance, infrastructure, business, age based programs, gender, belonging and culture. A summary is as follows:

Young people and climate change

Young people outlined their fears for the future of the world they will inherit, especially regarding climate change. A larger sample and study would assist in identifying the scope of these fears and how to address them. Ku-ring-gai Council is including young people in its Sustainability Reference Group and could look at other methods of involving young people in decision making processes.

Education and knowledge

The lack of local knowledge was mentioned by all age groups but was seen as an important aspect of cultivating environmental and social care. To improve local knowledge for people of all ages, an education strategy would be beneficial involving the historical society, schools and educational institutions.

Governance

A review of policies and procedures is occurring as part of Council's response to the NSW Department of Local Government's *Promoting Better Practice* review checklist. This will reassess each of the plans and policies of Council and, where relevant, embed sustainability principles therein. The legal scope for this action is the Local Government Act which provides direction for local government as part of its need for long term, sustainable and participatory planning and service delivery.

Infrastructure

Access, services, transport systems, community halls, meeting places and community facilities were all areas requiring improvement as identified in this report. Reviews such as through the principle and comprehensive LEPs and Section 94 will address these areas of future need.

Business

Promoting local shopping and the role of town and neighbourhood centres as community hubs was identified through the research and requires further marketing and promotional planning.

Age based programs

The new generational methodology adopted in this research has enabled age based perspectives to be identified.

-Young people stated that they felt safe because elderly residents were at home. Conversely elderly residents described their loneliness and isolation. This social disconnect could be examined as a means to reconnect generations.

-Teenage participants described social barriers between public and private school and how they should have closer interactions.

- The need for volunteer programs to be designed on an age basis was highlighted to enable whole community engagement.

Future in-depth investigations, such as surveys and studies which focus on individual age groups would grow upon the foundation this report provides.

Gender

In past studies gender has proven to be a significant influence in terms of human environmental relationships and attitudes. While it was beyond the scope of this research to investigate gender in detail it would be advantageous to build upon the age based approach by examining gender coupled with age in terms of designing sustainability programs.

Belonging

The findings of this report raise an interesting question regarding residents' sense of belonging which was largely attributable to their social connections, while they most valued their surrounding environments. This appears to be an anomaly worthy of further investigation and may prove to be important when planning community engagement in future sustainability programs.

Culture

This research found Ku-ring-gai to be mono-cultural despite nearly one third of its population being born overseas. This is explained by many residents, regardless of their heritage, aspiring to similar values and behaviours. It is predicted that Ku-ring-gai will become increasingly multi cultural as its population grows, ongoing and deeper research will assist future planning required surrounding the influences of ethnicity.

The success of securing Ku-ring-gai's sustainable future requires ongoing investigations together with a collective effort by Council, local businesses, schools, community organisations , agencies, and individual citizens making a commitment.

A community led by Council, but not overpowered by it. Councillors and citizens coming together to share ideas, enthusiasm and energy. Together moulding Ku-ring-gai Council (area) into a unique suburbia, rather than melting into the ever-growing metropolis.

Quote from a 16 year old Ku-ring-gai resident



7. Bibliography

[Previous Page: *This is what concerns me in climate change* by Patricia Woo, Year 4, Abbotsleigh Junior School]

7 Bibliography

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8. Appendices

[Previous Page: *'My dream Ku-ring-gai'* by Kirsten Rowlinson, Year 4, Abbotsleigh Junior School]

8 Appendices

8.1 Closing address to the intergenerational forum - Giles Tabuteau

Mr Giles Tabuteau: Thank you Mr Mayor. Fellow Ku-ring-gai residents. I am just an ordinary resident like you - I'm no different to anybody else here today. In my two and a half, I think it is, minutes -

Sustainability is a word that we have been hearing a lot about. It is now permeating government public policy pronouncements and documents, and it presents, I suggest, an opportunity to re-examine what previous generations in Ku-ring-gai have left to us, the present generation - and that is, of course, an extraordinary legacy.

A legacy firstly of a magnificent natural environment - the trees, the tree canopies, the gardens, soils, flora, and fauna; and, secondly, the built environment that we see wherever we go, the heritage, the history items, the streetscapes, and neighbourhood character.

The real question is what is now happening *in* Ku-ring-gai, and what is happening *to* Ku-ring-gai. And is what the next generation looks like inheriting, at the present rate, *sustainable* in terms of all the development we're seeing up and down the highway, and spreading laterally into our streets?

Is the daily loss of the tree canopy for development sustainable? Will the deep evacuation of subsoils that we see on each of these sites, with a boundary 30 feet deep sometimes cutting right underneath drip-lines of neighbouring trees, be sustainable? Is the cutting off of the wildlife corridor that runs east to west, from the Lane Cove river valley to the middle harbour valley and the Cowra catchment, sustainable? Is the present rate of the loss of our heritage, our built environment, sustainable?

The young people of today, and the next generations, which they will be a part of, will call this generation to account, on whether or not what we are doing as a community, and as a Council, is sustainable.

So, responsibility lies very firmly on us as a community, including our Council, past, present and future Councils, to not squander and not give up the legacy of these previous generations, but to work tirelessly and relentlessly for fundamental reform to these current policies, which I suggest, in terms of development, are simply unsustainable.

Sustainability requires that we, as present day custodians, in the same way as we've heard earlier today the Aboriginal people were the first custodians, we in effect, together with the descendants of the Aboriginal people, are still present day custodians. We are trustees, and the onus is on us, the responsibility is on us, for the sake of the next generation, to reform these policies, these unsustainable policies, before it's too late.

8.2 Detailed Generational Methodology

Preliminary pilot study

A preliminary pilot study was carried out as part of a pilot study research project in partnership with Ku-ring-gai Council. The pilot study assisted the design of the generational methodology and communication methods through four focus groups. Designed as discussion sessions the study involved 37 Ku-ring-gai residents from a variety of cultural backgrounds. They assessed the importance of environmental sustainability, ethnicity and belonging on a personal level.

Ku-ring-gai to global sustainability research

The initial interview and focus group phases separated participants into their age groups to assist in capturing a deeper understanding of generational perspectives. At the first interview stage 72 local residents participated. Information sheets were provided and interviewers were instructed to verbally brief residents on the research prior to the commencement of each interview. Participants were also asked to complete authority forms and provide personal data prior to the commencement of each interview. They were guaranteed anonymity which assisted freedom to express their views. Each interview was digitally recorded with an audio recorder and transcriptions were made. Interviews were mostly conducted within resident's homes, business premises or schools. Formal parental and school consent was sought prior to interviewing young people under the age of 18 years. All participants were asked the same set of questions, regardless of their age with the aim of producing comparative data. These questions were open ended and designed to be easily comprehended and to encourage interviewees to speak freely about each topic. The questions asked participants to focus their responses on their local suburb as the future intent is to design sustainability strategies for each of Ku-ring-gai's 8 suburbs. The questions included a quadruple bottom line (QBL) approach which asked respondents to consider the social, environmental, economic and governance aspects of sustainability. This was an important part of the design framework as Ku-ring-gai Council has adopted QBL as the reporting structure for the Management plan, Annual Report and Council Reports. It is proposed that sustainability priorities will be merged into the Council Management Plan.

An even number of private and public schools, primary and secondary were selected from across the Local Government Area and only young people who are Ku-ring-gai residents were interviewed or included in the focus groups. The following local schools participated in the interview, focus group and forum sessions: Sydney Grammar School at St Ives, Wahroonga Public School, Gordon West Public School, Pymble Ladies College (PLC), Roseville College, Killara High School, Ku-ring-gai Creative Arts High School and Knox Grammar School. Primary schools were asked to nominate two students between 9 and 12 years of age and secondary schools were asked to nominate two students between 15 and 17 years. As part of the process of engaging with schools Council staff visited classrooms and held group discussions with students many of which were video taped. All primary and secondary schools within the Local Government Area were invited to the

intergenerational forums. The schools involved in the previous phases all sent representatives together with Abbotsleigh an Anglican school for girls at Wahroonga.

Focus groups were held in Council meeting rooms with transport organised for school children and the elderly. A total of 51 people took part in 7 focus groups each session being 2 hours in duration. Each group was formed using an age based grouping system. Participants were provided with a summary of the interview data findings to assist their discussions with the aim of building upon and further developing key themes. All discussions were digitally recorded and transcriptions were made. The transcriptions were de-personalised to ensure that residents could not be identified.

The visioning process culminated in two intergenerational forums one in the daytime to suit young people and the elderly and one in the evening to attract business people and parents of young children. Written and digital invitations were sent to all schools, organisations and previous project participants. Each Councillor was invited and provided with additional invitations so they could personally encourage people to attend. Advertisements were placed in the local paper, several newspaper articles were published and an invitation was placed on the front page of Councils web site.

In June 2007, 104 participants, spanning all age groups came together to discuss their collective visions at the forums. A summary report of the literature together with interview and focus group findings was provided to participants as preliminary reading material a week prior to the forums. A DVD was produced that depicted snapshots of Ku-ring-gai and its community and was shown at the forums to assist the discussion process. Written consent was obtained from all forum and film participants in agreement to be photographed and to participate in discussions that were digitally recorded as part of the documentation process. Given the scope of issues and time constraints a café style approach was adopted. Participants chose tables that were organised in one of the 7 main themes (community, culture, natural environment, built environment, economy and business, transport access and traffic, technology). An age mix was encouraged at each table which was assisted by one council staff member at each table as facilitator. The facilitators had been briefed prior to the forums to assist the smooth running of the events. Following group discussions using a set of broad questions surrounding their theme, each table presented their views at the end of the forum. Each table provided written notes which were collected and used in developing this report and the vision. The forums were digitally recorded and transcriptions made.

Data Analysis

1/ Independent interviews

This stage involved collating and analysing the data collected from face to face in-depth interviews where identical questions were applied and contrasted across each age group for determining generational commonalities and variations. All ten questions were analysed through the Quadruple Bottom Line (QBL) sustainability framework, i.e. social, environmental, economic and governance. Content analysis was undertaken to measure the relative importance of responses. Responses to each question were separated into the 4 QBL areas. This allowed for cross-generational comparisons

to glean similarities and differences between age categories for each question and the relative weight of knowledge, awareness and concerns for sustainability in Ku-ring-gai. An assessment of local environmental and social attachments and belonging were incorporated into the investigation. A secondary phase of analysis was adopted as the data was refined. This involved grouping the findings in 2 streams by theme and by age.

2/ Focus groups

Analysis of the interview data revealed the most common themes generally and in the particular age groups. These were further investigated through subsequent focus groups held with each age category. Questions were separated into the most common themes from interviews - community, culture, natural and built environment, economy and business, technology, and transport, access, and traffic. Some questions were broadly applied and others were specific to individual age categories. This approach allowed for the testing of the validity of findings from the interviews overall and by age group, and possible explanations for any variations in responses within and between groups. The focus group data was summarised for each age group. This data was compared with and added to the interview data and presented in the interim summary report which was designed to inform the forum participants of the key issues brought up in the interviews and focus groups and act as a guide to the forum procedures (see appendix 9.4).

3/ Forums

Forum participants were provided with the overall findings for all generations of the earlier research, based on the themes outlined above. The forums aimed to develop sustainability principles to form the basis of the Ku-ring-gai Sustainability Vision at a higher level that will guide all future policy and decision-making. The group discussion atmosphere brought up some additional opinions and thoughts. This data was summarised along with the interview and focus group data. Much of the information from the forums was action oriented. These ideas were recorded and are represented in the report in support of the vision residents see for Ku-ring-gai. Further action analysis is to be included in discussions in the action planning stage of the program.

4/ Written submissions

Written submissions from the Ku-ring-gai community were sought and included in the vision report and in forming the sustainability principles and creating the vision. These valuable contributions were made from people who had an extensive issue to discuss or could not attend the focus groups or forums. All submissions were included in the discussion under the relevant themes.

5/ Centenary competition

The winning entries of the essay competition were included in the vision report as written submissions. Each entry was referred to in the text in terms of personal values and the future of governance in Ku-ring-gai. The inclusion of the essay competition entries lent a younger perspective to the submissions and an overall more equitable approach.

8.2 Interview Documentation



CONNECT Ku-ring-gai linking our people with their local environments

Interview Participant Information Sheet

1. What is the interview about?

The purpose of the interview is to learn how residents in Ku-ring-gai:

- relate to their physical environment (natural and built)
- support their feeling of wellbeing within their neighbourhood and in Ku-ring-gai generally
- form attachments to their suburb and/or Ku-ring-gai, and the strength of their attachments
- view sustainable practices in Ku-ring-gai, now and into the future

The interview will also ask participants about:

- changes in their neighbourhoods and in Ku-ring-gai over their lifetimes
- their ideas on how best to move towards sustainable practices in their suburbs.

2. Who is carrying out the interview?

The interview is being conducted by Kirsten Davies, the Sustainability Program Leader.

3. What does the interview involve?

The interview can be held at Ku-ring-gai Council or at another mutually agreed place. Participants will be asked to sign a consent form indicating agreement to the interview and the procedures. The interviews will be digitally recorded with participant approval, and hand-written notes may be taken during the interview. Participants will not be identifiable in any reports.

4. How much time will the interview take?

The interview will take no more than 60 minutes.

5. Can I withdraw from the interview?

Participation in the research is completely voluntary and participants are welcome to withdraw at any time.

6. Will anyone else know the results?

Transcripts of the interview will be used for analysis, and the findings will contribute to a report of the research results after focus groups are held.

7. Further information?

If you have any questions please contact Kirsten Davies, Sustainability Program Leader,
Tel: 9424 0818 Email: kdavies@kmc.nsw.gov.au

Contact another member of the sustainability team at: Tel: 9424 0888
Email: sustainability@kmc.nsw.gov.au

8.2 Participation authority forms

Focus Group Participation Consent Form	
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Project title: *Ku-ring-gai to global – Community Sustainability*

Researcher leader: Kirsten Davies, Sustainability Program Leader, Ku-ring-gai Council

NOTE: This consent form will remain with Ku-ring-gai Council for its records

Thankyou for agreeing to be a participant in this project, your contributions will be valuable for the future directions of Ku-ring-gai.

Please read the following carefully:

1. I understand that participation in this focus group is voluntary; that I may refuse to answer any questions at any time; and that I will remain anonymous in this project.
2. I consent to the focus group being digitally recorded and transcribed.
3. I understand that I can withdraw from this focus group at any time, for any reason, without being penalised or disadvantaged in any way.
4. I understand that my involvement is strictly confidential, and that any data that the researcher takes from the focus group for use in reports or published findings will not, under any circumstances, contain names or identifying characteristics.

Signed: _____

Name: _____

Date: _____

Email & Phone: _____

Postal address: _____

Use and Disclosure of Information

The *Privacy and Personal Information Protection Act 1998* provides for the protection of personal information and for the protection of privacy 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 development of the Sustainability Network, including the development of an email network. It will not be added to a mailing list or provided to a third party. We will not disclose your personal information without your consent.

Interview Participation Consent Form



Project title: *Ku-ring-gai to global – Community Sustainability Survey*

Researcher leader and interviewer: Kirsten Davies, Sustainability Program Leader, Ku-ring-gai Council

NOTE: This consent form will remain with Ku-ring-gai Council for its records

Thankyou for agreeing to be a participant in this project, your contributions will be valuable for the future directions of Ku-ring-gai.

Please read the following carefully:

1. I consent to be interviewed by Kirsten Davies for this sustainability research project.
2. I have received and read a copy of the Participation Information Sheet and have been given the opportunity to discuss the information and my involvement in the survey with the researcher.
3. I understand that this interview is voluntary; that I may refuse to answer any questions at any time; that I will remain anonymous in this project;
4. I give permission for the interview to be digitally recorded and transcribed.
5. I understand that I can stop this interview at any time, for any reason, without being penalised or disadvantaged in any way.
6. I understand that my involvement is strictly confidential, and that any data that the researcher takes from the interview for use in reports or published findings will not, under any circumstances, contain names or identifying characteristics.

Signed: _____

Name: _____

Date: _____

Your continuing involvement

As this project progresses we will be involving people in future stages.

1. Do you agree to be contacted for further stages? Yes No

If you would like to receive a copy of the draft report of this project please provide your preferred contact details.

Email: _____

Postal address: _____

Use and Disclosure of Information

The *Privacy and Personal Information Protection Act 1998* provides for the protection of personal information and for the protection of privacy 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 development of the Sustainability Network, including the development of an email network. It will not be added to a mailing list or provided to a third party. We will not disclose your personal information without your consent.

CONNECT Ku-ring-gai
Intergenerational research – focus groups

** Please tick the box that best suits you*

I am:

1. Male **Female**

2. Age group

a. 5-11 years

b. 12-17 years

c. 18-24 years

d. 25-39 years

e. 40-59 years

f. 60-79 years

g. 80 + years

3. Place of birth

a. Australia

b. Other

i. Country of birth.

ii. I have lived in Australia for years

4. Parents' places of birth

a. Australia

b. Other

iii. Countries of birth.

5. Time in Ku-ring-gai

a. I have lived in Ku-ring-gai foryears

6. Main type of work

I mainly work / worked as a:

Thankyou

8.2 Formal parental and school consent form

CONNECT Ku-ring-gai **Permission for filming and photographing student participation in class discussion**

I, (parent / guardian) of

..... (student's full name), give my

permission for him/ her to participate in the class discussion for the project called *CONNECT Ku-ring-gai*. I have read the information provided and understand the requirements and objectives of this part of the project being undertaken by Ku-ring-gai Council.

I give my permission for (student's name) to be photographed and his/ her voice recorded as part of the documentation of the project, and for Ku-ring-gai Council to have ongoing use of this footage. I understand that that this documentation may be displayed in the public arena at a later date (for example, as part of the Community forum presentations in June 2007).

Signed..... (parent/ guardian)

Signed..... (student)

Date.....

Please return this form to the teacher who distributed it.

Students will not be permitted to participate until this slip has been returned.

8.2 Interview questions

CONNECT Ku-ring-gai

Intergenerational research - Interview questions

1. What do you *most* like about living in your suburb?
2. What do you like *least* about living in your suburb?

About your suburb / neighbourhood...

3. What do you think it was like living in your suburb 25 years ago?
4. What is it like living in your suburb now?
5. What do you think it will be like living in your suburb in another 25 years?
6. Do you feel as though you belong to your suburb / Ku-ring-gai? *Please tell me why/why not*
7. Is it different living in Ku-ring-gai to the rest of Sydney?
How? Why?
8. What are the influences of Australia's multiculturalism?
9. What can people do to make your suburb / Ku-ring-gai a better place to live?
10. What can Council do to make your suburb / Ku-ring-gai a better place to live?

8.2 Invitation to the community forums

"We should work to a level where children's views are regarded just as important as adults as we are the ones that shall be living the future and know what could make Ku-ring-gai and the world a better place for children." - 10 year old Ku-ring-gai resident. "We're 20 minutes walk to the station and there are no buses during the day after say, 9 o'clock... the suburb's kind of hard to get out of." - 17 year-old Ku-ring-gai resident. **"It's far enough away from all the big events and what's happening in the city but also close enough to be a part of it" - 24 year old Ku-ring-gai resident.** "I hope that in 25 years we won't even dream about building a house without solar panels, rainwater tanks... double glazing and things like that. That would be wonderful." - 51 year old Ku-ring-gai resident. **"I do hope we don't lose too many of our native trees - they're our biggest asset. They are our real heritage and Australians need to recognise and appreciate what they have. Trees get chopped down and we lose what is inherently beautiful and in a way spiritual about this place."** - 59 year old Ku-ring-gai resident. **"The feel of being in a village atmosphere where most days you happen to walk into the shops and you know the people around you" - 43 year old Ku-ring-gai resident.** **"It's the place I bought my little piece of Australia and it made me feel like I belonged."** - 86 year old Ku-ring-gai resident. "We must see how much water we can save, don't waste any of it. It's too precious to waste." - 68 year old Ku-ring-gai resident. "The roads, in my time, were just gravelled... there are different shops, much bigger everything, because in 49 years, things do change." - 99 year-old Ku-ring-gai resident.

What's it all about?

Ku-ring-gai Council's Sustainability Team have recently been meeting with residents to determine community views and needs to help plan for our future. We have conducted individual interviews and focus groups based on 7 generations, speaking with local people from 10 to 100 years of age and from different sectors of the community. At the forums on Thursday 21 June 2007, residents of different ages will discuss future priorities for Ku-ring-gai's people, environment and economy, establishing the foundations for our sustainability plan.

Cannot attend?

If you wish to contribute, but cannot attend, submissions will be accepted up to 6 July 2007. Please contact Carolyn Love for a copy of the submission procedure.



Environmental Levy
Ku-ring-gai Council

printed on recycled paper



The Mayor and Councillors of Ku-ring-gai

would like to invite you, your family and friends to one of two planning forums to discuss the future directions for a sustainable Ku-ring-gai. These forums are an important part of the 'conversations with our community' that are building a long term sustainability plan for Ku-ring-gai.

Date: 21st June 2007

Venue: Council Chambers,
818 Pacific Highway, Gordon

Times: Daytime session 11.30 a.m. - 2:00 p.m.
Evening session from 6:30 a.m - 9:00 p.m

The forums are open to all Ku-ring-gai residents from 10 years of age.

Non-residents are welcome to attend as observers.

RSVP

If you would like to participate and to assist us with our planning, it is essential that you RSVP before Friday 14 June 2007.

RSVP by emailing Carolyn Love: clove@kmgc.nsw.gov.au, telephone: 9424 0141, or post to Ku-ring-gai Council, c/o Carolyn Love, Locked Bag 1056 Pymble, NSW 2073.

8.3 Press Articles

Advocate 21 June 2007 p.10

Help us be sustainable

BRETT COX

KU-RING-GAI residents of all ages are being invited to special forums to give their views on local issues as part of the council's development of its long-term Sustainability Plan.

The forums, to be held today and tonight at the council chambers, will canvass issues to do with the local environment, people and economy with the intention of preparing the council to reduce its ecological footprint over coming years.

"In developing this plan we have already done extensive consultations via individual interviews and separate forums for seven generations of residents from age 10 to 100," Mayor Nick Ebbeck said.

"The life knowledge and experience of all of our citizens across the generations can make a big contribution to sustainability initiatives such as addressing climate change."

The forums will be held today, Thursday, at 11.30am and 6.30pm at 818 Pacific Highway, Gordon and are open to anyone aged over 10.

Light Refreshments will be provided at both sessions.

If you wish to contribute but can't attend a forum, you can make a written submission until July 6 by calling 9424 0141 or going to www.kmc.nsw.gov.au

North Shore Times 18 April 2007 P.8

NEWS



Student Elijah Swift, sustainability researcher Jean Brennan, Amelia Eames, Mayor Nick Ebbeck, Tessa Pang, program leader Kirsty Davies, Rachel Yoo and Lucinda Mance share ideas.

Future placed in young hands

THE environmental future of Ku-ring-gai has been passed into young hands as part of the planning process.

Students are being quizzed on Ku-ring-gai's future as part of Ku-ring-gai Council's development of a sustainability plan.

Mayor Nick Ebbeck said it was an innovative new approach for community consultation which would help put all activities and services on a long-term sustainable footing.

"We want to listen to the ideas and aspirations of young

people because they will be the future guardians of our environment," Cr Ebbeck said.

Last week students from eight local schools attended focus groups at the council chambers to take part in discussions about their views on sustainability issues.

These views will be included in research which will help shape the sustainability plan over the next two years.

The council will also interview people of all age groups for

the research over the next few months.

Two intergenerational forums will then be held on June 21 where people from all age groups will come together and discuss Ku-ring-gai's future.

Students from Sydney Grammar Preparatory School at St Ives, Wahroonga Public, Gordon West Public, Pymble Ladies' College, Roseville College, Killara High, Ku-ring-gai Creative Arts High School and Knox Grammar attended the forum last week.

NEWS

Future leaders have their say

School children in Ku-ring-gai have seen the future – and have told the council all about it.

Students from eight local primary and high schools were given a chance to voice their views on local issues as part of Ku-ring-gai Council's development of a "sustainability plan" for long-term management.

The program's leader, Kirsten Davies, said the consultation session had revealed that preserving the natural environment was one of the students' major concerns.

"The youngest group was especially worried about the future of animals, such as possums, and that future children will have the sporting facilities they currently enjoy," Ms Davies said.

The youngsters also said they valued Ku-ring-gai as a safe and caring society, and attributed this to the area's long-term residents. "They are worried that with increasing population growth, this sense of security and belonging may change, along with issues such as increased traffic pressure on the environment."



Local school students, pictured with Ku-ring-gai mayor Nick Ebbeck, gave their views on the area's future at the council's chambers. Photo: Amos Aikman

Ms Davies said the students had also expressed concern about the influence of technology. While they identified some advantages, such as access to information and better communication, they were concerned

about obesity, and losing contact with each other and the environment.

Ku-ring-gai mayor Nick Ebbeck said the council would continue to interview people of all ages, and hold two intergenerational forums, where

all age groups could come together and discuss Ku-ring-gai's future.

"These views will be included in research which will help shape our sustainability plan over the next two years," Cr Ebbeck said.

NEWS



This 12-year-old advises council on climate change

ELIJAH Swift will bring a kid's point of view to the topic of climate change.

At 12, the Turramurra student is on Ku-ring-gai Council's new sustainability reference group.

Group members' ages range from 12 to over 80 – the oldest is 85-year-old Cecil Blumenthal, of St Ives.

"Climate change is a major issue, not that it's exactly playground talk," Elijah said. "It's good that the council is thinking towards the future."

The advisory group met for the first time this week to guide council decision-making on sustainability issues and to further develop a climate change response.

Elijah, a Year 7 student at Sydney Grammar, said although everyone was a "whole lot older" than he was, he hoped to bring his own ideas to the group. "I don't know as much (as the adults) but the environment is our future so it is really good to have kids

in the group," he said. "We'll discuss things from a kid's point of view.

"I've already got a few ideas and I think water tanks and water recycling are a really good idea.

"Ku-ring-gai is a great place to live. It has so many parks and wildlife areas – if I have kids I want it to be the same if not better (place to live)."

Mayor Nick Ebbeck, who chairs the group, said it would play a key role in strengthening Ku-ring-gai's commitment to long-term sustainability and protecting the environment.

"We want to get the best possible community input into our decision-making on sustainability issues so it was important that the group have members from a wide cross-section of our community," he said.

It also has experts in areas such as urban planning, education and environmental science.

KATRINA ADAMSKI

Picture: JOHN APPELYARD ANX16997

8.4 Further Information

Australian Conservation Foundation

<http://www.acfonline.org.au/Default.asp?c=212426>

Australian Greenhouse Office. Australia's Solar Cities

<http://www.greenhouse.gov.au/solarcities/index.html>

Australian Greenhouse Office Global warming Cool it. A home guide to reducing energy costs and greenhouse gases

<http://www.greenhouse.gov.au/gwci/index.html>

The Australian Research Institute in Education for Sustainability (Macquarie University)

<http://www.aries.mq.edu.au/>

Australian Sustainable Schools Initiative

<http://www.environment.gov.au/education/aussi/index.html>

Building Commission Victoria

<http://www.buildingcommission.com.au/www/html/7-home-page.asp>

Global Reporting Initiative About GRI

<http://www.globalreporting.org/AboutGRI/WhatWeDo/>

How you can help - sustainable living

<http://www.environment.nsw.gov.au/support/living.htm>

Living sustainably today

www.livingthing.net.au

Natural Strategies Group

<http://www.naturalstrategies.com.au/?gclid=CIC3uLzW7I8CF5WmIgodKGwXIQ>

New South Wales Building Sustainability Index (BASIX)

www.basix.nsw.gov.au

Public consultation

<http://www.environment.nsw.gov.au/consult/index.htm>

Residential rebate program

<http://www.environment.nsw.gov.au/rebates/index.htm>

Sustainable business

<http://www.environment.nsw.gov.au/sustainbus/index.htm>

Calculating your ecological footprint:

www.myfootprint.org

www.epa.vic.gov.au/ecologicalfootprint/calculator/default.asp



Contact Ku-ring-gai Council
Sustainability Program Leader
818 Pacific Highway
Locked Bag 1056, Pymble NSW 2073
T 02 9424 0800
E kdavies@kmc.nsw.gov.au
W www.kmc.nsw.gov.au

ENVIRONMENTAL LEVY PROGRAMS MEETING - MINUTES OF 27 FEBRUARY 2008

EXECUTIVE SUMMARY

PURPOSE OF REPORT:

To bring to the attention of Council the proceedings from the Environmental Levy Programs Forum meeting held on Wednesday, 27 February 2008.

BACKGROUND:

The Environmental Levy Programs Forum are one of the three Environmental Levy advisory forums, who meet twice yearly for discussions on progress and direction of the Environmental Levy.

COMMENTS:

At the meeting of Wednesday, 27 February 2008, six (6) items were discussed. Project and proforma assessment, estimated maintenance costs, climate change, stormwater and Environmental Levies, the review of current Environmental Levy programs and discussion regarding the site wish lists.

RECOMMENDATION:

That the Minutes and attachment from the Environmental Levy Programs Forum meeting held on Wednesday, 27 February 2008 be received and noted.

PURPOSE OF REPORT

To bring to the attention of Council the proceedings from the Environmental Levy Programs Forum meeting held on Wednesday, 27 February 2008.

BACKGROUND

The role of the Environmental Levy Programs Forum is to provide expert advice and feedback to Council on matters in relation to the direction and progress of the Environmental Levy. Membership to this Forum was previously considered and supported by Council on 26 September, 2005.

COMMENTS

There were six items for general business discussion at the meeting of Wednesday, 27 February 2008. Minutes of the meeting are included as Attachment 1 to this report:

1. the Forum reviewed the audit assessment proforma for Environmental Levy projects and it was decided the proforma was a suitable tool for assessing projects.
2. an estimated maintenance cost form was distributed to the Forum for comment. Members suggested education was of high importance in relation to household impact which is currently occurring in bushland. A report by Rymill Abell (Attachment 2) was highlighted for reading by the Forum.
3. the Forum discussed and recommended that the Environmental Levy assist the community with practical guidance for issues such as climate change as highlighted by the new Sustainability Reference Group and Sustainability Reporting Team.
4. a discussion on the use of levies within Ku-ring-gai to assist with the management of the natural environment.
5. a review of the current five Environmental Levy programs and the ten program areas were considered relevant for any future programs by the Forum.
6. a list of sites were reviewed by the Forum which are yet to be scheduled for remediation works under the Environmental Levy.

CONSULTATION

The Forums are consultative forums representing the interests of residents, community groups and industry experts.

FINANCIAL CONSIDERATIONS

There are no financial considerations as part of this report. The Program Forum has sought advice on the financial implications of expanding elements of the program, though these are to be discussed further prior to reporting to Council.

CONSULTATION WITH OTHER COUNCIL DEPARTMENTS

The finance section of the Corporate department has assisted in the development of the presentation to the Forums.

SUMMARY

The Environmental Levy Programs and Audit Forums provide an advisory role as to the direction of new, and auditing of existing projects to be funded by the Environmental Levy. At the meeting of Wednesday, 27 February 2008, six items of business were discussed, including project and proforma assessment, estimated maintenance costs, climate change, stormwater and Environmental Levies, the review of current Environmental Levy programs and discussion regarding the site wish lists.

RECOMMENDATION

That the Minutes and attachment from the Environmental Levy Programs Forum meeting of Wednesday, 27 February 2008 be received and noted.

Mary-Lou Lewis
**Natural Areas & Environmental
Levy Program Leader**

Peter Davies
**Manager Corporate
Planning & Sustainability**

Andrew Watson
Director Strategy

Attachments:

- 1. Minutes of Meeting held 27 February 2008 - 906769**
- 2. Abstract from Ecological Management & Restoration - 908239**

Environmental Levy Programs and Audit Forums

**Wednesday, 27 February 2008
Level 2 – 6.30pm**

Attendees:

Members	Staff
Breville Johnson Eija Roti John Balint Nancy Pallin Alex Horn	Mary-Lou Lewis – Natural Areas & Environmental Levy Program Leader

Apologies:

Members	Staff
Harley Wright Liz Deane (retired)	Peter Davies – Manager Corporate Planning & Sustainability

Meeting open 6.30pm

Confirmation of Minutes:

The minutes were reviewed as adopted by Council on February 5 2008. The Forum queried Council's response to:

1. The need to increase bush regenerators to a team of 18.
2. The possibility for bushland to incur the savings made through no mow programs.

In response to point one above, 18 staff would correlate to the cost of between \$600,000 and \$800,000 per year including cars and on costs (made up of):

15 staff salaries at \$30,000 each = \$450,000

3 staff salaries at \$50,000 each = \$150,000

3 operational pool cars at \$33,000 each (*purchase price*) = \$99,000

3 vehicles at approximately \$12,000 each = \$36,000 (*per financial year, estimate maintenance, depreciation and running costs*)

TOTAL: \$735,000 per year

In response to point two, some areas have been requested to reduce the regular mowing as part of the program (to allow for regeneration of natural vegetation). The cost savings through a reduction in the mowing could be allocated to the site through hand weed control techniques for maintenance.

General Business

ELPC 16 – Project assessment

The Forum reviewed the audit assessment proforma as distributed with the Minutes of meeting of 26 November 2007. The proforma was discussed and accepted as a suitable tool for assessment of levy projects by the Audit Forum. The Forum considered an additional assessment by the program representatives was required. The program leader will distribute a selection of sites to be assessed by the program forum. This would enable ongoing site visits at the member's convenience.

ELPC 17 – Estimated maintenance costs

An estimated maintenance cost form was provided to the Forum for review and comment. This was to highlight the need to allow costing for maintenance of all Environmental Levy work. Forum members suggested reducing the maintenance through educating the public in household impacts occurring in bushland. For example, education programs are required to address weeds and stormwater issues.

Each site needs to identify where and at what level of improvement is required. It was suggested we all read a report by Rymill Abell called Bush regeneration at Paddy Pallin Reserve: A comment on the importance of reliability and flexibility of funding to deliver ecological outcomes. This article is from Ecological Management & Restoration Vol 6 No 2 August 2005.

ELPC 18 – Climate Change

The Forum suggested following up on recommendation and findings highlighted by the Sustainability Reporting Team and Sustainability Reference Group to shape the future of the Environmental Levy. It was recommended that the Environmental Levy could assist the community with practical help and guidance regarding climate change, for example information on water tanks and energy savings.

ELPC 19 – Stormwater and Environmental Levies

The Forum discussed the use of other levies to assist in the management of Ku-ring-gai's natural environment. A stormwater levy may become available to Ku-ring-gai which would assist to fund stormwater maintenance projects. A report by the Natural Areas & Environmental Levy Program Leader of a recent Willoughby Council information night. It proposes to increase the current e-restore program (Willoughby's Environmental Levy). Willoughby Council survey was distributed to the Forum for review and comment. A question was asked is there a need to do another survey for Ku-ring-gai's next levy? The forum would like to promote the work that is currently completed or to be completed.

ELPC 20 – Review of current Environmental Levy Programs

The five existing environmental management programs were reviewed then the ten program areas were considered relevant for any future levy programs.

The Forum addressed the need to increase community involvement and engagement in developing recognition of levy projects and focussing on behaviour changes.

The Forum considered future planning of the Environmental Levy and direction may include a survey but prior to that a positive promotion for the current Environmental Levy is required to demonstrate work currently taking place.

The Forum suggested that Council's Environment Officer's would be the main face for the community. Officers should include, as part of their role, displays in shopping centres and libraries for environment week and other special events. Topics covered can include:

- using previous survey data to demonstrate what was highlighted as important by the community and what has been done to remediate concerns. For example, 23% of the community outlined riparian health as great importance. So an idea would be to take photographs as evidence of what works has taken place to remediate.
- monitoring user hits of council's web site to determine that information is getting the community.
- introduce an advice line where residents can access information. It will include where to go to find current assistance programs, details on green living programs, advice for suitable landscaping tips, water tanks, grey water retrofit and solar and wind turbine energy saving opportunities.

ELPC 21 – Wish List Review

The Forum reviewed a list of sites that are yet to be scheduled for remediation work. Council's Natural Areas & Environmental Levy Program Leader suggested why there was a need to address the wish list sites. The Forum would like to be advised of future projects.

The Forum requested findings from catchment based analysis be investigated to gain a strategic approach to land management.

Other Business:

Ms Liz Deane has retired from the Forum and Council would like to thank her for her outstanding contribution.

Next meeting – date to be confirmed.

Meeting Closed at 8.30pm

database. Another database is the Sub-Tropical Site Management database, a project begun by researchers at Southern Cross University in Lismore. CSIRO also has a tree performance database that is a subset of the original Treedat system. Some of the organizations maintaining these databases have struggled in the past to secure on-going funding to update and analyse the data. Yet the start has already been made.

13.17.4

Synthesis. Pp 21–25, Grant Wardell-Johnson¹, John Kanowski², Carla Catterall² and Peter Erskine³. (¹School of Natural and Rural Systems Management, The University of Queensland, Gatton Qld; ²Environmental Sciences, Griffith University, Nathan. Qld; ³School of Life Sciences, The University of Queensland, St Lucia, Qld).

Key words: harvest security, integrating ecosystems and production, landscape ecology, mixed-species plantations, monocultures, multiple use plantations.

While many of the papers presented at this workshop pointed to the availability of useful scientific data being a long-term rather than short-term likelihood, this paper synthesised much of the thinking emerging from a cross-disciplinary reading of developments in the fields of landscape ecology, silviculture and environmental services. Interesting points made were that larger plots (i.e. > 200 ha) may have benefits for both farm forestry and ecological restoration and that while it may be appropriate to increase levels of timber production on cleared farmland in regions that already include an acceptable percent cover of native forest (e.g. 30%) in regions with less cover, it may be important to plan to include a substantial component of biodiversity in the plantation scheme. The synthesis also includes consideration of issues of harvest security and impacts of harvest on biodiversity. Many landholders feel threatened by the potential value of their plantations for biodiversity because they believe they may be prevented from harvesting biodiverse plantations. However, most governments have made provision for landholders to register plantations for future harvest. In general, harvest security is likely to increase with the amount of forest cover. Thus, it is more likely to be an issue where little forest cover remains. Whatever the value of plantations to biodiversity, there is obviously a loss of much of that biodiversity during the harvesting of plantations. It may be possible to use silvicultural solutions (e.g. selective or small-patch logging rather than large-scale clear felling) in dealing with aspects of these kinds of trade-off between biodiversity and productivity. These issues of potential conflict also raise questions that can be answered through a combination of new types of plantation trials, research and monitoring.

CULTURAL & SOCIOECONOMIC ISSUES & SOLUTIONS

14.26

Bush regeneration at Paddy Pallin Reserve: A comment on the importance of reliability and flexibility of funding to deliver ecological outcomes.

Rymill Abell. 1 Cook Road, Lindfield, NSW 2070, Australia.
Tel. 02 9416 5936. Email: rymill@idx.com.au
[PEER REVIEWED].

Key words: bush regeneration, corporate sponsorship, follow up, funding models, local government.

It is often claimed that a bush regeneration approach (which focuses on reducing weed resilience and harnessing and building

native vegetation resilience) can offer improved effectiveness and efficiencies compared to traditional methods of weed control (Bradley 1971; Buchanan 1990). This note discusses the results of work undertaken by skilled bush regeneration teams over the last 4 years in Paddy Pallin Reserve, where works were funded in a timely manner by corporate sponsorship, bypassing the problem of administrative delays common to many projects elsewhere. The note seeks to offer insights into the ecological effectiveness and cost-efficiency of a bush regeneration approach when continuity of follow up is secured.

The Reserve and its prior condition. Paddy Pallin Reserve, located between Provincial and Highfield Roads, Lindfield (in the northern suburbs of Sydney), was originally set aside as a drainage easement. The Reserve contains a small (0.15 ha) remnant of the endangered ecological community, Sydney Turpentine-Ironbark Forest. Part of Ku-ring-gai Council's public open space system, it was dedicated by Council in 1985, to honour a local citizen, Paddy Pallin, 'in recognition of his services to youth over many years and his encouragement to people of all ages to share his love of the great outdoors'.

The Sydney Turpentine-Ironbark Forest of this site is dominated by Turpentine (*Syncarpia glomulifera*), Blackbutt (*Eucalyptus pilularis*), Red Mahogany (*Eucalyptus resinifera*), and Sydney Red Gum (*Angophora costata*), with understorey shrubs including Sweet Pittosporum (*Pittosporum undulatum*), various acacias (*Acacia* spp.), Breynia (*Breynia oblongifolia*), Sandfly Zieria (*Zieria smithii*), and Maytenus (*Maytenus silvestris*). Native forbs include Cockspur Flowers (*Plectranthus parviflorus*), *Lomandra* spp., *Dianella* spp., Pastel Flower (*Pseuderanthemum variabile*), Nodding Greenhood Orchid (*Pterostylis nutans*); with grasses including Stout Bamboo Grass (*Stipa ramosissima*), Weeping Grass (*Microlaena stipoides*), Right-angle Grass (*Entolasia* sp.), Basket Grass (*Oplismenus imbecillis*), and Small-flowered Fingergrass (*Digitaria parviflora*). Twiners include Running Postman (*Kennedia rubicunda*), Glycine (*Glycine microphylla*) and Snake Vine (*Hibbertia dentata*). [Nomenclature follows Harden (1990–1993).]

At the beginning of the project in 2000, well established weed populations were present in the bushland area, including a heavy infestation of the grass Ehrharta (*Ehrharta erecta*) over most of the site; a large area of Tradescantia (*Tradescantia fluminensis*); an area containing Fishbone Fern (*Nephrolepis cordifolia*), Agapanthus (*Agapanthus africanus*), and Morning Glory (*Ipomoea indica*); three separate infestations of Madeira Vine (*Anredera cordifolia*); as well as various Flatweeds (*Hypochoeris radicata*., *Gnaphalium* spp.), *Oxalis* spp., Arum Lily (*Arum italicum*), Ochna (*Ochna serrulata*), False Breynia (*Phyllanthus hirtellus*), Onion Weed (*Nothoscordum borbonicum*), and some Balloon Vine (*Cardiospermum grandiflorum*).

Early treatments – and a conflict of approaches. Some bush regeneration treatments (consistent with Wright 1991) were carried out by a volunteer in the early 1990s. At that time, a severe infestation of Morning Glory was controlled and a patch of Tradescantia eliminated, with both areas subsequently recovering with naturally regenerating native vegetation. The volunteer stopped working, however, when Council staff and

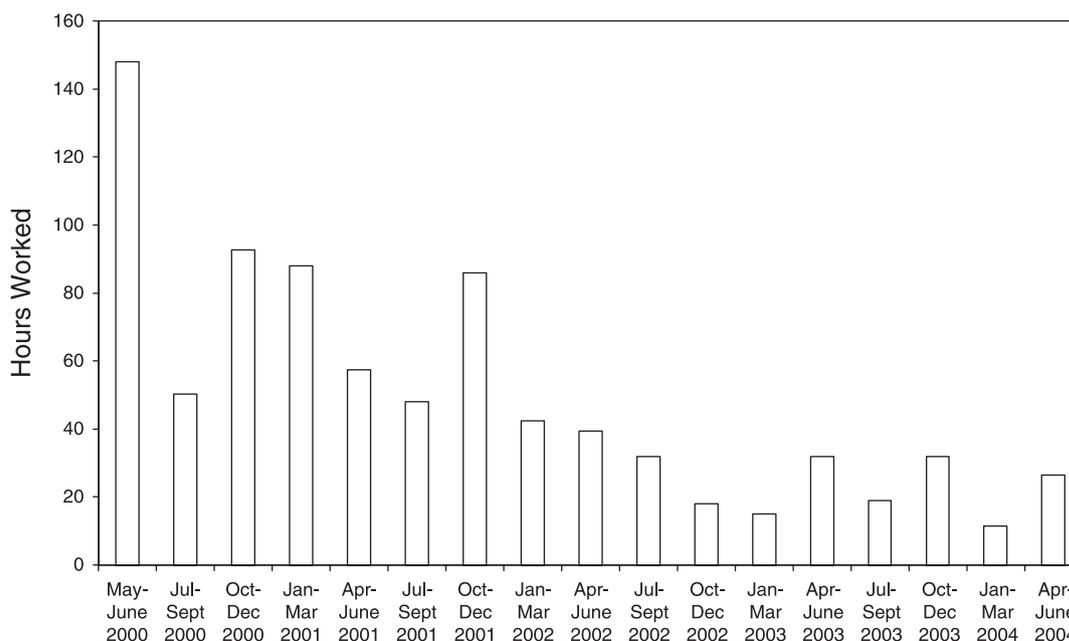


Figure 1. The lessening effort (over 4 years) required to treat weed infestations in urban bushland at Paddy Pallin Reserve, Lindfield, NSW.

contractors repeatedly applied herbicide to and mowed the work areas – an approach that complied with traditional ‘park maintenance’ approaches but damaged the regeneration occurring on the site. For a 5-year period (from early 1995 until 2000), Council contractors continued to apply herbicide alone for weed control, and the indigenous ground cover plants became badly affected by that regime, leaving depauperate vegetation, with *Ehrharta* the most visible plant for much of the area.

In 1996, Council’s Bushland Advisory Committee expressed to Council their concern that the weed management of the Reserve was not effective. A reply to the Committee indicated that a maintenance team visited the Reserve every 3 weeks and that this team would care for the bushland area. Local conservationists, however, continued to be critical of the level of training and supervision of the maintenance staff and consistently advocated better care of the Reserve.

The inputs during the 5-year period comprised a Council Parks team of two, tending the Reserve once or twice a month for about half a day (D Wilks, Ku-ring-gai Municipal Council, pers. comm., 2005). Assuming that a quarter of the time was spent working in the bushland area, it is estimated that the time spent there would have been about 9 person-hours per quarter. Also, between 1998 and 2000, there were occasional visits by a Council bush regeneration team and the noxious weed team, but no figures for those efforts are available.

Recent Treatments. In May 2000, Council contracted a skilled bush regeneration team to work in Paddy Pallin Reserve. This funding was supplemented by a philanthropic donation from the firm of Paddy Pallin Pty. Ltd., which subsequently has been funding all of the bush regeneration work in the Reserve. While these funds

were originally handled through Council, they are now made directly to the contractor to overcome the effect of administrative delays on the timing of urgent weed control. Council’s role is now confined to approving the work plan and receiving the reports at the end of each contract; an arrangement that has been most successful and is expected to continue if the results satisfy all parties.

The corporate sponsorship enabled a professional bush regeneration team to be contracted to work in the Reserve. The team was selected on the basis of competitive tender. The first 2-month contract began on the site in May 2000, concentrating mainly on the Madeira Vine infestations, some areas of *Tradescantia*, and reducing the amount of *Ehrharta*. This was followed in September by a 3-month contract, and after that, contracts of 6–15 months were worked continuously until June 2004.

