

Department of Planning & Environment
GPO Box 39
SYDNEY NSW 2001

Submission to Review of Environmental Zones in Far North Coast

Pittwater Council welcomes the opportunity to comment on the review of Environmental Protection zones on the Far North Coast. It is our understanding that the findings and recommendations of the interim report will have implications for Environmental Protection zones across NSW, however, the nature or extent of those implications is unknown at this point. This submission highlights the potential issues for Pittwater Local Government Area (LGA) if the recommendations of this review are applied across the state.

Scope of the review

Pittwater Council seeks further clarification and justification regarding changes to the scope of the review. It is noted that the original scope focused solely on agricultural and rural land uses, the extension of the scope to incorporate residential uses is of concern. Further clarification about the scope of this review and the implications for recommendations regarding residential properties zoned E3 and E4 across NSW is sought.

The extension of the scope of the review, in January 2013, to incorporate the application of the E4 Environmental Living zone in residential areas has not been widely reflected in the web page information on the Department of Planning and Environment's website. Media Releases and general documentation place a greater emphasis and focus on balancing agricultural and rural uses while protecting important environmental values, while residential land uses are scarcely mentioned, specific reference is made to the *Department of Planning and Environment's Response – Northern Councils E Zone Review Interim Report*. Given the review will establish broader principles for environmental zoning across the state – it is essential that all exhibition material clearly reflects the new extended scope and provides clear advice that the review provides recommendations on LEP practice note – *Preparing LEPs using the Standard Instrument: standard zones* Attachment A - 'overview on the general purpose of the environmental zones (as outlined in Department of Planning Practice Note PN09-002) and new criteria for the application of the E2 Environmental Conservation Zone and E3 Environmental Management Zone

As the scope and final recommendations of the review have not been clearly established at this point, it is imperative that the Department of Planning and Environment undertake additional extensive consultation when the state wide implications of the finalised recommendations become apparent to ensure all Councils across NSW are provided the opportunity to review and consider the proposed recommendations and potential implications.

The aim of applying zones consistently across NSW is difficult to achieve as environmental qualities, ecological and aesthetic values, land uses and development patterns vary considerably across the different regions. What is considered appropriate in the Far North Coast may not be appropriate for metropolitan Sydney. Pittwater Council encourages the Department of Planning and Environment to consider the differences of regions in NSW when considering the wider implications of this review and its application across the state. Furthermore, additional extensive consultation across the state is required at the completion of this review to enable local governments to consider the Department of Planning and Environment's position on the proposed amendments to Planning Circulars and Practices for LEP making and provide comment on the state wide implications.

Use of Environmental Protection Zones

Across the Pittwater LGA, the Environmental Protection zones have been applied in accordance with the criteria outlined in Practice Note PN09-002 Environmental Protection Zones. The proposed criteria for Zone E2 and E3 are a concern for Pittwater Council, especially the removal of aesthetic values from the criteria. Council during the preparation of its Standard Instrument LEP utilised the E3 and E4 zones in accordance with the