Across all contracts, areas considered to have the most potential for regeneration were given priority over those with less resilience. In these areas, repeated follow up was carried out prior to moving to new areas, and weed regrowth did not reach the seeding stage. In the first half of 2002, it was estimated that at least two-thirds of each work day was spent on follow up of previously weeded areas in order to stay ahead of seeding *Ehrharta*.

Results. With removal of the heavy infestations of Fish bone Fern, *Agapanthus* and *Tradescantia*, a gradual but steady increase occurred in the area of native vegetation cover. For example, after the first two of the contracts (totalling 291 hours worked), regeneration of native ground covers was already evident and 10 native plants were added to the list of species counted on the site. After the first of the 6-month contracts (a further 145.5 hours worked), the native species list was expanded by a further four

taxa – a trend that continued with each contract. Of the 67 species now present on the site (including eight forbs and twiners, three grasses, 11 trees and shrubs, eight ferns, five sedges, and three fungi), a total of 38 species have regenerated across the site, 11 of which were not previously observed on site. With constant attention, Ehrharta and Madeira Vine have become dramatically reduced and replaced by a prolific spread of natives including Weeping Grass, Basket Grass and Pastel Flower.

Importantly, the time needed for bush regeneration of the site has also lessened considerably over the 4 years (Figure 1). As is typical of bush regeneration sites, substantial inputs were initially required to achieve reduction of weed cover and regeneration of native species. While the site, because of its boundary length and relatively small area, will require constant attention in the future, it is now considered to be at a steady level of input, equating with a 'maintenance' regime.

Implications for management. If the trend shown in Figure 1 is relatively stable, we assess that 20 hours of skilled bush regeneration inputs per quarter will be sufficient to maintain the site in optimum condition. While this is twice the estimated figure of 9 h/quarter that the traditional approach of Council would have invested on an ongoing basis, we suggest that the bush regeneration approach represents a better long-term investment as it actually achieves substantial regeneration of a natural asset; and this condition can now be sustained at what would still be considered a relatively low cost.

While it is likely that the regeneration results were triggered by the regular attention by skilled regenerators (using consistent personnel, which enhanced predictability of the treatments needed), two other key factors have also been important: (i) the far greater *flexibility* and (ii) the far greater *reliability* of funding provided by a corporate sponsor.

Administrative flexibility allows a supervisor to extend a contract when dry weather slows plant growth so that money is available when weather conditions trigger a major regeneration event. This allows work to be done as seasonal conditions dictate and can mean the difference between having the resources or not to treat weed before it seeds.

Reliability of funding is also invaluable. Delays in funding contracts are very common in the bush regeneration field, creating a situation where decisions about the timing of work are made by financial administrators rather than by field supervisors. Yet short-term or interrupted funding for weed control cannot achieve reliable outcomes. Bush regeneration is, by nature, a responsive, iterative process. Each new foray into a previously untreated area creates an initial increase in weed – as it triggers germination or resprouting of soil-borne propagules of that weed (as well as of other species lying dormant) (Buchanan 1990). This means that delayed timing of treatments, as well as poor technique can cause a site to go backwards in the vulnerable recovery phase of a project. In extreme cases, funding gaps or inflexibility imposed by cumbersome administrative processes can even be enough to cause worsening of infestations of some weed species.

In summary, we suggest this case of philanthropic funding on a regular basis is an example of good corporate investment in

the environment and a flexible response by Council. While the inertia of bureaucracies will continue to play a part in the letting of contracts, direct funding of contractors by the corporate sponsor (for work plans agreed to by the land manager) bypasses the very common problem of inflexibility and delays in funding. Given the importance of continuity of treatment to the results, greater efficiencies would be gained if funding (whether corporate or government) were at least 'pledged' for periods of 5 years or more.

Acknowledgements. Thanks are given to the Ku-ring-gai Council Bushland Advisory Committee for access to their data and Leanne Cusiter, Fay Fennell, Maralyn Lawson, Rob Pallin, Nancy Pallin, Helen McNamara, Fran Reddacliff, Sheila Walkerden, Richard Waterfield and David Wilks for their contributions and help in preparing this note. The project would not have been possible without the inspiration of pioneer bushwalker and friend, Paddy Pallin.

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14.27

FROM: Hill, R and Turton, S.M. (Eds) (2004) **Culturally and Environmentally Appropriate Economies for Cape York Peninsula. Proceedings of an Appropriate Economies Roundtable 5–6 November 2003, Cairns.** Cooperative Research Centre for Tropical Rainforest Ecology and Management, and Australian Conservation Foundation, Rainforest CRC, Cairns. (108 pp). (For copies of this document, please visit: www.rainforest-crc.jcu.edu.au)

14.27.1

Natural heritage values as a framework for assessing environmentally appropriate economic activity. Pp. 25–27, B. Mackey. (School of Resources, Environment and Society, Faculty of Science, The Australian National University, Canberra, Australia. Email: brendan.mackey@anu.edu.au)

Key words: World Heritage, Cape York Peninsula, integrating ecosystems and production.

One of the invited papers in this landmark workshop, this paper commences with the observation that economic activity is usually seen as development that pollutes the environment and mines what could be renewable natural resources, causing habitat loss, fragmentation and degradation leading to the loss of biodiversity. If Cape York Peninsula follows the same course of economic development as southern Australia, it is difficult to imagine how large-scale degradation of natural heritage values will be avoided. If potential exists for a different style of environmentally appropriate economic activity in northern Australia, however, we need to consider what it is about the environment that we value and seek

to protect. The paper draws on a report for the Queensland Government which assessed the natural heritage values of Cape York Peninsula against criteria for Australian and World Heritage natural value criteria (see http://www.epa.qld.gov.au/nature_conservation/). Interpretation was also made in the light of advances in ecological understanding about the conservation significance of natural ecosystem processes; and relationships between environmental determinants of biotic response, habitat, community organisation, and disturbance regimes. The main result of the assessment was that Cape York Peninsula is of national and world natural heritage significance when evaluated against all criteria, particularly the criterion of Natural Integrity. The paper provides some useful insights about potential economic activities that could maintain and do not substantially degrade the existing natural heritage values of Cape York Peninsula. The challenge is to promote new patterns of production and consumption that simultaneously sustain natural heritage values and deliver social and economic justice to the people and communities of the region.

14.27.2

Economic development and conservation in northern Australia: Threats and opportunities. Pp. 29–33, P. Whitehead (ARC Key Centre for Tropical Wildlife Management, Charles Darwin University, Darwin, Australia. Email: peter.whitehead@cdu.edu.au).

Key words: caring for country, ecological economics, extinctions, integrating ecosystems and production.

Although north Australia has so far avoided the worst of the impacts that follow poorly considered development, pressures on savanna landscapes are increasing. Some people have suggested that we may shortly be facing extinctions and range contractions of an order similar to the losses from arid lands that followed a few decades after intensification of land use by the pastoral industry. Likely contributors to decline include changes in the way fire is used; changes to grasses through pastoralism and associated imports or spread of exotic plants and animals. Loss of resource-rich patches from the landscape (by their use for agriculture) can have effects that spread much further than the patches themselves as they are keys to survival for wide ranging species. Weeds, feral animals, and fire cannot be managed by walking away and treating places like Cape York Peninsula as 'wilderness'. More, rather than fewer, people active on country may be needed to deal with the existing threats. However, these people need to be supported in some way or their economic activities will add new problems or increase the severity of existing ones. Indigenous people in some areas will wish to enhance or restore elements of the customary economy. Tourism based on natural and cultural values is another obvious option, as is commercial use of native species – but these will require investments of time and money and will not bring results overnight, nor benefit all parts of the Cape. In parts of the savannas, Indigenous people have responded to this challenge by forming 'Ranger' groups who both carry out land management work themselves and assist others to be more active on their country. These groups may be involved in tourism and have commercial use of wildlife to help fund their work, but the primary objective is to 'care for country' by managing fire, feral animals and weeds. Preliminary analysis suggests that the cost of achieving arguably similar conservation outcomes in this way is much lower than the alternative formal reserve management model. However, despite the commitments in Federal legislation, the movement remains fragile. Much greater and more coherent government support is needed. From a conservation perspective, the great advantage of such a path will be a dependence on the maintenance of natural systems providing natural products and services, rather than acceptance of the orthodox assumption that the only economically productive landscape is a grossly altered and subjugated one.

14.27.3

Ecological sustainability in northern Australia. Pp. 35–41, R. Hill (Australian Conservation Foundation and School of Tropical Environment Studies and Geography, James Cook University, Cairns. Email: r.hill@acfonline.org.au).

Key words: pastoralism, ecotourism, cultural knowledge-sharing, integrating ecosystems and production.

Northern Australia is a region with a unique natural and social setting. High diversity of habitats is combined with low population density and a relatively high proportion of Indigenous peoples, particularly outside the major urban centres. Pastoralism is the dominant use in terms of land, with substantial areas also allocated to nature conservation and Aboriginal tenures. Indigenous peoples in Australia generally are engaged in a period of intense cultural renewal and revival, yet they have the lowest economic status of all Australians, without qualification. The Kakadu Regional Social Impact Assessment highlighted how the socio-economic well-being of the people has not been improved by money injected through either major mining investments or income from the National Park. Some of the culturally appropriate activities supported by the Indigenous people at this workshop were: cultural ecotourism; cattle and pastoralism; cultural knowledge-sharing under Indigenous control; weed management; salvage logging and small-scale timber harvest to meet community needs; national park management; ranger positions; and bush tucker gardens. Indigenous peoples also emphasised the importance of social processes. A synergy is emerging here – a glimpse of a future where economic development is based on activities that both protect the important natural values, and enhance the lives of the people, particularly of the Indigenous cultures. We need to act decisively to protect our natural heritage – to put in place the regulatory, policy and incentive measures that will ensure vegetation is protected from clearing, and the rivers remain free flowing. In addition, the broader mainstream Australian community needs to be provided with information about the benefits of linking cultural diversity to protection of natural values, thereby ensuring that the government policies gain the long-term support necessary to their success in a pluralistic democracy.

14.27.4

The conservation economy in north America. Pp. 55–57, L. Schneiders (The Wilderness Society, Brisbane. Email: cape.york@wilderness.org.au).

Key words: ecological economics, EcoTrust, ethical investment.

On the Pacific north-west coast of North America, an initiative aimed at the promotion of genuinely sustainable economic development is underway. A new form of economic development is being fostered by the entrepreneurial EcoTrust and community partners who develop industries that deliver both jobs and training and the protection of the natural and cultural environments of the region. EcoTrust was established in the 1990s in north America after collaboration between members of the conservation movement, the financial sector, the scientific community, and many Indigenous communities. It is a private non-profit organisation that promotes an ecologically sustainable economic development strategy of 'get rich slow' that maintains and restores ecosystem health, reduces the disparity between the rich and the poor, and increases economic opportunities for as many people as possible. EcoTrust promotes the development of the conservation economy through two key strategies: (i) investment in conservation economy initiatives through providing low interest and flexible loans; and (ii) networking and the provision of expert opinion and advice. Low interest loans and financial support are offered by EcoTrust to small

businesses throughout the coastal regions of British Columbia and the USA. Through the establishment of the world's first environmental bank in the early 1990s, EcoTrust has accrued assets of approximately \$US57 million, a portion of which are made available to be invested in loans to support the development of the 'conservation economy'.

RESTORATION & MANAGEMENT THEORY

15.3

Applying conservation theory in natural areas

management. Ioan Fazey¹ and Andy McQuie². (¹Centre for Resource and Environmental Studies, Australian National University, Canberra, ACT 0200, Australia. Email: ifazey@cres.anu.edu.au. ²Parks & Wildlife Division, NSW Department of Environment and Conservation, PO Box 39, Coonabarabran 2357, Australia. Tel: (02) 6842 0201, Email: Andy.McQuie@environment.nsw.gov.au.) [PEER REVIEWED]

Key words: conservation management, conservation theory, ecological theory.

Introduction. Theory is essential for effective conservation because it helps people understand the complexity of the real world by providing a summary of the way that some parts of it works. Conservation theory can be theory that: (i) summarizes our knowledge about how the biophysical and biological world works (ecological theory); (ii) summarizes our knowledge about how the natural world works when influenced directly or indirectly by humans (conservation-specific ecological theory); or that (iii) is derived from non-biological disciplines, such as economics or business management, which is directly applied to achieve conservation outcomes (Fazey 2005).

Scientists need theory to generate questions and hypotheses, build frameworks of understanding, design studies, integrate different types of information, and help them understand ecological processes (Pickett *et al.* 1994). Practitioners need theory to help them build a picture of how the world operates, guide their actions and help them understand how the results of those actions fit within the context of the problem they are addressing.

Conservation has been criticised for not basing its science on theory (e.g. With 1997) and for not providing theory that is useful to practitioners (e.g. Hobbs 1997; see also discussion about validity versus usefulness of conservation theory in Fazey 2005). A starting point to addressing some of these issues is to begin to: (i) determine how conservation theory is applied; and (ii) the possible constraints to this process. This paper, therefore, explores these questions by interviewing staff of the Parks and Wildlife Division, Department of Environment and Conservation in New South Wales, Australia (referred to herein as DEC).

Methods. Research was conducted between March and June 2004 while principally based at the Coonabarabran Area

office of DEC. During this period, the first author assisted with operations and had numerous discussions with staff. Semi-structured interviews were conducted with 12 staff from the Northern Plains Region who were directly involved in the planning and implementation of conservation activities. Three participants were women, a proportion roughly equivalent to that in the workplace of the Northern Plains Region of DEC. Participants were selected to cover activities over a range of ecological systems (single species to broad habitat types), scales (local to regional), and issues (management of forests, grassland, fire, water and pests). They were also selected to represent a range of mid-level operatives from those primarily involved in planning conservation actions to those more directly involved in implementing them. Participants did not include field staff (who are primarily engaged in maintenance activities such as building footpaths and putting up signs) or higher-level managerial staff.

Participants were asked about their education and experiential background, the nature of their job, and the role of conservation theory in their work. The nature of conservation theory was discussed and they were asked to identify constraints to the application of conservation theory. In general, similar questions were asked of each individual. Interviews lasted between 1 and 2 hours. Transcripts were coded and analysed using methods outlined in Strauss and Corbin (1990).

Results and Discussion. *Work activities, education and experiential background.* Equal numbers of participants fell into three broad categories: (i) those who primarily planned activities; (ii) those with roughly equal planning and implementation roles; and (iii) those who primarily implemented conservation work. Planners tended to conduct desk-based work, including research, whereas implementors were largely concerned with ensuring management plans and policies were implemented. Planners spent more time on activities to which formal conservation theory had greater relevance, compared to implementors whose duties were often practical or administrative.

While all participants had tertiary qualifications, the type of education differed between the three groups. Planners had a strong ecologically-oriented education, planners/implementors a mix of ecological and general science degrees, and implementors a more general or applied science education. Experiential background also differed with planners predominantly having research backgrounds, planners/implementors a mix of ranger and planning experience, and implementors having a strong background as rangers (i.e. a range of practical experience from stock fencing to community liaison, in addition to direct ecological experience).

Explicit and implicit use of conservation theory. Almost all participants indicated that they frequently used conservation theory when dealing with conservation-related activities. However, theory was usually applied implicitly. Participants found it difficult to articulate precisely which theory they applied to address a particular issue, and they used and integrated a range of principles by pulling out a mix of theory from a 'mishmash somewhere in the back of (their) head'. Articulating which conservation theory was being used at any one time was also difficult because

LOCAL HERITAGE ASSISTANCE FUND

EXECUTIVE SUMMARY

PURPOSE OF REPORT:

To seek Council's agreement to allocate funding for applications received under the Local Heritage Assistance Fund 2007 to 2008.

BACKGROUND:

Council allocated \$22,000 to the Local Heritage Assistance Fund in the 2007 – 2008 financial year. Grants up to a maximum of \$4,000 to \$6,000 per property are available on a dollar for dollar basis to assist with essential conservation works to local heritage items. Notices for the grants were advertised in local newspapers and on Council's website and newsletters in October and November 2007.

COMMENTS:

Applications were received for 12 local heritage items. Two applications were received in 2006 when funds were not available but have been considered in this round of funding. A sub-committee of the Heritage Advisory Committee (HAC) met to consider the applications on 15 February 2008 and reported their recommendations to HAC at their meeting on 25 February 2008. One application was not supported but funding is recommended for all other applications.

RECOMMENDATION:

That Council allocate the funds as recommended in the report.

PURPOSE OF REPORT

To seek Council's agreement to allocate funding for applications received under the Local Heritage Assistance Fund 2007-2008.

BACKGROUND

In previous years Council provided funding on a dollar for dollar basis for heritage items up to \$1,000 per property per year with a budget of \$10,000 p.a. The scheme was originally funded by the NSW Heritage Council following the establishment of the Ku-ring-gai heritage schedule.

The current program provides up to a maximum amount between \$4,000 to \$6,000 per property (depending upon the number and amount of applications) on a dollar for dollar basis. The aim of the scheme is to assist and encourage ongoing maintenance and conservations works and to promote locally listed heritage items.

Grants for conservation works are also available from the NSW Heritage Council and the Department of Heritage and Environment but is usually reserved for items of State or National heritage significance.

COMMENTS

The following is a summary of the applications were received (note all properties are local heritage items in Schedule 7 of the Ku-ring-gai Planning Scheme Ordinance (KPSO)):

Property	Proposed Works	Funding Sought	Recommended Funding
1202 Pacific Highway, Turramurra "Colinrobie"	Replace slate roof to bay windows, rear veranda and billiard room. Note existing are fibro tiles and painted to look like slate. Cost \$51,790 Painting – exterior joinery \$35,000 Repairs to Timber Veranda \$13,880	\$4,000 \$4,000 \$2,000 Total 10,000	Total \$3,450
27 Womerah Street, Turramurra "Koromiko"	Repair to veranda post – brick pier and timber post. Cost \$1,400	\$1,400	\$700
21 Cleveland Street, Wahroonga "St Lucy's School"	Reconstruction of front veranda to earlier details from physical and photographic evidence. Cost \$21,800	\$10,900	\$3,450

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Property	Proposed Works	Funding Sought	Recommended Funding
17 Braeside Street, Wahroonga – “Yarranbah”	Repairs to two entry doors. Cost \$912.78	\$456.39	\$500
6 Winton Street, Warrawee	Repairs to front fence and gates. Cost \$35,000 Repairs to sandstone steps to front façade. Cost \$5,000	\$20,000	Not funded
1116 Pacific Highway, Pymble - former “Pymble Police Station”	Painting of exterior joinery, exterior metalwork and exterior (painted) masonry. Cost \$10,659	\$1,000	\$1,000
1358 Pacific Highway, Turramurra –shop building	Replace slate roof. Cost \$28,000	\$6,000	\$3,000 (deferred)
10 Grassmere Road, Killara	Replace slate roof with new Welsh slate. Cost \$74,410	\$14,000	\$3,450
558 Pacific Highway, Killara – “Dormie House”	Restoration/repair of timber entrance doors. Cost \$2,200. Painting of common areas in the interior of the building and service areas to the rear. Cost \$11,070	\$1,000 \$5,000	\$1,000 Not funded
11 Bobbin Head Road, Pymble	Replace ridge capping and barge boards. Cost \$2154	\$1,000	\$1,000
19 Richmond Avenue, St Ives “Pettit & Sevitt Exhibition Village No 1”	Replace rotted timber barge boards to gable ends of roof, and along a box gutter. Cost \$8580. Replacement of a rotted window sill Cost \$607	\$8580 \$607 Total \$9187	 Total \$3,450
62 Fox Valley Road, Wahroonga – “Grey Gunya”	Repair barge boards and replacement of gutters. Cost \$4252.	\$1,000	\$1,000
Total			\$22,000

CONSULTATION

Notices advising that applications for funding to local heritage items under Council's Local Heritage Assistance Fund were advertised in local papers on Council's website and in newsletters in October and November 2007. Council staff contacted the NSW Heritage Office and a number of other Local Councils about heritage grant funds in preparation of the guidelines and application form.

FINANCIAL CONSIDERATIONS

Council allocated \$22,000 for the Heritage Assistance Fund in the 2007 – 2008 Strategy Department budget.

CONSULTATION WITH OTHER COUNCIL DEPARTMENTS

Consultation has been undertaken with Council's Heritage Advisor, Department of Development & Regulatory Services, Strategic Planning and the Heritage Advisory Committee.

Comments from Heritage Advisory Committee

The majority of applications were considered worthy of support however HAC had a difficult time determining the amount that should be offered to each property. The Committee has recommended the maximum amount be limited to \$3,450 so that a reasonable amount of the funding could be offered. Requests for funding exceeded available funds and demonstrates a strong need for Council to continue financial assistance to the owners of heritage items for maintenance and conservation work.

Several applications were for replacement of slate roofs. While repair of roofs is essential maintenance the quotes received all proposed providing sarking under the slates. Technical advice from HAC is that sarking can trap moisture between the slates and the membrane and can lead to deterioration of the slate and timber battens and should not be used. The HAC also recommended traditional materials such as copper and lead should be used for valleys and ridges, not colourbond steel. The HAC recommends that the applicants should be advised funding is dependent upon using traditional roof plumbing and deleting sarking.

The HAC recommended funding be available to the shop at 1358 Pacific Highway, Turramurra, but requested that the owners of No 1358 contact the owner of the neighbouring shop at 1360 Pacific Highway and discuss replacing the roofs of both buildings together rather than one side as it is likely both sides need repair and it would provide a more cost effective outcome and provide visual consistency for the roof which is continuous over both buildings. Funding for replacement of the roof to 1360 Pacific Highway, Turramurra could be considered in future grant funding rounds. Both these properties are also listed in the town centres LEP as heritage items.

The sub-committee recommended not providing funds for a new front fence and repairs to stone steps at No 6 Winton Street, Warrawee because the work is partially outside the aims of the grant scheme, no quotes were provided and there is no approval for a front fence. The sub-committee also considered that the proposed front fence is not appropriate for the item. However, the

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Committee considered that repairs to the front stone steps might be funded in future funding rounds if appropriate information and quotes are submitted.

SUMMARY

A total of 12 applications were considered by the Heritage Advisory Committee. Several owners applied for more than one item and several requested more than the maximum amount provided in the scheme (\$4,000 - \$6,000). The scale of the work varied from relatively minor works such as repair of a front door to major repairs involving roof replacement, painting and repair of rotted timber. Council's Heritage Advisory Committee (HAC) nominated a sub-committee to assess the applications. HAC has recommended that Council provide funding to 11 of the properties and has recommended an appropriate level of funding to each property. Funding is provided following the successful completion of the works.

RECOMMENDATION

A. That Council allocate heritage assistance funding to the following properties:

• 1202 Pacific Highway, Pymble	\$3,450
• 27 Womerah Street, Turramurra	\$700
• 21 Cleveland Street,, Wahroonga	\$3,450
• 17 Braeside Street, Wahroonga	\$500
• 1116 Pacific Highway, Pymble	\$1,000
• 1358 Pacific Highway, Turramurra (deferred)	\$3,000
• 10 Grassmere Road, Killara	\$3,450
• 558 Pacific Highway, Killara	\$1,000
• 11 Bobbin Head Road, Pymble	\$1,000
• 19 Richmond Avenue, St Ives	\$3,450
• 62 Fox Valley Road, Wahroonga	\$1,000

B. That the heritage assistance funding to the following properties is conditional on sarking not being installed under the slate and that traditional roof plumbing (copper and lead) is specified, not colourbond steel.

- 1202 Pacific Highway, Pymble
- 1358 Pacific Highway, Turramurra
- 10 Grassmere Road, Killara

C. That Council advise the owners of No 6 Winton Street, Warrawee that funding could not be provided because the works are outside the aims of the scheme, development application approval for the fence is required and no quotes were provided with the application.

D. That Council allocate funds to repair the roof at 1358 Pacific Highway, Turramurra but defer it until contact has been made with the owner of the adjoining shop (No 1360) about repairing both sides of the roof as one job to ensure consistency, economy and ongoing conservation.

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- E. That details of the successful applications be made in Council's newsletter and website to promote heritage conservation in Ku-ring-gai.

Paul Dignam
Heritage Officer

Antony Fabbro
Manager Urban Planning

Andrew Watson
Director Strategy

Attachments: **Attachment 1 - Application form & supporting information - 907366, 907380 & 907377**
 Attachment 2 - Summary of each application - 907129



LOCAL HERITAGE ASSISTANCE FUND APPLICATION FOR FINANCIAL ASSISTANCE

(Please refer to guidelines before completing this application)

APPLICANT

Name:.....

Postal address:.....

.....

.....Post Code:.....

Telephone: Private.....**Business**.....

Email:.....

SUBJECT LAND

Street & Number

.....

Suburb:.....

THE PROPOSAL

Present use of building:

.....

.....

Proposed Works:

.....

.....

.....
.....
.....

FUNDING

Estimated cost of works:

.....

Amount of funding you are seeking from Council:

ADDITIONAL INFORMATION TO BE SUBMITTED WITH APPLICATION

The application should include the following:

- One or more quotes for the proposed work
- Plans / Sketches
- Colour Photographs
- Background Information / history

Signature(s) Date

I/we, the owner(s) nominated in this application, hereby give consent to the lodgement of this application under the Local Heritage Assistance Fund to carry out the work proposed specified in the application.

CONSENT OF OWNERS OF PROPERTY

Consent of Owner(s) of Land

Name of Owner(s) of Land:.....

Postal Address:.....

.....

.....Post Code:

I/We the undersigned [the owners(s) of the land to which this application relates] consent to the making of this application.

Signature(s): Date

APPLICATIONS CLOSE: 30 June 2008



ASSISTANCE AGREEMENT

AGREEMENT FOR ASSISTANCE ON A HERITAGE PROGRAM

Project number:.....

Details of assistance:.....

Property owner's name:.....

Applicant(s) name:.....

Postal address:

.....

.....

Project address:.....

.....

.....

Project name:.....

Amount of Assistance:.....

Type:.....

Your contribution:.....

.....

Funding source:.....

Purpose of the assistance:.....

.....

Special conditions:.....

.....

Final date for the completion of the project:.....

CONDITIONS APPLYING TO ALL PROJECTS

You the applicant, by entering into this agreement, agree to comply with the following conditions:

1. Acceptance

You must accept this offer of assistance within 6 (six) weeks of the date of this offer otherwise it will be withdrawn.

2. Permission to Commence Work

You must provide the following information before permission to commence work will be granted:

- (a) a draft schedule of work;
- (b) who is to carry out the work;
- (c) a time schedule for the completion of the project;
- (d) name of a suitably qualified person who will be responsible for supervising the proposed work.

3. Funding from other sources

You must immediately advise the council of any changes to financial resources and arrangements connected with the project.

4. Claims

Claims for payment should be supplied in letter form and you should set out clearly what work was carried out, by whom and how much you are claiming. Attach originals of any bills.

5. Progress Reports

You must provide brief progress reports as requested.

6. Revocation

You agree that this financial assistance may be reviewed or revoked at any time under any one or more of the following circumstances:

- (a) unsatisfactory work;
- (b) failure to meet time schedule constraints;
- (c) failure to provide progress reports;
- (d) non disclosure, misleading or false disclosure of information.

You also agree, in case of revocation, that where monies have been advanced you are obliged to refund those monies plus interest equal to the current rate used for local government rate arrears.

7. Taxation and other regulations

You agree that it is solely your responsibility to ensure you comply with any taxation liability and or regulations under any Federal or State legislation.

8. Reusable Equipment

You agree that assistance is not to be used for expenditure on reusable equipment without the prior written approval of the council.

9. Appropriate Conservation Work and Financial Management

You agree that all work must be carried out in a manner consistent with appropriate conservation practice and in accordance with generally accepted sound financial practice.

10. Long Term Protection

You agree to take all reasonable measures to protect in perpetuity the item for which this assistance is granted. You the applicant, and owner of the item assisted, agree not to object to the inclusion of the item in a Local Environment Plan or, where the item is of state heritage significance, to its inclusion on the State Heritage Register. You agree to insure and keep insured at all times the item for which this assistance is granted.

11. Acknowledgment of Assistance

You agree to acknowledge this assistance in any form required and approved by the council.

Acceptance

I, the applicant, hereby agree to the above conditions and accept this offer of assistance.

Signature Date

To be completed for projects where the applicant is not the owner of the item being conserved.

I, the owner of the item for which this assistance is granted, also agree to the conditions of this assistance and give permission for work to commence.

Signature Date

Local Heritage Assistance Fund Guidelines

Aim of the Fund

The aim of the Local Heritage fund is to encourage appropriate conservation work to privately owned heritage items in Ku-ring-gai Local Government Area.

Background

The heritage of Ku-ring-gai comprises a rare blend of fine domestic architecture within a landscape of indigenous forests and exotic plantings and gardens. There are approximately 700 heritage listed items throughout the Ku-ring-gai Local Government Area (LGA), displaying a variety of historic and aesthetic values together with social and technical or scientific values.

As part of Ku-ring-gai Council's ongoing commitment in promoting the conservation of heritage items a Local Heritage Assistance fund has been developed to contribute financially to the maintenance of heritage items. The Fund is allocated on a dollar for dollar basis between the owner and Council. Ku-ring-gai has a total of \$22,000 set aside for heritage restoration annually with a maximum of \$4000 funding for individual projects.

Invitation to Apply

Owner or lessees of heritage items don't have to be formally invited to apply for the Local Heritage Assistance Fund. The Local Heritage Assistance Fund is advertised annually in the North Shore times and the Ku-ring-gai council website.

Because the funds available are limited, it is essential that you prepare the best application possible. These guidelines have been prepared to assist you in the preparation of your application.

Eligible Projects

Applications must be for conservation work with priority given to the following projects:-

- The item should be a recognised heritage item listed in schedule 7 (heritage item) of the Ku-ring-gai Planning Scheme Ordinance (KPSO).
- All owners or lessees are eligible, except for Council and government departments who have access to other funds.
- Applications must only be for appropriate conservation works
- Council will require evidence that the work has been carried out and the final cost of the work
- Work must be carried out in the 2006 -2007 financial year

Funding for Repairs:

Consideration may be given to the allocation of funds where works, that could not wait

- For the allocation of funds, have been carried out to a heritage item.
- Applications for assistance in this regard must comply with the following:
- The works were required to be undertaken urgently to prevent rapid deterioration or further damage to original and significant fabric;

Local Heritage Assistance Fund Guidelines

- The works were carried out no more than 12 months prior to the date of the current invitation for assistance;
- The works could not have been delayed to apply for the Fund, by using temporary measures to alleviate the situation;
- The application is supported by written and photographic evidence to demonstrate the above;
- At least one quote is obtained prior to repair works being carried out and are submitted with the application;
- Council's Heritage Staff shall be contacted and advised of the works before being carried out;
- Retrospective funding will not be granted for standard conservation works that are not considered to be urgent.

Assessment Criteria

The following assessment criteria has been set out by the Heritage Office as a guide for councils, it provides a checklist for assessing projects:

- The applicant's ability to demonstrate technical and financial responsibility with regard to the project, and demonstrated ability to complete the project within 12 months
- The degree to which the applicant is financially contributing to the project and/or their ability to quickly return borrowed heritage funds
- Projects which clearly complement broader conservation objectives, for instance projects which implement key findings of heritage studies or projects in designated heritage main street or conservation areas
- Projects which would encourage the conservation of other heritage items
- Projects of demonstrated heritage value to the community (commonly the item concerned will appear on many heritage lists) e.g. the restoration of a local hall or school of arts building
- Projects which are highly visible to the public, for instance the replacement of a veranda to a building in a main street location
- Projects which have high public accessibility, eg. a local museum or church
- Projects which are in an area which has received little or no funding
- Projects involving aspects of heritage which have received little or no funding eg. historic gardens
- Projects subject to conservation controls where the owner is able to show hardship arising from conservation work required to the item
- Urgent projects to avert a threat to a heritage item.

Projects not funded

The Heritage Office states that funding should generally not be granted for the following projects:

- Where assistance is reasonably available from another source
- Where substantial assistance has been previously provided, or where the applicant has yet to complete other assisted projects
- Purchase of a building, site or movable item
- A new addition to a heritage building (including new internal fittings such as new kitchens and bathrooms)
- The relocation of a heritage building or work on relocated building

Local Heritage Assistance Fund Guidelines

- Work on a government owned building still used for a government purpose.

Level of Funding available

The maximum level of funding per project will be limited to **\$6,000**. Funding will be issued on a **dollar for dollar** basis where you will be required to provide at least matching finance for the projects. There will clearly be cases where you may wish to contribute more to the project. The monies will be issued upon satisfactory completion of the works.

Timing of Projects

Ku-ring-gai Council Notification calls for applications on an annual basis. Applications to the fund are generally called at the commencement of a financial year and it is expected that work outlined on approved applications is finalised by the end of financial year period.

Applications are called by:

- Placement of advertisement in local newspapers
- Publication of relevant information on Council's website

Application forms and general information is available from Council's Customer Service Centres and Council's website.

Preparing your application

1. Contact your council's heritage architect

It is suggested that you set down the work you propose to do then contact Council's Heritage Advisor if you require clarification on the eligibility of your project. This service is provided free of charge. The advisor will be able to assist you in making an application. If the project is too large the advisor may suggest you get the services of a conservation architect for the project.

Paul Dignam, Council's Heritage Advisor can be contacted during normal business hours on 94240794

2. Background research

It will assist your case if you can properly demonstrate why the work you propose is appropriate from a heritage point of view. To do this you may need to do some research, e.g. the council may have information on the building or the library or you may be able to obtain photographs. The heritage advisor may also have some suggestions to follow up.

3. Work to be carried out

You then need to decide in detail what work you want to carry out. This should be put down in a clear item by item schedule.

4. Photographs of Existing Buildings

Local Heritage Assistance Fund Guidelines

Take a photograph of the setting of the building, each elevation and close ups of any particular job to be done. Keep the negatives and a set of photographs for your final report.

5. Quotes

You will need to submit at least one quote, though desirably two quotes for the proposed works. It is preferable that the tradesman selected to undertake the work should have the necessary qualifications and experience in working with heritage buildings.

6. Schedules of Materials and Colours

Depending of the size of the job you may need these to attach to your application for funding.

7. Fill in the application Form

Fill in the attached simple form, keep a copy for your records, staple on the attachments and take it immediately to the council.

Contact Details

Customer Service Centre: 818 Pacific Highway, Gordon NSW 2072

Postal address: Locked Bag 1056, Pymble NSW 2073

Facsimile: 9424 0880

E-mail: kmc@kmc.nsw.gov.au

Telephone: 9424 0888

Local Heritage Assistance Fund

Comments on applications received

1202 Pacific Highway (1 Clydesdale Place), Pymble – “Colinrobie ”

The proposed work to the roof is to replace fibro “slates” with new slate over the rear veranda, the eastern side of the house and over part of the billiard room. The existing fibro shingle roof has deteriorated and is leaking and should be replaced. There is some damage to the timber structure due to water ingress. It is likely that the original cladding was timber shingle and it was replaced with fibro shingles to resemble slate. The cost of the work is \$51, 790 and does not include replacement of timber lining boards, which are costed at an hourly rate plus materials. HAC has supported the work provided the ridge and valleys are replaced in an appropriate material such as copper for the valleys and lead for the ridge capping, not colourbond as proposed in the quote.

Painting of the external joinery is routine maintenance and assistance for this work is supported.

Repairs to the timber veranda are also considered to be appropriate maintenance and funding is supported.

HAC has recommended that a total of \$3,450 be provided to assist with the repairs. While this only represents a small percentage of the cost, it will still benefit the owner and provide some relief.

27 Womerah Street, Turramurra – “Koromiko”

The work involves repairs to the masonry base of a veranda and replacement of the timber which has rotted. The item is in need of maintenance and the elderly owner only has limited ability to maintain the house. The HAC has recommended funding 50% of the cost of the work - \$700.

21 Cleveland Street, Wahroonga “St Lucy’s School”

The work involves reconstruction of the front veranda to earlier details from physical and photographic evidence. A DA was recently approved for the work. The veranda had been unusable due to rot in the floor and handrails and is a later veranda. The proposed works would restore it to the Inter War period to match the West veranda. The HAC supports the work and recommends that \$3,450 in funds be provided.

17 Braeside Street, Wahroonga – “Yarranbah”

Repairs to an entry door. The work included removing the door and repairing a damaged timber panel with a new one and replacing the door. The HAC has recommended funding of \$500.

6 Winton Street, Warrawee

Funding is sought for two items –

1. A new front fence and gates
2. Repairs to sandstone steps to front façade

The proposed front fence is a new fence not a reconstruction of an existing or earlier fence. A photograph of the house taken in 1987 shown no front fence and a lot, possibly brick edged along the front boundary. The applicant submitted a sketch and photographs of a fence they wish to replicate. It is considered that the proposed fence may be appropriate for a grand Federation house. No quotes were included in the application and the cost appears to be an estimate only. The HAC did not support funding for this item. It is also noted that a DA would need to be approved for a new front fence.

No information or quotes were submitted to support the request for assistance with repairs to the sandstone steps. As such the HAC were not able to support funding for the proposed work. Funding for repairs to the stone steps may be provided in future heritage funding if quotes and details are submitted.

1116 Pacific Highway, Turramurra - former “Pymble Police Station”

The work is repainting of the exterior joinery, exterior metalwork and exterior (painted) masonry and is considered to be routine maintenance. The applicant has requested \$1,000 and this is supported by the HAC.

1358 Pacific Highway, Turramurra – Commercial shop building

This property is one of two commercial Federation period shops near the corner of Kissing Point Road and the Pacific Highway. The work involves removing the slate roof, installing sarking and new timber battens, replacing the slates with the original and some second hand slates to match the existing roof. The purpose of the work it to ensure the roof is kept water tight to conserve the building.

The HAC commented that sarking should not be used under slate roofs as it can cause deterioration of the slates by trapping moisture between the slates and the sarking. The other issue is that the roof is continuous over both shops and it would be more economical and reasonable to repair both roofs rather than one side. The HAC has recommended that funding for roof repairs should be provided \$3,000 (but without sarking) but deferred until the owner of the adjoining shop has been contacted about repairing both roofs as one job to ensure consistency and ongoing conservation of the item.

10 Grassmere Road, Killara –

The item is a fine timber house with a slate roof, built c 1895. The application is to replace the state roof with new Welsh slate, replace the valleys and ridge capping and provide sarking. The HAC have recommended that sarking should not be used and lead ridge capping should be installed. The HAC recommends funding of \$3,450.

558 Pacific Highway, Killara – “Dormie House”

The item is a block of flats containing 9 apartments. The application is for two items.

1. Restoration/repair of timber entrance doors. This involves repairing the entrance doors (two sets) and revarnishing the timber. The HAC supports the work and recommends funding of \$1,000 be allocated
2. Painting of common areas in the interior of the building (hall and stair wells) and service areas to the rear. The HAC does not support this work and considers it to be beyond the aims of the scheme as it is not essential to ongoing conservation of the item.

11 Bobbin Head Road, Turramurra

The owner applied several years ago but was advised at the time that funds was not available but the request could be considered in the future if Council provides funds. The owner reapplied for funding during the advertised period to assist with the cost of replacing decorative ridge tiles and a timber fascia board to the roof. The whole of the roof was replaced in 2003. Funding of \$1,000 is requested. The HAC recommended funding of \$1,000 retrospectively.

19 Richmond Avenue, St Ives “Pettit & Sevitt Exhibition Village No 1”

The application is for two items:

1. Replace rotted timber barge boards to gable ends of roof, and along a box gutter. This work is necessary due to timber rot due to the age of the building and is considered to be essential maintenance. The HAC supports funding for this work.
2. Replacement of a rotted window sill. This work was completed in 2007 and the owner is seeking funding retrospectively. The cost of the work is \$607. The HAC supports funding for the work.

The HAC has recommended a total of \$3,450 be provided to assist with the work. Of this the owner could claim for work recently completed (\$300) and the remainder when it is completed.

62 Fox Valley Road, Wahroonga – “Grey Gunya”

This application is to repair barge boards and replace gutters and was originally made in 2006. At the time the owner was advised that funding was not available but Council may consider providing funding retrospectively if funds were available in the future. The owners have requested \$1,000 and the work has been completed. The HAC supports funding of \$1,000.

STATE ENVIRONMENTAL PLANNING POLICY (INFRASTRUCTURE) 2007

EXECUTIVE SUMMARY

PURPOSE OF REPORT:

To provide a summary of State Environmental Planning Policy (Infrastructure) 2007 and the actions to be taken by Council to ensure effective implementation at the local level.

BACKGROUND:

State Environmental Planning Policy (Infrastructure) 2007 came into effect on 1 January 2008. It draws together 25 different types of key infrastructure under the one policy.

COMMENTS:

This report outlines the key implications for Kuring-gai Council of State Environmental Planning Policy (Infrastructure) 2007.

RECOMMENDATION:

That the report be received and noted.

PURPOSE OF REPORT

To provide a summary of State Environmental Planning Policy (Infrastructure) 2007 and the actions to be taken by Council to ensure effective implementation at the local level.

BACKGROUND

State Environmental Planning Policy (Infrastructure) 2007 (the SEPP) was made on 21 December 2007 and became effective from 1 January 2008. A Planning Circular was issued by the Department of Planning on 31 January 2008. A Community Guide was also published and dated January 2008. The Circular and the Community Guide are included at **Attachment 1** to this report. colour copies were previously circulated at the Planning Forum of 19 February 2008. The Department has subsequently issued a practice note to assist councils preparing new LEPs entitled 'Zoning for infrastructure in LEPs' and dated 7 March 2008. It is likely there will be further Practice Notes due to the size and complexity of the SEPP.

The SEPP itself is a substantial document covering twenty five (25) different types of infrastructure with the intent of drawing much of the approval and notification processes for these types of infrastructure into the one document. It repeals twenty (20) State Environmental Planning Policies (SEPPs), a full list of which is found on Page 9 of the Community Guide. Many of these are area or project specific SEPPs that do not relate to the Ku-ring-gai Local Government Area.

Importantly the SEPP does not override requirements contained in Acts or Regulations except as provided for in Clause 9 (Suspension of laws) which relates to some very specific laws of little direct relevance to Ku-ring-gai. It otherwise does not override requirements expressed in an Act of Parliament for example, requirements of the Heritage Act 1977, the National parks and Wildlife Act 1974, the Roads Act 1993, the Water Management Act 2000, or a number of other Acts that have limited application to Ku-ring-gai. The SEPP does not override Part 3A of the Environmental Planning and Assessment Act – all major projects follow their established process.

The twenty five (25) infrastructure types covered by the SEPP are listed below as they appear in the SEPP (in alphabetical order). Many are not currently relevant to the Ku-ring-gai Local Government Area.

- air transport facilities
- correctional centres
- educations establishments
- electricity generating works
- electricity transmission and distribution
- emergency services facilities and bushfire hazard reduction
- flood mitigation works
- forestry activities
- gas transmission and distribution
- health services facilities
- housing and group homes
- parks and other public reserves

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- port, wharf and boating facilities
- public administration buildings and buildings of the Crown
- rail infrastructure facilities
- research stations
- road and traffic facilities
- sewerage systems
- soil conservation works
- stormwater management systems
- telecommunications networks
- travelling stock reserves
- waste or resource management facilities
- water supply systems
- waterway or foreshore management activities

COMMENTS

While the intent of the SEPP in drawing together all these infrastructure types under one SEPP has been achieved, it is somewhat debatable whether the process has achieved a high degree of consistency or clarity. It is likely that there will need to be further refinement of the SEPP as a result of its implementation particularly with regard to works which may be carried out only by a public authority (or on its behalf) or by any person.

For each type of infrastructure the SEPP lists works which require formal consent under Part 4 of the Environmental Planning and Assessment Act, works which do not require consent under Part 4 but which still require environmental assessment under Part 5 and works which are exempt.

The main implications for Ku-ring-gai Council are:

Council Consultation – Impact on Council Infrastructure

This requirement relates to development carried out by (or on behalf of) a public authority if in the opinion of that authority the development:-

- Will have a substantial impact on council-provided stormwater systems;
- Will generate sufficient traffic to strain the road system in a local government area;
- Involves a temporary structure on, or enclosure of, a public place under council management and will cause more than a minor disruption to pedestrian or vehicular traffic;
- Involves more than minor excavation of the surface of, or a footpath adjacent to, a road for which council is the roads authority under the Roads Act 1993.

The public authority must give written notice to the Council and take into consideration any response that is received within 21 days after the notice is given – the implication being that any response received after that period is not required to be taken into account.

The wording of the SEPP leaves a great deal to the interpretation of the words: substantial, minor, inconsequential, sufficient and likely. It is proposed that Council write to the relevant governments

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departments to request that Ku-ring-gai Council is notified of all such developments as a matter of course.

There is also likely to be insufficient time to enable a report to Council to be prepared. It may be necessary to circulate a summary of the issues and the draft proposed response to Councillors in written format.

Council Consultation – Heritage Impact

While the SEPP is not intended to override the Heritage Act, it still has some potentially significant implications for local heritage items particularly in the case of railway property, main roads and works by the utilities (electricity, gas, water, sewer and telecommunications).

Where a work is defined as development that may be carried out without consent but which impacts on a local heritage item, the public authority must have an assessment of the impact prepared, give written notice to the council and take in account any response received within 21 days.

The implications of this notification period for council processes are essentially the same as for council infrastructure above.

Consultation – Public Authorities other than Council

As other authorities are bound, so is Council bound in the case of those of its own works that fall within the auspices of the SEPP which do not require consent (but are not exempt) to consult with other public authorities in the event the proposed work has the potential to impact on other public infrastructure. Council is bound by the same requirements to give written notification and to allow 21 days for formal comment.

Such works would include the more major works to parkland, bushland management and works to public buildings where there was likely to be an affectation of state infrastructure or assets. This is considered likely to be a relatively rare occurrence. The continued application of Council policies generally (but particularly in respect of notification for our residents and ratepayers) in respect of proposed works which no longer require formal consent is a more likely issue but one where Council retains the freedom to impose stricter rules.

Development which does not require consent

Development which does not require consent under Part 4 of the Environmental Planning and Assessment Act (i.e. does not require a Development Application) may fall into two categories. Development that is not exempt will still require an environmental assessment under Part 5 of the Environmental Planning and Assessment Act. The types of development that meet the criteria of exempt are specifically listed either under each infrastructure type within the SEPP or in Schedule One of the SEPP.

Exempt Development

Exempt development must be of a minor environmental impact and cannot be carried out in critical habitat of an endangered species, population or ecological community (identified under the

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Threatened Species Conservation Act 1995 or the *Fisheries Management Act 1994*), and cannot be carried out in a wilderness area (identified under the *Wilderness Act 1987*).

Schedule One contains a detailed list including specifications for exempt works. These works are only exempt if they meet the development standards for the development specified in the schedule and comply with the requirements of Clause 20 which deals specifically with Exempt Development.

Exempt development for any infrastructure category also has to meet the following definitions under Clause 20(2). To be exempt development, the development:

- must meet the relevant deemed-to-satisfy provision of the *Building Code of Australia*, and
- if it is carried out in relation to an existing building, must not cause the building to contravene the *Building Code of Australia*, and
- must be carried out in accordance with all relevant requirements of the Blue Book, and
- must involve no more than minimal impact on the environment or amenity of the surrounding area, and
- if it is likely to affect a State or local heritage item or a heritage conservation area, must involve no more than minimal impact on the heritage significance of the item or area.

In addition to Schedule One, lists of Exempt works also appear in individual infrastructure categories. The above subclause is specifically referenced under several of the individual infrastructure categories relating to exempt development that may or may not appear in Schedule One.

The inclusion of specific works which are Exempt under this SEPP has some implications for the future updating of the Exempt and Complying provisions for inclusion in the Principal LEP. As with the recent LEP practice note (Zoning for infrastructure in LEPs) related to this SEPP and issued on 7 March 2008, further guidelines are expected from the Department in respect of Exempt and Complying provisions for LEPs stemming from the Government's proposed planning reforms. This advice will be considered as part of the future redrafting of these provisions.

KEY INDIVIDUAL INFRASTRUCTURE TYPES

The SEPP goes into considerable detail for each of the 25 individual infrastructure categories. While the nature of the contents are as individual as the types of infrastructure involved, each type of infrastructure follows the same basic format listing works which require consent, works which do not require consent (but may require a Part 5 assessment) and works which are exempt.

The key implications for Council are as listed above: to respond to 21 day notifications by supplying key information to public authorities in respect of their proposals and to refer to the SEPP in the context of Council's own works. Additionally, SEPP 11 relating to the assessment of Traffic Generating Developments has been wholly subsumed into the category of Road and Traffic Facilities replacing and repealing that SEPP.

The key areas where a Council response within 21 days is likely to be required, or where Council should monitor the scope of the use which is made of the SEPP, are in respect of:

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Educational Establishments

There are 18 public primary schools and 4 public secondary schools and 1 place of tertiary education within the Ku-ring-gai Local Government Area.

Electricity Generating Works and Electricity Transmission & Distribution

Every street is part of the electricity transmission and distribution network.

Emergency Services Facilities and Bushfire Hazard Reduction

There are currently two ambulance stations in Ku-ring-gai in Wahroonga and St Ives though it is understood that the building in St Ives may have been sold (and possibly leased back). There is a Fire Station in Pymble and a Police Station in Gordon. The SES is based in Gordon. The local Rural Fire Service is based outside the LGA in Hornsby Heights.

Gas Transmission and Distribution

Every street is potentially part of the gas transmission and distribution network.

Rail Infrastructure Facilities

The main north shore railway line runs through the middle of the Ku-ring-gai Local Government Area including stations at Roseville, Lindfield, Killara, Gordon, Pymble, Turramurra, Warrawee and Wahroonga.

Research Stations

There is currently one research station located within the Ku-ring-gai Local Government Area: the Commonwealth Scientific and Industrial Research Organisation (CSIRO) in Bradfield Road, Lindfield.

Sewerage Systems

Every street is a link in the sewerage network.

Road and Traffic Facilities

Ku-ring-gai is part of the main road network. Additionally, this is the section that now includes the provisions formally found in SEPP 11 relating to Traffic Generating Developments.

Telecommunications Networks

Every street is part of the telecommunications network, as are many other buildings, structures and spaces.

Water Supply Systems

Every street is part of the water supply network of pipes.

COUNCIL INFRASTRUCTURE

One of the key areas where Council's own works are directly incorporated within the auspices of the SEPP relates to parks and public reserves as follows:

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This clause relates to public reserves other than a Crown reserve that is dedicated or reserved as a public cemetery. This includes council parks (as per the definition in the Local Government Act 1993). Development for any of the following purposes may be carried out by or on behalf of a council without consent on a public reserve under the control of or vested in the council:

- roads, cycleways, single storey car parks, ticketing facilities and viewing platforms,
- outdoor recreational facilities, including playing fields, but not including grandstands,
- information facilities such as visitors' centres and information boards,
- lighting, if light spill and artificial sky glow is minimised in accordance with AS/NZS 1158: 2007, *Lighting for Roads and Public Spaces*,
- landscaping, including irrigation schemes (whether they use recycled or other water),
- amenity facilities,
- maintenance depots,
- environmental management works.

This does not preclude Ku-ring-gai Council from publicly notifying proposed council works in accordance with its existing principles and policies.

Exempt development relates to land under various acts including the National Parks and Wildlife Act 1974 and includes such works as walking tracks and boardwalks, stairways and picnic type facilities, smaller viewing platforms, play equipment, routine maintenance and the like.

Public Administration Buildings and Buildings of the Crown

Ku-ring-gai Council's own community building assets are considered buildings of the Crown for the purposes of this SEPP, however the SEPP represents the minimum requirements and Council is free to apply more stringent requirements in its treatment of its own assets.

Stormwater Management Systems

Development for the purpose of stormwater management systems – including construction works, routine maintenance works including dredging and environmental management works – may be carried out by or on behalf of a public authority (including a council) without consent on any land. This may still require an environmental assessment depending on the circumstances and Council could still implement its own policies especially in respect of ratepayer notifications.

Bushfire Hazard Reduction

Council could carry out, without formal consent, development for the purposes of bush fire hazard reduction provided it was consistent with a bush fire risk management plan within the meaning of the Rural Fires Act 1997. Council is currently only involved in very small hazard reduction burns with most hazard reduction undertaken by the Rural Fire Service.

OTHER INDIVIDUAL INFRASTRUCTURE TYPES**Housing and Group Homes**

The clauses relating to Housing and Group Homes include a list of 18 railway stations as targeted hubs for multi-dwelling housing (development permitted with consent) by or on behalf of a public authority or social housing provider – however none are within the Ku-ring-gai Local Government Area. The nearest affected stations are Chatswood, St Leonards and Hornsby.

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The remaining listed types of infrastructure such as port facilities, correctional facilities, travelling stock routes and the like are most unlikely to have any foreseeable impact on Ku-ring-gai.

CONSULTATION

An overview presentation was provided to Councillors at the Planning Forum of 19 February 2008. Colour copies of the Community Guide and the Planning Circular were also circulated at that meeting.

FINANCIAL CONSIDERATIONS

There are no direct financial implications arising from this policy. There are indirect costs in terms of staff time in revising policies and procedures and in responding to 21 day notification periods for development that does not require consent under Part 4 of the Environmental Planning and Assessment Act whenever these may arise.

CONSULTATION WITH OTHER COUNCIL DEPARTMENTS

The impact of the Infrastructure SEPP has been the subject of internal consultation primarily with respect to legal, heritage and environmental issues.

SUMMARY

Council staff are continuing to liaise with individual departments and sections to ensure that internal systems are in place to enable Council to manage the implications arising from this SEPP including:

- Ensuring that 21 days notice of a Council proposal is given to public authorities where required; and
- Having the internal systems in place to manage 21 day notifications in the case of works by public authorities which do not require consent and provide appropriate comment in a timely manner.

Additionally Council will continue to incorporate the SEPP as part of its general operations as follows:

- Managing those of Council's own proposed works that fall within the auspices of the SEPP with due regard to Council's own specific policies (including resident notification policies);
- Referencing the SEPP where required as part of the development assessment process (for example in the case of Traffic Generating Developments); and

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- Monitoring the use of the SEPP by public authorities and other persons in this and other Local Government Areas.

RECOMMENDATION

That the report concerning the implications of the State Environmental Planning Policy (Infrastructure) 2007 be received and noted.

Kate Paterson
Infrastructure Co-ordinator

Antony Fabbro
Manager Urban Planning

Andrew Watson
Director Strategy

Attachments:

- 1. Circular from the Department of Planning - 912814**
- 2. Community Guide to State Environmental Planning Policy (Infrastructure) 2007 - 912815**



PLANNING circular

PLANNING SYSTEM

State environmental planning policies

Circular	PS 08–001
Issued	31 January 2008
Related	Revokes Circular F4 (10 June 1997)

State Environmental Planning Policy (Infrastructure) 2007

This circular is to advise councils, State agencies and the public of the key planning provisions under State Environmental Planning Policy (Infrastructure) 2007.

Overview of the SEPP

The efficient provision of public infrastructure is essential for the welfare, growth and prosperity of communities in NSW. Infrastructure includes hospitals, schools, railways, roads, power and water supplies, and other services necessary to maintain the State's economy and the wellbeing of its communities.

State Environmental Planning Policy (Infrastructure) 2007 (the SEPP) was introduced to facilitate the delivery of infrastructure across the State by improving regulatory certainty and efficiency.

Prior to the SEPP being introduced, planning for infrastructure was regulated through a complex array of local, regional and State statutory planning instruments and overlapping legislation.

The new Infrastructure SEPP provides a consistent planning regime under the *Environmental Planning and Assessment Act 1979* (the Act) that:

- provides greater flexibility in the location of infrastructure and services by identifying a broad range of zones where types of infrastructure are permitted
- allows for the efficient development, redevelopment or disposal of Government-owned land. This is achieved by permitting additional uses on State land and allowing adjacent land uses to be undertaken on State land (except conservation lands) if the uses are compatible with surrounding land uses
- outlines the approval process and assessment requirements for infrastructure proposals
- identifies works of minimal environmental impact as exempt or complying development

to improve turnaround times for maintenance and minor upgrades.

Infrastructure types

The Infrastructure SEPP has specific planning provisions and development controls for the following types (sectors) of infrastructure:

- air transport facilities
- correctional centres
- educational establishments
- electricity generating works
- electricity transmission and distribution
- emergency services facilities and bushfire hazard reduction
- flood mitigation works
- forestry activities
- gas transmission and distribution
- health services facilities
- housing and group homes
- parks and other public reserves
- port, wharf and boating facilities
- public administration buildings
- rail infrastructure facilities
- research stations
- road and traffic facilities
- sewerage systems
- soil conservation works
- stormwater management systems
- telecommunications networks
- travelling stock reserves

waste or resource management facilities
 water supply systems
 waterway or foreshore management activities.

Infrastructure planning provisions

The SEPP provides permissibility and development assessment provisions which apply across the State for each infrastructure sector. The SEPP outlines:

- land use zones where particular types of infrastructure are permissible
- infrastructure works requiring development consent (under Part 4 of the Act)
- infrastructure works that do not require consent and may require assessment under Part 5 of the Act
- infrastructure works that may be undertaken as complying development, once a complying development certificate has been obtained
- infrastructure works that may be undertaken as exempt development.

As an example, the SEPP deals with zoning and approval matters for public utilities such as local sewerage systems. Under the policy, councils' sewage treatment plants may be located in 'prescribed zones' (e.g. in certain rural, industrial or special use zones) and do not require consent but an assessment under Part 5 of the Act. In contrast, sewage treatment plants undertaken by private developers continue to require consent from the relevant consent authority.

The SEPP also provides zoning and approval provisions for public administration buildings such as council chambers. The policy includes expanded provisions for minor additions and restoration works to buildings, so that basic office upgrades can be undertaken without needing to lodge a development application.

The SEPP also includes exempt development provisions for basic works such as fencing, security, landscaping, car parks, awnings, and minor building alterations and maintenance works at council and State government sites.

Figure 1 outlines the planning processes for infrastructure projects under Part 3A, Part 4, Part 5 and exempt development of the Act.

Infrastructure zoning in LEPs

A number of approaches have previously been taken in zoning land for infrastructure purposes in local environmental plans (LEPs). In many instances however, these zoning methods were restrictive and prevented effective provision of infrastructure services at new sites or the redevelopment of existing sites for alternative public uses or for the disposal of surplus public land.

The new approach adopted in the Infrastructure SEPP allows for greater flexibility and adaptive management of State government land.

Future zoning of State land in new standard local environmental plans should adopt this new approach. For information on zoning, please refer to the standard instrument for local environmental plans (LEPs) and the Department of Planning website at www.planning.nsw.gov.au.

Site compatibility certificates

The Infrastructure SEPP allows for additional uses to be undertaken on certain land where it would otherwise be prohibited under an LEP, if those uses are compatible with surrounding land uses.

To ensure that any additional land uses are appropriate for a given site, a site compatibility certificate must first be obtained from the Director-General of the Department of Planning before a development application can be lodged with council.

The site compatibility certificate process is a mechanism to ensure that any additional uses or redevelopment of government sites are not incompatible with the surrounding land uses.

There are three scenarios under the Infrastructure SEPP where additional land uses may be permitted through a site compatibility certificate. They are outlined here:

Additional uses on State land

Under clause 18 of the SEPP, additional uses may be undertaken on State land where it would otherwise be prohibited under an LEP, if the uses are permissible on adjacent land, and a site compatibility certificate is obtained from the Director-General of the Department of Planning.

'State land' means Crown land under the *Crown Lands Act 1989*, other land of the Crown or land vested in a Minister on behalf of the Crown, and land owned by a public authority other than a council.

It is important to note that these provisions do not apply to:

- State land reserved for conservation or other environmental protection purposes; or
- in council areas where a new principal local environmental plan is in place.

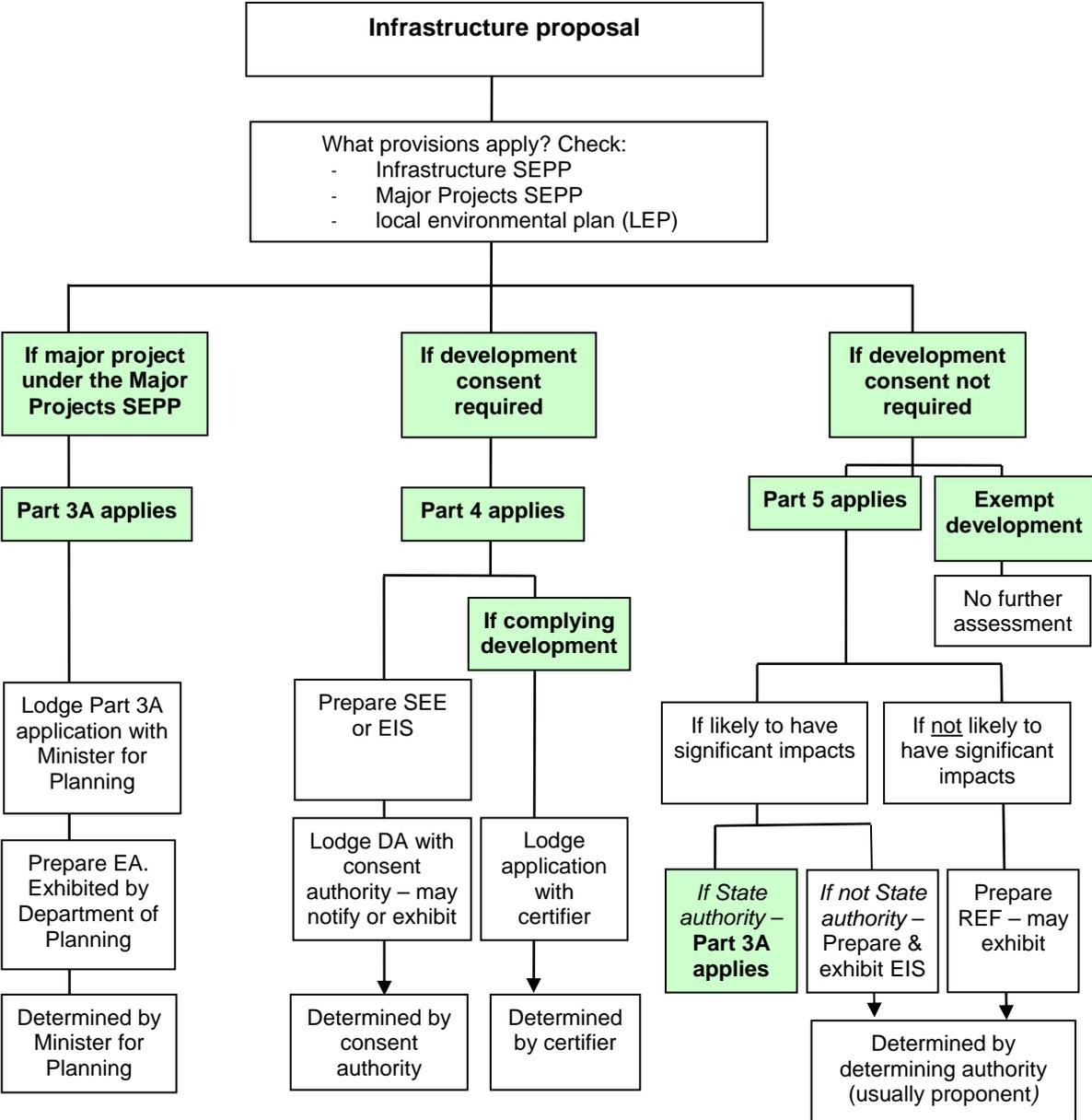
Co-location at health services facilities

Under clause 57(2) of the SEPP, additional uses are permitted on land zoned 'special use' for a health services facility by or on behalf of a public authority.

The additional uses that are permitted include:

- biotechnology research or development industries,
- business premises or retail facilities to cater for patients, staff or visitors
- multi-dwelling housing.

Figure 1. Planning process for NSW infrastructure proposals



As with clause 18 development above, consent must not be granted for development under clause 57(2) unless the consent authority is satisfied that the Director-General has certified in a site compatibility certificate that the development is compatible with the surrounding land uses.

Multi-dwelling housing near key rail stations

The SEPP also allows for a public authority or social housing provider to carry out multi-dwelling housing developments with consent within 800 metres of 18 key metropolitan railway stations (listed in clause 62 of the SEPP) in prescribed zones (e.g. certain residential or mixed use zones).

If the subject land is a special use zone or road reservation however, a site compatibility certificate must be obtained from the Director-General of the Department of Planning.

Applying for a site compatibility certificate

For more information on site compatibility certificates, including application forms, please refer to the guideline document *SEPP (Infrastructure) 2007: Director-General's site compatibility certificates – guideline for applications* on the Department of Planning website at www.planning.nsw.gov.au.

Consultation provisions

Consultation with councils

The SEPP requires public authorities to consult with councils when determining certain works under Part 5 of the Act if the works may affect:

- council infrastructure or services
 - stormwater management services
 - local road system
 - sewerage or water supply services
 - if a temporary structure in a public place
- local heritage items or conservation area
- flood liable land or changes to flooding patterns.

For details on the relevant consultation requirements, statutory timeframes and exemption from these provisions refer to clauses 13, 14, 15 and 17 of the SEPP.

Consultation with other public authorities

The SEPP also outlines requirements in clause 16 for consultation with other Government authorities in certain circumstances, such as for:

- development adjacent to national parks or aquatic reserves – Department of Environment and Climate Change
- development adjacent to a marine park – Marine Parks Authority
- development in the Sydney Harbour Foreshore Authority area – Sydney Harbour Foreshore Authority

- fixed or floating structures in or over navigable waters – NSW Maritime
- educational establishment, health services facility, correctional centre or group home, or residential purposes in an area that is bush fire prone land – NSW Rural Fire Service

Notifications for certain development

The Infrastructure SEPP requires that where a public authority is proposing to undertake development without consent for the following purposes:

- a new or existing electricity substation, or
- certain educational facilities such as single storey classrooms, administration facilities, sporting facilities or car parks

the proponent must notify the council and the occupiers of adjoining land of the intention to carry out the development. The authority is to take into consideration any response to the notice received within 21 days.

For details on the relevant consultation requirements and statutory timeframes refer to clause 42 (for electricity substations) and clause 30 (education facilities) of the SEPP.

Provisions applying to development adjacent to infrastructure

Development near specified gas pipelines

The SEPP contains requirements (under clause 55) for a consent authority to consider the potential safety risks or risks to the integrity of the gas pipeline that are associated with proposed development adjacent to key gas pipeline corridors listed in the SEPP.

Development involving level crossings

Clause 84 of the SEPP contains specific requirements for development involving:

- a new rail level crossing, or
- the conversion into a public road of a private access road across a rail level crossing, or
- a likely significant increase in the total number of vehicles or the number of trucks using a rail level crossing that is in the vicinity of the development.

The SEPP requires that concurrence be obtained from the rail authority before consent may be granted to the proposed development. For details on the relevant consultation and concurrence requirements and statutory timeframes refer to clause 84 of the SEPP.

Safety risks to development along rail corridors

The SEPP requires consent authorities to consider the following impacts of development in or immediately adjacent to rail corridors:

- rail safety and electricity infrastructure

- potential electrolysis impacts associated with metal finishes on structures (including buildings) near the corridor, and
- risks associated with crane use in air space above a rail corridor.

The SEPP requires notification to the rail authority for such proposed developments. For details on the consultation requirements and statutory timeframes refer to clause 85 of the SEPP.

Excavation in or adjacent to rail corridors

The SEPP includes provisions to protect and maintain the safety or structural integrity of existing or proposed rail infrastructure facilities in the corridor and ensuring their safe and effective operation.

Clause 86 applies to excavation ('penetration of the ground to a depth of at least 2 metres below ground level'):

- within or above a rail corridor, or
- within 25 metres of a rail corridor, or
- within 25 metres directly above an underground rail corridor.

The SEPP requires that concurrence be obtained from the rail authority before consent may be granted for such excavation activities. For details on the relevant consultation and concurrence requirements and statutory timeframes refer to clause 86 of the SEPP.

Interim Metropolitan Rail Expansion corridors

Interim Metropolitan Rail Expansion (IMREP) corridors are lands associated with the proposed expansion to the metropolitan rail network. These corridors have a specific 'protection regime' associated with them under the SEPP.

Although similar to the general requirements under clause 86 (see above), these IMREP corridors have different criteria (see clause 88) applying to them depending on whether the section of the corridor where the development is proposed is a tunnel or is above ground.

The SEPP requires that concurrence be obtained from the rail authority before consent may be granted for certain development within the IMREP corridors. For details on the consultation and concurrence requirements and statutory timeframes refer to clause 88 of the SEPP.

Development along road corridors

The SEPP contains provisions under clause 100 to prevent inappropriate development in corridors or road reservations for proposed classified roads, prior to the land being declared to be a classified road.

This provision applies to:

- subdivision that results in the creation of an additional lot with dwelling entitlements
- development with a capital investment value greater than \$150,000

- development for the purpose of dwellings that are, or any building that is to be held under strata title.

The SEPP requires that concurrence be obtained from the Roads and Traffic Authority (RTA) before consent may be granted for certain development on land reserved for the purposes of a classified road. For details on consultation and concurrence requirements and statutory timeframes refer to clause 100 of the SEPP.

Excavation along road corridors

Clause 103 of the SEPP applies to development involving the penetration of the ground to a depth of at least 3 metres on land that is the road corridor of specific roads or road projects including: the Eastern Distributor, Cross City Tunnel, Lane Cove Tunnel, Tugun Bypass, Liverpool – Parramatta Transitway or North-West Sydney Transitway Network.

The SEPP requires notification to the RTA for such proposed developments. For details on the consultation requirements and statutory timeframes refer to clause 103 of the SEPP.

Noise and vibration impacts near railways

The aim of clause 87 in the SEPP is to ensure that *noise sensitive development* proposed in or adjacent to a rail corridor is not adversely affected by rail noise or vibration. Such development includes: residential buildings, places of public worship, hospitals, educational establishments and child care centres.

Before determining noise sensitive development that is likely to be affected by rail noise or vibration, consent authorities must take into account any relevant guidelines that are issued by the Director-General.

Where the development is for residential use and is located in or adjacent to a rail corridor, a consent authority must not grant consent unless it is satisfied that appropriate measures will be taken to ensure that the following LAeq levels are not exceeded:

- in any bedroom in the building – 35dB(A) at any time between 10.00 p.m. and 7.00 a.m.
- anywhere else in the building (other than a garage, kitchen, bathroom or hallway) – 40dB(A) at any time.

Noise and vibration impacts along roads

Similar to clause 87, clause 102 includes provisions to ensure that *noise sensitive development* proposed in or adjacent to certain road corridors is not adversely affected by road noise or vibration.

These road corridors include freeways, tollways or transitways or any other roads with an annual average daily traffic volume of more than 40,000 vehicles (based on the traffic volume data published on the RTA website) and that the

consent authority considers is likely to be affected by road noise or vibration.

Before determining noise sensitive development that is likely to be affected by road noise or vibration, consent authorities must take into account any relevant guidelines that are issued by the Director-General.

Where the development is for residential use and is located in or adjacent to a relevant road corridor, a consent authority must not grant consent unless it is satisfied that appropriate measures will be taken to ensure that the following LAeq levels are not exceeded:

- in any bedroom in the building – 35dB(A) at any time between 10.00 p.m. and 7.00 a.m.
- anywhere else in the building (other than a garage, kitchen, bathroom or hallway) – 40dB (A) at any time.

Traffic generating development

SEPP 11 – Traffic Generating Developments has been repealed. The planning provisions previously in SEPP 11 have been updated and carried over into the Infrastructure SEPP.

Clause 104 of the Infrastructure SEPP outlines the planning requirements for traffic generating development listed in Schedule 3 of the SEPP.

As previously with SEPP 11, if development is proposed that meets the traffic generating criteria in Schedule 3, the RTA must be consulted. For details on consultation requirements and statutory timeframes refer to the SEPP (clause 104).

Exempt and complying development

The SEPP updates and consolidates provisions relating to exempt development for certain classes of public infrastructure. The exempt development requirements are outlined in clause 20 of the SEPP and the general provisions (e.g. development standards) are listed in Schedule 1.

The general provisions cover works such as security fittings, safety and OH&S works, signage, fencing, and minor building repairs and alterations. The SEPP also includes additional exempt provisions for specific types of infrastructure (e.g. ports, schools, electricity and gas supplies, parks and other public reserves).

Complying development provisions previously in SEPP 61 – Exempt and Complying Development for White Bay and Glebe Island Ports have been updated and incorporated into the Infrastructure SEPP, and now apply to land in the area of a port managed by a Port Corporation.

Relationship with other EPIs

In the event of an inconsistency, the Infrastructure SEPP overrides the provisions of most environmental planning instruments (e.g. local environmental plans). The exceptions to this include SEPP (Major Projects) 2005, SEPP 14 and SEPP 26. The SEPP (Major Projects) 2005 prevails over the Infrastructure SEPP to the extent of any inconsistency.

The provisions in the Infrastructure SEPP replace the provisions previously in the Environmental Planning and Assessment Model Provisions 1980, which had been transferred into the LEP Standard Instrument. These provisions have now been deleted from the LEP Standard Instrument.

In addition the following SEPPs have now been repealed, and their provisions updated and incorporated into the Infrastructure SEPP:

- SEPP 3 — Castlereagh Liquid Waste Disposal Depot 1981
- SEPP 7 — Port Kembla Coal Loader 1982
- SEPP 8 — Surplus Public Land 1983
- SEPP 9 — Group Homes 1983
- SEPP 11 — Traffic Generating Development 1985
- SEPP 16 — Tertiary Institutions 1985
- SEPP 27 — Prison Sites 1989
- SEPP 31 — Sydney (Kingsford Smith) Airport 1990
- SEPP 35 — Maintenance Dredging of Tidal Waterways 1993
- SEPP 43 — New Southern Railway 1994
- SEPP 48 — Major Putrescible Landfill Sites 1995
- SEPP 51 — Eastern Distributor 1997
- SEPP 54 — Northside Storage Tunnel 1997
- SEPP 61 — Exempt and Complying Development for White Bay and Glebe Island Ports 2000
- SEPP 63 — Major Transport Projects 2001
- SEPP 67 — Macquarie Generation Industrial Development Strategy 2001
- SEPP 69 — Major Electricity Supply Projects 2001
- SEPP 72 — Linear Telecommunications Development – Broadband 2002
- SEPP — ARTC Rail Infrastructure 2004
- SEPP — Sydney Metropolitan Water Supply 2004

Relationship to other legislation

The Infrastructure SEPP does not change any existing requirements for proponents to obtain relevant approvals under other legislation. This includes approvals under: *Fisheries Management Act 1994*, *Forestry Act 1916*, *Heritage Act 1977*, *Mine Subsidence Compensation Act 1961*, *Mining Act 1992*, *National Parks and Wildlife Act 1974*, *Protection of the Environment Operations Act 1997*, *Roads Act 1993*, *Rural Fires Act 1997* and *Water Management Act 2000*.

The Infrastructure SEPP does however continue the suspension of certain legislation related to the Northside storage tunnel, airport railway line and certain water supply works.

Further information

A link to the SEPP can be found on the Department of Planning's website at: www.planning.nsw.gov.au

If you have further enquiries, please phone the Planning Information Centre 02 9228 6333 or email information@planning.nsw.gov.au

Note: This and other Department of Planning circulars are published on the Department's web at www.planning.nsw.gov.au/planningsystem/practicenotes

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Important note

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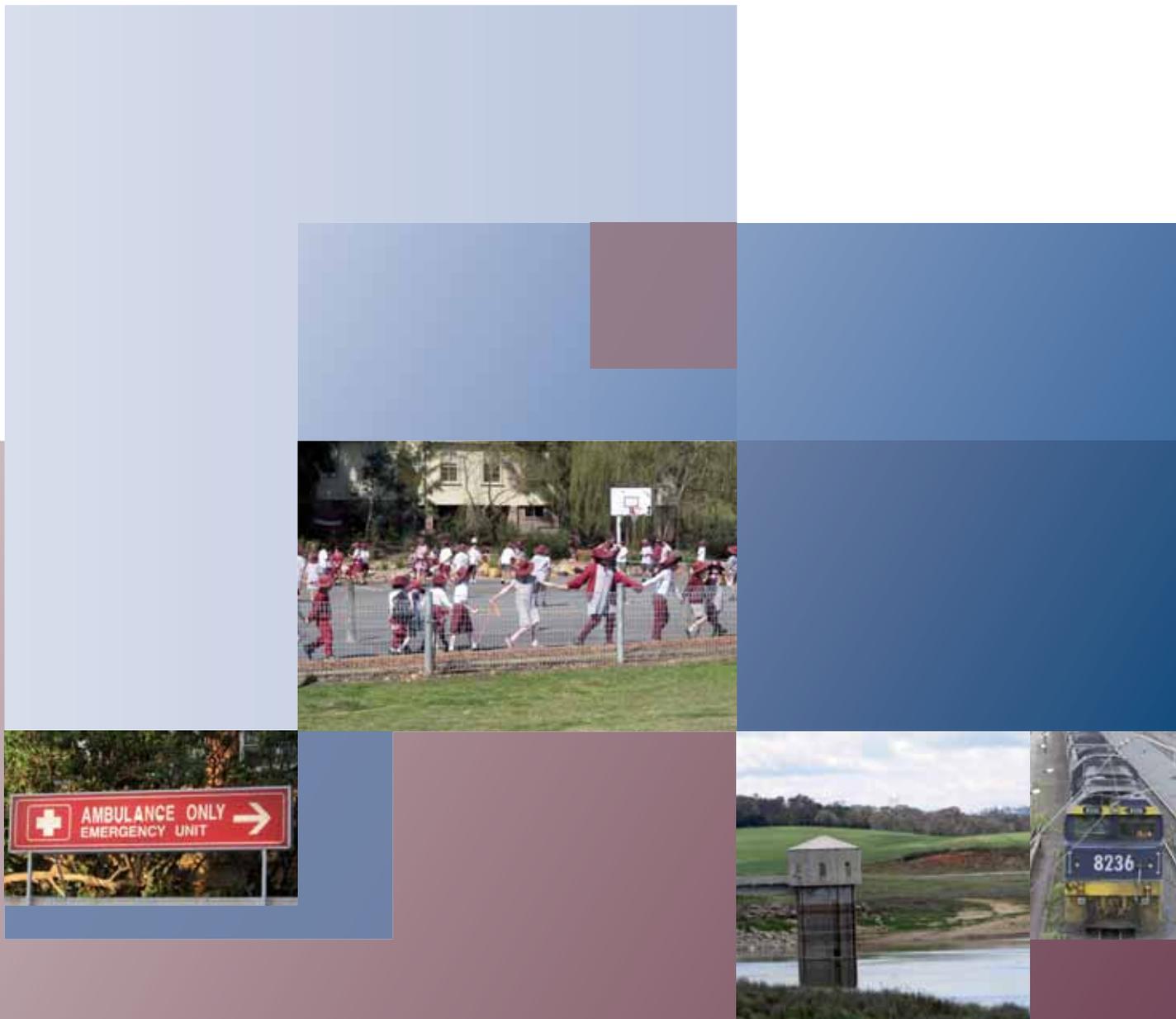
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PLANNING FOR INFRASTRUCTURE

A COMMUNITY GUIDE TO
THE STATE ENVIRONMENTAL PLANNING
POLICY (INFRASTRUCTURE) 2007

JANUARY 2008



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Introduction

As outlined in the NSW Government's State Infrastructure Strategy, more than \$110 billion is expected to be spent on infrastructure projects over the coming decade. Average annual spending alone is expected to top \$10 billion.

The State Environmental Planning Policy (Infrastructure) 2007 (known as the Infrastructure SEPP) assists in providing this new infrastructure by introducing updated planning provisions to improve efficiency and service delivery.

The Infrastructure SEPP assists local government, the NSW Government and the communities they support, by simplifying the process for providing essential infrastructure in areas such as education, hospitals, roads and railways, emergency services, water supply and electricity delivery.

The Infrastructure SEPP has specific planning provisions and development controls for 25 types of infrastructure works or facilities:

- air transport facilities
- correctional centres
- educational establishments
- electricity generating works
- electricity transmission and distribution
- emergency services facilities and bushfire hazard reduction
- flood mitigation works
- forestry activities
- gas transmission and distribution
- health services facilities
- housing and group homes
- parks and other public reserves
- port, wharf and boating facilities
- public administration buildings and buildings of the Crown
- rail infrastructure facilities
- research stations
- road and traffic facilities
- sewerage systems
- soil conservation works
- stormwater management systems
- telecommunications networks
- travelling stock reserves
- waste or resource management facilities
- water supply systems
- waterway or foreshore management activities

The Infrastructure SEPP outlines the planning rules for these works and facilities, including:

- Where such development can be undertaken;
- What type of infrastructure development can be approved by a public authority under Part 5 of the Environmental Planning and Assessment Act (EP&A Act) following an environmental assessment (known as 'development without consent');
- What type of development can be approved by the relevant local council, Minister for Planning or Department of Planning under Part 4 of the EP&A Act (known as 'development with consent');
- What type of development is exempt or complying development;
- The relationship of other statutory planning instruments to the Infrastructure SEPP.



Why the Infrastructure SEPP was introduced

It is important that our planning system supports an efficient and robust assessment of new infrastructure proposals. Many proposals however were being delayed by the former planning regime for infrastructure proposals, which often caused unjustifiable delays. Before the introduction of the Infrastructure SEPP, planning for infrastructure was regulated through a complicated and confusing array of local, regional and State statutory planning instruments as well as overlapping legislation. This guide lists the key issues the Infrastructure SEPP aims to address.

REDUCING THE NUMBER OF STATE PLANNING POLICIES

The Infrastructure SEPP replaces 20 State environmental planning policies (SEPPs) which had been made to provide planning provisions for different types of infrastructure projects. Some of these SEPPs dealt with general infrastructure and service issues (such as dams, sewage treatment plants, freeways, electricity transmission lines, regional landfills and maintenance dredging) while others dealt with specific projects (such as the Eastern Distributor).

The numerous and complicated provisions in each different SEPP made it difficult to follow a coherent set of planning controls for a given infrastructure project.

CASE STUDY: DELIVERY OF NEW RAILWAY FACILITIES



Under the standard provisions in local environmental plans (LEPs), any new railway line previously needed development consent from each local council area through which it passed. With the upgrade of existing rail lines, consent was also required for the railway station and other building works with the rail authority able to self assess and approve other components. These provisions were cumbersome and inappropriate for the delivery of new rail facilities of importance to the region or the State.

Over the years, the planning provisions for railway infrastructure in LEPs were supplemented by three SEPPs. These SEPPs were required to provide for the delivery of important rail projects, such as:

- Sydney's rail clearways program;
- The airport rail link, and;
- Assisting the Australian Rail Track Corporation to take responsibility for the construction, operation and maintenance of freight and country rail lines in NSW.

To provide a more systematic and efficient approach in the delivery of the NSW Government's transport plans, including investment in the metropolitan rail expansion corridors and the upgrading of the country regional rail network, the planning regime needed to be simplified. The Infrastructure SEPP performs this function.

It rationalises the existing three SEPPs and updates the provisions applying to the delivery of new services and augmentation of existing infrastructure. With the new policy regime in place, project-specific policies are no longer required to 'patch-up' the previously outdated provisions.

In addition, the Infrastructure SEPP provides for the protection of existing rail corridors and the proposed metropolitan rail expansion corridors. Currently only the South West and City of Sydney sections of the metropolitan rail network have been identified in maps for protection. The North West and Sydney CBD to Chatswood sections of the networks will be added to the protected corridors in the Infrastructure SEPP when the corridors have been approved by the Minister for Planning following an assessment under Part 3A of the EP&A Act.



The Infrastructure SEPP introduces a simplified planning regime for local councils, the NSW Government and other infrastructure providers to follow. It creates one consolidated set of State rules and development controls, to make it far easier to find out project-specific planning provisions for infrastructure in the one document.

UPDATING PLANNING APPROVAL PROVISIONS

Before the introduction of the Infrastructure SEPP, many of the planning provisions relating to infrastructure dated back more than 80 years to the Local Government Act 1919. At the time, it was considered necessary for councils to oversee construction of buildings (including buildings associated with the delivery of services) because of concerns about safe building practices. Greater trust however was placed in the delivery of civil engineering projects such as new electricity transmission networks, roads, water supply and sewerage systems. Traditionally engineers on these types of works were able to approve their own projects.

In the late 1970s, these early approval approaches were brought across into the establishment of assessment regimes in the EP&A Act, along with the production of the 'model provisions' for councils' local environmental plans.

While the major projects assessment system (Part 3A of the EP&A Act and the Major Projects SEPP) in 2005 updated this approach for large-scale infrastructure projects, there have been few significant reforms to the assessment system for smaller-scale projects.

Building construction is now overseen by far more detailed codes and standards, such as the Building Code of Australia, than existed 80 years ago. These codes and standards reduce the need for smaller-scale infrastructure projects to be subject to a development application process, which can considerably add to time delays and costs.

The Infrastructure SEPP identifies projects that can be determined by infrastructure providers and those that still require assessment through the traditional development application process. Infrastructure providers will now be able to determine an increased number of smaller-scale building works, freeing up council planning resources to concentrate on larger projects and strategic planning.

However, where infrastructure providers can approve their own works, the responsible agency and other determining authorities will still be required to undertake a proper environmental assessment of proposed new facilities. There are also increased consultation requirements imposed on such providers (see page 7).



CASE STUDY: EDUCATION FACILITIES



Minor infrastructure works are regularly required to maintain or improve the standard of school and technical education facilities. However, works such as relatively small new covered outdoor learning areas, sporting fields, building extensions, security fences and shade structures often previously required lodgement of a development application and were taking an average of nearly 100 days to approve.

With the introduction of the Infrastructure SEPP, the Department of Education and Training will be able to determine its own minor works including replacement of portable classrooms, construction of one-storey libraries, outdoor learning areas and sporting facilities. Any works that increase the capacity of the establishment by more than 10 per cent, are less than 5m from a property boundary, or impact on traffic and transport arrangements will continue to require lodgement of a development application.

Furthermore, awnings or canopies that are not within 5m of any property can usually proceed as exempt development.



IMPROVED FLEXIBILITY IN INFRASTRUCTURE LOCATION

Public infrastructure has typically been constructed in 'special use' zones in local planning instruments. These zones have usually been drawn around existing facilities, such as hospitals, schools or police or fire stations, rather than being strategically sited based on sound town planning principles. Local planning instruments (with a few exceptions) prohibit or restrict new public infrastructure in many other parts of the council area.

This has limited the opportunities to provide the public with infrastructure and services outside existing locations. Many of the existing sites contain facilities which have become inefficient, crowded or outdated and are badly in need of upgrading or replacement. In other locations, new services may be required due to demographic changes.

To provide new facilities, infrastructure providers have had to purchase or control new land, and lodge site-specific proposals to the local council to have

the land rezoned to permit the infrastructure facility. In some cases, this rezoning step was taking up to five years to achieve. Then, if successful, a development application was required to be lodged to build the facility. This two step process increased delays and costs to taxpayers rather than helping to provide new infrastructure in a cost effective and timely manner.

The Infrastructure SEPP prescribes a number of zones where particular types of infrastructure may be located without the need for a rezoning. However even if an infrastructure facility is permissible in a certain zone, it does not mean that it will automatically be approved on any site within that zone. There will still need to be an assessment either by a consent authority or infrastructure provider to determine the acceptability of the proposed infrastructure facility on the particular site.



SUPPORTING EXEMPT DEVELOPMENT

Under the EP&A Act, development which is considered to have minor or no impacts on the environment can be classed as exempt development and not require either development consent from local councils or an assessment and approval. Councils typically list minor commercial and residential works, including pergolas, fences below set heights, rural sheds, home occupations or backyard fixed barbecues, as exempt development.

However, many sorts of minor works undertaken by councils and NSW Government previously still required assessment or approval even though there were unlikely to be any environmental or amenity impacts. Many basic installations such as flag poles, security fencing, wheelchair access ramps and decks and awnings had not been classed as exempt development in local planning instruments, and had therefore by default required unnecessary approvals causing delays in installation.

The Infrastructure SEPP has been introduced to allow public authorities to undertake a range of minor works without needing to obtain approvals under the EP&A Act. All such works however must be of minimal environmental impact, must not impact on heritage or the amenity of surrounding areas, and must meet strict development standards including compliance with the Building Code of Australia and other relevant controls set out in the Infrastructure SEPP.

ASSISTING COUNCILS DELIVERING INFRASTRUCTURE AND SERVICES

One of the primary benefits of the Infrastructure SEPP includes assistance to local councils' engineering works and services departments in providing essential urban utilities including new or updated water supplies, sewerage systems, waste disposal services, stormwater infrastructure and local road infrastructure. The policy benefits to local councils include providing more flexibility as to where services can be provided, reducing the complexity of planning rules applying when installing new facilities and increasing the scope of exempt development so that basic works can be undertaken efficiently with less time and money wasted on administrative red tape.

Of particular interest in rural areas, the Infrastructure SEPP expands provisions for local councils to deal with protecting emergency water supplies during drought periods, managing the impacts of flooding, soil conservation works, and undertaking riparian corridor and river management works.



INCREASING PUBLIC SAFETY

The Infrastructure SEPP contains provisions to support the safe operation of major roads, railway lines, gas pipelines and electricity transmission facilities. For instance, relevant rail authorities must be consulted about proposed new developments which could significantly increase vehicle and truck numbers using a level crossing, or result in conversion of a private crossing to a public crossing or the construction of a new level crossing. It also strengthens planning provisions by requiring local or State infrastructure proponents to consider the effect of their development on the flooding or bushfire status of surrounding land or navigation safety within waterways.

The policy also makes it simpler and easier for government agencies to respond to emergencies, conduct essential maintenance, and install safety and security features associated with public infrastructure (e.g. fencing, locked gates, safety barriers and warning signs).

IMPROVING NOISE MANAGEMENT OUTCOMES ALONG TRANSPORT CORRIDORS

Over time, it is expected that land near railway lines and major roads will be subject to ongoing land-use intensification. This is especially the case in the Sydney metropolitan area, where 60–70 per cent of new homes are expected to be built in existing areas in the next two decades. It is important that these dwellings have a high standard of residential amenity.

The Infrastructure SEPP introduces noise standards for new residential developments along rail corridors and freeways, tollways, transitways and any other roads with an annual average daily traffic volume of more than 40,000 vehicles. Before approving a residential development in these corridors, the consent authority must be satisfied that measures have been taken to ensure bedroom noise will not be greater than 35 decibels at any time between 10pm and 7am and noise in other rooms is no greater than 40 decibels at any time. Measures such as sound attenuation in windows and doors or appropriate building design and layout could be used to meet these noise limits.

The consent authority must also take into consideration any guidelines that are issued by the Director-General of the Department of Planning.



CONSULTATION WITH COUNCILS

The Infrastructure SEPP also increases consultation requirements for public infrastructure providers when determining their own works. These agencies must consult councils (including giving 21 days for comments) if the proposed development will strain the capacity of the road system, is located on flood-prone land, or has substantial impacts on stormwater, sewerage or water supply systems.

Councils should also be consulted and a heritage assessment prepared when the development will impact on a local heritage item or heritage conservation area. Clause 17 of the Infrastructure SEPP lists the exceptions to these consultation requirements, including for emergency works or development done under a code of practice.

REASONABLE CO-LOCATION

It has been difficult in the past for some infrastructure providers to co-locate compatible facilities on infrastructure lands (because of the zoning restrictions outlined above) unless those facilities were specifically permitted on the site.

The Infrastructure SEPP however introduces co-location provisions to allow compatible and related services to be located with other infrastructure services despite the provisions of a local environmental plan.

For instance, it allows biotechnology research facilities, some business premises and multi-dwelling housing by or on behalf of a public authority (subject to the site compatibility certificate and development approval process outlined below) to be located on hospital grounds. This allows doctors, nurses and families of in-patients to access living quarters near hospital facilities, rather than relying on accommodation some distance away. It will also allow doctors' surgeries and offices to be located on-site, benefiting patients and their families.

It also makes permissible multi-dwelling housing by a public authority or social housing provider in certain zones within 800 metres of 18 key metropolitan railway stations (also subject to the site compatibility certificate and development approval process), to assist in the creation of low-cost housing in accessible locations.

Furthermore, the Infrastructure SEPP allows for co-location of industry and electricity generating works to provide opportunities to increase energy efficiency and promote cogeneration. The SEPP also allows for co-location of sewage treatment and electricity generating works to encourage the use of sewage waste in energy generation, thereby reducing the use of conventional electricity sources and promoting greener energy sources.

PERMITTING COMPATIBLE LAND USE ON STATE LAND

The Infrastructure SEPP updates and improves some provisions of SEPP 8 (Surplus Public Land), which has been repealed.

Under SEPP 8, new residential or commercial developments, or those on adjoining land-uses, were allowed on surplus public land. However, the Infrastructure SEPP limits new uses on State lands (excluding conservation lands) to those only on adjoining land-uses if a site compatibility certificate has been issued by the Department of Planning. This avoids the creation of new inappropriate industrial or commercial estates on surplus NSW Government land, when the adjacent land-uses are residential, causing land-use conflict.



The Infrastructure SEPP requires site compatibility certificates as an alternative to a rezoning for the following development proposals on the following State and other lands to ensure compatibility with surrounding land-uses:

- Uses permitted on adjoining land on any State lands (excluding conservation lands);
- Biotechnology research facilities or business premises and multi-dwelling housing by or on behalf of a public authority on hospital grounds (as outlined above);
- Multi-dwelling housing by a public authority or social housing provider in certain zones within 800 metres of 18 key metropolitan railway stations (also outlined above).

The Infrastructure SEPP provides that before a development application can be lodged to develop or redevelop these State and other lands, a site compatibility certificate must be issued by the Director-General of the Department of Planning, in consultation with the local council. A site compatibility certificate is a notice stating that a proposed land use for a given site is compatible with surrounding land uses and appropriate in terms of the bulk and scale of the development, and its potential impacts on local services and infrastructure. Those proposing to develop the land then lodge a development application (with the site compatibility certificate) usually with the local council for a decision.



How the Infrastructure SEPP relates to other laws and policies

Other legislation associated with delivering public infrastructure and services is not affected by the Infrastructure SEPP. Relevant approvals, licences or permits under other legislation must still be obtained for infrastructure works. This includes approvals under the Fisheries Management Act 1994, Forestry Act 1916, Heritage Act 1977, Mine Subsidence Compensation Act 1961, Mining Act 1992, National Parks and Wildlife Act 1974, Protection of the Environment Operations Act 1997, Roads Act 1993, Rural Fires Act 1997 and Water Management Act 2000. However the legislation listed in Clause 9 of the Infrastructure SEPP which was previously suspended in order to deliver the northside storage tunnel, airport railway link and certain water supply works will continue to be suspended in relation to those infrastructure facilities.

The Infrastructure SEPP overrides most other environmental planning instruments under the EP&A Act including local environmental plans, regional environmental plans, and other State environmental planning policies. The following policies however override the Infrastructure SEPP:

- SEPP (Major Projects) 2005,
- SEPP 14—Coastal Wetlands
- SEPP 26—Littoral Rainforests

The SEPP 14 and SEPP 26 policies prevail over the Infrastructure SEPP in the event of any inconsistency. However, emergency works and essential maintenance activities along electricity, rail and road corridors, may be undertaken despite SEPP 14 and SEPP 26 provisions, but only if adverse affects are minimised in these protected coastal areas.

The Infrastructure SEPP includes relevant provisions from the following SEPPs which have been revoked.

- SEPP No 3 – Castlereagh Liquid Waste Disposal Depot
- SEPP No 7 – Port Kembla Coal Loader
- SEPP No 8 – Surplus Public Land
- SEPP No 9 – Group Homes
- SEPP No 11 – Traffic Generating Developments
- SEPP No 16 – Tertiary Institutions
- SEPP No 27 – Prison Sites
- SEPP No 31 – Sydney (Kingsford Smith) Airport
- SEPP No 35 – Maintenance Dredging of Tidal Waterways
- SEPP No 43 – New Southern Railway
- SEPP No 48 – Major Putrescible Landfill Sites
- SEPP No 51 – Eastern Distributor
- SEPP No 54 – Northside Storage Tunnel
- SEPP No 61 – Exempt and Complying Development for White Bay and Glebe Island Ports
- SEPP No 63 – Major Transport Projects
- SEPP No 67 – Macquarie Generation Industrial Development Strategy
- SEPP No 69 – Major Electricity Supply Projects
- SEPP No 72 – Linear Telecommunications Development – Broadband
- SEPP (ARTC Rail Infrastructure) 2004
- SEPP (Sydney Metropolitan Water Supply) 2004

The Infrastructure SEPP does not alter the major projects assessment system (Part 3A of the EP&A Act and the Major Projects SEPP). This system was introduced in 2005 to assess and determine projects of regional and State significance including critical infrastructure projects. The Part 3A planning process provides a system of assessment and determination through the Department of Planning, with the Minister for Planning as the independent approval authority.



2007 TO 2008 TRAFFIC FACILITIES PROGRAM

EXECUTIVE SUMMARY

PURPOSE OF REPORT:

To advise Council of additional funding offered by the Roads and Traffic Authority and seeks approval to amend the 2007 to 2008 Traffic Facilities Program.

BACKGROUND:

On 26 February 2008, the RTA advised that additional funding was available pedestrian and cycleway projects in 2007-08. A schedule of pedestrian and cycleway projects was submitted from which the RTA selected three projects for funding.

These are a pedestrian refuge and kerb ramps in Moore Street, Roseville at the intersection with Addison Avenue; an accessible ramped connection to the Children's Crossing in outside Roseville Public School and upgrading the existing Children's crossing in Addison Avenue outside Roseville Public School with a Wombat (raised) Crossing.

COMMENTS:

All projects have been approved by Council but not yet funded.

The funding must be matched on a 50-50 basis and the projects completed by 30 June 2008. Council's 50% share of the cost of the work, totalling \$31,000 can be funded from savings within the 2007-08 Traffic Facilities Program.

RECOMMENDATION:

That Council accepts the funding offer from the Roads and Traffic Authority for the construction of the three projects and funds Council's 50% share of the cost of the work, totalling \$31,000 from savings within the 2007 to 2008 Traffic Facilities Program.

PURPOSE OF REPORT

To advise Council of additional funding offered by the Roads and Traffic Authority and seeks approval to amend the 2007-2008 Traffic Facilities Program.

BACKGROUND

At the Ordinary Meeting of Council held on 28 August 2007 Council adopted the 2007-08 Capital works Program which included the following 2007-2008 Traffic Facilities Program.

Primary Road	Intersecting Road/ between	Suburb	Est Cost	Possible Treatment
Bobbin Head Rd	Du Faur Str	N Turramurra	16,000	Pedestrian refuge - 50% RTA funded
Bannockburn Rd	Selwyn St	Pymble	60,000	Further investigation required - roundabout not practical. Realignment of Selwyn St + traffic calming in Bannockburn Rd
Bannockburn Rd	Rushall St	Pymble	30,000	Further investigation required - roundabout not practical. Traffic calming in Bannockburn Rd
Koola Ave	Churchill Rd	East Killara	20,000	Consider marked right turn bay and ped refuge in Koola
Yarrabung Rd	Stanley St	St Ives	50,000	Further investigation required – possibly installation of traffic management devices

On 26 February 2008, advice was received from the RTA that additional funding had become available for pedestrian and cycleway projects in 2007-08. The funding was to be matched on a 50-50 basis and projects had to be completed by 30 June 2008.

A schedule of pedestrian and cycleway projects previously approved by Council but not yet funded was submitted to the RTA for consideration.

On 19 March 2008, the RTA advised that additional funding was available on a 50-50 basis for the following projects in Ku-ring-gai:

Location	Suburb	Treatment	Project Cost	RTA Funds	Council Funds
Moore St	Roseville	Construct pedestrian refuge and kerb ramps at intersection with Addison Av	12,000	6,000	6,000
Addison Av	Roseville	Construct ramped connection from existing footpath to Children's Crossing outside Roseville Public School	28,000	14,000	14,000
Addison Av	Roseville	Upgrade existing Children's crossing outside Roseville Public School with a Wombat (raised) Crossing	22,000	11,000	11,000

COMMENTS

The construction of a pedestrian refuge and kerb ramps in Moore Street at the intersection with Addison Avenue was approved by Council in April 2000. This project will improve safety for a significant number of children who walk daily from Roseville Public School to a child care facility on Babbage Road.

The ramped connection to the Children's Crossing outside Roseville Public School was approved by Council in April 2000. The existing crossing is not accessible by the disabled or people with strollers. There are no kerb ramps and there is a significant grade from the footpath across a slippery grassed nature strip to the kerb on both sides. The proposed ramps will create a safer accessible crossing for all users.

The Wombat (raised) crossing was approved by Council in June 2002. Pedestrian and vehicle movements in Addison Avenue meet the warrant for a marked pedestrian crossing. Therefore, KTC recommended that the existing Children's Crossing be converted into a Wombat Crossing.

All three projects have been submitted to the RTA for funding annually under their Local Government Pedestrian Facilities Program, but have not received funding until now.

As approval has already been obtained through the Ku-ring-gai Traffic Committee and Council, the works can be designed and commenced as soon as possible.

CONSULTATION

Comment was sought from the Principal of Roseville Public School. She advised that the school is delighted with the proposal and advised that such an improvement would:

1. Benefit school community who is looking for a safer area to cross;
2. Encourage students who walk along Addison Avenue from the before/after school care centre in Moore Street to use this crossing point; and,
3. Provide better visibility for motorists of children crossing the road.

FINANCIAL CONSIDERATIONS

Council's 50% share of the cost of the work, totalling \$31,000 can be funded from savings within the 2007-08 Traffic Facilities Program.

The Traffic Facilities Program contains \$90,000 for two projects in Bannockburn Road, one at Selwyn Street and the other at Rushall Street. Following further investigation, the proposed realignment of Selwyn Street at Bannockburn Road has been abandoned in favour of traffic calming devices within Bannockburn Road. While the exact nature of the traffic calming devices is still under consideration by the Ku-ring-gai Traffic Committee, the total cost is expected to be less than \$60,000. The balance could be made available for Council's 50% share of the additional projects.

CONSULTATION WITH OTHER COUNCIL DEPARTMENTS

Consultation with Finance confirms that funding for Council's 50% share of \$31,000 is available if savings are made from the Bannockburn Road projects in the Traffic Facilities Program as described above.

SUMMARY

On 26 February 2008 the RTA advised that additional funding was available pedestrian and cycleway projects in 2007-08. A schedule of pedestrian and cycleway projects was submitted from which the RTA selected three projects for funding.

These are a pedestrian refuge and kerb ramps in Moore Street, Roseville at the intersection with Addison Avenue; an accessible ramped connection to the Children's Crossing in outside Roseville Public School and upgrading the existing Children's crossing in Addison Avenue outside Roseville Public School with a Wombat (raised) Crossing.

All projects have been approved by Council but not yet funded.

The funding must be matched on a 50-50 basis and the projects completed by 30 June 2008.

Council's 50% share of the cost of the work, totalling \$31,000 can be funded from savings within the 2007-08 Traffic Facilities Program.

RECOMMENDATION

- A. That Council accepts the funding offer from the RTA for the construction of a pedestrian refuge and kerb ramps in Moore St, Roseville at the intersection with Addison Avenue; an accessible ramped connection to the Children's Crossing outside Roseville Public School and upgrading the existing Children's crossing in Addison Avenue outside Roseville Public School with a Wombat (raised) Crossing.
- B. That Council's 50% share of the cost of the work, totalling \$31,000 can be funded from savings within the 2007-2008 Traffic Facilities Program.

Roger Guerin
Manager Design & Projects

Greg Piconi
Director Operations

Attachments: **Email from RTA dated 19 March 2008 - 912943**

E-Mail Message

From: [CVETOJEVIC Divna \[SMTP:Divna_CVETOJEVIC@rta.nsw.gov.au\]](mailto:CVETOJEVIC.Divna@rta.nsw.gov.au)
Sent: 19/03/2008 at 1:06 PM
To: [Roger Guerin](#)
Cc: [Greg Piconi](#)
Subject: FW: Additional 2007/08 Sydney pedestrian funding
Importance: High

Roger

Please find enclosed info received from client 11. March 2008 and confirmed today, in relation to the additional funds for Ku-ring-gai Council in the 07/08 program

As per suggestions / project prioritisation list you forwarded to us earlier, projects listed below are approved and could you please insure that they are completed by 30 June 2008.

Additionally, In relation to the project No.T/02797 (07/08 FY) - Footpath / Ramp, Boundary St / Archer St, Roseville I am informed that additional funds for the design are not available in this financial year and it was suggested for council to extend its investigation into the most appropriate treatment at the subject site (considering also the RTA's comments / suggestions re the TS site - as per e-mails forwarded to you) and to forward new application in the future with the clearly defined scope of works.

If you have any additional questions please contact me.

Regards

Divna

Divna,

Just a short note to formalise that the additional funding has been approved. The WBS projects to receive the revised allocations are as follows:

T/03337 - Addison Ave - Wombat = \$11,000
T/03338 - Addison Ave - Ramps = \$14,000
T/03339 - Moore Street - refuge/ramps = \$6,000

All works to be completed before 30 June 2008.

Thanks

Before printing, please consider the environment.

IMPORTANT NOTICE: This e-mail and any attachment to it are intended only to be read or used by the named addressee. It is confidential and may contain legally privileged information. No confidentiality or privilege is waived or lost by any mistaken transmission to you. The RTA is not responsible for any unauthorised alterations to this e-mail or attachment to it. Views expressed in this message are those of the individual sender, and are not necessarily the views of the RTA. If you receive this e-mail in error, please immediately delete it from your system and notify the sender. You must not disclose, copy or use any part of this e-mail if you are not the intended recipient.

31/3/2008

CROMEhurst SPECIAL SCHOOL - REQUEST FOR FINANCIAL ASSISTANCE

Ward: Roseville

EXECUTIVE SUMMARY

PURPOSE OF REPORT:

To advise Council of a request from Cromehurst Special School to provide financial assistance for the reconstruction of the driveway into the School.

BACKGROUND:

Mr Peter Walker contacted Council's Driveways and Restorations Engineer in February 2008 to provide a quotation for changes to the driveway to the school located in Tryon Road Lindfield.

COMMENTS:

The Principal of Cromehurst Special School is seeking financial assistance from Council for reconstruction of their driveway.

RECOMMENDATION:

That Council fund 50% of the reconstruction costs of the driveway in Tryon Road from the recurrent budget for access crossings.

PURPOSE OF REPORT

To advise Council of a request from Cromehurst Special School to provide financial assistance for the reconstruction of the driveway into the school.

BACKGROUND

Mr Peter Walker contacted Council's Driveways and Restorations Engineer in February 2008 to provide a quotation for changes to the driveway to the school located in Tryon Road Lindfield.

The school has purchased a new school bus and due to the lower clearances, the bus undercarriage scrapes on the road surface and driveway.

Council's quotation for the work is in accordance with the set fees and charges.

COMMENTS

Attached is a copy of a letter from the Principal at the school seeking financial assistance from Council to help fund the reconstruction of the driveway. Also included is a copy of Council's quotation for the work.

CONSULTATION

Consultation has taken place with the Principal of Cromehurst Special School. The Member for Davidson has also written to Council seeking support for financial assistance.

FINANCIAL CONSIDERATIONS

Council's quotation for the reconstruction of the driveway is in accordance with Council's fees and charges.

Financial assistance of 50% of the cost of the work can be funded from the recurrent budget for access crossings.

CONSULTATION WITH OTHER COUNCIL DEPARTMENTS

Discussions have been held with Corporate Department.

SUMMARY

Council is in receipt of a letter from the Principal of Cromehurst Special School seeking financial assistance to reconstruct the driveway entrance to the school.

Item 9

88/06148/01
31 March 2008

If Council were to fund 50% of the costs to undertake this work, then funding could be provided from the recurrent budget for access crossings.

Given the safety issues involved and the needs of the school, the request for assistance appears reasonable.

RECOMMENDATION

- A. That Council advises the Principal of Cromehurst Special School that it will fund 50% of the cost for the reconstruction of the driveway in Tryon Road.
- B. That funding for Council's share be funded from the recurrent budget for access crossings.

Greg Piconi
Director Operations

Attachments: Letter from Principal of Cromehurst Special School dated 18 March 2008 - 910862

CROMEHURST SPECIAL SCHOOL

Principal: Mr Peter Walker



8 Nelson Road
LINDFIELD NSW 2070
Telephone: (02) 9416 9293
(02) 9416 9281
Facsimile: (02) 9416 1393

Email: cromehurst-s.school@det.nsw.edu.au
Website: www.cromehurst-s.schools.nsw.edu.au

Greg Piconi
Director Operations
Ku-ring-gai Council
818 Pacific Highway
Gordon NSW 2072

Dear Mr. Greg Piconi,

IN 2007 our school purchased a brand new school bus, replacing our much older model. One of the reasons we updated our bus was because we now have students in wheelchairs at Cromehurst and we required a bus which could accommodate them. Unfortunately our new bus is about a metre longer than the older model (we could not get a smaller one that had the same features), which means we can no longer use the Tryon Road entrance. As a temporary measure we have been entering the school at Nelson Road, which will soon not be a possibility due to planned works within our grounds.

On the 27th of February a quote (#1408) was made by the Ku-ring-gai council for replacing the Tryon Road kerb and gutter, enabling us to safely enter the school. This quote came in at \$4, 430. The replacement of the current driveway is a safety issue for us as it means we do not have to do 3-point turns within the school to change the direction of the bus, which is our current practice. This practice requires additional staff to help ensure that none of our students with disabilities are within the area at this time. It is also an issue because we cannot proceed with plans to add playground equipment to our secondary area – due to the 3 point turn infringing on this area. We would love to accept this quote and begin work as soon as possible, but would appreciate any assistance the Ku-ring-gai council could offer in terms of relieving the great funding expense. We would be prepared to fund half of the expense if the council could fund the additional half. Our preference would be to pay as little as possible, as we have many properties issues which could really use our money. Just one of these is the re-sizing of our gateway which would need to occur as a result of this project.

We hope the Council is able to come to our assistance regarding this manner and we look forward to hearing from you as soon as possible.

Regards,

A handwritten signature in black ink, appearing to read "Peter Walker".

Peter Walker
Principal
18/3/08

KU-RING-GAI COUNCIL

818 Pacific Highway Gordon NSW 2072

QUOTATION PAYABLE BY APPLICANT FOR WORK CARRIED BY
WORKS DEPOT 3-7 CARLOTTA AVE GORDON 2072

At No 8 Nelson Street In Tryon Road Lindfield
Name Cronehurst School ATT: Peter Walker
Address As Above
Phone No 9416 9293

Dear Sir/Madam

Upon payment of this amount to Council, the work will be carried out.

This quotation does not include the cost of rock excavation, alteration of mains or services or any other unforeseen additional work.

In any correspondence relating to this matter, please refer to the number in top right-hand corner and contact

Fortunate Verdaci Telephone 9424 0194

PROPOSED WORK

Construct 4.5	Kerb & Gutter Replacement	\$ 850.00
Construct 4.5	metre extension / concrete Layback Gutter Crossing	\$ 1,300.00
Construct	metre 300mm extension / Gutter Pipe Crossing	\$.
Construct 8	m ² Reinforced F 72 concrete Driveway Crossing	\$ 1,680.00
Construct	m ² Asphalt Driveway Crossing	\$.
Seal Road Shoulders only between edge of bitumen & new concrete		\$ 600.00

KU-RING-GAI COUNCIL
QUOTATION IS VALID FOR
12 MONTHS.
CONSTRUCTED DRIVEWAYS
ARE NOT
TO BE USED FOR 7 DAYS.

GST \$402-72

TOTAL AMOUNT PAYABLE \$ 4,430.00

Yours faithfully

J. Verdaci for General Manager

Date 27-02-08

OFFICE USE ONLY

Date Paid Receipt No Amount \$

CASHIER: Credit to Job No 802.533.764
RC 727

WEST PYMBLE POOL - EXPRESSIONS OF INTEREST EVALUATION

EXECUTIVE SUMMARY

PURPOSE OF REPORT:	To inform Council of the submissions received during the expressions of interest process and seek Council's approval to commence selective tender processes for the design and for the management of the West Pymble Pool.
BACKGROUND:	At the Ordinary Meeting of Council on 13 November 2007, it was resolved that Council adopt concept Option 1 as the basis of a preferred option for the provision of new indoor pool facilities and that further reporting to Council occur following a call for Expressions of Interest.
COMMENTS:	Council received 23 submissions from the expressions of interest process. Five submissions were received for architectural services only; seven submissions were received from construction companies for design and construct services; one submission was received for construction only; six submissions were received for management of the completed facility; two submissions were received for project management of the redevelopment; one submission was received for planning, design, management and operation; one submission was received to design, fund, develop and operate the facility. From an evaluation of the submissions, it has been identified that a separate design phase is necessary to get the best outcome. With this, provisional appointment of an operator is sought to help inform the design.
RECOMMENDATION:	That Council proceed to selective tender for the design of the indoor swimming pool and undertake a selective tender process to identify a provisional operator of the facility. Following completion of the design an open tender would be used for the construction. Reporting to Council on each of the three tender processes will be undertaken in accordance with Council's Purchasing Policy and the Local Government Act.

PURPOSE OF REPORT

To inform Council of the submissions received during the expressions of interest process and seek Council's approval to commence selective tender processes for the design and for the management of the West Pymble Pool.

BACKGROUND

At the Ordinary Meeting of Council on 13 November 2007, it was resolved:

- A. That Council adopt Option 1 as the basis of a preferred option for the provision of new indoor pool facilities.
- B. That consultation including a presentation and discussion of the proposal be undertaken at the Lofberg Road Community Hall. Further that information be available at the pool, on Council's website and in the media regarding the proposal.
- C. That Council call for expressions of interest to gauge interest from the private sector in investing in the development and/or ongoing management of West Pymble Pool as outlined in the Report.
- D. That funding of the facility be considered in the review of Council's Long Term Financial Model in December 2007 and following consideration of responses to an Expression of Interest.
- E. That further reporting to Council occur following the undertaking of an Expression of Interest by the end of February 2008 which considers feedback from the period of consultation and further review and development of the financial model, including capital depreciation and ongoing costs and income.
- F. That further review of the concept design seek to ensure retention or relocation of the existing baby & toddler pools.

This report addresses this resolution for the preferred Option 1 that includes the provision of:

- 25 metre x 8 lane indoor heated pool
- Water play and baby/toddler/junior swimming opportunities
- Program/hydrotherapy pool
- Improved change rooms and café/refreshment facilities
- Retention of the existing 50 metre pool

A public consultation meeting was undertaken on Saturday 16 February 2008, at the West Pymble Bowling Club, Bicentennial Park, Ryde Road, West Pymble. At this meeting a presentation of the preferred option was given from which there was strong community support for the facility. Parking and traffic were raised as general issues regarding the proposal with members of the community commenting on specific design aspects such as the need for accessible facilities that will be addressed as part of the design tender.

Item 10

S06518
1 April 2008

An Expression of Interest (EOI) was called in mid-January with a closing date of 29 February 2008. This sought responses to five options as outlined in the report to Council on 13 November 2007. The options included:

1. Council funds, designs and builds the facility (under contract), then operates the facility;
2. Council funds, designs and builds the facility (under contract), then leases or contracts out the management rights;
3. Council designs the facility and seeks an organisation to build and operate it;
4. Council uses the adopted preferred design option and facilities mix as a basis for the development and seeks a development partner who will finalise designs and build and operate the facility on Council's behalf;
5. An alternative strategy.

The rationale for this approach was to gauge industry response to the various options. From this a decision could be made to proceed along one path based on the skills and experience arising. Information was sought across the following areas:

- 1 Organisation name(s)
- 2 Contact details and principal applicant
- 3 Names and contact details of three referees regarding past experience, preferably in similar projects
- 4 Details of past experience in similar projects
- 5 The strategy(s) which the applicant wishes to pursue and a discussion of how it/they would be implemented and the advantages which can be offered by the proposed approach
- 6 Funding capacities in relation to the preferred strategy(s)
- 7 The projected financial performance of the strategy(s) being proposed and strategies for resolving any financial shortfalls
- 8 The projected/proposed costs for which Council would be liable, including consultant costs and projected construction costs
- 9 Proposed timelines for action
- 10 Other information deemed to be relevant to the submission.

Submissions were evaluated on the following criteria:

- the quality of the EOI with regard to the optional redevelopment strategies and the details provided under points 1. to 10. above;
- the competency of the applicants to address one or more of the redevelopment strategies; and
- the understanding by the applicant of the scope and complexity of designing and/or building and/or managing and operating the redeveloped West Pymble Pool.

COMMENTS

A total of 23 responses were received and assessed by an evaluation panel comprising of the Manager Sustainability & Natural Environment, Sport and Recreation Planner and Team Leader Urban Design. Submissions were assessed against the above evaluation criteria and given a rating of either satisfactory or not satisfactory as to their suitability to progress to the selective tender stage.

Item 10

S06518
1 April 2008

Of the 23 submissions from the expression of interest:

- 5 were received for architectural services only;
- 7 were received from construction companies for design and construct;
- 1 was received for construction only;
- 6 were received for management of the completed facility;
- 2 were received for project management of the redevelopment;
- 1 was received for planning, design, management and operation;
- 1 was received to design, fund, develop and operate the facility.

A non-conforming submission was received in relation to the provision of aquatic furniture that had no bearing on the expression of interest process. The full list of submitting firms is contained in the **Attachment 1**.

As part of the review process consideration was given to the strengths of the various proposal options. These primarily included: design only; design and construct; design, construct and operate; and operate. The rationale for this review was to ascertain the relative skills and experience in each of the bids as they related to individual stages of the project. During this review, it became apparent that the first element, the design, was critical to the success of the project. For this reason, it was decided that various tender processes could be used for each stage of the project to maximise the skills of the proponents.

As an overarching comment, the firms that expressed interest in design only emphasised this as the foundation for a successful facility. Given the site constraints and direction given by Council this was given considerable weight in the decision process. Responses that sought more than the design phase tended to underplay the skill and experience in the design process, often reflecting the expertise of the company bidding for the project most commonly a builder or operator.

One of the key objectives of the Expression of Interest was to test the market to ascertain whether any consortia were interested in providing funding towards the cost of construction. This was addressed by two bids, one that sought to substantially expand the scope of the project and footprint the other identified the need for a slightly expanded scope through the provision of a dry health and fitness area to enable the facility to operate without subsidy. As both went outside the resolved direction for the facility it was concluded no realistic funding partnership options were viable. It should be noted however that many of the operators and architects identified the value of a dry recreation area (gym) to assist in the commercial viability of the facility and for Council this may mean a facility that does not require financial subsidy.

Four of the five submissions (as listed below) that focused on the provision of architectural services were considered of high enough standard to be invited to progress to be invited to the next stage of the process.

Architectural firms:

Brewster Hjorth Architects

Mode Design

Williams Ross Architects

Suters Prior and Cheney Architects

Tompkins MDA Architects

Item 10

S06518
1 April 2008

The referee check for Tompkins MDA Architects proved to be unsatisfactory. Furthermore, their current work designing the new Council Works Depot has resulted in delays. Poor staff continuity has also contributed to a disappointing experience for Council.

It is recommended that the remaining four firms be invited to progress to a selective tender stage for the design of the facility. **Confidential Attachment 2** provides a report on these reference checks.

Seven submissions were received for the design and construction option. These submissions were all either non-conforming or displayed little appreciation of the design element of the project as part of their design and construction submission. Most of the proposals in this category came from builders that placed a heavy emphasis on their construction experience with minimal emphasis on design capability. While some identified the architectural firms they intended to use, none were able to clearly articulate a depth of experience in the combined design and construction of similar facilities for the panel to confidently say that any of these firms had the capability to design an indoor aquatic facility. In many cases the bids did not emphasise their experience in specialist indoor aquatic facilities rather their general construction capability.

Six submissions were specifically related to the management of the facility and all were considered capable of managing the facility. These include:

Aquabliss School of Swim
Aquatic Leisure Management
Bluefit Pty Ltd and Carlile Swimming
Belgravia Leisure
Michelle and Ian Martin
YMCA Sydney

In most of these submissions, the proponents emphasised the importance of being involved in the design process to ensure the facility they may eventually manage is one that can meet their operational requirements. In response to this and as suggested by Council's consultant advisor to the project, Dr Ken Marriott, it is recommended that a selective tender process be used to provisionally appoint the preferred operator to assist in the design process. Other benefits include saving Council significant expense to rectify design faults which can have a major impact on the on-going operational and financial performance of the facility as well as improving the overall customer service. The provisional appointment would enable the selected firm to both work with Council and the design team and through this process Council would be able to gauge the suitability of the operator to fulfil the role. Reference checks on each of the management firms will be undertaken during the selective tender process for the design stage to confirm the company's suitability with the process.

There are three options for appointing a provisional facility operator as below:-

- Option 1 - run a tender process in parallel with the design tender.
- Option 2 - on appointing an architect, commence a tender for the management of the facility and engage an operator on a provisional basis as a preferred operator to be formally appointed after the facility mix is confirmed and the Development Application approved.
- Option 3 - use a panel of the operators that responded to the EOI to offer advice as part of the design project.

Item 10

S06518
1 April 2008

It is recommended that Option 2 be used as this would ensure that the architect is appointed before the operator, avoiding complications that may arise if the engagement of the architect is unexpectedly delayed. Option 2 would also enable the tendering for operators to undertake business modelling based on the expected facility mix, and then, after the facility mix is confirmed and the Development Application approved, allow the provisional facility operator to make adjustments to the business plan which could improve the final subsidy position for Council. This option also ensures that the operator is part of the design process.

The selective tender for the management of the facility is proposed to have two distinct elements. The first relates to a provisional appointment to assist in the design stage. Appointment at this stage does not confer or assume any right or expectation that the company will automatically be appointed the management contract. Rather it is designed to establish and test a working relationship between Council, the architect, the community and if relevant the current operator (noting that they too have expressed an interest in the project and are recommended to be invited to submit a response to the selective tender). Should such a relationship be sound and their development of a final business model on completion of the design is sound, appointment to a contract would then be the subject of a report and recommendation to Council. At this stage it would be envisaged that the contract to operate the facility would be on a five year contract with an additional five year extension, based on a review and satisfactory performance.

One submission had proposed to design, fund, construct, and operate the facility. This proposal assumed or made conditional various approvals prior to any long term contractual arrangements and was contrary to the resolution of Council or the current permissibility of the Plan of Management and Zoning for the site. This proposal is discussed further in the confidential attachment.

Two facility operators have offered to invest in the redevelopment of the facility, but only if the facility is expanded to include a health and fitness facility, which is contrary to the resolution of Council. These proposals are discussed further in confidential **Attachment 3**.

Approval process

Approval of the design and building is required under the Environmental Planning and Assessment Act 1979. The nature of this project falls outside the recently gazetted Infrastructure SEPP and therefore requires a Development Application to be lodged.

As part of the development approval process a fee of approximately \$ 13,000 will be required.

CONSULTATION

A community information session, including a presentation and discussion of the concept plan adopted by Council as the basis for the redevelopment and the Expression of Interest process and future community consultation, was undertaken on Saturday 16 February 2008, at the West Pymble Bowling Club within Bicentennial Park. The information session was attended by 56 community members, 5 Councillors and 2 Council staff.

No public consultation has occurred in relation to the review of the expressions of interest, as the submissions are commercial in confidence.

FINANCIAL CONSIDERATIONS

The West Pymble Pool Redevelopment has not been funded within the adopted Long Term Financial Model.

There is no financial commitment required if the recommendations in this report are adopted and implemented by Council.

Further review and analysis of facility costs (including depreciation and life-cycle costs) and funding options will be provided to Council in May following the tender process for architects and facility operators.

Council's current resolution in regards to the West Pymble Pool redevelopment does not allow the inclusion of health and fitness facilities in the facility mix. A number of facility management firms have submitted proposals and comments which suggest expanding the facility to provide dry space for a gymnasium or multi-purpose rooms and increased water space for higher swim school capacity as these provide stronger income potential through the increased range of activities on offer, better return per square metre than general pool space, and increased secondary spending patterns in other parts of the facility. Council has only undertaken business modelling for a wet facility. Business modelling incorporating potential dry elements of the facility would need to be undertaken as a separate exercise.

It is at the discretion of the Councillors to consider the offers and comments received from the private sector to invest in dry health and fitness facilities and decide whether to further investigate these. See Confidential **Attachment 3** for further discussion of this issue.

The cost of engaging consultants to prepare the architects brief and facility management brief for the selective tender is estimated to be approximately \$5,000. This expense can be funded out of the current 2007/2008 Strategy budget.

CONSULTATION WITH OTHER COUNCIL DEPARTMENTS

Advice on the term of the tender for the operation was sought from Director Operations. Finance department were involved in the review in so far as it affected the timing of the long term financial model.

Director's comment:

Having reviewed the process and recommendations from the EOI process I am satisfied that this has been undertaken in accordance with the requirements of Council's procurement policy and the Local Government (General) Regulations 2005. I support the direction of the evaluation panel to proceed with two selective tender processes, one for the design and one for the operation of the facility, noting the benefits of the provisional appointment of an operator being involved in the design process. I also support the recommendation for an open tender for the construction as this is likely to attract a wider response that should provide a more competitive pricing.

SUMMARY

An open EOI process was used to identify possible firms to design and/or build and/or operate the West Pymble Pool Redevelopment, as resolved by Council on 13 November 2007. As part of the evaluation of the EOI five submissions were rated as capable and had the necessary experience to undertake the design for the facility in accordance with Council's resolution and it is recommended that these firms (as below) be invited to the proposed selective tender phase for the design of the facility only.

Architectural firms to be invited to the selective tender stage:

Brewster Hjorth Architects
Mode Design
Williams Ross Architects
Suters Prior and Cheney Architects

A selective tender process is also recommended for the operation of the facility. This will enable the operator to provide the necessary input into the design of the facility and ensure the correct facility mix is used by the operator for business planning purposes. Provision appointment would be recommended following the tender process with final appointment subject to a review of their performance and suitability during the design phase. Firms to be invited to this stage include:

Facility management firms to be invited to the selective tender stage:

Aquabliss School of Swim
Aquatic Leisure Management
Bluefit Pty Ltd and Carlile Swimming
Belgravia Leisure
Michelle and Ian Martin
YMCA Sydney

A tender process based on for the construction of the facility following development approval for the design.

RECOMMENDATION

- A. That a selective tender process be used to identify a suitably qualified architectural firm for the design of the west Pymble Pool redevelopment.
- B. That a report be brought back to Council in late May recommending a successful tenderer for the design for the project.
- C. That on appointment of the design tenderer, Council commence a selective tender for the operation of the facility, inviting only those firms who submitted and EOI.

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- D. That all parties who responded to the expression of interest be advised of Council's decision in regards to this matter.

Roger Faulkner
**Sport and Recreation
Planner**

Peter Davies
**Manager Corporate Planning
and Sustainability**

Andrew Watson
Manager Strategy

- Attachments:**
- 1. West Pymble Pool, Expression of Interest, List of Submissions March 2008 - 913157**
 - 2. West Pymble Pool, Referees Check - Confidential**
 - 3. West Pymble Pool, Expressions of Interest, Private Funding Options - Confidential**

WEST PYMBLE POOL - EXPRESSIONS OF INTEREST
List of Submissions - March 2008

Company Name	Design	Construct	Operate	Project Management	Fund
ADCO Constructions Pty Ltd		Tender Phase			
AMFM Constructions Pty Ltd	No	Tender Phase			
Aquabliss School of Swim			Yes		
Aquatic Leisure Management			Yes		Fitout of dry facilities
Belgravia Leisure (a)			Yes		Yes, dry facilities
Belgravia Leisure (b) + Mode Design	Refer to Mode Design				
BlueFit Pty Ltd			Yes		Yes, dry facilities & expanded program pool
Brewster Hjorth Architects	Yes				
Brisland Pty Ltd	No	Tender Phase			
Custom Leisure Pools & Spas Pty Ltd	No	Tender Phase			
ICHOR Constructions Pty Ltd	No	Tender Phase			
Incoll Pty Ltd				Later stage	
Kaleva Constructions Pty Ltd	No	Tender Phase			
Kane Constructions (NSW) Pty Ltd	No	Tender Phase			
Kinsley Constructions Pty Ltd	No	Tender Phase			
Ian and Michelle Martin West Pymble Pool Lessees			Yes		
Mode Design	Yes				
Parkequip Park & Play Solutions					
Sol Health Pty Ltd	No	No			
Suters Prior Cheney, Architects	Yes				
Thinc Projects				Later stage	
Tompkins MDA Architects	Yes				
Williams Ross Architects	Yes				
YMCA of Sydney	No		Yes		

PROPOSED LAND RECLASSIFICATION COMPONENT (SCHEDULE 4 FOR DRAFT KU-RING-GAI LOCAL ENVIRONMENTAL PLAN 2006 (TOWN CENTRES)

EXECUTIVE SUMMARY

PURPOSE OF REPORT:	To consider and determine the Council owned land to be included for proposed reclassification in the public hearing process relating to the deferred Schedule 4 component of draft Ku-ring-gai Local Environmental Plan 2006 (Town Centres).
BACKGROUND:	Council gave consideration to the Schedule 4 land reclassification component of the draft Town Centres LEP at its meeting of 30 October 2007. In light of legal uncertainty concerning the process, the matter was deferred. On 11 December 2007, Council considered a report providing legal advice concerning the matter. Council resolved to reactivate the reclassification process. On 26 February 2007, Council considered and adopted a Notice of Rescission that no further action be undertaken until a meeting was held between Council and staff. The meeting was subsequently undertaken on 26 March 2008.
COMMENTS:	The meeting of 26 March 2008 discussed the reclassification process and the sites which were subject to consideration for reclassification. This was with a view to finalising those sites to be included in the public hearing process having given consideration to their need and importance to the realising of the Town Centres LEP.
RECOMMENDATION:	That Council resolve to determine the Council lands to be included in the public hearing for the proposed land reclassification process.

PURPOSE OF REPORT

To consider and determine the Council owned land to be included for proposed reclassification in the public hearing process relating to the deferred Schedule 4 component of draft Ku-ring-gai Local Environmental Plan 2006 (Town Centres).

BACKGROUND

On 30 October 2007 Council considered the planning report dated 23 October 2007 addressing the Schedule 4 land reclassification component of draft Ku-ring-gai LEP 2007 (Town Centres). This report is set out in **Attachment 1**. Council resolved as follows:

"That in the light of uncertainty over planning issues in Ku-ring-gai, the matter of reclassification of Council owned land referred to in the report be deferred"

On 11 December 2007, Council considered the planning report dated 3 December 2007 (**Attachment 2**) dealing with the legal advice sought by Council in relation to land reclassification as it relates to the Town Centres LEP and how to now proceed. 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 the expiration of the public exhibition period.*
- c. *That such exhibition not commence until February 2008, giving community time to comment.*

On 26 February 2008, Council considered a Notice of Rescission from Councillor Bennett, the Mayor, Councillor Ebbeck and Councillor Andrew, as follows:

"That we the undersigned Councillors, seek to rescind Part C of Minute No. 531 resolved at the Ordinary Meeting of Council held on 11 December 2007, which reads as follows:

- c. *That such exhibition not commence until February 2008, giving our community time to comment".*

Council resolved:

- a. *that the Notice of Rescission, as printed above, be adopted.*
- b. *that Council staff take no further action on the reclassification of Council land until a meeting is held between Council and staff during March 2008 at which further information is provided on the reclassification process."*

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A meeting between Councillors and staff was held on Wednesday 26 March, 2008 addressing reclassification matters. At that meeting it was indicated by staff that the Turramurra Site 6 (off Duff Street) was not required to be reclassified to achieve the objectives of the draft Town Centres LEP.

COMMENTS

1. Finalisation of Sites for Public Hearing

To now progress the reclassification component of the Town Centres LEP, Council needs to determine its position on those sites to be considered for inclusion in Schedule 4 of the draft LEP, for classification as operational land. These sites need to be finally determined before the necessary statutory public hearing process can be undertaken for the lands. Following Council's receipt of the final report of the chairperson to the public hearing, Council can determine the final make up of sites for inclusion in Schedule 4.

2. Council Lands proposed for Reclassification

The draft Town Centres LEP, when adopted by Council, deferred from it Schedule 4 listing the public land which was proposed for reclassification. The lands which were subject to proposed reclassification (as resolved to be deferred) are identified on the maps in **Attachments 3a-7b** inclusive. They are listed as follows:

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SITE	SITE USE	SITE DESCRIPTION	AREA M ²	PROPOSED USE	Links to Draft S94 Works	S.94 Works Timeframe	SUMMARY COMMENTS FROM COUNCILLOR BRIEFING
Gordon Town Centre							
2	Moree Street Car Park	2 Moree Street, Gordon being: Lot 4 DP 3965	985	New commercial retail/development, shop top housing, car parking	Undergrounding of 25 space car park	M	A key site in the redevelopment of this precinct. Proposed building footprint extends over site.
3	Moree Street Vacant Land	4 Moree Street, Gordon being: Lot 5 DP 3965	499	New commercial retail/development, shop top housing, car parking	Undergrounding of 25 space car park	M	A key site in the redevelopment of this precinct. Proposed building footprint extends over site.
4	Wade Lane Car Park	1 Wade Lane, Gordon being: Old system land part of land in conveyance No. 483 Book 2027	3,885	Retail/commercial development, shop top housing, car parking, including retention of exiting public car parking	Undergrounding of 340 space car park as part of the redevelopment	L	It was noted this site would contribute potential residential yield to the Gordon Centre. Long term development timeframe.
Pymble Town Centre							
2	Council Car Park	2 Alma Street, Pymble being: Lot A DP 302332	622	Mixed use development commercial/retail/residential	Provision of community meeting rooms on site. Relocation of 14 car parking spaces to Grandview Lane	M	A key site to enable redevelopment of this precinct. Proposed building footprint extends over site.
4	Pathway	65 Grandview Street, Pymble being: Lot 23 DP 791208	104	Pathway link	NIL	-	No specific comments
5	Land subdivided off 103 Grandview Street, Pymble	Lot 2 DP 582963	63.6	Laneway link and car parking	Part of new laneway – Post Office Street to Alma Street	M	No specific comments
Lindfield Town Centre							
1	Council Car Park	9 Havilah Lane, Lindfield being: Lot 21 DP 713207	766	Minister's site, commercial /retail / residential	Undergrounding of 25 car parking spaces onsite.	M - L	A high value key site, potential to be left isolated with redevelopment of rest of site.

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SITE	SITE USE	SITE DESCRIPTION	AREA M ²	PROPOSED USE	Links to Draft S94 Works	S.94 Works Timeframe	SUMMARY COMMENTS FROM COUNCILLOR BRIEFING
2	Council Car Park	3 Kochia Lane, Lindfield being: Lot 12 DP 225925	873	Retail/commercial/ residential, new community facilities, car parking	Undergrounding of car parking and new library	M	Proposed building footprint extends over site. Potential for public and private parking below.
3	Council Car Park	8-10 Tryon Road, Lindfield being: Lot 2 DP 219628 Lot 3 DP 219628 Lot 5 DP 219146	626 727 613	Development in combination with Site 2 to provide basement car parking and open space above	Undergrounding of car parking, new public square and new library	M	Key to provision of library on Site 2, undergrounding of car park and new urban square.
4	Council Car Park	1 Beaconsfield Parade and 19 Drovers Way, Lindfield being: Part Lot 1 DP 929131 Lots 1-16 DP 1099330	5,643 total	New laneway, community use, residential development, small commercial component, new open space	Multi-purpose community centre, new village green, underground 72 space car park	L	Long term project, some residential and community facilities and open space. Can be developed without need to amalgamate with adjoining private land.
10	Lindfield Early Childhood Centre	1/12-18 Tryon Road, Lindfield being: Lot 1 SP 37466	N/A	Incorporated into redevelopment of Site 2, Childhood centre relocate to new premises	-	-	Linked to redevelopment of existing building and precinct.
Turrumurra Town Centre							
1	Turrumurra Avenue Car Park	2-8 Turrumurra Avenue, Turrumurra being: Lot 2 DP 840070	3,619	On grade parking, part of new supermarket, shop top housing, basement car parking	100 space underground & 40 space on grade car park, new public square	L	Key to redevelopment of precinct proposed building footprint extends over site.
2	Turrumurra Senior Citizens Centre and Ku-ring-gai Support and Services Centres (HACC)	1-7 Gilroy Road, Turrumurra being: Lot 1 DP 840007	2,287	Open space, adaptive house of senior citizens building, access to basement parking in Turrumurra Avenue	Relocation of existing facilities to Ray Street. Construction of village green	M-L	No new building proposed for site. Key to access to Turrumurra Avenue car park.
3	William Street Car Park	12 William Street, Turrumurra being: Lot 1 DP 519532	581	Public square fronting new development	Construction of new urban square, undergrounding of car park	M	Proposed building extends partly over site.

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SITE	SITE USE	SITE DESCRIPTION	AREA M ²	PROPOSED USE	Links to Draft S94 Works	S.94 Works Timeframe	SUMMARY COMMENTS FROM COUNCILLOR BRIEFING
4	Ray Street Car Park and Turramurra Library	5 Ray Street, Turramurra being: Lot 2 DP 221290	3,474	Community facilities, library, commercial and multi-unit development, on grade public parking	Community facilities, library, car parking, new urban square	M	Key to redevelopment of precinct.
5	Kissing Point Road Car Park	1A-3 Kissing Point Road, Turramurra being: Lot 2 DP 500761 Lot 2 DP 500077 Lot 2 P 502388 Lot A DP 391538 Lot B 435272	2,272 total	Road link, commercial development and basement car parking, shop top housing	Undergrounding of car park (23 spaces), new street link	M	Key site in redevelopment of precinct and acquisition of new park. Parts of site not required for development could be reclassified back to community land and after subdivision.
6	Stonex Lane and Duff Street Car Park	3 Stonex Lane and 4 Duff Street, Turramurra being: Lot 2 DP 550866 Lot 1 DP 807766	3,104 total	Laneway link and open space	New street link	M	Could be retained as community land as proposed uses do not require reclassification specifically.
St Ives Town Centre							
1	Council Car Park	176 Mona Vale Road, St Ives being: Lot 103 DP 627012 Lot 105 DP 629388	803 total	Expansion of St Ives Village Shopping centre, commercial/ retail/ shop top housing and car parking	New entrance to shopping centre	M	Proposed building footprint over site.
2	St Ives Shopping Village Centre Car Park	11-21 Cowan Road, St Ives being: Lot A DP 321567 Lot 1 DP 504794 Lot 2 DP 822373 Lot A DP 336206 Lot B DP 336206 Lot B DP 322331 Lot C DP 322331 Part Lot 1 DP 420106	752 1,056 667 885 1,005 697 808 7,888	Part commercial / retail/ shop top housing, car parking, part public domain purposes. Part Lot 1 DP 420106 - proposed building footprint extends over parts of this lot and Lot 2 822373	<ul style="list-style-type: none"> • New street • Under - grounding car park • New library and neighbour-hood centre • New town square • Public domain improvements 	M	Lot B DP 322331 and Lot C DP 322331 at North east end and existing Cowan Road car park are key lots as community land for car parking. Land not required for development could be reclassified back to community after subdivision.
3	St Ives Library, Early Childhood Centre and	Cowan Road, St Ives being: Part Lot 1 DP 420106	800	Development in combination with Site 2	<ul style="list-style-type: none"> • New street • Under - 	M	Reclassification would facilitate provision of a new

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SITE	SITE USE	SITE DESCRIPTION	AREA M ²	PROPOSED USE	Links to Draft S94 Works	S.94 Works Timeframe	SUMMARY COMMENTS FROM COUNCILLOR BRIEFING
	Neighbourhood Centre				grounding car park • New library and neighbour-hood centre • New town square • Public domain improvements		centre. Proposed building footprint over site.
4	Council Car Park	208-210 Mona Vale Road, St Ives being: Lots 11 & 12 DP 29167	2,091 total	High density residential	Undergrounding of car park	L	Noted, increased utilisation of car park. Site used for all day parking for St Ives Shopping Village staff – apparently unrestricted. Site could be built out as surrounding areas also zoned 2(d3)
5	Occasional Child Care Centre	261 Mona Vale Road, St Ives being: Lot 31 DP 719052	1,317	High density residential	-	-	If reclassification is to be considered need to take into account previous Council resolutions and the outcome of the recent consultation with the St Ives Occasional Child Care Centre re potential relocation.

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For the added information of Councillors **Attachments 8-12** map all Council owned land within the vicinity of the Town Centres LEP. These attachments are circulated separately to this report.

3. Reclassification Purpose

As major land holder in the Town Centres, the reclassification of Council's land not only provides Council with the flexibility to divest land appropriately, but more importantly provides Council with the leverage to negotiate development outcomes, 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.

It is considered prudent for Council to undertake the public hearing process for all the sites which it has previously identified with the exception of Turramurra Site 6. This will give the community the opportunity to respond with comments in respect of all sites. At the conclusion of the public hearing process, Council will give consideration to the chairperson's report on the public hearing. Council is then in an informed position to determine those sites which it will then seek to include in Schedule 4 for the purpose of land reclassification.

Council is reminded that the decision to finalise those sites for consideration in the public hearing process is not the final determination as to whether the sites should be reclassified, and nor does it necessarily follow that each of the reclassified sites are endorsed for potential divestment.

Simply put, the reclassification of Council's land to Operational provides greater flexibility and opportunities for Council to leverage its land ownership and to provide a catalyst for development of the Town centres. It has the potential to assist with the negotiation and provision and/or construction of much needed and improved community facilities as identified in the Town Centre Facilities Plan, and in certain circumstances the ability to sell specific assets so that facilities contemplated in Council's Town Centres Section 94 Contributions Strategy and long term financial model [LTFM] may be provided.

4. Kochia Lane Site Omission

It has come to attention that Lot 31 DP 804447 on the corner of Kochia Lane and Milray Street, Lindfield has been overlooked from previous consideration as a site for proposed reclassification. The land is currently used as car park. Under the Town Centres DCP part of the land is proposed for commercial and residential purposes (refer to **Attachment 14**). The use of this land for this purpose will necessitate its reclassification.

As the reclassification of this site was not included in the original draft Town Centres LEP, a new LEP and reclassification process will need to be commenced for this site.

Further details on options to progress the potential reclassification of this site will be presented to Councillors at a future briefing.

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5. Timing for Public Hearing Process

If Council now resolves its position on the sites for inclusion in the public hearing process the way forward on the matter would be anticipated as follows:

- Council will need to finalise the engagement of a chairperson;
- Advertise the public hearing and place on public exhibition relevant material;
- Conduct the public hearing;
- Prepare a report back to Council on the outcome of the hearing.

Assuming successful appointment of the chairperson Council could advertise and exhibit the matter in the week following the April school holidays (end of April). A four week exhibition period would end in late May. The public hearing might then be held within 2 weeks which would be approximately mid June 2008. A timely report from the chairperson would then be sought allowing the matter to be then reported to Council in July 2008.

6. Chairpersons Appointment

To facilitate the most flexibility to Council in appointing a chairperson it is suggested that Council consider the re-appointment of Mr Peter Walsh as a potential chairperson. As a previous public hearing chairperson he was well received by Council and the public. There would be efficiencies considering his previous involvement and the short time frames involved in getting a new chairperson appointed. In addition, alternative chairpersons would be sought to conduct the hearings.

CONSULTATION

Consultation is not required for the preparation of this report.

FINANCIAL CONSIDERATIONS

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 financial indications that may arise from works to undertake the revitalisation of public domain and community infrastructure are considerable. A key outcome of the Town Centres Working Program is a financial strategy fully integrated into Council's overall Long Term Financial Model. The development of this funding strategy is highlighted as an ongoing priority of over the entire year.

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

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the preparation of plans. Council's Corporate Lawyer has been involved with previous legal issues pertaining to the reclassification.

SUMMARY

Council has previously given detailed consideration to the proposed reclassification of Council's lands within the draft Town Centres LEP.

Council has resolved to reactivate the deferred reclassification process and has had recent consultation with Council staff concerning the process and sites involved.

It is now necessary that Council affirm the sites it wishes to include in the public hearing process for the proposed reclassifications. Council's resolution of these sites will permit the reclassification process to be recommenced.

RECOMMENDATION

- A. That Council reactivate the reclassification process for the Council lands proposed to be considered for inclusion in Schedule 4 of draft Ku-ring-gai Local Environmental Plan 2006 (Town Centres).
- B. That Site 6 at Turramurra known as 3 Stonex Lane and 4 Duff Street, Turramurra being Lot 2 DP 550866 and Lot 1 DP 807766, be excluded from proposed reclassification recognising that it is not required.
- C. That Council include the following land in Schedule 4 of draft Ku-ring-gai Local Environmental Plan (2006) Town Centres, for the purpose of undertaking the statutory public hearing process:

Gordon Site 2	2 Moree Street, Gordon being: Lot 4 DP 3965
---------------	--
- D. That Council include the following land in Schedule 4 of draft Ku-ring-gai Local Environmental Plan (2006) Town Centres, for the purpose of undertaking the statutory public hearing process:

Gordon Site 3	4 Moree Street, Gordon being: Lot 5 DP 3965
---------------	--
- E. That Council include the following land in Schedule 4 of draft Ku-ring-gai Local Environmental Plan (2006) Town Centres, for the purpose of undertaking the statutory public hearing process:

Gordon Site 4	1 Wade Lane, Gordon being: Old system land part of land in Conveyance No. 483 Book 2027
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- F. That Council include the following land in Schedule 4 of draft Ku-ring-gai Local Environmental Plan (2006) Town Centres, for the purpose of undertaking the statutory public hearing process:
- Pymble Site 2 2 Alma Street, Pymble being:
 Lot A DP 302332
- G. That Council include the following land in Schedule 4 of draft Ku-ring-gai Local Environmental Plan (2006) Town Centres, for the purpose of undertaking the statutory public hearing process:
- Pymble Site 4 65 Grandview Street, Pymble being:
 Lot 23 DP 791208
- H. That Council include the following land in Schedule 4 of draft Ku-ring-gai Local Environmental Plan (2006) Town Centres, for the purpose of undertaking the statutory public hearing process:
- Pymble Site 5 Land subdivided from 103 Grandview Street, Pymble being:
 Lot 2 DP 582963
- I. That Council include the following land in Schedule 4 of draft Ku-ring-gai Local Environmental Plan (2006) Town Centres, for the purpose of undertaking the statutory public hearing process:
- Lindfield Site 1 9 Havilah Lane, Lindfield being:
 Lot 21 DP 713207
- J. That Council include the following land in Schedule 4 of draft Ku-ring-gai Local Environmental Plan (2006) Town Centres, for the purpose of undertaking the statutory public hearing process:
- Lindfield Site 2 3 Kochia Lane, Lindfield being:
 Lot 12 DP 225925
- K. That Council include the following land in Schedule 4 of draft Ku-ring-gai Local Environmental Plan (2006) Town Centres, for the purpose of undertaking the statutory public hearing process:
- Lindfield Site 3 8-10 Tryon Road, Lindfield being:
 Lot 2 DP 219628
 Lot 3 DP 219628
 Lot 5 DP 219146
- L. That Council consider not proceeding with the reclassification for the following land and exclude it from Schedule 4 of draft Ku-ring-gai Local Environmental Plan (2006) Town Centres:
- Lindfield Site 4 1 Beaconsfield Parade and 19 Drivers Way, Lindfield being:
 Part Lot 1 DP 929131
 Lots 1-16 DP 10993330

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- M. That Council include the following land in Schedule 4 of draft Ku-ring-gai Local Environmental Plan (2006) Town Centres, for the purpose of undertaking the statutory public hearing process:

Lindfield Site 10 1/12-18 Tryon Road, Lindfield being:
Lot 1 SP 37466

- N. That Council consider not proceeding with the reclassification for the following land and exclude it from Schedule 4 of draft Ku-ring-gai Local Environmental Plan (2006) Town Centres:

Turrumurra Site 1 2-8 Turrumurra Avenue, Turrumurra being:
Lot 2 DP 840070

- O. That Council consider not proceeding with the reclassification for the following land and exclude it from Schedule 4 of draft Ku-ring-gai Local Environmental Plan (2006) Town Centres:

Turrumurra Site 2 1-7 Gilroy Road, Turrumurra being:
Lot 1 DP 840007

- P. That Council include the following land in Schedule 4 of draft Ku-ring-gai Local Environmental Plan (2006) Town Centres, for the purpose of undertaking the statutory public hearing process:

Turrumurra Site 3 12 William Street, Turrumurra being:
Lot 1 DP 519532

- Q. That Council include the following land in Schedule 4 of draft Ku-ring-gai Local Environmental Plan (2006) Town Centres, for the purpose of undertaking the statutory public hearing process:

Turrumurra Site 4 5 Ray Street, Turrumurra being:
Lot 2 DP 221290

- R. That Council include the following land in Schedule 4 of draft Ku-ring-gai Local Environmental Plan (2006) Town Centres, for the purpose of undertaking the statutory public hearing process:

Turrumurra Site 5 1A-3 Kissing Point Road, Turrumurra being:
Lot 2 DP 500761
Lot 2 DP 500077
Lot 2 DP 502388
Lot A DP 391538
Lot B DP 435272

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- S. That Council include the following land in Schedule 4 of draft Ku-ring-gai Local Environmental Plan (2006) Town Centres, for the purpose of undertaking the statutory public hearing process:
- St Ives Site 1 176 Mona Vale Road, St Ives being:
 Lot 103 DP 627012
 Lot 105 DP 629388
- T. That Council include the following land in Schedule 4 of draft Ku-ring-gai Local Environmental Plan (2006) Town Centres, for the purpose of undertaking the statutory public hearing process:
- St Ives Sites 2 & 3 Cowan Road, St Ives being:
 Lot 2 DP 822373
 Lot 1 DP 420106
- U. That Council consider not proceeding with the reclassification for the following land and exclude it from Schedule 4 of draft Ku-ring-gai Local Environmental Plan (2006) Town Centres:
- St Ives Site 2 Cowan Road, St Ives being:
 Lot A DP 321567
 Lot 1 DP 504794
 Lot A DP 336206
 Lot B DP 336206
 Lot B DP 322331
 Lot C DP 322331
- V. That Council include the following land in Schedule 4 of draft Ku-ring-gai Local Environmental Plan (2006) Town Centres, for the purpose of undertaking the statutory public hearing process:
- St Ives Site 4 208-210 Mona Vale Road, St Ives being:
 Lot 11 DP 29167
 Lot 12 DP 29167
- W. That Council include the following land in Schedule 4 of draft Ku-ring-gai Local Environmental Plan (2006) Town Centres, for the purpose of undertaking the statutory public hearing process:
- St Ives Site 5 261 Mona Vale Road, St Ives being:
 Lot 31 DP 719052
- X. That at St Ives (Site 2) any surplus lands after subdivision, sale and completion of development are to be reclassified back to community land.
- Y. That Council authorise that Mr Peter Walsh be eligible for consideration with other potential candidates for the appointment as chairperson to the public hearing process.

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Rod Starr
Senior Urban Planner

Antony Fabbro
Manager Urban Planning

Andrew Watson
Director Strategy

- Attachments:**
1. Report to Council held 30 October 2007 circulated with original attachments 1, 2, 3a, 3b, 3c, 3d, 3e, 4 and 7 only - 912933
 2. Report to Council held 11 December 2007 circulated with original attachments 6 & 7 only - 912935
 - 3a & 3b. St Ives map proposed land reclassification - 913214 & 913216
 - 4a & 4b. Turramurra map proposed land reclassification - 913217 & 913218
 5. Pymble map proposed land reclassification - 913220
 6. Gordon map proposed land reclassification - 913221
 - 7a & 7b. Lindfield map proposed land reclassification - 913223 & 913225
 8. Map of Council owned lands - St Ives - 914056
 9. Map of Council owned lands - Turramurra - 914056
 10. Map of Council owned lands - Pymble - 914056
 11. Map of Council owned lands - Gordon - 914056
 12. Map of Council owned lands - Lindfield - 914056
 13. St Ives - relationship between existing lot boundaries and proposed DCP built form controls - 914201
 14. Lindfield - relationship between existing lot boundaries and proposed DCP built form controls - 914203

DRAFT KU-RING-GAI LOCAL ENVIRONMENT PLAN 2006 (TOWN CENTRES) - SCHEDULE 4 LAND RECLASSIFICATION COMPONENT

EXECUTIVE SUMMARY

PURPOSE OF REPORT:	To update Council of the progress and status of the work program for the reclassification of Council owned land within the town centres.
BACKGROUND:	<p>On 27 March 2007 Council adopted the town centres work program for the finalisation of all outstanding resolutions in relation to the reclassification of Council owned land. Consistent with the recommendations of the Chairpersons of the public hearings, for five of the six town centres (Roseville excluded) into reclassification Council resolved that further information be provided and a number of studies be undertaken to inform Council's final decision regarding the reclassification of council owned land from community to operational land.</p> <p>The majority of studies have now been completed or are in finalisation stages. Council originally resolved that the process be completed by December 2007. The timing has now been brought forward to 31 October 2007.</p>
COMMENTS:	This report provides and update of the status of the documentation required to meet the requirements for the public hearing chairperson's report and the other projects associated with the strategic planning for the town centres eg. Section 94 plan.
RECOMMENDATION:	That the report on reclassification of Council owned land within town centres be received and noted. That the matter be deferred until 13 November 2007 to allow consideration of legal advice.

PURPOSE OF REPORT

To update Council of the progress and status of the work program for the reclassification of Council owned land within the town centres.

BACKGROUND

With Council's adoption of the six (6) Town Centre Local Environmental Plans (LEPs) and Development Control Plans (DCPs) in 2006 there remained a number of outstanding resolutions.

Some of these specifically related to the matter of land reclassification. Council had specifically resolved to defer from the draft LEPs the items contained in Schedule 4 of the draft plans. These sought to reclassify public land to operational land and were deferred from the plan under Section 68 of the Environmental Planning and Assessment Act.

On 27 March 2007 Council adopted the town centres work program for the finalisation of all outstanding resolutions in relation to the reclassification of Council owned land.

Consistent with the recommendations of the Chairpersons of the public hearings, for the five town centres (Roseville excluded) into reclassification Council resolved that further information be provided and a number of studies be undertaken to inform Council's final decisions regarding the reclassification of council owned land from Community to Operational land.

The majority of studies have now been completed or are in the final stages. Council originally resolved that the process be completed by December 2007.

At the Council meeting on 14 August 2007 the timing for the reclassification report was brought forward to 31 October 2007.

Council's resolutions related to the 5 town centres of St Ives, Turramurra, Pymble, Gordon and Lindfield. These resolutions are set out in **Attachment 1**.

The Public Hearing Reports for each of the 5 town centres set out recommendations for a number of studies to be undertaken to inform Council's final decision regarding reclassification. The recommendations from the Public Hearing Reports are each set out in **Attachment 2**, together with the means of undertaking the required study as considered and adopted by Council on 27 March 2007. In addition **Attachment 2** sets out the current status of each project as to whether the work is complete or under preparation.

The sites which are the subject of proposed inclusion in Schedule 4 are each identified on the map of Council's Lands identified in **Attachments 3(a) to 3(e)** for each centre.

As set out in the report to Council on 27 March 2007 nine key projects were identified to meet the requirements of the public hearing report as well as to finalise the suite of strategic planning documents for the town centres ;

1. DCP and LEP amendments.
2. Town Centre virtual model (Simmersion).

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3. Town Centre Facilities Plan.
4. Developer Contributions Strategy and Town Centres Section 94 Plan.
5. Parking Management Plan and Action Plan.
6. Review of traffic plans and Traffic Action Plan.
7. Open Space Acquisition Strategy and Town Centre Open Space review.
8. Financial modelling.
9. Reclassification Report (see **Attachment 4** report to OMC 27 March 2007 Item GB9).

Given the importance of the adequate completion of these projects to reclassification and Council's decision to obtain further legal advice in relation to the process this report provides an update on progress against the key projects but does not provide final recommendations regarding reclassification of the subject lands.

COMMENTS

1. Summary of hearing process and recommendations

In response to the Direction from the Minister for Planning, Council has 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 relate respectively to the Town Centres of St Ives, Turramurra, Pymble and Gordon, and Lindfield and Roseville. The draft Plans each propose reclassification of certain Council lands from "community land" to "operational land".

Where there is a proposal to reclassify community land to operational land, section (s) 29 of the Local Government Act provides that Council must arrange a public hearing in accordance with the provisions of Section 68 of the Environmental Planning and Assessment Act 1979 (EPA Act). Section 68(2) of the EPA Act provides 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 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 a public hearing and prepare a report concerning each of the 5 Town Centres 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 public hearings and the associated draft LEP/land reclassification information exhibitions, were each the subject of public notification in the local press.

In addition Council notified by letter all owners of land within the local post code, all owners of land within the respective Centre and all businesses identified to operate in the Centre. Persons who

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had registered (on Council's website) their prior interesting the Centre were also notified by email. Written submissions were received for the period of the 4 week statutory exhibition (and for as long as practicable beyond this period). These were forwarded to the chairperson for consideration and reference in the preparation of the chairperson's report. Those persons who requested were also able to address the public hearing whether or not they had made a written submission.

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 chairperson also inspected each of the Town Centres sites for the respective public hearing to inform themselves concerning the Centre. Five chairperson's reports were prepared and submitted to Council for information and consideration, one in respect of each of the 5 Town Centres. The reports were made public within 4 days of Council's receipt of the reports. The reports for each Town Centre were supportive of the proposed land reclassifications for all but 3 sites. This support was subject to the undertaking of a number of studies or works to inform the process. The recommendations of the Public Hearing Report for each of the 5 Town Centres are included in **Attachment 2**.

The public hearing reports were each considered by Council at its meetings of 8 November 2006, 13 November 2006, 28 November 2008, 30 November 2006 and 19 December 2006, when dealing with St Ives, Turramurra, Pymble, Gordon and Lindfield Centres respectively.

Council resolved to defer the subject lands from proposed reclassification in accordance with the provisions of Section 68(5) of the Environmental Planning and Assessment Act for further report investigating the matters raised in the recommendations of the public hearings. The 3 sites previously indicated not to be supported for reclassification by the public hearing (in Pymble), were resolved by Council to be deleted from reclassification. These lands retain their community classification.

2. Planning Status – Reclassification and Department of Planning and legal advice

As previously advised, the Department of Planning have confirmed that the reclassification of Council land is an essential part of the town centres process. Given Council's ownership of strategic parcels of land within the centres, Council has an important role to play in the future revitalisation of the centres. Council conducted the public hearings into the five centres (excluding Roseville, where no land is under consideration for reclassification) as outlined above.

In late 2006 Council adopted the draft LEPs for St Ives, Turramurra, Pymble, Gordon, Lindfield and Roseville. Council has forwarded the Plans to the Department in accordance with Section 68(4) provisions.

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. 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. These were matters raised in the recommendations of the respective public hearings held concerning land reclassifications in each Plan.

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On 27 March 2007 the work plan and timeline was adopted by Council for the projects to be completed and to be considered by Council in December 2007.

On 14 August 2007 Council resolved to bring the date forward to 31 October 2007. Accordingly this report is not a final report, but provides an update of the significant progress made to date on providing the comprehensive and extensive material required to meet the chairpersons report.

Council has sought confirmation from the Department that given the matter was deferred in accordance with Section 68(5) the following:

There is no legislative or other impediment to allowing the Council's inclusion of Schedule 4 back into the draft LEP instruments.

There is no legislative or other provision to require that there be a public re-exhibition of the amendment to the draft LEP instruments.

Department of Planning's response:

I refer to your letter dated 17 September 2007 concerning Council's request in relation to proceeding with the reclassification of lands.

The Department does not generally provide advice of this nature to Councils. Nevertheless, it remains Council's responsibility to comply with all relevant legislation as part of the plan making (and reclassification) process.

I understand that Council has sought its own legal advice on these matters. I note that Council has been very cooperative with the Department in informing us of this advice and the process to be followed to finalise reclassification. Council's cooperation in this regard is appreciated.

Given the issues associated with the process to date, once Council has made a formal decision regarding Schedule 4 it would be appreciated if Council forwards to the Department an overview of the process adopted by Council and any supporting information demonstrating how the process complies with relevant legislation.

Accordingly Council will be seeking further advice that the process for bringing the deferred matters (under section 68) is consistent with the requirements of the legislation.

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 formed the basis of Council's reply to the Department of Local Government on 12 February 2007.

On 20 April 2007, the Department of Local Government wrote to Council rejecting Council's legal advice and stating that under Section 68 of the Environmental Planning and Assessment Act, the

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public hearing for a draft LEP should be held only after the submission period closed and not during that period.

Following receipt of that communication from the Department, Council sought the advice of Mr S B Austin QC, who by advice dated 30 May 2007 indicated essential agreement with Council's previous advice. A copy of that advice was provided by Council to the Department on 20 June 2007.

On 30 August 2007, the Department wrote to Council indicating that, notwithstanding the advice of Mr Austin QC, it maintained its previously-expressed view on the matter. A copy of a Circular issued on 28 January 1994 was enclosed in support.

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 has been sought. It is anticipated that this advice will be received on Thursday 25 or Friday 26 October 2007. An issue therefore arises of the time needed for staff to review and report back to councillors on any implications following from the advice and formulate appropriate recommendations. A further consideration in relation to the public interest is in the community having adequate notice of and time to review the officer report prior to Council's consideration.

Summary status and key actions required

Councillors were advised of the expected timeframe receiving the second Senior Counsels advice on Tuesday 23 October 2007 and that the reporting of the legal advice would be reported to the ordinary meeting of Council on 13 November 2007.

The recommendations contained in this report are therefore limited in nature to Council to be received and noted on the progress made on the reclassification of council owned land.

The report that will be presented to Council on 13 November 2007 will include an assessment of the legal advice, recommendations and will allow for adequate notification to the public of this matter coming before Council.

In accordance with Council's resolutions (**Attachment 1**) a number of studies have been initiated or matters further investigated. The following comments and discussion provide a summary of the progress and status of the projects

4. Parking Management Plan

During the preparation of the Draft Town Centre LEP and DCP, Council resolved that a Parking Management Plan be prepared for each town centre and reported to Council prior to gazettal of the Draft Local Environmental Plan.

The objective of the Parking Management Plan is to develop a comprehensive plan for the long term management and provision of car parking within the main commercial centres of Ku-ring-gai LGA which:

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- addresses existing Council resolutions in relation to parking within the town centres, particularly in relation to maintaining current levels of public off-street car parking (both time restricted and unrestricted);
- addresses recommendations made by the independent Chairpersons in the Town Centre Public Hearing Reports;
- identifies links with Town Centre Contributions Strategy and Section 94 Contributions Plan;
- integrates with Council's overall financial strategies;
- is consistent with the community's values and vision;
- is in accordance with State Government policies and guidelines;
- is consistent with Council's policies for parking, sustainability and ESD;
- involves and effectively engages the Council, community and relevant stakeholders;
- is economically viable and commercially appropriate; and
- meets access and disability requirements.

Broadly the Parking Management Plan will examine the existing parking conditions within the centres in terms of supply and demand (with respect to extent and time), examine the future growth of the centres and make estimates of the future parking demand. The Parking Management Plan will also examine strategies for addressing parking issues in commercial centres, including the specific recommendations made by the independent Chairpersons in the Town Centre Public Hearing Reports (including the manner in which public parking is managed during the restructure of the Centres); and make recommendations in relation to each centre as to how to address issues and provide for the future demand.

The need for such a plan was made further evident during the consultation and planning process for the town centres. The issue of car parking was one of the main concerns raised by residents and business owners. Typical concerns raised include:

- Commuter parking in local streets.
- Lack of commuter parking stations.
- Lack of parking for people wishing to "park-and-ride".
- Lack of public parking generally.
- School parking.
- Future undergrounding of public parking areas.

The project currently covers the 6 town centres: Gordon, Lindfield, St Ives, Turramurra, Pymble and Roseville. It is anticipated that the Wahroonga, Warrawee and Killara centres will be considered in a future study. Council specifically resolved components of this study for Wahroonga centre at its 16 October ordinary meeting.

The project is divided into 4 stages:

Stage 1 – parking surveys, literature review, data collection, calculation of parking demands shortfalls and/or over supplies.

Stage 2 – discussion of appropriate strategies to address shortfalls.

Stage 3 – specific recommendations in relation to each centre focusing on parking rates, short term parking commuter parking etc.

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Stage 4 - finalise recommendations and prepare Council report.

Arup Transport Planners have been engaged by Council to undertake Stage 1, 2 and part of Stage 3. Arup has effectively completed the relevant stages (**Attachment 5**), and now Council staff are preparing to consider and develop strategies to satisfy the objectives.

From Stage 1, the parking survey results indicated that the centres exhibited some existing spare car parking capacity on the relevant days of the survey, which were:

- Pymble: Wednesday 29 August and Saturday 1 September 2007.
- Roseville and Turramurra: Thursday 30 August and Saturday 1 September 2007.
- Lindfield, Gordon and St Ives: Thursday 13 September and Saturday 15 September 2007.

However, the three busiest centres (Gordon, St Ives and Turramurra) are now approaching the 85% parking occupancy level on weekdays, where it does become difficult to find a parking spot in a preferred location at the busiest times of day. In all of the centres, the peak parking occupancy level on Saturdays was always significantly lower than on weekdays, with only St Ives having a reasonably high overall parking occupancy level of 67% (excluding significant sporting activities at St Ives Village Green) and all of the other centres having parking occupancy rates in the range 20-50%.

Commuter activity was also considered, and at the five Ku-ring-gai Rail Stations surveyed, the overall proportion of boarding adult rail passengers who were car drivers was 35%, ranging from 52% at Gordon and 17% at Roseville. The overall proportion is significantly higher than the average for the City Rail network, and indicates a high degree of dependence on car travel for access to the rail station. In contrast the proportions for bus travel were an overall average of 9%, ranging from 19% at Turramurra, to 2% at Pymble and Roseville.

Also, the surveys showed that overall, 86% of the survey respondents who drove a car to the rail station were Ku-ring-gai residents. This indicates that the primary users and beneficiaries of the railway commuter car parks and the long stay parking on residential streets in the vicinity of railway stations are Ku-ring-gai residents from both the local suburbs surrounding the railway stations and other more distant suburbs such as St Ives and West Pymble.

The land use study considered the existing land uses within the centres, and total floor areas of each land use, and on-street/off-street parking public parking. From this, the theoretical existing parking demand was established, based on adopted car parking rates, and compared with the existing supply. Following this, the future land uses proposed for the centres, and total floor areas of each use were considered, as were public domain plans for on-street or off-street parking changes. From this, the theoretical future parking demand was determined, as was the proportion of parking demand likely to generate long term/short term parking.

Generally, the land use study concluded that additional future levels of retail/commercial and mixed use developments should be able to accommodate their future parking needs on-site in accordance with requirements of Council's Town Centre LEP(2006), with appropriate street access arrangements in some cases requiring new laneway extensions and new local access streets. Provided this occurs, the ARUP study indicates that future parking provision in the centres should

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be generally adequate. Adjustments to the parking rates for mixed use developments, however, may require additional on-street parking provision.

A consultation strategy for the Parking Management Plan has been developed to manage consultation with residents, businesses and government bodies. A central part of the consultation process is the Working Party (for external consultation) to provide input at key stages and assist in communication and engagement with the community.

The Working Party will comprise the following representatives:

- Mayor (Chair).
- Interested Councillors.
- Representatives from the Chambers of Commerce from each centre.
- Resident representatives.

It was proposed that the Working Party will meet 3 times during the life of the project, at the following key stages:

1. Data collection and survey.
2. Strategy development.
3. Final report.

During the data collection process, preliminary consultation with business owners and residents was undertaken using email surveys. However, given the shortened time frame for the project, the Working Party will be restricted to the final 2 meetings. Council's established community feedback register will be utilised for validation.

Summary status and key actions required

The next stage of the project is for staff to undertake detailed analysis on a centre by centre basis using the ARUP report as background to prepare parking strategies for each centre. To date this has been commenced for St Ives and a draft will be presented to Councillors at the 23 October 2007 Planning Committee.

For example, in the St Ives centre, analysis of parking is being undertaken on a precinct basis. The analysis identifies existing parking availability and occupancy in the precinct (short stay and long stay), as well as future parking provision (taking into account development and public domain changes). Allowances are made for the demand attributable to baseball games on the Village Green and Sir William Cowan Oval. Based on precinct usage patterns, an occupancy level is applied to the future parking provision to determine the amount of residual parking spaces (short stay and long stay). The quantum of residual parking spaces and their characteristics (short stay/long stay) will shape eventual management strategies. Investigations are also being undertaken into potential strategies to address the manner in which surface public parking can be temporarily replaced during construction of underground car parks on sites proposed for reclassification.

5. Facilities Plan

At the Council meeting of 8 May 2007 Council considered and adopted the Town Centres Facilities Plan for new public infrastructure items for each centre as Stage 1 of developing a new contribution strategy and associated Section 94 Plan for the Ku-ring-gai Town Centres.

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Council resolved as follows:

- A. *That Council adopt the draft Town Centres Facilities Plan.*
- B. *That the draft Town Centres Facilities Plans be further refined for incorporation into the Developer Contributions Strategy for the Town Centres and that such matter be referred back to Council.*
- C. *That further updates and reviews be made to the Planning Committee.*
- D. *A copy of the Facilities Plans and Maps be placed on Council's website with the opportunity to make comment.*
- E. *That the recommendations A to D above do not represent a financial commitment on the part of Council.*

The Town Centres Facilities Plan identifies a full list of public infrastructure items for each centre and when they are to be delivered. These projects have been identified and considered by Council throughout the preparation of the Town Centres LEP & DCP documents and works identified in the planning for transport, open space and community services for each centre. It is noted that the Facility Plan does not include additional information that may be required as a result of future parking management plan or other facilities studies.

The draft Facilities Plan contains the following key elements:

Project Description: for a range of new public infrastructure projects across the centres such as:-

- Traffic signals and intersection modifications.
- New streets and access roads.
- Roadway modifications.
- Transport – public transport improvements.
- Car parking.
- Community facilities (eg. libraries, neighbourhood centres).
- Streetscape improvements.
- Urban and civic spaces- acquisition and embellishment.
- Pedestrian access.
- Open space improvements.
- Drainage and stormwater upgrades.

Location: of the new infrastructure - as identified in the DCPs for each centre (eg. public domain) and in Council's capital works programs.

Timing: this is an indicative timing based on the following categories Short (less than 5 years), Medium (5-10 years) and Long term (more than 10 years).

Initial consultation: this section identifies the key consultation groups as part of identifying and reviewing the details for each project.

Further refinement of the Facilities Plan has been undertaken in consultation with Councillors to delete certain items from the Plan. A workshop was held on 16 October 2007 where a number of items were deleted in discussion with Councillors.

Summary status and key actions

The Town Centres Facilities Plan is complete and adopted by Council. Amendments have been made to the plan in consultation with Councillors. The Facilities Plan fully addresses the issue raised in the Public Hearing recommendations in relation to the identification of infrastructure and facilities to be provided by Council.

6. Contributions Strategy and Town Centres Section 94 Plan

Development approved under the draft LEP and DCP for the Town Centres will generate significant requirements for new public infrastructure. A proportion of the cost of the delivery of new works and facilities can be met through a development contributions (or Section 94) Plan for the town centres.

There have been three stages required in the preparation of a formal Section 94 Plan. This included the development of a Facility Plan, Developer Contribution Strategy and finally the draft Section 94 Plan. The process and timing of the development of these plans were adopted by Council on 27 March 2007

The stages involved in the process have been as follows:-

- Stage 1 involved the preparation of a Town Centres Facilities Plan which identifies a full list of public infrastructure items for each centre, where they are to be located, further consultation requirements and when they are to be delivered. The Town Centres Facilities Plan was approved by Council for further development and consultation at its meeting of 8 May 2007.
- Stage 2 was the preparation of a Developer Contributions Strategy which identifies how much each item will cost, how each item will be funded whether through Section 94 contributions, planning agreements or by Council or others. The Contributions Strategy was adopted by Council on 28 August 2007.
- Stage 3 has involved the preparation of a draft formal Section 94 Plan, which identifies development contributions to be collected towards the provision of the specific infrastructure and facilities identified in the contributions strategy as suitable for inclusion in the contributions plan. A Draft Section 94 Contribution Plan for the town centres is being presented to Council on 30 October 2007. If adopted, the Draft Plan will be publicly exhibited for 4 weeks and the review of public submissions reported to Council.

Since it is likely that planning agreements will form part of the total funding strategy, Council has also committed to preparing a policy and procedures document for the use of planning agreements. More detail concerning the draft Planning Agreement Policy appears in the section below and at **Attachment 7**.

Summary Status and Key Actions Required to Complete the Project

A draft of the Ku-ring-gai Town Centres Section 94 Contributions Plan is being finalised for exhibition. Consequential amendments to the 2004-2009 Contributions Plan are being prepared for concurrent exhibition. Following exhibition, a further report must be considered by Council. Once in force, Council can begin levying contribution in accordance with the Plan.

Consultation

The Draft Ku-ring-gai Town Centres Development Contributions Plan must be publicly exhibited for 28 days. This is proposed to take place over November / December.

7. Voluntary Planning Agreement Policy

Planning agreements are a mechanism for planning authorities and developers to negotiate outcomes in respect of applications to modify an environmental planning instrument (such as a Local Environmental Plan) or applications for development consent – especially development consents which give rise to development contributions.

Planning agreements may specify how non-monetary development contributions are to be implemented by a developer. Planning agreements may also authorise development contributions for a variety of public purposes which may go beyond contributions that would be possible under a Section 94 Development Contributions Plan, for example contributions towards affordable housing or the regeneration of bushland (however there must be some relationship to the development involved). They must be publicly advertised – usually concurrent with a development application – and submissions from the public may be made and must be considered.

Planning agreements are one of several mechanisms Ku-ring-gai Council intends to employ to implement the public domain works associated with the *Ku-ring-gai Town Centres Development Control Plan*, to implement the *Ku-ring-gai Town Centres Draft Development Contributions Plan* and to assist in the orderly redevelopment of the Council owned land that is the subject of this report.

A proposed draft Ku-ring-gai Planning Agreement Policy has been prepared (**Attachment 6**). The draft Policy sets out the matters for consideration in the negotiation of a planning agreement and the process to be followed in negotiating, exhibiting and entering into a planning agreement. It sets out the fundamental principles of the use of planning agreements. It cross-references a number of policies of the Council including Ku-ring-gai's Statement of Business Ethics. The Voluntary Planning Agreements Policy will be central to ensuring sound and transparent management of commercial and physical planning negotiation and risks when dealing with potential future development of Council owned land. This is consistent with condition 4 of the public hearing report for the St Ives Centre.

The Draft Policy will be subject to further consultation prior to finalising, including internal consultation. A template for a Draft Planning Agreement will be finalised with Council's lawyers for inclusion within the document.

Summary Status and Key Actions Required to Complete the Project

The preliminary draft at **Attachment 6** is to initiate discussion with Councillors. Further internal consultation with staff and legal advice and further steps required. Thence the draft policy should be exhibited for comment before being formally adopted by Council.

Consultation

Both internal and thence external consultation are the next steps in the process.

Recommendation

That Council receive and note the progress of the Draft Voluntary Planning Agreement Policy.

8. Financial modelling

A specific requirement identified by Council prior to decision making regarding land reclassification is the development of a comprehensive and integrated funding strategy that ensures the delivery of community infrastructure proposed within the town centre masterplans. This infrastructure delivery (and its ongoing management) must be considered within a context that considers all of Council's various obligations and commitments.

Council's current long term financial modelling is currently developed to a 10 year time horizon and is predicated on a number of assumptions with respect to debt reduction and growth of internal reserves to fund asset management, refurbishment and new infrastructure over that timeframe.

Whilst much has been achieved Council's financial planning horizon needs to be increased to twenty years and also needs to address the consequences of Council's decision making over that period.

Consequently staff have commenced the development of a reviewed model which will seek to provide a detailed analysis of each project or facility proposed over a twenty year period identifying specific funding sources and ongoing management costs (and revenues) related to both those assets and service delivery related to those assets.

It is also intended that the development of a new financial plan will be preceded and informed by the development of a number of potential scenarios.

Those scenarios as discussed with Councillors at the October Finance Committee meeting, will include a base scenario, a scenario which provides for management of existing assets and services and a strategic direction scenario. This last option includes the delivery of key facilities and services outlined in various resolutions and adopted strategies.

Summary status and key actions required to complete project

Development of a new tool to undertake modelling has commenced with both Strategy and Corporate staff involved. The tool when completed will allow scrutiny of Council's potential future

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financial scenarios. Further workshops with Councillors are anticipated prior to formal reporting of a twenty year plan in December.

9. Consultation with community facilities

A series of meetings were set up as the first step in the consultation requirements identified in the Chairperson's report on the proposed land reclassification of Council land in the St Ives Centre and Council's resolution of 8 November 2006 to "*Initiate program of extensive consultation, including meetings with interested councillors, with the St Ives Occasional Care Centre and the Neighbourhood Centre with respect to issues of reclassification and relocation*".

A consultation session with the St Ives Neighbourhood Centre director was held with Council staff and Councillors on 16 September 2007. From this meeting a series of principles were developed as the starting point to any guide and future decisions on planning for the relocation of the current Ku-ring-gai Neighbourhood Centre, under the new plans. It was acknowledged at the meeting that it there would be a considerable amount of time and further opportunities for Council to consult with the Ku-ring-gai Neighbourhood Centre as the plans were still under review by the DoP and have not been gazetted.

The principles in relation to the St Ives and Ku-ring-gai Neighbourhood Centre are:

Principle 1

There is a current limitation on space and the KNC opportunity to expand or take on additional services is limited. The KNC requires more space into the future.

Principle 2

Need a location in any redevelopment or relocation that is commercially viable – need passing trade for activities and sales similar to a shop.

Principle 3

Need a location with multi-purpose functions that does not distinguish the purpose of a visit (eg. A client may be coming to receive family counselling, attend English language classes or to purchase a book, need to be anonymous). The current location is an asset being near the main entrance.

Principle 4

The KNC sees itself as a model neighbourhood centre in the industry with over 29 years of service – want to retain the quality of service and staff.

Principle 5

The KNC needs to be accessible (and signage) for all especially with its aligned operations of community transport.

Street access is desirable but need to fit in with community needs.

Principle 6

Need to reinforce with the St Ives Shopping Centre about the importance of community facilities and activities within a shopping centre and the value of the linkage between retail uses and activities and social / community activities.

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Other general points / matters discussed:

Current issues identified that relate to the provision of adequate staff and service accommodation.

- Town square / library location as outlined in their submission on the public hearing is not desirable.
- Issue of relying on HACCC funding and changing policy directions at a State and Commonwealth Government level.
- Importance of Council and KNC to discuss and identify needs throughout the process.
- The KNC Director has visited other neighbourhood centres especially in England where some are located within the cores of commercial shopping centres.
- Council will review again the submission by KNC and prepare a series of principles to be used in the report to Council on land reclassification – reminded this is the first stage of consultation.

A meeting with the St Ives Occasional Care Centre board members was also held, in accordance with the independent Chairperson's report on the proposed land reclassification of Council land for the St Ives Centre and the subsequent Council resolution of 8 November 2006 to *"Initiate program of extensive consultation, including meetings with interested councillors, with the St Ives Occasional Care Centre and the Neighbourhood Centre with respect to issues of reclassification and relocation"*.

A series of principles were developed to assist in setting the possible parameters for the reclassification of the site and the relocation of the facility to a new location. These principles are outlined below:

- P1 New facility should be stand alone and purpose built rather than an adapted building (eg. old home) built at ground level with easy access and dedicated parking.
- P2 Need an environment that is welcoming and homely throughout with open space and interconnecting architectural connections eg sliding doors, windows. Within this open environment a number of spaces scattered throughout that creates 'neighbourhoods or 'pods'.
- P3 Site that is near shopping centre but not part of centre.
- P4 Need an external open ended play environment with design/landscaping that keeps children connected to the natural world eg not all synthetic grass, rubber and plastic. Incorporated within this outdoor space would be a transitional all-weather section.
- P5 Increase in spaces from 25 to 30 spaces with no age groupings.
- P6 Managed by community based committee made up of Parents and interested community members – not for profit organisation.
- P7 Need to be in close vicinity of other community services including Library, baby health clinic and other providers eg. health care, but distinct from shopping centre.
- P8 St Ives would be the preferred location but would consider other sites if necessary, in close proximity to transport routes and service providers noted above.
- P9 Need to be consulted throughout the process - both parties.

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P10 The new facility will need to provide the following areas - administration office, laundry, storage – internal and external, staff room, formal and informal meeting areas and access to kitchen.

Summary status and key actions required

It is proposed that Council further consult with the Ku-ring-gai Neighbourhood Centre and the St Ives Occasional Care Centre regarding future planning for the St Ives Centre. Additional consultation also be held with other key parties not directly covered by the reclassification report by occupying Council land including HACC / Senior Citizens Turramurra.

10. Other Matters***DP 822373, St Ives***

One of the Recommendations from the Public Hearing Report for St Ives required that Council undertake an

"...Investigation on whether parcel described as DP 822373 has been satisfactorily considered in draft plans".

DP 822373 is a part of the land known as the Cowan Road car park at 11-17 Cowan Road St Ives. The Draft LEP shows the whole of the site in question zoned B2 Local Centre. The Draft DCP S4.7.2 shows part of DP 822373 being occupied by building footprint through the expansion of the St Ives Shopping Village and the remainder (the larger portion) with no development potential as a result of an earlier Council resolution.

The intention is that DP 822373 remain as subject of reclassification to Operational land. In the future Council may subdivide the lot and return the larger part to Community land if it so wishes.

10a. Summary status and key actions required

This issue has been fully addressed in the draft LEP and DCP.

Precinct E (Council chambers Site), Gordon

One of the Recommendations from the Public Hearing Report for Gordon required that Council:

"...review the DDCP 2006 Provisions in relation to Precinct E, to ensure that setbacks equitably address the building separation requirements of the NSW Residential Flat Design Code"

A review of Precinct E was reported to Council on 30 November 2006 when Council adopted the LEP / DCP controls for the precinct. Council resolved to remove the residential building envelope from Chambers site and limit the building envelope of the community building to be within the footprint of Council's administrative building. In addition Council resolved that the land be retained as community land.

10b. Summary status and key actions required

It is considered that this issue has been addressed in full in the draft LEP and DCP.

Cowan Road car park (11-17 Cowan Road) St Ives in relation to Precinct E, Gordon

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One of the Recommendations from the Public Hearing Report for St Ives required that Council undertake:

"....prior to the reclassification of the Cowan Street car park area, an expert analysis be undertaken which examines the capacity of remaining community land to meet reasonable expectations on future demand for community facilities. If there is substantive question on this capacity then the Cowan Street car park area be retained as community land."

This issue is currently being addressed as part of the St Ives Parking Management Strategy. One of the key issues for this site is to investigate whether in the medium term it is possible to release this land from its current function as a car park. Detailed planning has also been undertaken to assess the site's suitability as a location for a multi-purpose child care centre. It is intended to report a response to this issue to Council in November 2007.

10c. Summary status and key actions required

Investigations into Cowan Road car park are under preparation and will be reported to Council in November 2007.

11. Net loss and/or gain of public land, open space or facilities

Councillors have requested detailed information regarding the amount of land proposed for reclassification when compared with the amount of new land proposed to be acquired through the Town Centre Draft DCP/LEP and Town Centre Draft Section 94 Plan and Draft Open Space Acquisition Strategy. **Attachment 7** consists of five schedules giving a detailed breakdown of the potential net losses and gains of public land and or facilities. A summary of the tables is provided below:

1. St Ives under a full development scenario will achieve a net gain in public land of 14,633sqm in addition it is proposed to retain 6,680sqm of land currently classified community. The net gain includes up to 15,000sqm of new land acquired as open space on the fringes of the centre. It can be seen that if the open space acquisition component is not included then overall there would be no net loss or gain in public land/facilities.
2. Turramurra under a full development scenario will achieve a net gain in public land of 13,789sqm in addition it is proposed to retain 3,104sqm of land currently classified Community. The net gain includes up to 10,000sqm of new land acquired as open space on the fringes of the centre. It can be seen that if the open space acquisition component is not included then overall there remains a net gain in public land/facilities of about 3,700sqm.
3. Gordon under a full development scenario will achieve a net gain in public land of 27,147sqm in addition it is proposed to retain 21,583sqm of land currently classified community. The net gain includes up to 22,000sqm of new land acquired as open space on the fringes of the centre. It can be seen that if the open space acquisition component is not included then overall there remains a net gain in public land/facilities of about 5,000sqm.
4. Pymble under a full development scenario will achieve a net gain in public land of 4963sqm in addition it is proposed to retain 7,739sqm of land currently classified Community. The net gain includes up to 3,000sqm of new land acquired as open space on

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the fringes of the centre. It can be seen that if the open space acquisition component is not included then overall there is small net gain in public land/facilities.

5. Lindfield under a full development scenario will achieve a net gain in public land of 40,209sqm in addition it is proposed to retain 5,889sqm of land currently classified community. The net gain includes up to 30,000sqm of new land acquired as open space on the fringes of the centre. It can be seen that if the open space acquisition component is not included then overall there is a net gain in public land/facilities of about 10,000sqm.

11a. Summary status and key actions required

The information presented regarding the net loss or gain of public lands or facilities is provided for information to Councillors.

CONSULTATION

All persons who made a submission on the town centres independent public hearings have been advised in writing of this status report going to Council. In addition the town centre e-mail register data base has been used to advise the community of this report going to Council.

FINANCIAL CONSIDERATIONS

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 financial indications that may arise from works to undertake the revitalisation of public domain and community infrastructure are considerable. A key outcome of the Town Centres Working Program is a financial strategy fully integrated into Council's overall Long Term Financial Model. The development of this funding strategy is highlighted as an ongoing priority over the entire year.

CONSULTATION WITH OTHER COUNCIL DEPARTMENTS

An integrated planning approach has been adopted in preparing and reviewing the town centre plans and the reclassification process - all Departments where applicable have been consulted in the preparation of the plans and the response raised in this report

SUMMARY**1. Legal Advice****Summary status and key actions required**

Councillors were advised of the expected timeframe receiving the second Senior Counsels advice on Tuesday 23 October 2007 and that the reporting of the legal advice would be reported to the ordinary meeting of Council on 13 November 2007.

The recommendations contained in this report are therefore limited in nature to Council to be received and noted on the progress made on the reclassification of council owned land.

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The report that will be presented to Council on 13 November 2007 will include an assessment of the legal advice, recommendations and will allow for adequate notification to the public of this matter coming before Council.

2. Parking Management Plan**Summary status and key actions required**

The next stage of the project is for staff to undertake detailed analysis on a centre by centre basis using the ARUP report as background to prepare parking strategies for each centre. To date this has been commenced for St Ives and a draft will be presented to Councillors at the 23 October 2007 Planning Committee.

3. Facilities Plan**Summary status and key actions**

The Town Centres Facilities Plan is complete and adopted by Council. Amendments have been made to the plan in consultation with Councillors. The Facilities Plan fully addresses the issue raised in the Public Hearing recommendations in relation to the identification of infrastructure and facilities to be provided by Council.

4. Contributions Strategy and Section 94 Plan**Summary Status and Key Actions Required to Complete the Project**

A draft of the Ku-ring-gai Town Centres Section 94 Contributions Plan is being finalised for exhibition. Consequential amendments to the 2004-2009 Contributions Plan are being prepared for concurrent exhibition. Following exhibition, a further report must be considered by Council. Once in force, Council can begin levying contribution in accordance with the Plan.

5. Voluntary Planning Agreement Policy**Summary Status and Key Actions Required to Complete the Project**

The preliminary draft at Attachment 6 is to initiate discussion with Councillors. Further internal consultation with staff and legal advice and further steps required. Thence the draft policy should be exhibited for comment before being formally adopted by Council.

6. Financial Modelling**Summary status and key actions required to complete project**

Development of a new tool to undertake modelling has commenced with both Strategy and Corporate staff involved. The tool when completed will allow scrutiny of Council's potential future financial scenarios. Further workshops with Councillors are anticipated prior to formal reporting of a twenty year plan in December.

7. Consultation**Summary status and key actions required**

It is proposed that Council further consult with the Ku-ring-gai Neighbourhood Centre and the St Ives Occasional Care Centre regarding future planning for the St Ives Centre.

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Additional consultation also be held with other key parties not directly covered by the reclassification report by occupying Council land including HACC / Senior Citizens Turramurra.

8. **Other matters**

Summary status and key actions required

Investigations into Cowan Road car park are under preparation and will be reported to Council in November 2007.

RECOMMENDATION

- A. That the report on reclassification of Council owned land within town centres be received and noted.
- B. That the matter be deferred until 13 November 2007 to allow consideration of legal advice.

Craige Wyse
Senior Urban Planner

Bill Royal
Senior Urban Designer

Antony Fabbro
Manager Urban Planning

Steven Head
Director Strategy

Attachments: Attachment 1: Council Resolutions addressing Reclassification Matters (Schedule 4 of draft LEPs - 825776
Attachment 2: Recommendations from Public Hearings into Land reclassification / Town Centres - 845154
Attachment 3(a) to 3(e): Revised Town Centre Plans mapping showing lands currently subject to proposed reclassification - 845125, 845124, 845123, 845122, 845121
Attachment 4: Town Centre Work Program adopted March 2007 - 845202
Attachment 5: Ku-ring-gai Draft Town Centre Parking Management Plan - Background report - 840959, 840937, 840951 (maps only), 840955, 840940, 840942, 840944.
Attachment 6: Voluntary Planning Agreement Policy - 845151
Attachment 7: Net gain or loss in publicly owned land following reclassification - 845185

COUNCIL RESOLUTIONS TO DEFER FROM DRAFT TOWN CENTRE LEPs RECLASSIFICATION ITEMS CONTAINED IN SCHEDULE 4

St Ives

[Resolution of 8 November 2006]

That Council approve in principle the re-classification of items contained in Schedule 4 of the Draft LEP that seeks to re-classify public land in St Ives to operational land and deferred in accordance with Section 68(5) of the Environmental Planning and Assessment Act, for a further report investigating the matters raised in the recommendations of the public hearing. That the report be submitted to Council no later than the second meeting in March 2007.

[Resolution of 8 November 2006]

Initiate program of extensive consultation, including meetings with interested councillors, with the St Ives Occasional Care Centre and the Neighbourhood Centre with respect to issues of reclassification and relocation.

Turrumurra

[Resolution of 13 November 2006]

That Council approve in principle, the re-classification of items contained in Schedule 4 of the Draft LEP Amendment No 1 that seeks to re-classify public land in Turrumurra to operational land and defer such action in accordance with Section 68(5) of the Environmental Planning and Assessment Act, for a further report investigating the matters raised in the recommendations of the public hearing. That the report be submitted to Council by March 2007.

Pymble

[Resolution of 28 November 2006]

That in relation to the reclassification of land proposed in the Draft LEP for Pymble, sites 1, 6 & 7 be retained as community land and that in accord with section 68(5) of the Environmental Planning and Assessment Act, Council resolve to defer consideration of sites 2, 4 & 5 in Schedule 4 of the Draft LEP for reclassification to operational land, pending a further report to Council investigating the matters raised in the recommendations of the public hearing.

Gordon

[Resolution of 30 November 2006]

That in accordance with Section 68(5) of the Environmental Planning and Assessment Act, Council resolve to defer the items contained in Schedule 4 of the Draft LEP that seeks to reclassify public land in Gordon to operational land pending a further report

to Council investigating the matters raised in the recommendations of the public hearing, except for the Council Chambers/car park which is retained as community land.

Lindfield

(Resolution of 19 December 2006)

That in accordance with section 68(5) of the Environmental Planning and Assessment Act, Council resolve to defer the items contained in Schedule 4 of the draft LEP that seeks to reclassify public land in Lindfield to operational land pending a further report to Council investigating the matters raised in the recommendations of the public hearing.

RECOMMENDATIONS FROM PUBLIC HEARINGS INTO LAND RECLASSIFICATION / TOWN CENTRES – update of progress

Pymble

Recommendations	Means of Achieving	
<p>T1 The manner in which any public car parking which is to be eliminated due to restructuring the Centre, is to be replaced and managed to compensate for any parking which may be lost by the reclassification of those sites.</p>		<p>Under preparation</p> <p>Parking Management Base Study complete</p> <p>Strategies under preparation</p>
<p>T2 The nature, range and location of community facilities to be provided in the Centre.</p>	<p>Town Centre Facility Blueprint</p>	<p>Complete</p> <p>Town Centres Facility Plan adopted by Council</p> <p>Town Centre Contributions Strategy adopted by Council</p> <p>Draft Section 94 Plan complete and to be reported to OMC 30th October</p>
<p>T3 The reclassification of Sites 1, 6 and 7 is not supported on the grounds that:</p> <p>* Site 1 should be classified in the same manner as the adjoining public car park to the east of it on Site 3; and</p> <p>* the design of future development on Sites 6 and 7 needs to be refined to a degree that ensures the heritage values of the buildings and land comprising Site 6 and the benefits of the open space area on Site 7 are satisfactorily retained.</p>	<p>Remove Sites 1, 6 and 7 from proposed reclassification.</p>	<p>Complete</p> <p>Sites removed from Draft LEP for reclassification purposes by Council's resolution of 28 November 2006.</p>

St Ives

Recommendations	Means of Achieving	
<p>S1 Preparation of a consolidated statement of Council policy (distinct from DDCP 2006) with regard to parking provision which indicates proposed minimum totals of public parking and which clearly addresses foreshadowed parking demand indicated in specialist traffic and parking study.</p>	<p>Parking Management Strategy</p>	<p>Under preparation</p> <p>Parking Management Base Study complete</p> <p>Strategies and recommendations under preparation. To be reported to Council 27Nov07</p>
<p>S2 Preparation of a consolidated statement of Council policy (distinct from DDCP 2006) with respect to the proposed provision of community facilities and services, which includes:</p> <p>(a) overall principles of provision, including the stated goal of providing improvements to a range of existing facilities and services;</p> <p>(b) planning specifications suitable to ensure that reasonable delivery of each of the planned community facilities (nominated variously in Council documents) has primacy in regard to future commercial negotiations. This would be prepared by relevant specialists, and would include planning meetings with St Ives Neighbourhood Centre. Specification of the proposed co-location of library and neighbourhood centre adjacent to the Town Square would be detailed along with other minimum commitments to the upgrading of facilities.</p>	<p>Town Centre Facilities Blueprint</p> <p>Policy on Planning Agreements and disposal of land / assets</p>	<p>Under preparation</p> <p>Town Centres Facility Plan adopted by Council</p> <p>Town Centre Contributions Strategy adopted by Council</p> <p>Draft Town Centre Section 94 Plan complete and to be reported to OMC 30th October</p> <p>Consultation with St Ives Neighbourhood centre and St Ives Occasional Care Centre complete.</p>
<p>S3 Preparation of a consolidated statement of Council policy on financial management strategy including relevant cost planning, including relationship to Council's broader strategic and management</p>	<p>Overall financial model supported by Developer Contributions Strategy</p>	<p>Under preparation</p> <p>Draft Town Centre Section 94 Plan complete and to be reported to OMC 30th</p>

Recommendations	Means of Achieving	
plan and proposed S94 strategy.		October
<p>S4 With respect to Sites 1, 2 and 3, statement of Council policy with respect to ensuring sound management of commercial and physical planning negotiations and risks, and required contents of the business plan, including:-</p> <ul style="list-style-type: none"> (a) statement with respect to any relevant regulatory requirement in regard to public-private partnerships; (b) highlighting of potential high risk areas, and means of addressing risk which may include contingencies to pass some of the subject lands back to community classification by resolution; (c) details on involvement of independent commercial expertise to ensure optimisation of commercial value in ongoing negotiations; (d) details of involvement of independent community services expertise to ensure ongoing community services interests are advocated through detailed physical planning negotiations; (e) listing of arrangements for review and scrutiny at key stages of the project, including need for independent analysis of public interest and probity arrangements. 	Policy on Planning Agreements to include process plan in adopted policy	<p>Under Preparation</p> <p>Draft Planning Agreement Policy to be reported to Council at OMC 30th October</p>
<p>S5 Prior to the reclassification of the Cowan Street car park area, an expert analysis be undertaken which examines the capacity of remaining community land to meet reasonable expectations on future demand for community facilities. If there is a substantive question on this capacity, then the Cowan Street car park area be retained as community land.</p>	Future independent study.	<p>Under preparation</p> <p>To be reported to Council at OMC 27th November 2007</p>
<p>S6 Investigation on whether parcel described as DP 822373 has been</p>	Report to Council.	Complete

Recommendations	Means of Achieving	
satisfactorily considered in draft plans.		Refer Business Paper 30 th October 2007
S7 Mindful of the appropriateness of transparency and impartiality, an independent party/parties with appropriate expertise prepare a report on the adequacy of the responses to the above conditions and that this report be considered by Council in its decision on reclassification of the subject lands.	Review by appropriate person of all documentation, including the report to be recommended to Council.	Review to commence with completion of all documentation

Turrumurra

Recommendations	Means of Achieving	
S8 The manner in which any public car parking which is to be eliminated due to the restructuring of the Centre, is to be replaced and managed to compensate for any parking which may be lost by the reclassification of those sites.	Parking Management Strategy	Under preparation Parking Management Base Study complete Strategies and recommendations under preparation to be reported to Council at OMC 27 th November 2007
S9 The nature, range and location of community facilities to be provided in the Centre.	Town Centre Facility Blueprint	Complete Town Centres Facility Plan adopted by Council Town Centre Contributions Strategy adopted by Council Draft Section 94 Plan complete and to be reported to OMC 30 th October

Gordon

Recommendations	Means of Achieving	
<p>G1 Preparation of a consolidated statement of Council policy (distinct from DDCP 2006) with regard to:-</p> <p>(a) traffic management and parking arrangements (including proposed minimum totals of public parking and general principles of free parking access).</p> <p>(b) public domain and open space (including commitment to the proposed major park within Centre perimeter or equivalent alternative).</p> <p>(c) community facilities provision and Civic Centre.</p>	<p>Parking Management Strategy</p> <p>Town Centre Facility Blueprint</p>	<p>Complete</p> <p>Parking Management Base Study complete</p> <p>Strategies and recommendations under preparation to be reported to Council at OMC 27th November 2007</p> <p>Town Centres Facility Plan adopted by Council</p> <p>Town Centre Contributions Strategy adopted by Council</p> <p>Draft Town Centre Section 94 Plan complete and to be reported to OMC 30th October</p> <p>Council purchase of land for local park in Dumaresq Street, Gordon</p>
<p>G2 Preparation of a consolidated statement of Council policy on the financial management strategy including:-</p> <p>(a) relevant cost planning including relationship to Council's broader strategic and management plan.</p> <p>(b) risk management (including involvement of independent commercial expertise in commercial negotiations)</p> <p>(c) proposed S94 strategy</p> <p>(d) arrangements for review and scrutiny at key stages of the project, including need for independent analysis of public interest and probity arrangements.</p>	<p>Financial Modelling</p> <p>Developer contribution Policy</p> <p>Planning Agreements Policy</p>	<p>Under Preparation</p> <p>Draft Planning Agreement Policy to be reported to Council at OMC 30th October</p> <p>Draft Town Centre Section 94 Plan complete and to be reported to OMC 30th October 2007</p> <p>Financial model under preparation refer discussion Business Paper for 30th October 2007</p>
<p>G3 Review of DDCP 2006 provisions</p>	<p>Already complete in the</p>	<p>Complete</p>

in relation to Precinct E, to ensure that setbacks equitably address the building separation requirements of the NSW Residential Flat Design Code.	report to Council adopting the LEP / DCP	Refer Council Business Paper for OMC 30 th November 2006
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Lindfield

Recommendations	Means of Achieving	
L1 The manner in which any public car parking which is to be eliminated due to the restructuring the Centre, is to be replaced and managed to compensate for any parking which may be lost by the reclassification of those sites.	Parking Management Strategy	Under preparation Parking Management Base Study complete Strategies and recommendations under preparation to be reported to Council at OMC 27 th November 2007
L2 The nature, range and location of community facilities to be provided in the Centre.	Town Centre Facility Blueprint	Complete Town Centres Facility Plan adopted by Council Town Centre Contributions Strategy adopted by Council. Draft Town Centre Section 94 Plan complete and to be reported to OMC 30 th October

ST IVES TOWN CENTRE - PROPOSED RECLASSIFICATION OF COUNCIL LANDS

ATTACHMENT 3(a)

1. Council Car Park - known as 176 Mona Vale Road, St Ives being Lot 103 DP627012 & Lot 105 DP629388
2. St Ives Village Shopping Centre Car Park - known as 11-21 Cowan Road, St Ives being Lot A DP321567, Lot 1 DP504794, Lot 2 DP822373, Lots A & B DP336206, Lots B & C DP322331 and Part Lot 1 DP420106
3. St Ives Library, Early Childhood Centre and Neighbourhood Centre known as Cowan Road, St Ives being Part Lot 1 DP420106
4. Council Car Park - known as 208-210 Mona Vale Road, St Ives being Lots 11 & 12 DP29167
5. Occasional Child Care Centre - known as 261 Mona Vale Road, St Ives being Lot 31 DP719052
6. Original School Building - St Ives YMCA Vacation Care - Headmasters Cottage and Council Car Park No.49 - known as 175-177 Rosedale Road, 4 Porters Lane or 205-207 Mona Vale Road - being Lot 1 DP816806



SCALE UNKNOWN
DATE: 24-09-2007

6 COUNCIL SITES

COUNCIL SITES SUBJECT TO PROPOSED RECLASSIFICATION
(deferred under S68(5) of E.P & A. Act)

LAND SUBJECT TO DLEP 2006 (TOWN CENTRES)

TURRAMURRA TOWN CENTRE - PROPOSED RECLASSIFICATION OF COUNCIL LANDS

ATTACHMENT 3(b)



1. Turramurra Avenue Car Park
- known as 2-8 Turramurra Avenue, Turramurra
- being Lot 2 DP840070
2. Turramurra Senior Citizens Centre
Ku-ring-gai Support and Services Centre - HACC
- known as 1-7 Gilroy Road, Turramurra
- being Lot 1 DP840007
3. Williams Street Car Park
- known as 12 William Street, Turramurra
- being Lot 1 DP519532
4. Ray Street Car Park and Turramurra Library
- known as 5 Ray Street, Turramurra
- being Lot 2 DP221290
5. Kissing Point Road Car Park
- known as 1A-3 Kissing Point Road, Turramurra
- being Lot 2 DP500761, Lot 2 DP500077
Lot 2 DP502388, Lot A DP391538 and
Lot B DP435272
6. Stonex Lane and Duff Street Car Park
- known as 3 Stonex Lane and
4 Duff Street, Turramurra
- being Lot 2 DP550866 and Lot 1 DP807766



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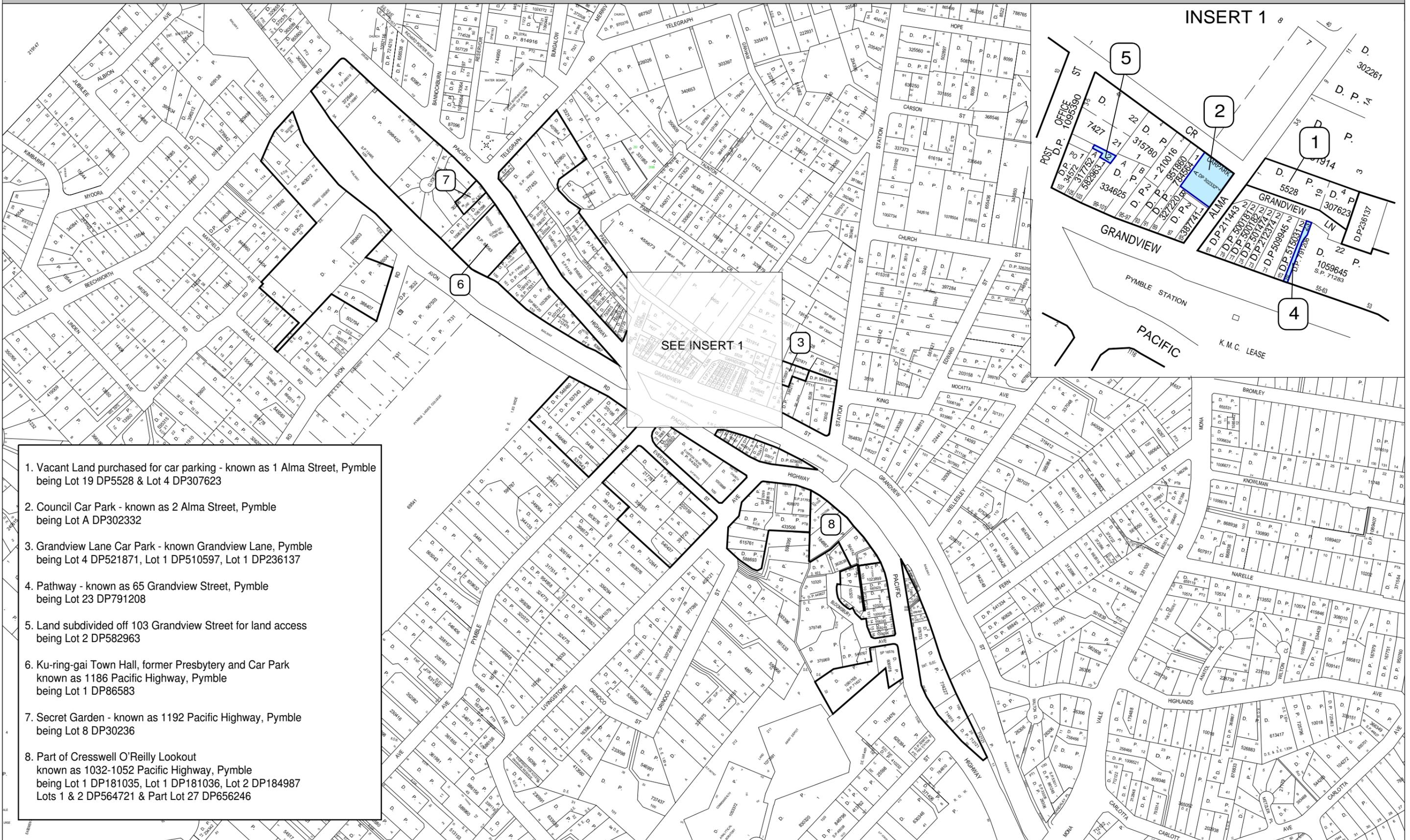
6 COUNCIL SITES

COUNCIL SITES SUBJECT TO PROPOSED RECLASSIFICATION (deferred under S68(5) of E.P & A. Act)

LAND SUBJECT TO DLEP 2006 (TOWN CENTRES)

PYMBLE TOWN CENTRE - PROPOSED RECLASSIFICATION OF COUNCIL LANDS

ATTACHMENT 3(c)



1. Vacant Land purchased for car parking - known as 1 Alma Street, Pymble being Lot 19 DP5528 & Lot 4 DP307623
2. Council Car Park - known as 2 Alma Street, Pymble being Lot A DP302332
3. Grandview Lane Car Park - known Grandview Lane, Pymble being Lot 4 DP521871, Lot 1 DP510597, Lot 1 DP236137
4. Pathway - known as 65 Grandview Street, Pymble being Lot 23 DP791208
5. Land subdivided off 103 Grandview Street for land access being Lot 2 DP582963
6. Ku-ring-gai Town Hall, former Presbytery and Car Park known as 1186 Pacific Highway, Pymble being Lot 1 DP86583
7. Secret Garden - known as 1192 Pacific Highway, Pymble being Lot 8 DP30236
8. Part of Cresswell O'Reilly Lookout known as 1032-1052 Pacific Highway, Pymble being Lot 1 DP181035, Lot 1 DP181036, Lot 2 DP184987 Lots 1 & 2 DP564721 & Part Lot 27 DP656246



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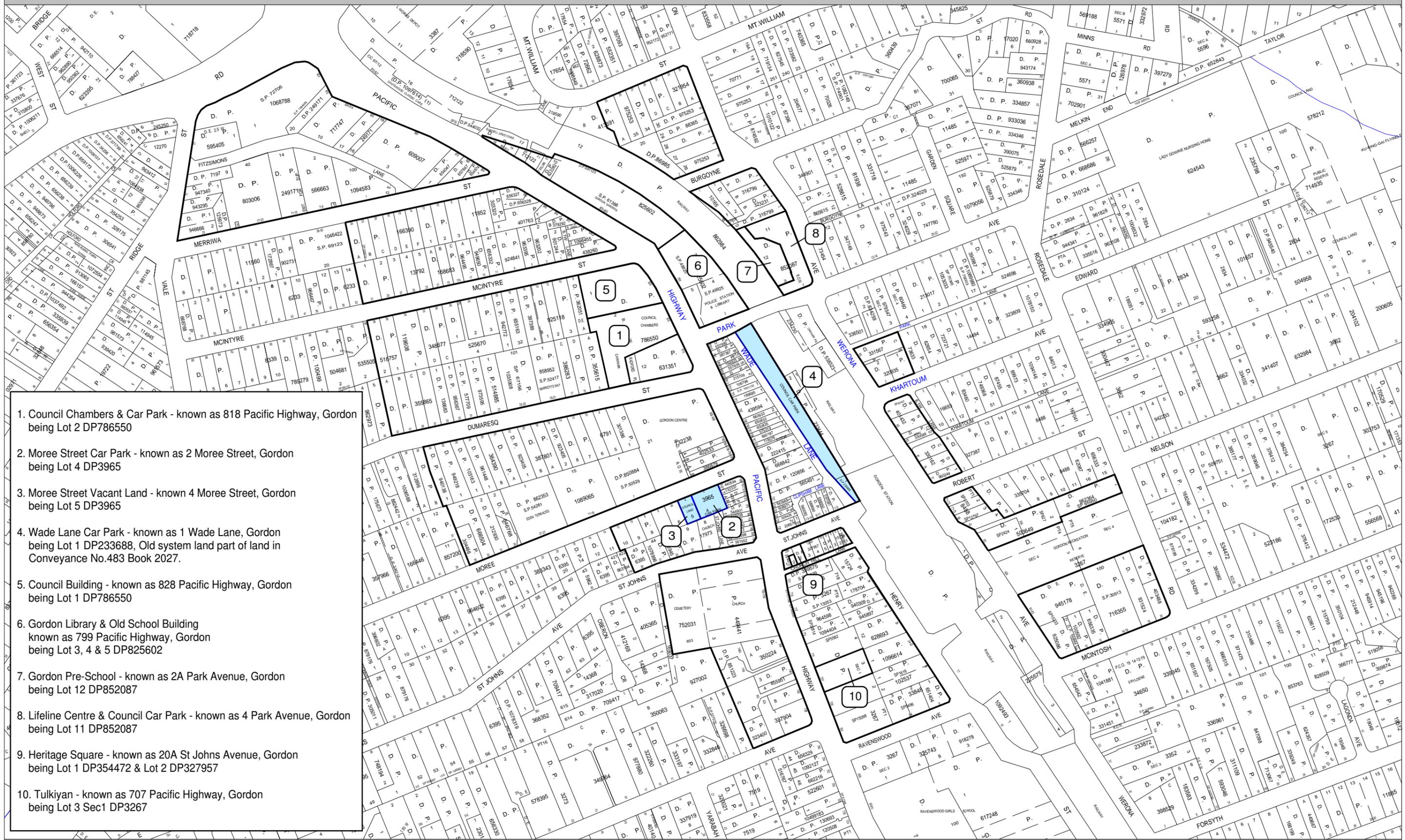
6 COUNCIL SITES

COUNCIL SITES SUBJECT TO PROPOSED RECLASSIFICATION (deferred under S68(5) of E.P & A. Act)

LAND SUBJECT TO DLEP 2006 (TOWN CENTRES)

GORDON TOWN CENTRE - PROPOSED RECLASSIFICATION OF COUNCIL LANDS

ATTACHMENT 3(d)



1. Council Chambers & Car Park - known as 818 Pacific Highway, Gordon being Lot 2 DP786550
2. Moree Street Car Park - known as 2 Moree Street, Gordon being Lot 4 DP3965
3. Moree Street Vacant Land - known 4 Moree Street, Gordon being Lot 5 DP3965
4. Wade Lane Car Park - known as 1 Wade Lane, Gordon being Lot 1 DP233688, Old system land part of land in Conveyance No.483 Book 2027.
5. Council Building - known as 828 Pacific Highway, Gordon being Lot 1 DP786550
6. Gordon Library & Old School Building known as 799 Pacific Highway, Gordon being Lot 3, 4 & 5 DP825602
7. Gordon Pre-School - known as 2A Park Avenue, Gordon being Lot 12 DP852087
8. Lifeline Centre & Council Car Park - known as 4 Park Avenue, Gordon being Lot 11 DP852087
9. Heritage Square - known as 20A St Johns Avenue, Gordon being Lot 1 DP354472 & Lot 2 DP327957
10. Tulkian - known as 707 Pacific Highway, Gordon being Lot 3 Sec1 DP3267

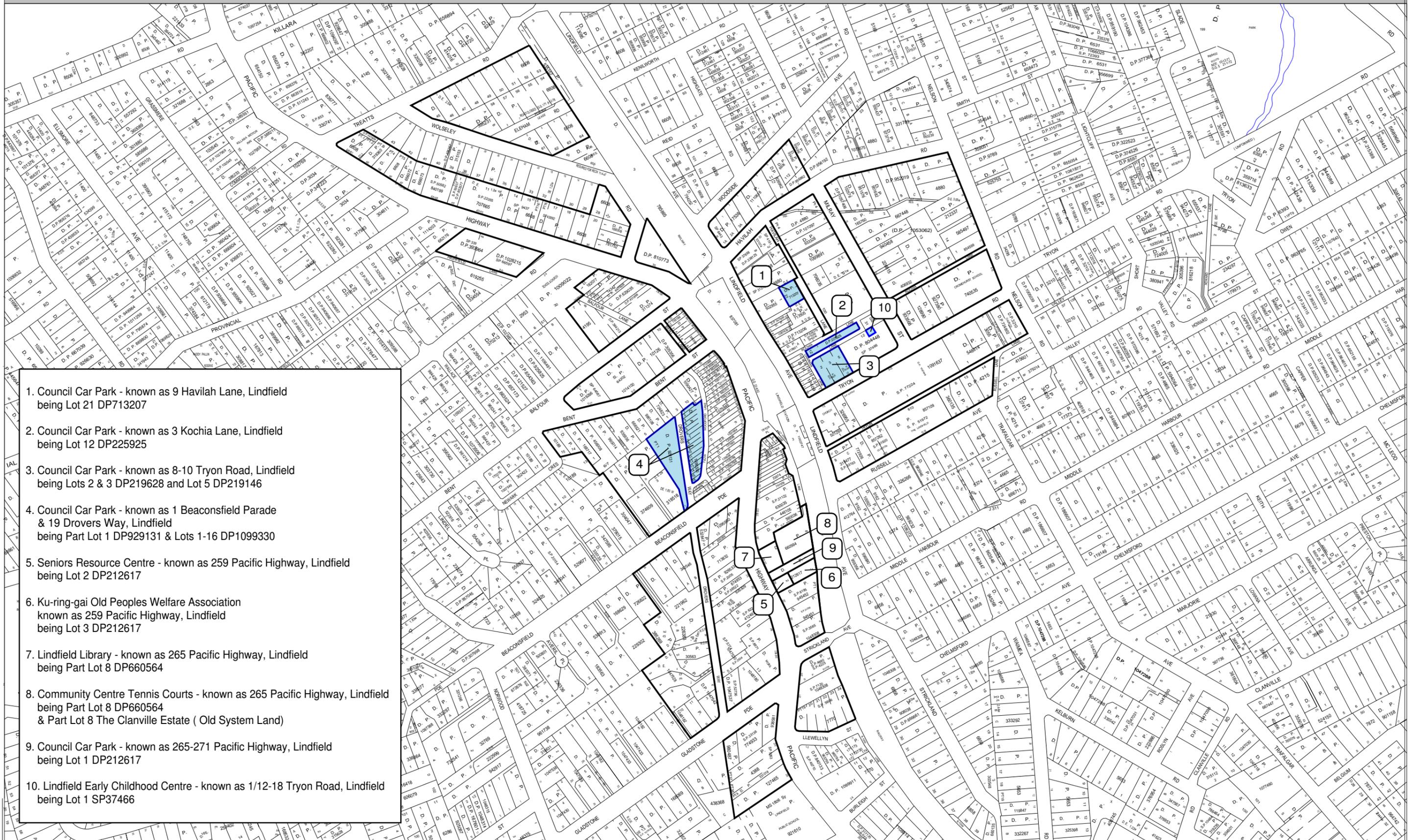

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 COUNCIL SITES

 COUNCIL SITES SUBJECT TO PROPOSED RECLASSIFICATION (deferred under S68(5) of E.P & A. Act)

 LAND SUBJECT TO DLEP 2006 (TOWN CENTRES)

LINDFIELD TOWN CENTRE - PROPOSED RECLASSIFICATION OF COUNCIL LANDS



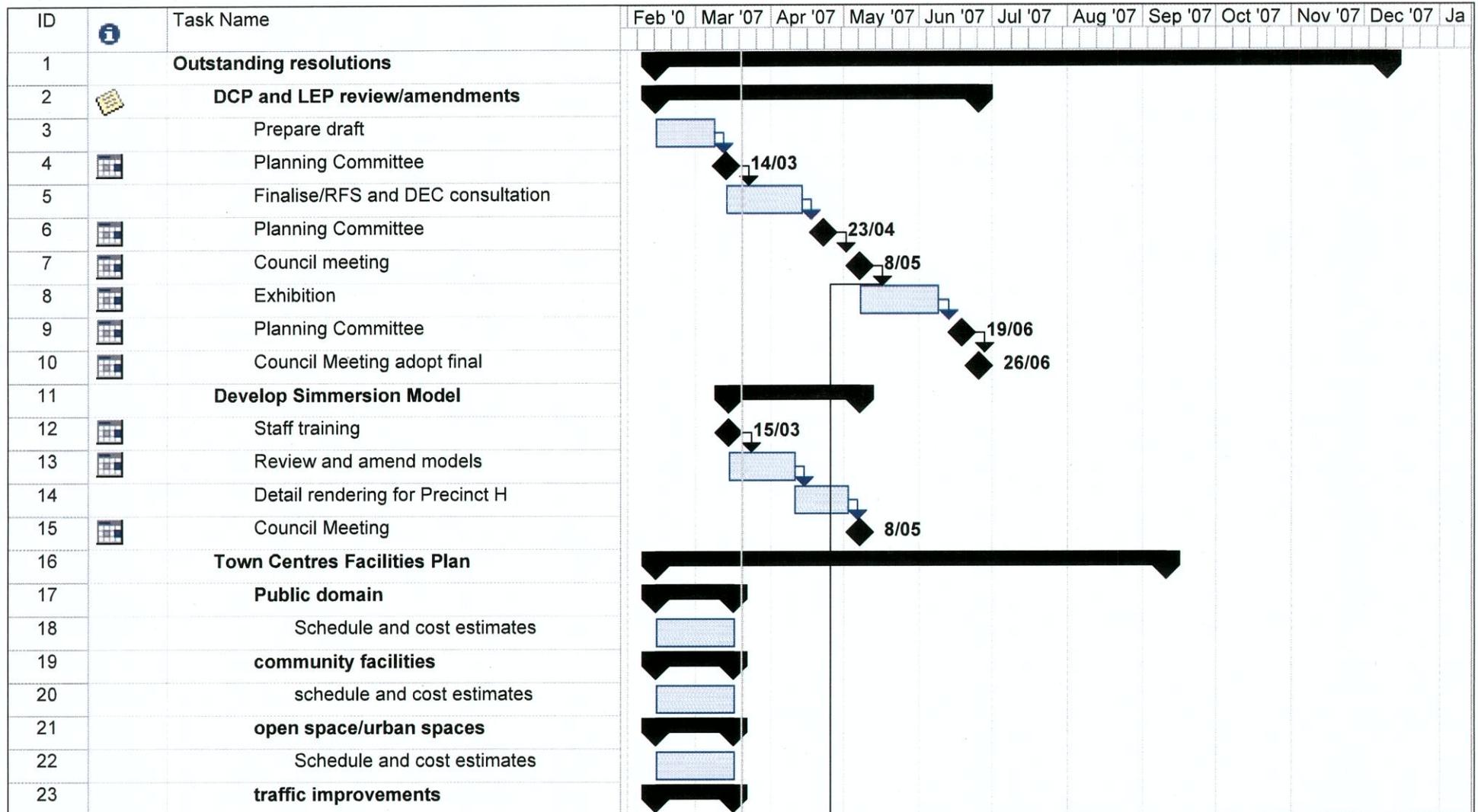
1. Council Car Park - known as 9 Havilah Lane, Lindfield being Lot 21 DP713207
2. Council Car Park - known as 3 Kochia Lane, Lindfield being Lot 12 DP225925
3. Council Car Park - known as 8-10 Tryon Road, Lindfield being Lots 2 & 3 DP219628 and Lot 5 DP219146
4. Council Car Park - known as 1 Beaconsfield Parade & 19 Drivers Way, Lindfield being Part Lot 1 DP929131 & Lots 1-16 DP1099330
5. Seniors Resource Centre - known as 259 Pacific Highway, Lindfield being Lot 2 DP212617
6. Ku-ring-gai Old Peoples Welfare Association known as 259 Pacific Highway, Lindfield being Lot 3 DP212617
7. Lindfield Library - known as 265 Pacific Highway, Lindfield being Part Lot 8 DP660564
8. Community Centre Tennis Courts - known as 265 Pacific Highway, Lindfield being Part Lot 8 DP660564 & Part Lot 8 The Clanville Estate (Old System Land)
9. Council Car Park - known as 265-271 Pacific Highway, Lindfield being Lot 1 DP212617
10. Lindfield Early Childhood Centre - known as 1/12-18 Tryon Road, Lindfield being Lot 1 SP37466


SCALE UNKNOWN
DATE:24-09-2007

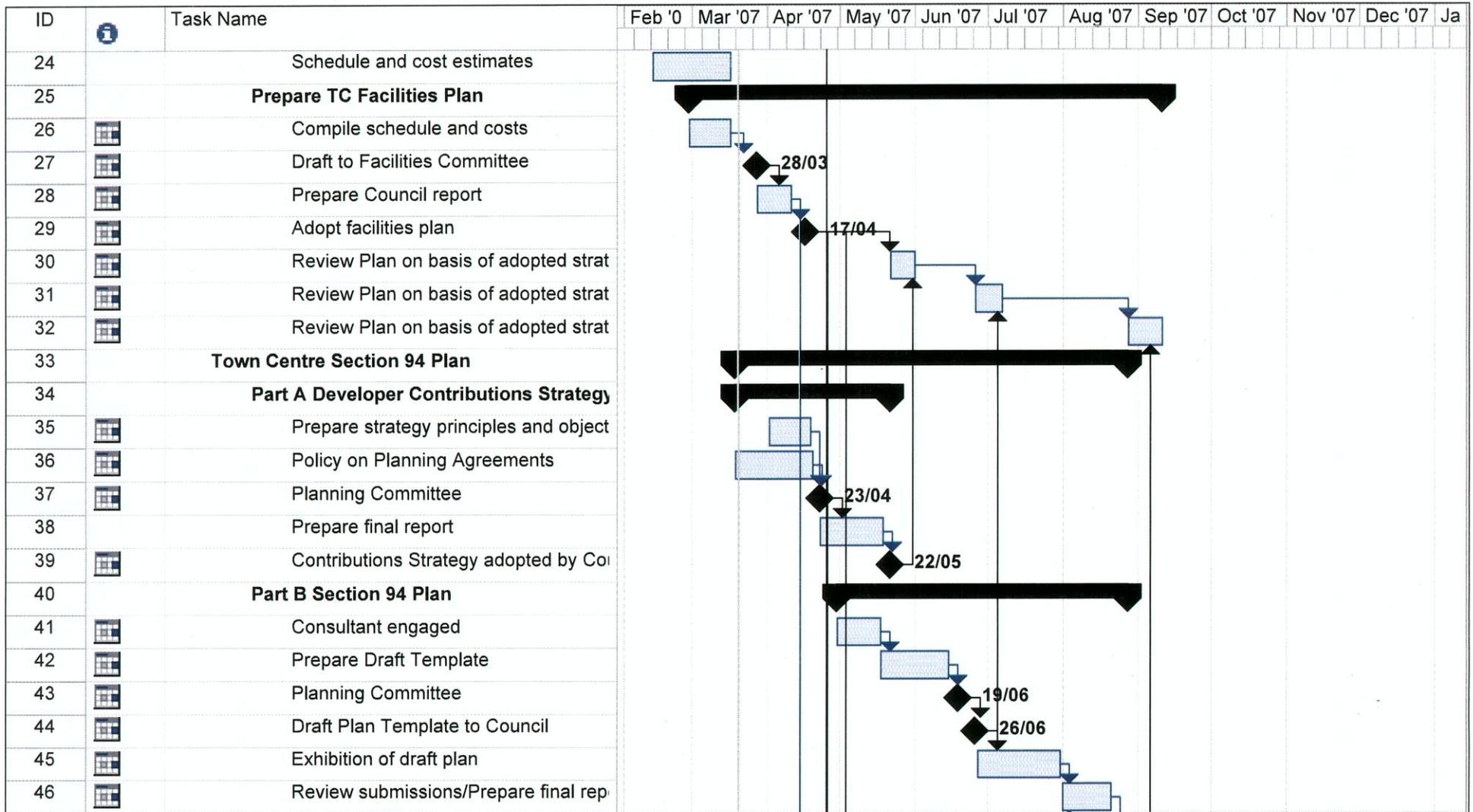
 COUNCIL SITES

 COUNCIL SITES SUBJECT TO PROPOSED RECLASSIFICATION (deferred under S68(5) of E.P & A. Act)

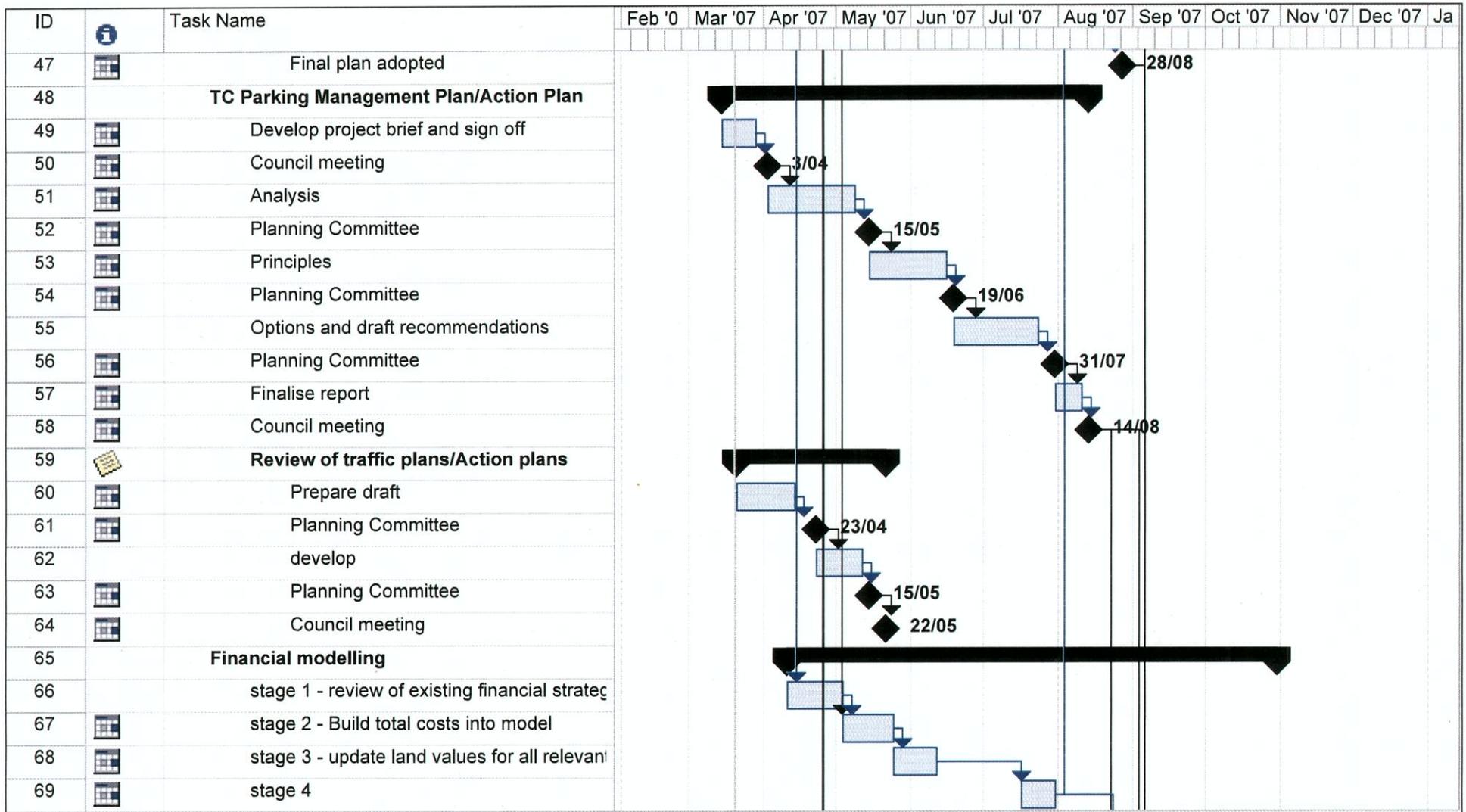
 LAND SUBJECT TO DLEP 2006 (TOWN CENTRES)



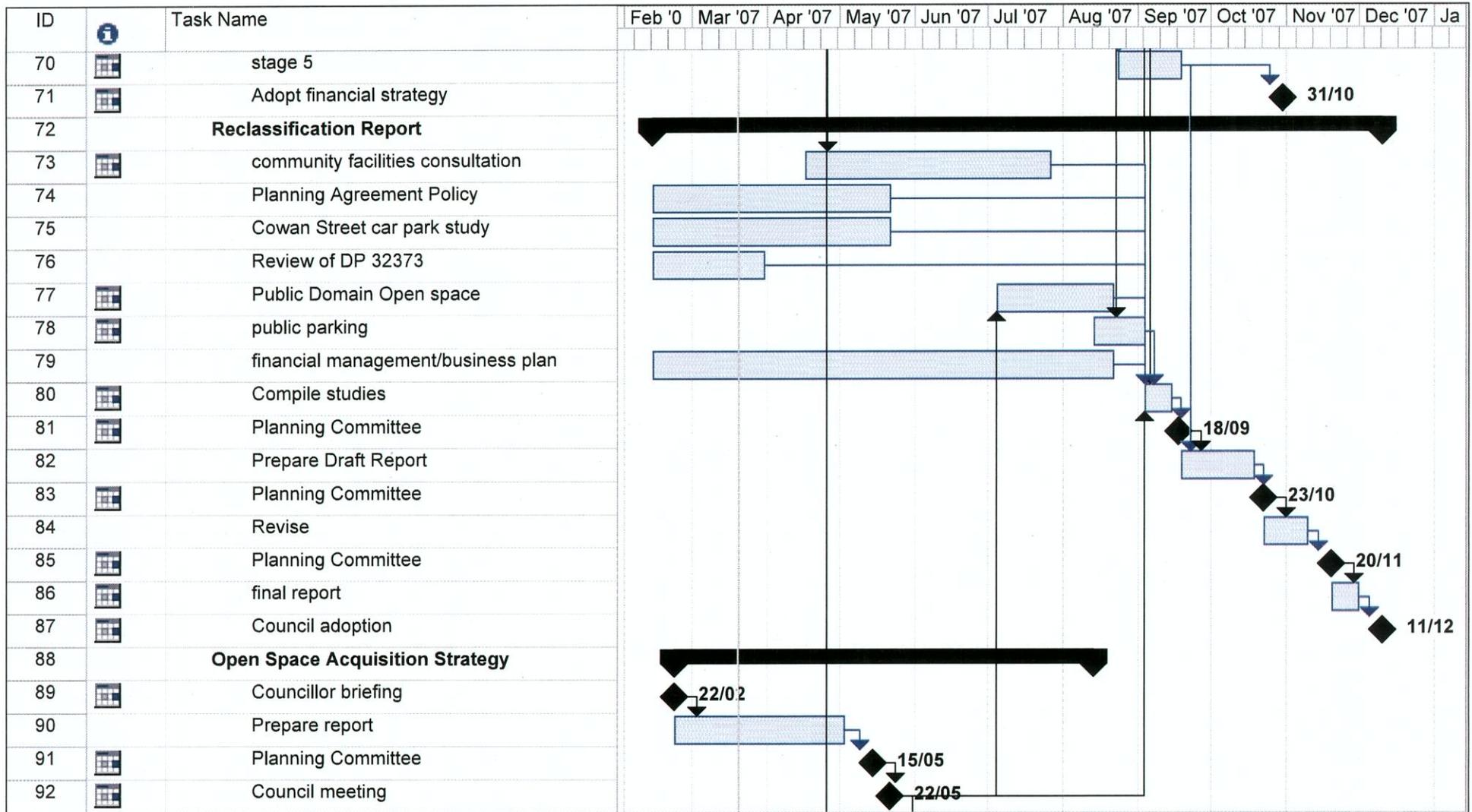
Project: Town Centres Program 2007 Date: Tue 20/03/07	Task	[Blue bar]	Milestone	[Black diamond]	External Tasks	[Grey bar]
	Split	[Dotted bar]	Summary	[Black bar with arrow]	External Milestone	[Black diamond]
	Progress	[Black bar]	Project Summary	[Grey bar with arrow]	Deadline	[Down arrow]



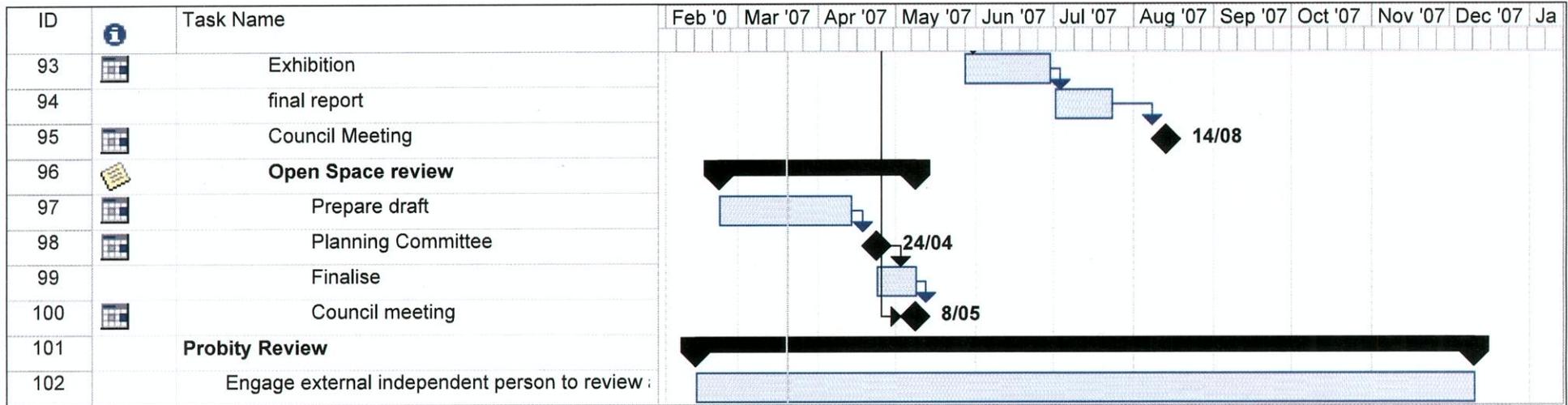
Project: Town Centres Program 2007 Date: Tue 20/03/07	Task		Milestone		External Tasks	
	Split		Summary		External Milestone	
	Progress		Project Summary		Deadline	



Project: Town Centres Program 2007 Date: Tue 20/03/07	Task		Milestone		External Tasks	
	Split		Summary		External Milestone	
	Progress		Project Summary		Deadline	



Project: Town Centres Program 2007 Date: Tue 20/03/07	Task		Milestone		External Tasks	
	Split		Summary		External Milestone	
	Progress		Project Summary		Deadline	



Project: Town Centres Program 2007 Date: Tue 20/03/07	Task		Milestone		External Tasks	
	Split		Summary		External Milestone	
	Progress		Project Summary		Deadline	

Gordon Centre balance sheet - net loss or gain of public land, open space and other facilities

GORDON	Public Roads proposed to be closed	New Public Roads - land acquired or dedicated to Council	Land proposed to be reclassified as Operational	Reclassified land proposed to be returned to Community	Reclassified land proposed to be returned to public ownership as strata title	New land proposed to be purchased for open space	New land purchased for urban/civic squares	Net total gain (+) or loss (-) of publicly owned land	Land remaining as community (not proposed to be reclassified)
St Johns Lane	-328							-328	0
Lane in C3	-216							-216	0
Wade Lane		500						500	0
McIntyre to Dumaresq		1690						1690	0
Dumaresq to Moree		1950						1950	0
Moree to St Johns		960						960	0
Site 1 - Council Chambers and car park			0	0	0			0	5,160
Site 2 – Moree Street car park			-985	0	+350 (include new car park)			-635	0
Site 3 – Moree Street vacant land			-499	0	0			-499	0
Site 4 – Wade Lane car park			-3,885	0	+4250 (includes new car park)			+365	0
Site 5			0	0	0			0	+4,182
Site 6			0	0	0			0	+5,552
Site 7			0	0	0			0	+1,700
Site 8			0	0	0			0	+2,697
Site 9			0	0	0			0	+462
Site 10			0	0				0	+1830
Town Square						0	+1,000	+1000	0
Railway Square						0	+360	+360	0
Open space locations to be determined						+22,000	0	+22,000	0
TOTALS								+27,147	+21,583

Notes

1. Assumes full redevelopment under life of plan
2. Should be read in conjunction with Town Centre Draft LEP/DCP and Draft Town centre S94 Plan
3. Does not include existing open space areas in and around the centres

Lindfield Centre balance sheet - net loss or gain of public land, open space and other facilities

LINDFIELD	Public roads proposed to be closed	New land purchased for roads	Land proposed to be reclassified as Operational	Reclassified land proposed to be returned to Community	Reclassified land returned to public ownership as strata title	New land purchased for open space	New land purchased for pedestrian access ways	Net gain (+) or loss (-) of publicly owned land	Land remaining as community (not proposed to be reclassified)
Drovers Way	-950							-950	
Eleham Road	-190							-190	
Balfour Lane	-664							-664	
Kochia Lane	-420							-420	
New Street – Beaconsfield Parade to Bent Street		630						630	
New Street – Bent to Balfour		750						750	
New Street – Balfour Lane		1160						1160	
New Street – Wolseley to Treatts		1920						1920	
New Street – Pacific Highway to Tryon Lane		402.5						402.5	
Site 1 – Havilah Lane car park			-766	0	750			-16	
Sites 2, 3 and 10 – Kochia Lane area (Tryon Square)			-2949	+2700 (new town park)	+5349 (includes car park and library)			+5100	
Sites 5-9 – Council library and senior citizens site			0	0	0			0	+5889
Site 4 – Woodford Lane			-5643	+1800 (new town park)	+3660 (includes community centre and car parking)			-183	
Open space locations to be determined						+30000		+30000	
Pedestrian access ways							+2670	+2670	
TOTALS								40209.5	+5889

Notes

4. Assumes full redevelopment under life of plan
5. Should be read in conjunction with Town Centre Draft LEP/DCP and Draft Town centre S94 Plan
6. Does not include existing open space areas in and around the centres

Pymble Centre balance sheet - net loss or gain of public land, open space and other facilities

PYMBLE	New public roads land acquired by Council	Land proposed to be reclassified as Operational	Reclassified land proposed to be returned to Community	Reclassified land returned to public ownership as strata title	New land purchased for open space	New land purchased for pedestrian access ways	Net gain (+) or loss (-) of publicly owned land	Land remaining as community (not proposed to be reclassified)
Post Office Lane extensions	980	-	-		-		980	
Grandview Lane extension to Station St	600						600	
Site 1 and 3 – Grandview Lane		0	0	0			0	1409
Site 2 – Alma Street car park		-622	0	300			-322	
Site 4 – pedestrian access way		-104	104	0			0	
Site 5 – Post Office Lane (part)		-63.6	63.6	0			0	
Site 6 and 7 – Ku-ring-gai Town Hall and Secret Garden		0	0	0			0	6329.8
Open space locations to be determined					3000		3000	
Pedestrian access ways						705	705	
TOTALS							4963	7739

Notes

7. Assumes full redevelopment under life of plan
8. Should be read in conjunction with Town Centre Draft LEP/DCP and Draft Town centre S94 Plan
9. Does not include existing open space areas in and around the centres

St Ives Centre – balance sheet net loss or gain of public land, open space and other facilities

ST IVES	Existing Public Roads proposed to be closed	New Public Roads proposed to be acquired or dedicated	Land proposed to be reclassified as operational	Reclassified land proposed to be retained and returned to community	Reclassified land proposed to be returned to public ownership as strata title	New land proposed to be purchased for open space	New land purchased for urban/civic squares	Net total gain [+] or loss [-] of publicly owned land	Land remaining as community (not proposed to be reclassified)
Denley Lane	-2,386sqm	+400sqm						-1986	
Stanley Lane		+1200sqm						1200	
Site 1 car park 176 MVR			-803sqm	0	750			-53	
Site 2 Village Green Parade and car park and Cowan Road car park			-13,750sqm	12,150	4500			2900	
Site 3 – library and neighbourhood centre			-800	0	1,500			-700	
Site 4 – car park			-2091	0	1,000			-1091	
Site 5 – St Ives Occasional care			-1,317	0	0			-1317	
New Town Square							680	680	
Open space locations to be determined						15,000	0	15000	
Site 6 - 177 Rosedale Road								0	6680
TOTAL								14633	6680

Notes

10. Assumes full redevelopment under life of plan
11. Should be read in conjunction with Town Centre Draft LEP/DCP and Draft Town centre S94 Plan
12. Does not include existing open space areas in and around the centres

Turrumurra Centre balance sheet - net loss or gain of public land, open space and other facilities

TURRAMURRA	Existing public roads proposed to be closed	Public roads proposed to be retained in public ownership	New Public Roads land acquired or dedicated to Council	Land proposed to be reclassified as Operational	Reclassified land proposed to be returned to Community	Reclassified land returned to public ownership as strata title	New land purchased for open space	New land purchased for pedestrian access ways	Net gain (+) or loss (-) of publicly owned land	Land remaining as community (not proposed to be reclassified)
William Street/William Square	-3000	1780					-		-1220	
Higgs Lane/William Square	-198	198							0	
Forbes Lane			1200						1200	
New road between Turrumurra Ave and Gilroy Road			1402				-		1402	
New Stonex Street			465				-		465	
Site 1 – Turrumurra Ave car park				-3619	2060		-		-1559	
Site 2 – HACC facilities				-2287	1920		-		-367	
Site 3 – 12 William Street car park				-581	581				0	
Site 4 – William Street car park				-3471	0	+7130 (includes library / community facilities / car park)			+3659	
Site 5 – Kissing Point road car park				-2272.	+1300	0			-972	
Site 6 – 4 Duff Street				0	0	0			0	+3104
Open space locations to be determined							+10,000		+10000	
Pedestrian access ways								+1185	+1185	
TOTALS									+13,789	+3104

Notes

13. Assumes full redevelopment under life of plan
14. Should be read in conjunction with Town Centre Draft LEP/DCP and Draft Town centre S94 Plan
15. Does not include existing open space areas in and around the centres

LEGAL ADVICE - LAND RECLASSIFICATION COMPONENT FOR KU-RING-GAI LOCAL ENVIRONMENTAL PLAN (2006) TOWN CENTRES

CONFIDENTIAL

Report was confidential
but was discussed in
Open Council

EXECUTIVE SUMMARY

PURPOSE OF REPORT:	To consider legal advice in relation to land reclassification as it relates to Draft Ku-ring-gai Local Environmental Plan 2006 (Town Centres) and for Council to resolve how to now proceed.
BACKGROUND:	On 27 March 2007 Council adopted the town centres work program for the finalisation of all outstanding resolutions in relation to the reclassification of Council owned land. Consistent with the recommendations of the reclassification public hearings, Council resolved that further information be provided and studies undertaken to inform Council's decision regarding proposed land reclassification. Council considered the progress of these studies at its meeting on 30 October 2007. Council resolved that the land reclassification matter be deferred. Legal advice has been obtained regarding the conduct of the public hearing and land reclassification process.
COMMENTS:	The reclassification of certain Council lands is a component in the realisation of the Ku-ring-gai Town Centres LEP. Council met with the Minister for Planning on 22 November 2007 at which the future progression of the town centres LEP was a major topic of discussion. To successfully retain the objectives of the final LEP, consideration of the reclassification matter should be completed and any appropriate Council lands reclassified. Legal advice to Council indicates uncertainty as to whether Council should rely on the public hearings that have been conducted to date as part of the reclassification process.
RECOMMENDATION:	That Council now resolve the manner for moving to finalise the Council land reclassification process.

PURPOSE OF REPORT

To consider legal advice in relation to land reclassification as it relates to Draft Ku-ring-gai Local Environmental Plan 2006 (Town Centres) and for Council to resolve how to now proceed.

BACKGROUND

1. On 27 March 2007 Council adopted the town centres work program for the finalisation of all outstanding resolutions in relation to the reclassification of Council owned land.

Consistent with the recommendations of the Chairpersons of the public hearings for the five town centres (Roseville excluded) into reclassification, Council resolved that further information be provided and a number of studies be undertaken to inform Council's final decisions regarding the reclassification of Council owned land from Community to Operational land.

2. The majority of studies have now been completed or are in the final stages as follows:

- Parking Management Plan.
- Facilities Plan.
- Contributions Strategy and Town Centres Section 94 Plan.
- Voluntary Planning Agreement Policy.
- Financial Modelling.
- Community Facilities Consultation.

3. The lands which are subject to proposed land reclassification (as resolved to be deferred) are each identified in **Attachments 1 to 5** for each centre. They are listed as follows:

St Ives

- Council car park known as 176 Mona Vale Road, St Ives.
- St Ives Village Shopping Centre car park known as 11-21 Cowan Road, St Ives.
- St Ives Library, Early Childhood Centre and Neighbourhood Centre off Cowan Road, St Ives.
- Council car park known as 208-210 Mona Vale Road, St Ives.
- Occasional child care centre known as 261 Mona Vale Road, St Ives.

Turramurra

- Turramurra Avenue car park known as 2-8 Turramurra Avenue, Turramurra.
- Turramurra Senior Citizens Centre known as 1-7 Gilroy Road, Turramurra.
- William Street car park known as 12 William Street, Turramurra.
- Ray Street car park and Turramurra Library known as 5 Ray Street, Turramurra.
- Kissing Point Road car park known as 1A-3 Kissing Point Road, Turramurra.
- Stonex Lane and Duff Street car park known as 3 Stonex Lane and 4 Duff Street, Turramurra.

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Pymble

- Council car park known as 2 Alma Street, Pymble.
- Pathway known as 65 Grandview Street, Pymble.
- Lot at rear of 103 Grandview Street, Pymble.

Gordon

- Moree Street car park known as 2 Moree Street, Gordon.
- Moree Street vacant land known as 4 Moree Street, Gordon.
- Wade Lane car park known as 1 Wade Lane, Gordon.

Lindfield

- Council car park known as 9 Havilah Lane, Lindfield.
- Council car park known as 3 Kochia Lane, Lindfield.
- Council car park known as 8-10 Tryon Road, Lindfield.
- Council car park known as 1 Beaconsfield Parade and 19 Drovers Way, Lindfield.
- Lindfield Early Childhood Centre known as 1/12-18 Tryon Road, Lindfield.

4. Having regard for expressed concerns relating to the conduct of the public hearing and reclassification process, Council has obtained advices from two Senior Counsel. These are contained in confidential **Attachments 6 and 7**.
5. Council gave consideration to a report on the proposed land reclassification matter at its meeting on 30 October 2007. Council resolved:

That in the 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.

COMMENTS

Council has obtained two (2) separate legal advices concerning the conduct of the public hearing and reclassification process. In his advice to Council, Mr S B Austin QC indicated that he considered Council to have met its statutory obligations. Subsequent advice from Dr John Griffiths SC, however, suggests that a contrary position is arguable, and that there is 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.

The matter concerning Council land reclassification is a significant element of Council's Town Centres LEP and is yet to be resolved. The Minister has indicated the importance the Government places on the successful finalisation of the Stage 2 planning process involving Council's Town Centres. With this in mind it is recommended that Council consider any further progress of the reclassification process.

If Council is to move forward it should do so having regard to the legal advice received. In this regard it is considered, on balance, that Council should be prudent and follow the course recommended by Dr Griffiths SC. This entails a further public hearing following a public re-

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exhibition of the relevant documents. Conducting the process in this manner would address concerns previously raised about the reclassification process.

Staff have reviewed Dr Griffith's advice and understand that his recommendation is that the reclassification process recommence through a re-exhibition of the relevant draft provisions concerning reclassification and the scheduling of a new public hearing at the end of the exhibition period.

It should be noted staff have sought further confirmation of this understanding from Dr Griffiths SC on this matter and if this results in any change then the recommendation of this report will be reviewed.

CONSULTATION

All persons who made a submission to the land reclassification public hearings have been notified of the matter going to Council as a confidential report.

FINANCIAL CONSIDERATIONS

None applicable to this report other than as associated with procuring legal advice.

CONSULTATION WITH OTHER COUNCIL DEPARTMENTS

Consultation concerning this matter has involved Council's Corporate Lawyer and all Departments of Council.

SUMMARY

1. Council met with the Minister of Planning on 22 November 2007 at which the future progression of the Town Centres LEP was a major topic of discussion including the status of the reclassification of Council owned land.
2. The most recent legal advice on the reclassification process including the public hearing requirements suggests that a prudent course of action would be to recommence the process.
3. It is recommended Council reactivate the reclassification process, in doing so, it should follow the most prudent course, as suggested in the legal advice received from Dr Griffiths SC, namely re-exhibiting relevant documentation followed by re-holding the public hearing process.

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RECOMMENDATION

- 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.

Rod Starr
Senior Urban Planner

Antony Fabbro
Manager Urban Planning

Jamie Taylor
Corporate Lawyer

Attachments:

1. St Ives Town Centre lands for proposed reclassification.
2. Turramurra Town Centre lands for proposed reclassification.
3. Pymble Town Centre lands for proposed reclassification.
4. Gordon Town Centre lands for proposed reclassification.
5. Lindfield Town Centre lands for proposed reclassification.
6. First legal advice.
7. Second legal advice.

**KU-RING-GAI COUNCIL
DRAFT KU-RING-GAI LOCAL ENVIRONMENTAL PLAN 2006 (TOWN CENTRES) -
AMENDMENT NO.3.**

MEMORANDUM OF ADVICE

Introduction

1. My instructing solicitors act for Ku-Ring-Gai Council ("Council").

Facts

2. Upon receipt of a direction pursuant to Section 55 EP&A Act ("EPAA") Council prepared draft Ku-Ring-Gai Local Environmental Plan 2006 (Town Centres) - Amendment No.3 ("Amendment No.3"), **(s.55(4) EPAA)**.
3. Following receipt of a certificate pursuant to s.65 EPAA, Council published two advertisements in the North Shore Times of 27 October 2006.
4. The first advertisement, on page 8, notified public exhibition of Amendment No.3, sought submissions to it, informed the public of the exhibition of the plan from October 30 until November 27, 2006 and required submissions to be lodged by Monday November 27, 2006.
5. That first advertisement included a paragraph informing the public that Amendment No.3 proposed to reclassify Council owned land and that a public hearing would be held on November 20, 2006.
6. The second advertisement, on page 34, gave detailed notice of the particular land the subject of the proposed re-classification, various particulars of the public hearing including the time and place of that public hearing.
7. That second advertisement also invited submissions and registration for the hearing by Friday November 17, 2006. A warning was given that submissions would be public documents. that Amendment No.3 could be inspected from October 30, 2006, and that further information could be obtained from a nominated Council Officer and the Council's website.

8. Thirty written and various oral submissions were made to the public hearing on the issues set out in paragraph 6.1 of the report of Mr Ludvik, , who conducted that public hearing on 20 November 2006. In addition, I am instructed a petition was received by Council after 20 November and that was also considered by Mr Ludvik in his report dated 8 December 2006.
9. I am instructed that no submission was made to Amendment No.3. requesting a public hearing (s.68 EPAA) either before 20 November 2006 or between that date and November 27, 2006, (the last day for submissions in the first advertisement referred to in paras 4 & 5 above).

The Problem

10. The Director General of the Department of Local Government has, despite an opinion from my instructing solicitors, written to Council on 20 April 2007 raising two concerns.
11. The first is, "I also remained concerned that interaction between Council and other parties about the use of the community land may have occurred before a reclassification process was complete". Although foreshadowed in paragraph 4, his specific concerns are not set out. Apart from the fact that there must be some interaction if members of the public are to be properly informed of the proposed reclassification, I cannot respond to the allegation without knowing the Director Generals present specific concerns. However, Council's letter of 12 February 2007 appears, on its face, to be a complete answer to this concern.
12. Secondly, the Director General does not "agree that conducting the public hearing into the reclassification component of the draft LEPs before the end of the exhibition and submission period complies with the Local Government Act 1993 (the LGA) and the Environmental Planning and Assessment Act 1976 (the EPAA) ".

The Question

13. I am asked whether or not Council has validly exercised its obligations under Section 68 of the EPAA and Section 29(1) of the LGA in the circumstances outlined in my brief.

14. As I understand it, no suggestion is made that the notices did not comply with the procedural requirements of ss.66 and 67, EPAA and Division 3 Part 2, EP&A Regulation. The only concern is the fact of holding a mandatory public hearing before the end of the period in which submitters may request a public hearing. In other words, it is said that s.68 prohibits the holding of any public enquiry before the end of the period of public exhibition.

Consideration

15. The general statutory aim of the relevant provisions is that Council's, the Departments and the Minister's Decisions in respect to draft plans for reclassification all be informed (directly and indirectly) by public opinion about the proposed reclassification.
16. Apart from such things as the potential for members of the public to address Council at meetings where resolutions about draft LEP's are debated by Councillors (informed by Council's professional advisors) the legal requirements for that public participation are set out in the EPAA, EP & A Regulation and the LGA.
17. In deciding whether the law has been complied with, it should steadily be borne in mind that "except to the extent of the requirements to notify and to consult provided for in the EPAA, a council seeking to make an environmental planning instrument was not to be subject to any duty to accord procedural fairness to any person, or body, who or which might be affected by the provisions of the proposed instrument." See *Multistar v Urban Affairs & Planning* (Lloyd J) 111 LGERA 319 at 334, para 58. As Meagher J. put it "I think the Act specifies exactly to what extent procedural fairness must be accorded to a ratepayer.", see *Vanmeld Pty Ltd v Fairfield City Council* (1999) 14 NSWLR 78 at 113, Court of Appeal, see also Powell J. at 114.
18. For all draft LEPs (including amendments), there is, after notification, a three tiered mechanism for public involvement. Obligatory public exhibition, s.66 EPAA, discretionary public submission, s.67 EPAA and a discretionary public hearing, s.68 EPAA.

19. S.68 provides:

68 Consideration of submissions

(1) Where:

(a) a person making a submission so requests, and

(b) the council considers that the issues raised in a submission are of such significance that they should be the subject of a hearing before the council decides whether and, if so, what alterations should be made, the council shall, in the prescribed manner, arrange a public hearing in respect of the submission.

(2) A report of the public hearing shall be furnished to the council and the council shall make public the report.

(3) The council shall consider the submission and the report furnished pursuant to subsection (2) and may make any alterations it considers are necessary to the draft local environmental plan arising from its consideration of submissions or matters raised at any public hearing.

(3A) An alteration made by a council pursuant to subsection (3) need not relate to a submission.

(3B) The council may (but need not) give public notice of and publicly exhibit, wholly or in part, a draft local environmental plan that has been altered pursuant to subsection (3). The provisions of this section and sections 66 and 67, with any necessary adaptations, apply to any such exhibition of a draft plan, but not so as to require a further certificate under section 65.

(4) The council shall, subject to and except as may be provided by the regulations, submit to the Director-General:

(a) details of all submissions,

(b) the report of any public hearing,

(c) the draft local environmental plan and the reasons for any alterations made to the plan pursuant to subsection (3),
and

(d) a statement:

(i) to the effect that the provisions of sections 66 and 67 and this section relating to public involvement in the preparation of the draft plan have been complied with,

- (ii) specifying the environmental planning instruments and directions under section 117 that have been taken into consideration,
 - (iii) giving details of any inconsistency between the draft plan and any instrument or direction referred to in subparagraph (ii) and the reasons justifying the inconsistency, and
 - (iv) giving details of the reasons justifying the exclusion of provisions of the draft plan under subsection (5) or the exclusion from the application of the draft plan of any land under that subsection.
- (5) In submitting the draft local environmental plan, the council may exclude certain provisions of the draft plan or exclude part of the land from the draft plan, or both (in this section referred to as the deferred matter) which, in its opinion, require or requires further consideration but which should not prejudice the consideration by the Director-General and the Minister of the draft plan as submitted.
- (6) The council may subsequently take action under this section in respect of the deferred matter, without having to publicly re-exhibit that deferred matter, as if it were a draft local environmental plan.
- (7) More than one public hearing may be held in respect of any submissions, and one hearing may be held in respect of more than one submission.
- (8) The regulations may make provision for or with respect to the conduct of a public hearing.
- (9) After a draft local environmental plan has been submitted to the Director-General under this section:
 - (a) the council and the Director-General may (on one or more occasions) agree to the council making changes to the draft plan and resubmitting it under this section, or
 - (b) the Director-General may (on one or more occasions) return the draft plan so that the council can make changes to accord with any applicable standard instrument under section 33A or to take into account any directions under section 117.

This subsection applies whether or not a report under section 69 has been furnished in respect of the draft plan.

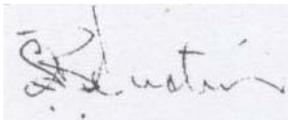
20. However, where a draft LEP includes reclassification of Council Land, s.29 of the LGA imposes an separate unqualified obligation on Council's to hold a public hearing.S29 provides: -
- "Section 29 Public hearing into reclassification
- (1) A council must arrange a public hearing under section 68 of the Environmental Planning and Assessment Act 1979 in respect of a proposal in a draft local environmental plan to reclassify community land as operational land as if it had received and decided to deal with a submission as referred to in that section that the land be so reclassified.
 - (2) A council must, before making any resolution under section 32, arrange a public hearing in respect of any proposal to reclassify land as operational land by such a resolution."
21. So that in respect to reclassification of LEPs there are two possible reasons to hold a public hearing. One which may or may not result in a hearing depending on whether two things actually happen, s.68(1)EPAA, and one which must result in a hearing because those two things are deemed to have happened , s.29 LGA.
22. In the present case, a public hearing conducted by Mr Town Planner Ludvik, discharged the s.29 mandatory obligation as it was "arranged" "in the prescribed manner" see s.29 and s.68.
23. Is that hearing a legal nullity because actual s.68 statutory prerequisites for a public hearing could have arisen after that public hearing? I think not.
24. Put another way, did the public hearing have the effect, in law, of putting at an end the opportunity for a person to make a submission requesting a public hearing thus causing non-compliance with the times required by s.66(1) (c), (2), s.67 and, particularly, Reg.13. I think not.
25. In my opinion, the obligations in s.68 have effect no matter what is done to comply with s.29. So that, if in fact, a person made a subsequent request pursuant to s.68(1) (a) and Council, in fact, made a determination contemplated by s.68(1) (b), a further public hearing would have been necessary.

26. The additional obligation pursuant to s.29 deems those two triggers to s.68 set out in s.68(1) (a) and (b) to have been activated. Namely, a notional request s.68(1) (a) and a notional determination of significance by Council, s.68(1) (b). It does not however, alter Councils obligation to consider an actual request for a public hearing.
27. In fact, it might be said that members of the public are better informed by the holding of a public enquiry before the end of the submission period because they may attend the public enquiry and hear or see something there which prompts them to make a submission or further submission before the end of the submission period. In this case, between 20 November and 27 November.
28. Councils approach contemplates the possibility of two public hearings, one because of the mandatory requirement in s.29 for a hearing of a (deemed) submission and another discretionary public hearing caused by an actual submission required by s.68(1).
29. So much is contemplated by s.68(7) which contemplates "more than one" hearings of any public submission. I take that to include both an actual s.68(1) (a) submission and the deemed submission contemplated by s.29.
30. In my opinion, there is no legal necessity for the obligatory s.29 public hearing to await the possibility of a discretionary s.68 public hearing.
31. Prudence may suggest that a Council would await the conclusion of the s.66 and 67 public exhibition and submission period so that if there is to be a discretionary s.68 hearing of an actual submission(s) that can be held as part of the obligatory s.29 hearing.
32. However, there may be particular circumstances where Council is justified in forming the view that it is so unlikely that there will be actual s.68(1) submissions and in order, for example, to deflect criticism for delay, it should have the s.29 public hearing before the s.66 / 67 period elapses. Of course, in that case, a risk is run that the expectation is not met and s.68(1) is actually activated.
33. In my opinion, that would require a second public hearing of "the submission" s.68(1) (a) and its actual "significance", s.68(1) (b) . That second public hearing would, as contemplated by s.86(7), consider all submissions and material including that in the previous public hearing.

34. It is possible that a s.29 public hearing take place without any public submission at all and that it therefore be limited to Council Officer's reports.
35. In my opinion, the DGLG incorrectly conflates the procedural pre-requisites for the two public hearings. The s.29 hearing is not dependent upon the time given for public submissions pursuant to s.66 and 67 because it must happen irrespective of whether there is any such submission or not.
36. The only basis for concern could be **that** there is a breach of **natural** justice to persons who did **not** know of the **public** hearing **until after** the public hearing but before the end of the time for making submissions.
37. There are three answers to that question. Firstly, there was nothing to stop those persons requesting a public hearing as the first advertisement expressly invited submissions until the 27 November see s.66(1)(c). The **holding** of the **public enquiry** does not bring the process to an end. Secondly, there is no breach of the requirements of the Acts or Regulations in the procedure adopted and thirdly, the principles of natural justice are **inapplicable** beyond that compliance with the Acts and Regulations.
38. There may also be a suggestion that persons were confused by the running of the two processes at once. However, there is no statutory requirement for them to be run separately and therefore no breach of the Act or Regulations caused by the dual process.

Conclusion

39. In my opinion there is no legal obligation to carry out the statutory public exhibition, submission or public hearing process for Amendment No.3 again because of an alleged failure to comply with s.68.



S.B Austin QC
Tenthfloor Chambers

30 May 2007

KU-RING-GAI COUNCIL
LEP 2006 (TOWN CENTRES) – AMENDMENT NO. 3

OPINION

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KU-RING-GAI COUNCIL

LEP 2006 (TOWN CENTRES) – AMENDMENT NO. 3

OPINION

1. My written advice has been sought on some matters which have arisen concerning the process adopted by the Council in relation to proposed amendments to its Local Environmental Plan. The proposed amendments are contained in the draft Ku-ring-gai Local Environmental Plan 2006 (Town Centres) – Amendment No. 3.
2. The particular issue upon which my advice has been sought is whether the process has miscarried because a public hearing in respect of that part of the draft LEP relating to the proposed reclassification of certain land from community land to operational land was held on 20 November 2006, which was one week prior to the expiration of the period of public exhibition of the draft plan.
3. It is convenient to first summarise the background facts.

Background facts

4. Following a direction from the Minister given on 27 May 2004 under section 55 of the Environmental Planning and Assessment Act 1979 (“**the EPAA**”), the Council commenced preparation of a draft plan for certain land in the Municipality. The draft LEP was intended inter alia to broaden housing choices in the area and to reinstate the retail/commercial area. Significantly, the land in

question was community land under the Local Government Act 1993 (“the LGA”). Reclassification of land from community land to operational land in order to facilitate its incorporation into the restructuring of the area required an amendment to the Council’s existing LEP (see relevantly section 27(1) of the LGA).

5. Consequently, the draft plan prepared by the Council had the following dual elements :
 - it proposed that the subject land be rezoned in order to comply with the Minister’s section 55 direction; and
 - it proposed to reclassify the Council-owned land from being community land to operational land in order to facilitate the incorporation of the land into the restructuring and redevelopment of the Lindfield Town Centre.
6. At the same time, Council also prepared a draft development control plan relating to the site, which in general terms provided greater detail on planning matters.
7. The Council also caused to be published in the North Shore Times on 27 October 2006 two advertisements relating to the two draft plans. The first advertisement, which appeared on page 8 of the paper, dealt with the public exhibition of the draft LEP. It called for submissions to be received by 27 November 2006 and stated that the draft LEP would be on exhibition from October 30 until 27 November 2006 (which in fact occurred). Reference was also made in the final paragraph of the advertisement to the draft LEP seeking to reclassify certain land and that that matter would

be considered at a public hearing to be held on November 20, 2006.

8. The second advertisement appeared on page 34 of the same paper. It dealt specifically with that part of the draft LEP relating to the proposed reclassification of land. After referring to relevant provisions of the LGA and EPAA, it announced that a public hearing would be held on that matter on 20 November 2006 (ie. seven days before expiration of the public exhibition period). It stated that submissions were required by 17 November and that such submissions were public documents and would be placed on public exhibition. Reference was also made to the ability of any person to inspect the draft LEP and supporting documentation during the public exhibition period, which was identified simply as commencing from October 30 2006 (ie. the second advertisement was silent on the fact that the public exhibition period actually expired on 27 November 2006, although that information was available in the first advertisement).
9. A public hearing was duly held on 20 November 2006. 30 submissions were made in relation to it. The Chairperson conducting the public hearing prepared a Report dated 8 December 2006 and forwarded it to the Council as required by section 47G of the LGA. I am instructed that the Council received no request by any member of the public for a further public hearing to be held under section 68 of the EPAA either prior to the public hearing on 20 November 2006 or thereafter during the balance of the period of public exhibition of the draft LEP, ie. 20-27 November 2006.

Concerns of Department of Local Government

10. In a series of letters dated 15 January 2007, 20 April 2007 and 30 August 2007, the Department of Local Government ("**DLG**") has conveyed various concerns to the Council regarding the process described above. In particular, the DLG has indicated its view that the holding of the public hearing into the reclassification proposal before the end of the period of public exhibition of the draft LEP, as well as before the end of the period for receipt of written submissions in accordance with the first advertisement, meant that the process was not compliant with relevant provisions of the LGA and the EPAA and related regulations. In particular, the DLG has pointed to sections 27 and 29 of the LGA, sections 66 and 68 of the EPAA and Clauses 12, 13 and 14 of the Environment Planning and Assessment Regulation 2000 ("**the Regulation**").

11. The DLG has told the Council that if it wishes to pursue the reclassification proposal it should recommence the process ab initio. That advice reflects the fact that, as matters stand at present, the Council has deferred the reclassification issue (as contemplated by sub-section 68(5) of the EPAA).

The Council's legal advice

12. I have been briefed with copies of legal advice obtained by the Council addressing the concerns raised by the DLG. In particular, I have had the opportunity to review a Memorandum of Advice by my instructing Solicitors dated 8 February 2007 as well

as a written Opinion by Mr Austin QC dated 30 May 2007. Both those advices conclude that the scheduling of the public hearing on 20 November 2006 did not involve any contravention.

13. For reasons which I develop below, while I recognise that the views expressed in those written advices are plausible, I consider that there is a real risk that, were the issue to be ventilated in litigation, a Court would find that the process has legally miscarried. Before developing that matter it is convenient if I summarise the relevant legislative provisions.

Summary of relevant legislative provisions

(i) LGA

14. Part 2 of the LGA deals with public land. As noted above, the effect of sub-section 27(1) is to require that any reclassification of public land (ie. from community land to operational land) be done by way of a local environmental plan (in certain circumstances reclassification may also be achieved by Council resolution, but those provisions are not relevant here). Section 29 of the LGA then imposes a duty on a Council to arrange a public hearing under section 68 of the EPAA in respect of any proposal in a draft LEP to reclassify community land as operational land. It does so by deeming that the Council had decided to hold a public hearing under section 68. Sub-section 29(1) is in the following terms :

“A council must arrange a public hearing under section 68 of the Environmental Planning and Assessment Act 1979 in respect of a proposal in a draft local environmental plan to reclassify community land as operational land as if it had

received and decided to deal with a submission as referred to in that section that the land be so reclassified”.

15. I consider the fact that section 29 of the LGA imposes a mandatory duty to hold a public hearing in respect of a proposed reclassification of community land to operational land is significant to the relevant issue of construction. That is because that requirement reflects the importance the Parliament has attached to increasing public awareness of and participation in any proposal to reclassify public land. In other words, any such proposal (which relevantly must be made by way of the making of an LEP) is obviously seen to be of such public importance that a public hearing must be held, in contrast with the discretion to hold such a hearing in respect of the making of LEPs which do not contain such a proposal. Those matters serve to highlight the likelihood of a Court insisting that any such public hearing be meaningful.

16. Section 47G of the LGA also imposes an obligation on the Council promptly to make publicly available for inspection a report it receives from the person presiding at a public hearing as to the result of any such hearing.

(ii) EPAA

17. Division 4 of Part 3 of the EPAA deals with local environmental plans. It contains provisions relating to consultation in the preparation of such a plan, certification by the Director-General that a draft plan may be publicly exhibited, public exhibition, making of submissions by any person, the consideration of such

submissions by the Council, requirements relating to reports to and from the Director-General and, ultimately, the making of a plan by the Minister.

18. It is to be noted that many of these provisions are designed to encourage meaningful public participation in the process. That is consistent with one of the express objects to be found in section 5(c) of the Act, which is “to provide increased opportunity for public involvement and participation in environmental planning and assessment”. That is a matter of some significance to the issues here.
19. Section 66 is an important provision. It deals with the public exhibition of a draft local environmental plan and requires the Council relevantly to do the following things :
 - give public notice in the form and manner determined by the Council of the place at which, the dates on which and the times during which, the draft plan may be inspected by the public;
 - publicly exhibit the draft plan at the place, on the dates and during the times set out in the notice; and
 - specify in the notice the period during which submissions may be made to the Council in accordance with section 67 of the Act (that period cannot be shorter than the period during which the draft plan is publicly exhibited).

20. Sub-section 66(2) expressly requires that the draft plan be publicly exhibited for a period being not less than the prescribed period (which is prescribed in Clause 13 of the Regulation to be at least 28 days).

21. Under section 67, any person is entitled to make a written submission to the Council during the relevant period. Section 68 is another important provision. Relevantly, it provides as follows :

“68(1) Where :

- (a) a person making a submission so requests, and*
- (b) the council considers that the issues raised in a submission are of such significance that they should be the subject of a hearing before the council decides whether and, if so, what alterations should be made;*

the council shall, in the prescribed manner, arrange a public hearing in respect of the submission.

- (2) A report of the public hearing shall be furnished to the council and the council shall make public the report.*
- (3) The council shall consider the submission and the report furnished pursuant to subsection (2) and may make any alterations it considers are necessary to the draft local environmental plan arising from its consideration of submissions or matters raised at any public hearing.*

...

- (7) More than one public hearing may be held in respect of any submissions, and one hearing may be held in respect of more than one submission”.*

22. Some additional aspects of sub-section 68 should also be noted even though I have not included them in the extracts set out above. Sub-section 68(8) imposes requirements as to the material which the Council is obliged to submit to the Director-General when the draft plan is forwarded for the Director-General's consideration, including details of all submissions and the report of any public hearing, as well as the reasons for any alterations made to a draft LEP pursuant to sub-section 68(3). The Council is also required to provide the Director-General with a statement to the effect that the provisions of sections 66 and 67 relating to public involvement in the preparation of the draft Plan have been complied with. Clearly those matters were seen by the Parliament to have particular significance.

23. It should also be noted that sub-section 68(5) deals with the deferral of certain matters from a draft Plan (which is the power I assume the Council has relied upon here in deferring for the moment at least the reclassification question). The Director-General is also required to provide a report to the Minister under section 69. The information which must be provided to the Minister by the Director-General includes whether sections 66, 67 and 68 (relating to public involvement in the preparation of the draft plan) have been complied with. This further highlights the significance attached to those matters by the Parliament.

(iii) The Regulation

24. Part 2 of Division 3 of the Regulation also deals with public participation. Clause 12 provides that the public notice required to be given by a Council under sub-section 66(1) of the EPAA

must be published no later than the start of the public exhibition of the draft plan. The evident object of this requirement is to ensure that timely public notice is given of the public exhibition of a draft plan so as to maximise the opportunity for the public to study and understand the draft plan with a view possibly to making a submission in respect of it.

25. Clause 13 of the Regulation imposes a minimum 28 day period for the public exhibition of a draft plan, again highlighting the importance of the public having a meaningful opportunity to inspect and study the draft plan and determine whether or not to make a submission in respect of it.

26. Finally, Clause 14 provides that where a Council decides to conduct a public hearing under section 68, it must give notice of that fact in prescribed ways, including by publication in a local newspaper. Further, it requires that such a notice must contain details of the arrangements for the public hearing and that at least 21 days notice has to be given of those details before the start of the public hearing. Once again, these requirements reinforce the evident intention to maximise public knowledge and awareness of relevant matters, consistently with the legislative object of encouraging public involvement and public participation in the making of local environmental plans.

Advice on primary questions

27. I am asked to advise whether I agree with the Department of Local Government that the requirement for a public hearing as stipulated in section 29 of the LGA ought to have been arranged

at the conclusion of the public exhibition period relating to the draft LEP. I am further asked to advise on what steps the Council should take to overcome any deficiency in the process to date and, in particular :

- (a) whether proceeding now to hold a further public hearing in respect of the subject matter would be sufficient; or
 - (b) whether before any such public hearing were to be conducted, Council should again place the relevant draft amendments to the LEP on public exhibition.
28. The first thing to note is that the legislation does not expressly stipulate one way or the other whether the public hearing mandated by section 29 of the LGA is to be held before or after the period of public exhibition of the related draft LEP. It is also to be noted that sub-section 68(7) of the EPAA expressly contemplates that more than one public hearing may be held in respect of any submissions, thereby at least opening the prospect of any person making a submission to Council after the public hearing on 20 November 2006 to make a request that a further public hearing be held in respect of the submission.
29. In addition to relying on those matters, Mr Austin, QC also attaches some significance to the fact that the public hearing here did not have the effect in law of preventing any person from making such a request. In his view, the process adopted by the Council opened the door to the possibility of there being at least two public hearings. The first was the public hearing which in fact took place on 20 November 2007 in compliance with the

mandatory requirements imposed by section 29. But he says there was at least a theoretical possibility that one or more further public hearings may have taken place as result of an actual submission and relevant request being made pursuant to subsection 68(1). Of course, that would also involve the Council determining that the issues raised were of such significance that they should be the subject of a public hearing.

30. I note that Mr Austin, QC ultimately concludes that there is no legal necessity for the mandatory section 29 public hearing to await the possibility of a discretionary section 68 public hearing, but he also suggests that "prudence" may suggest that a Council would await the conclusion of the public exhibition and submission period under sections 66 and 67 of the EPAA so if there is to be a discretionary section 68 hearing, it can be held as part of the mandatory section 29 hearing.
31. Mr Austin QC further states that, in his view, the Department of Local Government has incorrectly conflated the procedural prerequisites for a section 29 mandatory hearing with a discretionary hearing under section 68. In his view, the section 29 mandatory hearing is not dependant upon the time given for public submissions pursuant to sections 66 and 67 because it must happen irrespective of whether there is any such submission or not.
32. As noted above, I do not lightly dismiss Mr Austin's views and reasons, which are to the effect that the process adopted by the Council is not legally deficient. Indeed, I acknowledge the

possibility that his views might prevail if the matter were to be tested in a Court.

33. It seems to me, however, that for the following reasons it is more likely than not that a Court would take a different view to that of Mr Austin QC.
34. It is now well established under both common law and interpretation statutes that a purposive approach is to be adopted in construing legislative provisions. Section 33 of the Interpretation Act 1987 provides that, in interpreting legislation, a construction that promotes the purpose or object underlying an Act is to be preferred to a construction that would not promote that purpose or object. As noted above, one of the express objects of the EPAA is "to provide increased opportunity for public involvement and participation in environmental planning and assessment". In my view, there is a real likelihood that a Court applying a purposive approach would construe both section 29 of the LGA and section 68 of the EPAA as implicitly requiring that the mandatory public hearing be held after the period of public exhibition of the draft LEP and the period for receipt of submissions. The legislative object of increasing the opportunity for public involvement and participation in the making of a local environmental plans is not advanced if the mandatory public hearing is held before the end of those periods. After all, one of the key purposes of the requirement that the draft LEP be publicly exhibited for a minimum of 28 days is to provide members of the public with a reasonable period within which they can inspect the draft document, study and analyse it, seek to understand it and then, if so desired, make a submission on it with a view to

influencing Council's ultimate decision whether or not alterations should be made to it prior to it being forwarded to the Minister for approval via the Director-General.

35. Moreover, it is evident that the object of the requirement that there be a mandatory public hearing in respect of a reclassification proposal contained in a draft LEP is to provide a public forum at which interested members of the public can participate and express views on the pro and cons of the particular proposal. Implicitly the Parliament has determined that merely providing an opportunity for the public to make written submissions may be insufficient. The Parliament has determined a public hearing to be essential, thus section 29 of the LGA mandates that a public hearing be held in respect of a reclassification proposal. In my view, it also has to be recognised that the value and effectiveness of any such public hearing could be affected by its timing. In particular, a Court is likely to take the view that the value of the public hearing could be diminished if the public hearing is conducted before the expiration of the public exhibition period. In those circumstances, interested members of the public may not have had a proper opportunity to inspect and understand the relevant proposals in order for them meaningfully to participate in the public hearing.
36. To my mind, sub-section 68(7) and the opportunity it provides for there to be more than one public hearing is no answer to the views I have expressed above. That is because there is no guarantee that any further public hearing will ever be held. That may be because no member of the public requests that a public hearing be held (possibly because of a misunderstanding on their

part that only the mandatory public hearing will and can be held) or, perhaps more significantly, because the Council does not consider that a further public hearing is required as a matter of discretion.

37. I am not aware of any legal authority which is directly in point on this issue. The views I have expressed above, however, are consistent with a series of cases which insist upon strict compliance with provisions in planning legislation relating to consultation and public participation in planning decision-making (see, for example, *Leichhardt Municipal Council v. Minister for Planning* (1992) 78 LGERA 306 at 335-340; *Johnson v. Lake Macquarie City Council* (1996) 91 LGERA 331 at 340-2; *Scurr v. Brisbane City Council* (1973) 133 CLR 242 at 357 and *Pioneer Concrete (Qld) Pty Ltd v. Brisbane City Council* (1980) 145 CLR 485 at 518). I recognise that those cases do not deal precisely with the relevant issue which arises here, namely whether an implication ought to be drawn to the effect that the mandatory public hearing be held after expiration of the period of public exhibition. It seems to me, however, that the drawing of such an implication is consistent with the significance attached in those cases to the need strictly to uphold and enforce provisions relating to public participation in planning decisions.
38. There is one further matter I should mention on this aspect. Not only do I consider that there is a real prospect that a Court would take a different view to that expressed by Mr Austin, QC but it also has to be recognised that, for similar reasons, the Director-General may well take the view that there has been non-compliance with section 68 in the events which have occurred

here. As I have noted above, the Director-General is required to furnish a report to the Minister under section 69 prior to the Minister determining whether or not to approve a draft plan. One of the matters which needs to be addressed in that report is whether there has been compliance with provisions concerning public notification and participation. Of course the view expressed by the Department of Local Government is not binding on the Director-General, but I believe that the Director-General could well adopt that view having regard to the matters I have set out above which also support that view.

39. For all these reasons, there is a real risk in my opinion that the relevant process adopted to date could be found to be legally deficient in that the mandatory public hearing was held one week before the expiration of the public exhibition period. In my opinion, it is distinctly possible that the Director-General could come to that conclusion (and also the Minister under section 70). Furthermore, a Court is more likely than not to take the same view were the matter to arise in legal proceedings challenging the validity of any plan ultimately made by the Minister against the background of the facts which have occurred here.
40. Further questions then arise as to what steps the Council should now take in order to mitigate those risks. In my view, the appropriate course is for the Council to recommence the process, including by again placing the relevant draft amendments concerning reclassification on public exhibition and scheduling the mandatory public hearing required under section 29 of the LGA to occur after expiration of the public exhibition period. Unless those steps occur, there is a real risk that the procedure

could falter on the basis that too much time has now passed since the draft LEP was previously exhibited. As my analysis above reveals, there is a strong argument that there needs to be an appropriate co-ordination between public exhibition of the draft LEP and the holding of any public hearing and a Court is likely to insist upon strict adherence to that co-ordination.

41. And I advise accordingly.

25 October 2007

John Griffiths SC

ST IVES TOWN CENTRE - PROPOSED RECLASSIFICATION OF COUNCIL LANDS

1. Council Car Park - known as 176 Mona Vale Road, St Ives being Lot 103 DP627012 & Lot 105 DP629388
2. St Ives Village Shopping Centre Car Park - known as 11-21 Cowan Road, St Ives being Lot A DP321567, Lot 1 DP504794, Lot 2 DP822373, Lots A & B DP336206, Lots B & C DP322331 and Part Lot 1 DP420106
3. St Ives Library, Early Childhood Centre and Neighbourhood Centre known as Cowan Road, St Ives being Part Lot 1 DP420106
4. Council Car Park - known as 208-210 Mona Vale Road, St Ives being Lots 11 & 12 DP29167
5. Occasional Child Care Centre - known as 261 Mona Vale Road, St Ives being Lot 31 DP719052
6. Original School Building - St Ives YMCA Vacation Care - Headmasters Cottage and Council Car Park No.49 - known as 175-177 Rosedale Road, 4 Porters Lane or 205-207 Mona Vale Road - being Lot 1 DP816806



SCALE UNKNOWN
DATE: 19-02-2008

6 COUNCIL SITES

COUNCIL SITES SUBJECT TO PROPOSED RECLASSIFICATION (deferred under S68(5) of E.P & A. Act)

LAND SUBJECT TO DLEP 2006 (TOWN CENTRES)

TURRAMURRA TOWN CENTRE - PROPOSED RECLASSIFICATION OF COUNCIL LANDS



1. Turramurra Avenue Car Park
- known as 2-8 Turramurra Avenue, Turramurra
- being Lot 2 DP840070
2. Turramurra Senior Citizens Centre
Ku-ring-gai Support and Services Centre - HACC
- known as 1-7 Gilroy Road, Turramurra
- being Lot 1 DP840070
3. Williams Street Car Park
- known as 12 William Street, Turramurra
- being Lot 1 DP519532
4. Ray Street Car Park and Turramurra Library
- known as 5 Ray Street, Turramurra
- being Lot 2 DP221290
5. Kissing Point Road Car Park
- known as 1A-3 Kissing Point Road, Turramurra
- being Lot 2 DP500761, Lot 2 DP500077
Lot 2 DP502388, Lot A DP391538 and
Lot B DP435272
6. Stonex Lane and Duff Street Car Park
- known as 3 Stonex Lane and
4 Duff Street, Turramurra
- being Lot 2 DP550866 and Lot 1 DP807766



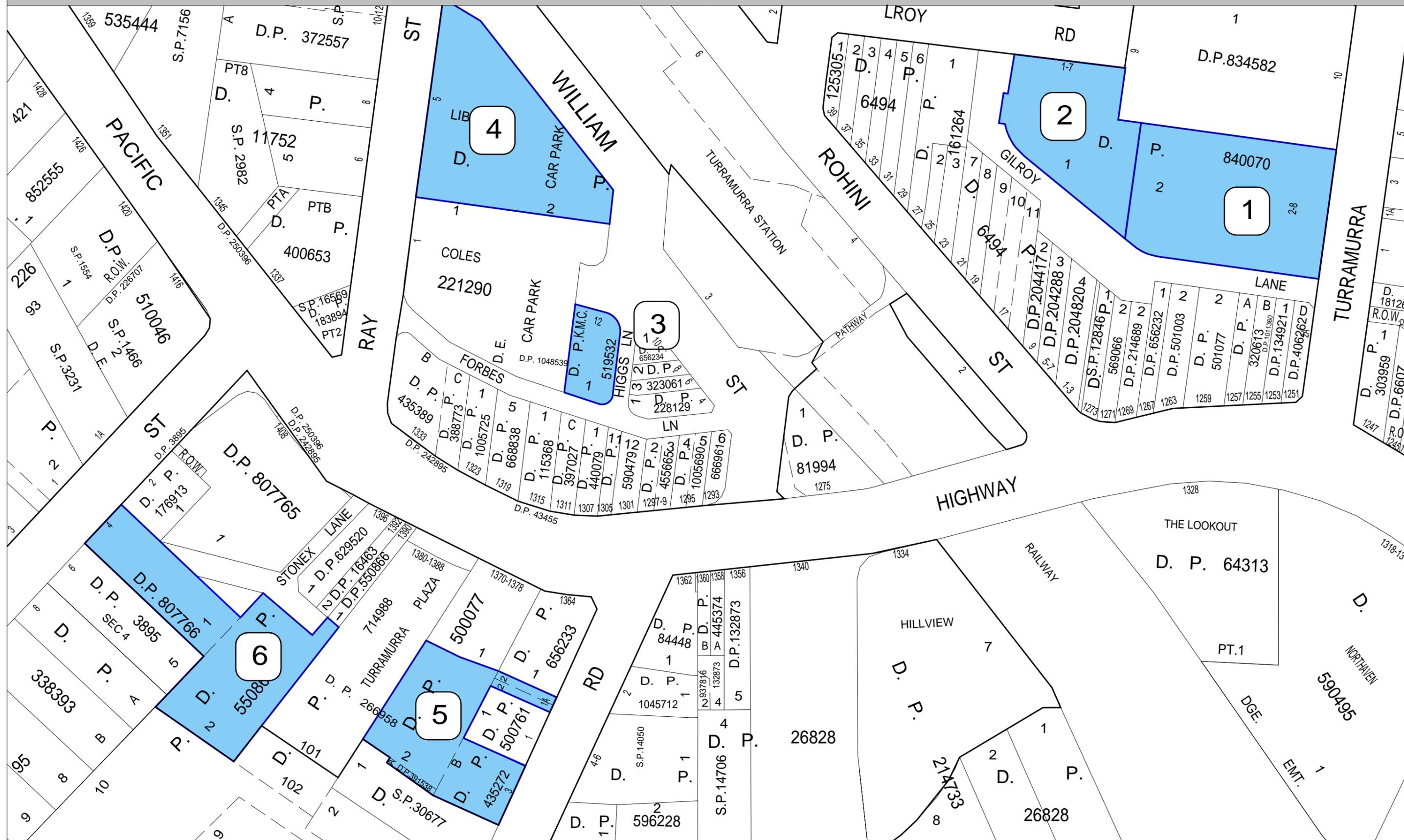
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6 COUNCIL SITES

COUNCIL SITES SUBJECT TO PROPOSED RECLASSIFICATION (deferred under S68(5) of E.P & A. Act)

LAND SUBJECT TO DLEP 2006 (TOWN CENTRES)

EXTRACT - TURRAMURRA TOWN CENTRE - PROPOSED RECLASSIFICATION OF COUNCIL LANDS



SCALE 1 : 1400

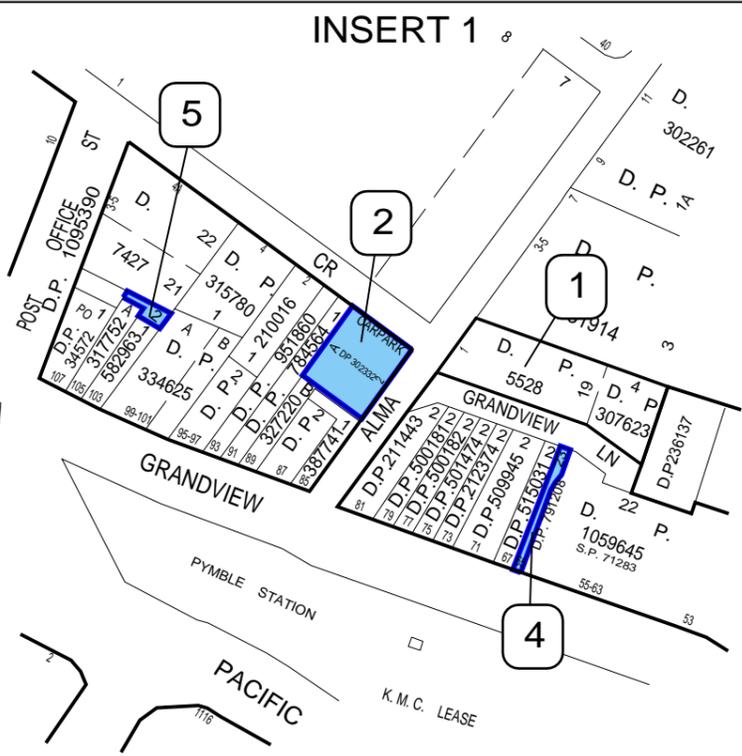
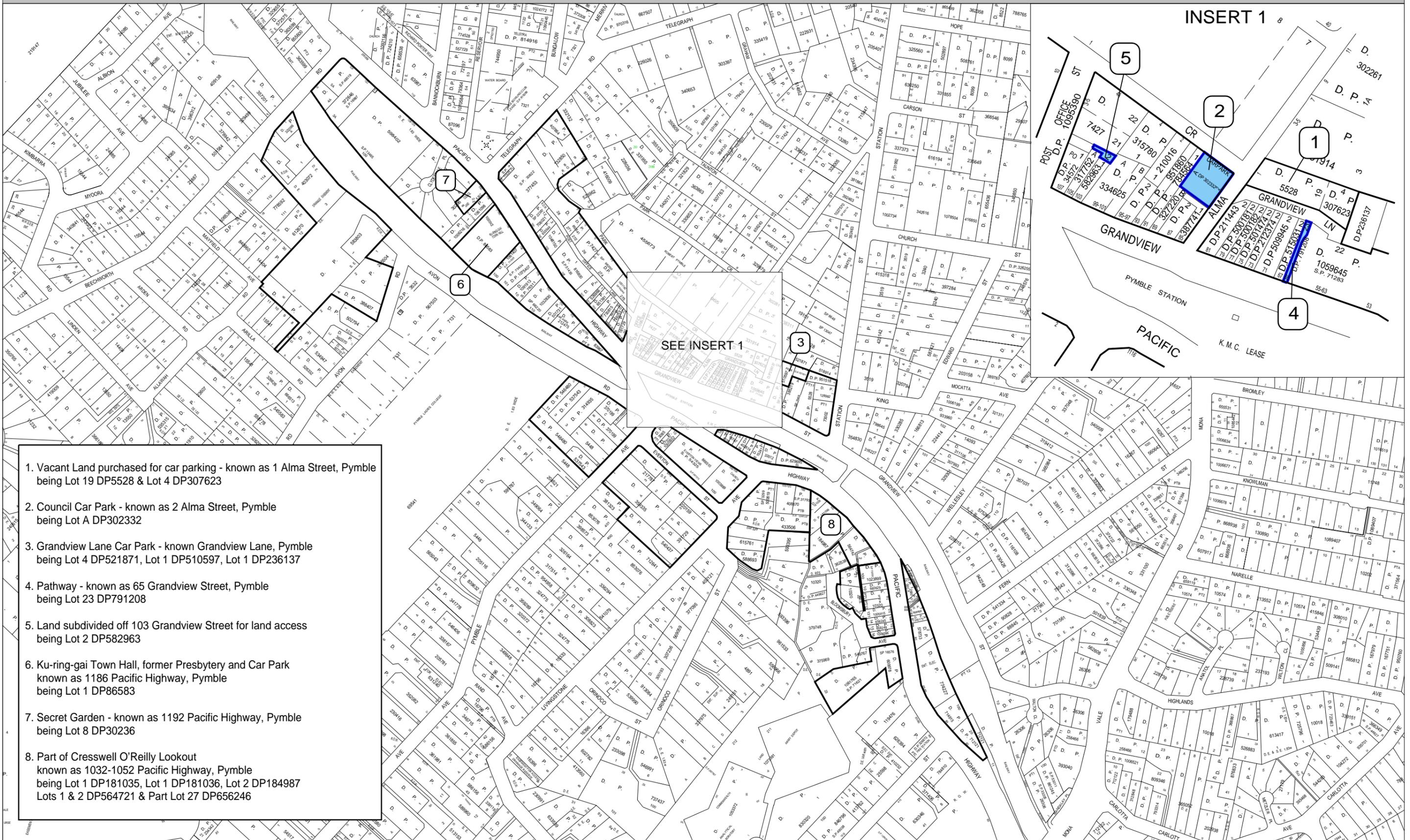
DATE:28-03-2008

6 COUNCIL SITES

COUNCIL SITES SUBJECT TO PROPOSED RECLASSIFICATION (deferred under S68(5) of E.P & A. Act)

LAND SUBJECT TO DLEP 2006 (TOWN CENTRES)

PYMBLE TOWN CENTRE - PROPOSED RECLASSIFICATION OF COUNCIL LANDS



1. Vacant Land purchased for car parking - known as 1 Alma Street, Pymble being Lot 19 DP5528 & Lot 4 DP307623
2. Council Car Park - known as 2 Alma Street, Pymble being Lot A DP302332
3. Grandview Lane Car Park - known Grandview Lane, Pymble being Lot 4 DP521871, Lot 1 DP510597, Lot 1 DP236137
4. Pathway - known as 65 Grandview Street, Pymble being Lot 23 DP791208
5. Land subdivided off 103 Grandview Street for land access being Lot 2 DP582963
6. Ku-ring-gai Town Hall, former Presbytery and Car Park known as 1186 Pacific Highway, Pymble being Lot 1 DP86583
7. Secret Garden - known as 1192 Pacific Highway, Pymble being Lot 8 DP30236
8. Part of Cresswell O'Reilly Lookout known as 1032-1052 Pacific Highway, Pymble being Lot 1 DP181035, Lot 1 DP181036, Lot 2 DP184987 Lots 1 & 2 DP564721 & Part Lot 27 DP656246



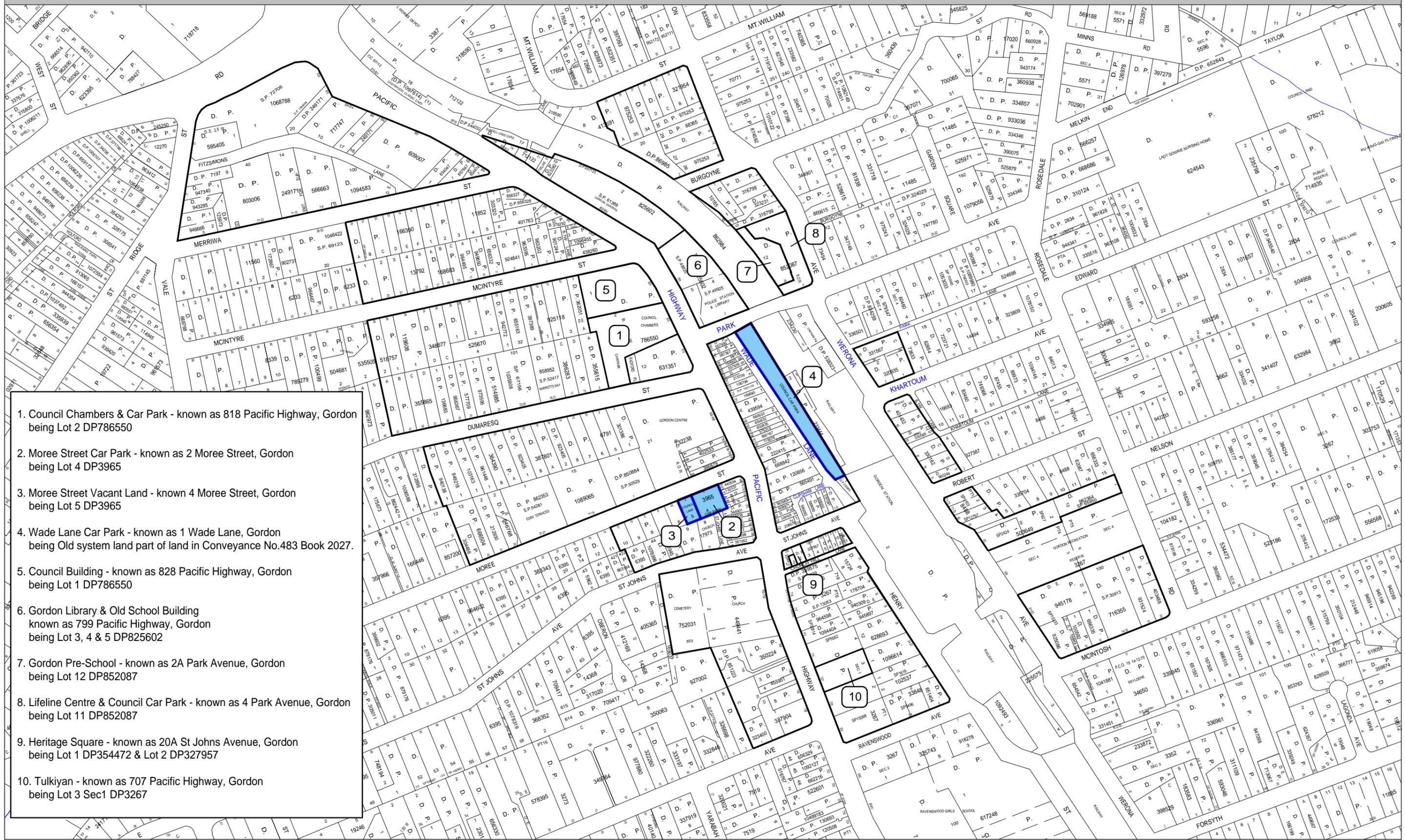
SCALE UNKNOWN
DATE: 19-02-2008

6 COUNCIL SITES

■ COUNCIL SITES SUBJECT TO PROPOSED RECLASSIFICATION (deferred under S68(5) of E.P & A. Act)

□ LAND SUBJECT TO DLEP 2006 (TOWN CENTRES)

GORDON TOWN CENTRE - PROPOSED RECLASSIFICATION OF COUNCIL LANDS



1. Council Chambers & Car Park - known as 818 Pacific Highway, Gordon being Lot 2 DP786550
2. Moree Street Car Park - known as 2 Moree Street, Gordon being Lot 4 DP3965
3. Moree Street Vacant Land - known 4 Moree Street, Gordon being Lot 5 DP3965
4. Wade Lane Car Park - known as 1 Wade Lane, Gordon being Old system land part of land in Conveyance No.483 Book 2027.
5. Council Building - known as 828 Pacific Highway, Gordon being Lot 1 DP786550
6. Gordon Library & Old School Building known as 799 Pacific Highway, Gordon being Lot 3, 4 & 5 DP825602
7. Gordon Pre-School - known as 2A Park Avenue, Gordon being Lot 12 DP852087
8. Lifeline Centre & Council Car Park - known as 4 Park Avenue, Gordon being Lot 11 DP852087
9. Heritage Square - known as 20A St Johns Avenue, Gordon being Lot 1 DP354472 & Lot 2 DP327957
10. Tulkian - known as 707 Pacific Highway, Gordon being Lot 3 Sec1 DP3267


SCALE UNKNOWN
DATE:19-02-2008

 COUNCIL SITES

 COUNCIL SITES SUBJECT TO PROPOSED RECLASSIFICATION (deferred under S68(5) of E.P & A. Act)

 LAND SUBJECT TO DLEP 2006 (TOWN CENTRES)

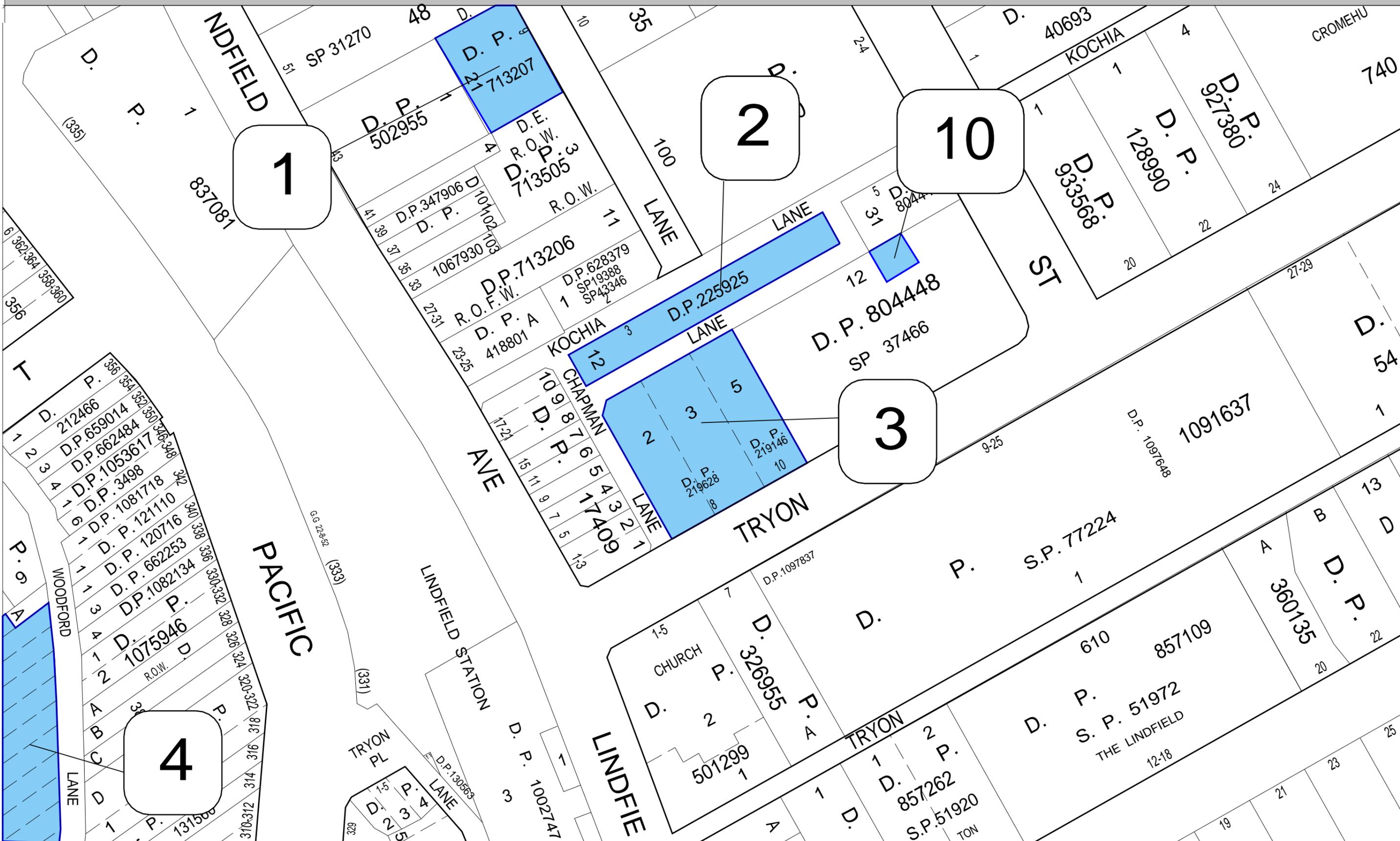
LINDFIELD TOWN CENTRE - PROPOSED RECLASSIFICATION OF COUNCIL LANDS



1. Council Car Park - known as 9 Havilah Lane, Lindfield being Lot 21 DP713207
2. Council Car Park - known as 3 Kochia Lane, Lindfield being Lot 12 DP225925
3. Council Car Park - known as 8-10 Tryon Road, Lindfield being Lots 2 & 3 DP219628 and Lot 5 DP219146
4. Council Car Park - known as 1 Beaconsfield Parade & 19 Drivers Way, Lindfield being Part Lot 1 DP929131 & Lots 1-16 DP1099330
5. Seniors Resource Centre - known as 259 Pacific Highway, Lindfield being Lot 2 DP212617
6. Ku-ring-gai Old Peoples Welfare Association known as 259 Pacific Highway, Lindfield being Lot 3 DP212617
7. Lindfield Library - known as 265 Pacific Highway, Lindfield being Part Lot 8 DP660564
8. Community Centre Tennis Courts - known as 265 Pacific Highway, Lindfield being Part Lot 8 DP660564 & Part Lot 8 The Clanville Estate (Old System Land)
9. Council Car Park - known as 265-271 Pacific Highway, Lindfield being Lot 1 DP212617
10. Lindfield Early Childhood Centre - known as 1/12-18 Tryon Road, Lindfield being Lot 1 SP37466


SCALE UNKNOWN
DATE:19-02-2008
6 COUNCIL SITES
 COUNCIL SITES SUBJECT TO PROPOSED RECLASSIFICATION (deferred under S68(5) of E.P & A. Act)
 LAND SUBJECT TO DLEP 2006 (TOWN CENTRES)

EXTRACT - LINDFIELD TOWN CENTRE - PROPOSED RECLASSIFICATION OF COUNCIL LANDS



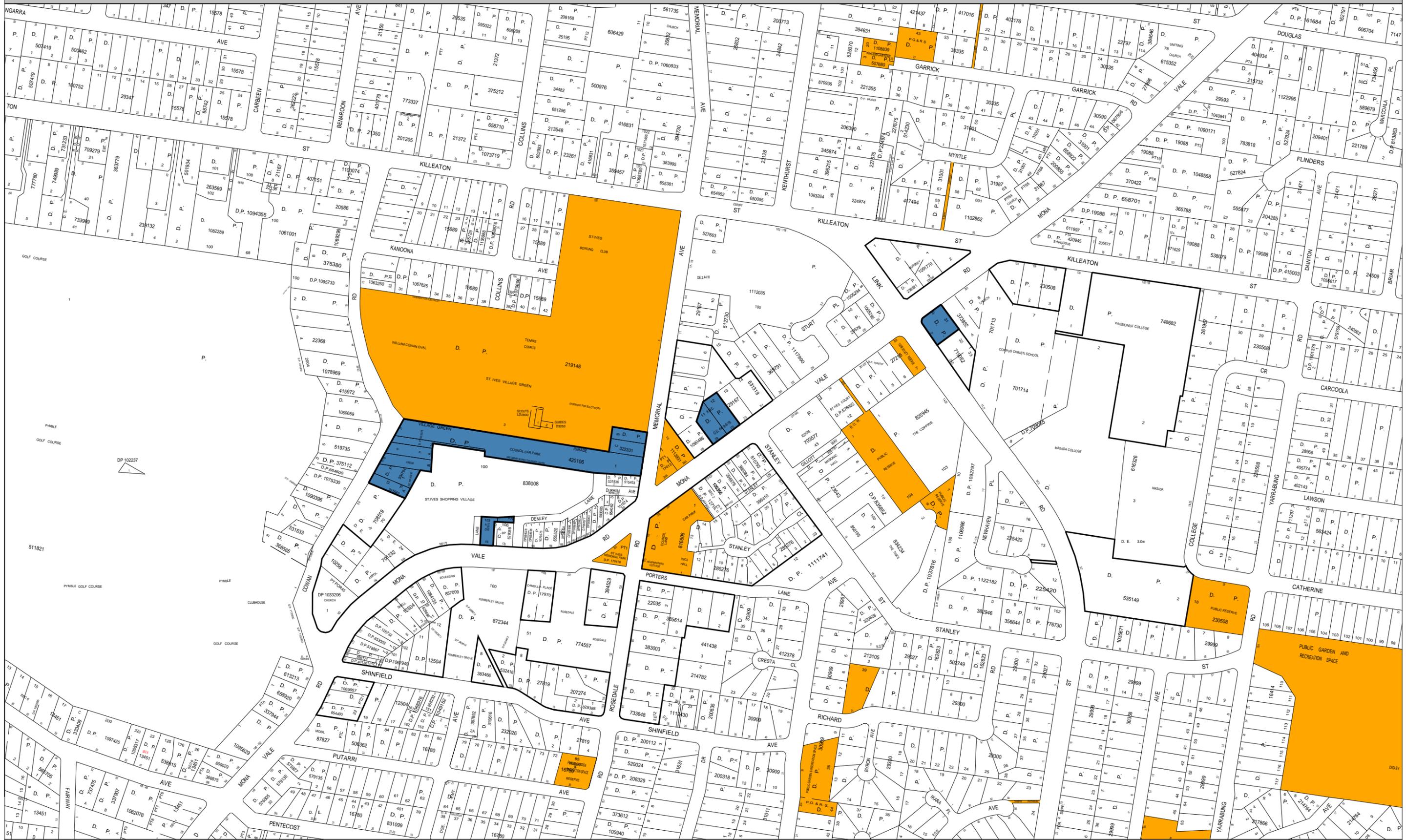
SCALE 1 : 1000
DATE: 29-03-2008

6 COUNCIL SITES

COUNCIL SITES SUBJECT TO PROPOSED RECLASSIFICATION (deferred under S68(5) of E.P & A. Act)

LAND SUBJECT TO DLEP 2006 (TOWN CENTRES)

ST IVES TOWN CENTRE - COUNCIL OWNED LANDS



SCALE : 1:4500
DATE:01-04-2008



COUNCIL SITES SUBJECT TO PROPOSED RECLASSIFICATION
(deferred under S68(5) of E.P. & A. Act)

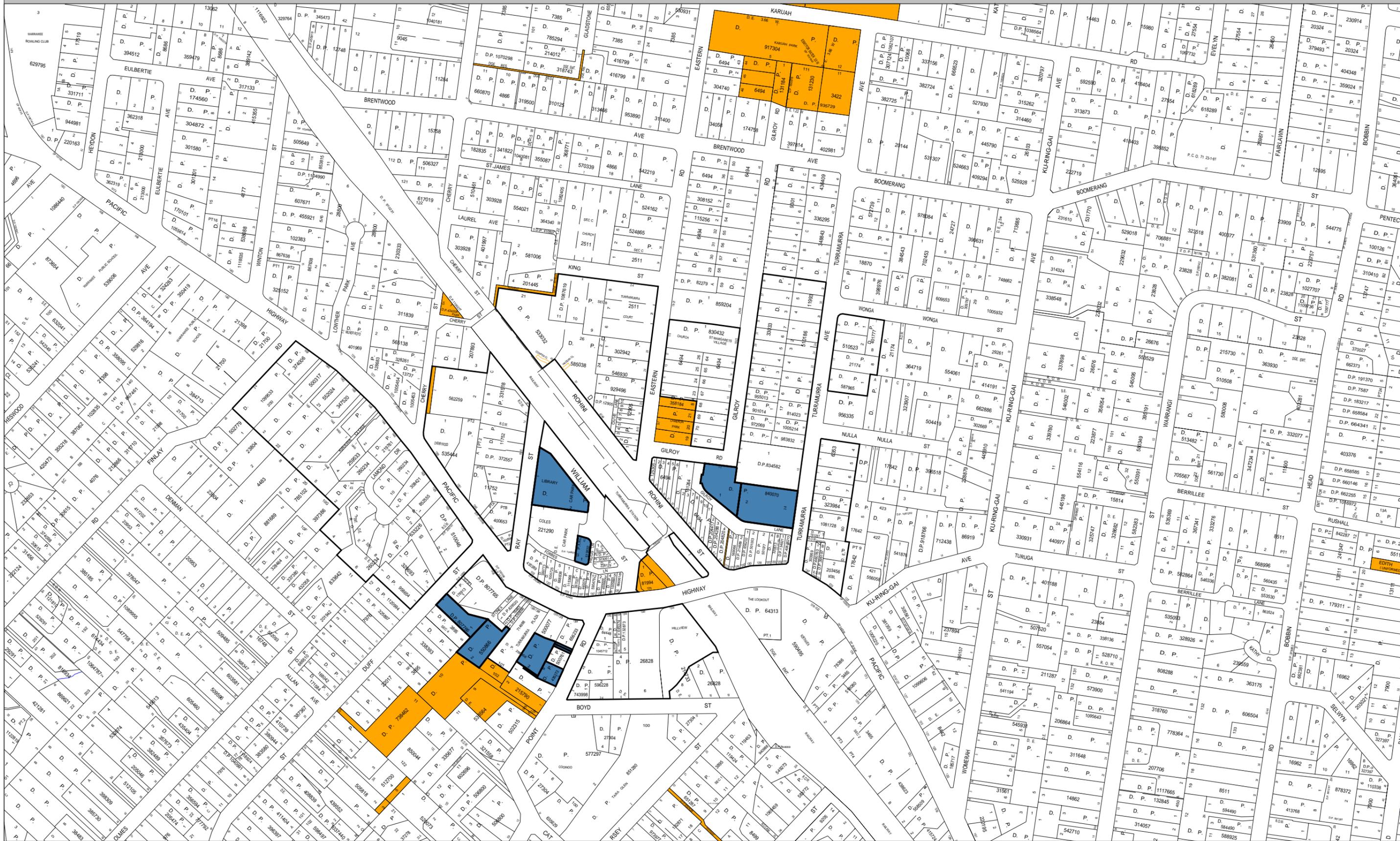


OTHER COUNCIL OWNED SITES



LAND SUBJECT TO DLEP 2006 (TOWN CENTRES)

TURRAMURRA TOWN CENTRE - COUNCIL OWNED LANDS



SCALE : 1:4500

DATE:01-04-2008



COUNCIL SITES SUBJECT TO PROPOSED RECLASSIFICATION
(deferred under S68(5) of E.P. & A. Act)

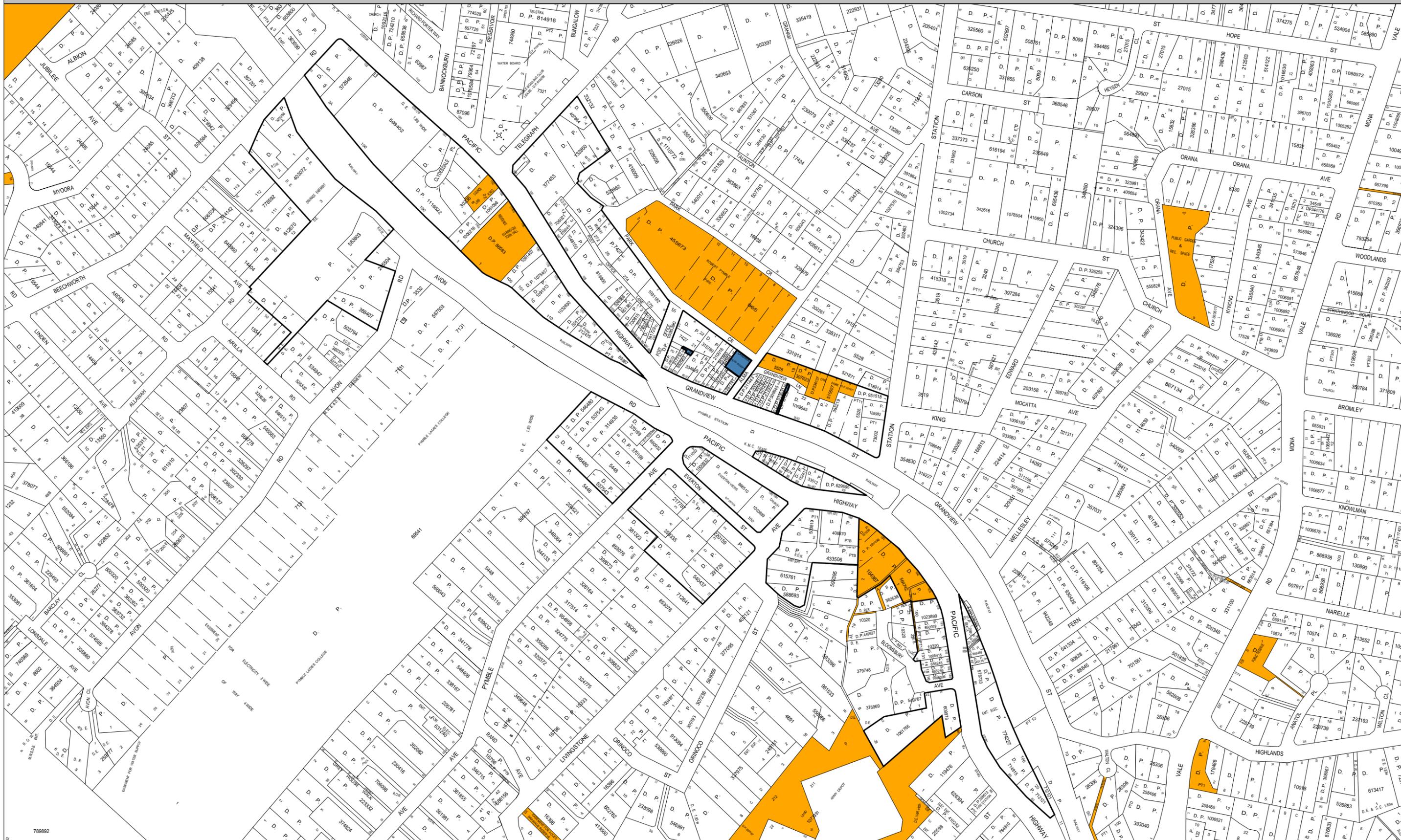


OTHER COUNCIL OWNED SITES



LAND SUBJECT TO DLEP 2006 (TOWN CENTRES)

PYMBLE TOWN CENTRE - COUNCIL OWNED LANDS



789892



SCALE : 1:4500
DATE:01-04-2008

-  COUNCIL SITES SUBJECT TO PROPOSED RECLASSIFICATION (deferred under S68(5) of E.P. & A. Act)
-  OTHER COUNCIL OWNED SITES
-  LAND SUBJECT TO DLEP 2006 (TOWN CENTRES)

GORDON TOWN CENTRE - COUNCIL OWNED LANDS



SCALE : 1:4500
DATE:01-04-2008



COUNCIL SITES SUBJECT TO PROPOSED RECLASSIFICATION
(deferred under S68(5) of E.P. & A. Act)



OTHER COUNCIL OWNED SITES



LAND SUBJECT TO DLEP 2006 (TOWN CENTRES)

LINDFIELD TOWN CENTRE - COUNCIL OWNED LANDS



SCALE : 1:4500

DATE:01-04-2008



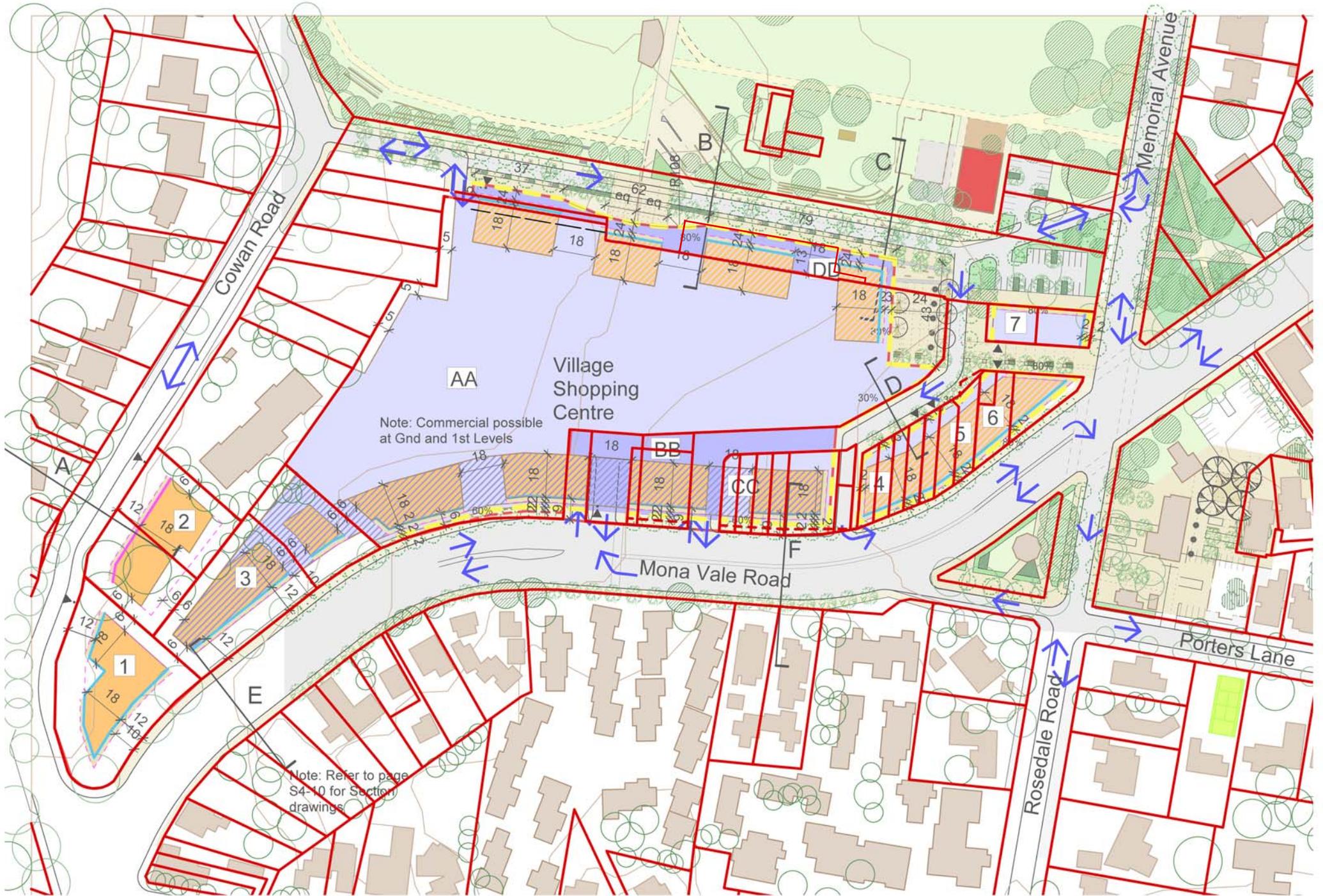
COUNCIL SITES SUBJECT TO PROPOSED RECLASSIFICATION
(deferred under S68(5) of E.P. & A. Act)



OTHER COUNCIL OWNED SITES



LAND SUBJECT TO DLEP 2006 (TOWN CENTRES)





NOTICE OF MOTION

REPORTING TO COUNCIL

Notice of Motion from Councillor T Hall dated 28 March 2008.

In view of the decision of the Ku-ring-gai Planning Panel (Minute No PP8 of 12 March 2008) requiring our Council staff to provide reports to the Panel at least monthly on development applications and the like:

I move:

"That the General Manager also provide to this Council:

- A. A monthly report of all pending Development Applications more than 40 days old with reasons for delay. This report shall include all s96 and s.82 Applications.
- B. A report of all development applications refused under his delegation, including reasons for refusal.
- C. A copy of all reports provided to the Ku-ring-gai Planning Panel as it resolved on 12 March 2008, for the duration of its term."

RECOMMENDATION

That the above Notice of Motion as printed be adopted.

Tony Hall
Councillor for St Ives Ward

Attachments: **Background Information - Ku-ring-gai Planning Panel Resolution, Minute No PP8 of 12 March 2008 - 909508**

RESOLUTION OF KU-RING-GAI PLANNING PANEL

12 MARCH 2008

PP8 **Reporting to the Panel**

File: S06347

Resolved:

(Moved: Chairperson, E Crouch/B Tsakalos)

- A. That a monthly report be submitted to the Planning Panel on Development Applications forthcoming to the Panel to enable the Panel to plan for site inspections.
- B. That a report be submitted to the Planning Panel on Section 82A Applications held by Council.
- C. That a report be submitted to the Planning Panel advising of the Development Applications refused in the last 30 days.

CARRIED UNANIMOUSLY

NOTICE OF MOTION

PROPOSED KILLARA STATION PRECINCT RESIDENT SURVEY

Notice of Motion from Councillor Adrienne Ryan & Councillor Michael Lane dated 31 March 2008.

There is an opportunity to create a new small scale neighbourhood precinct at the gateway to Killara Station on Council owned land -Culworth Ave car park. A new mixture of local shops, cafes and services could provide for the needs of existing and new residents of the nearby apartments. The scale of development would be limited to 2 & 3 storeys with the bulk of current above ground carparking being retained. A local resident's survey could be conducted as the first step to gauge the community's views on such a proposal.

I move:

"That Council conduct a local resident's survey to ascertain the level of support for Council to developing a new local neighbourhood shop precinct. A draft survey be prepared and referred to next Council's planning forum meeting for endorsement."

RECOMMENDATION

That the above Notice of Motion as printed be adopted.

Adrienne Ryan
Councillor for Gordon Ward

Michael Lane
Councillor for Gordon Ward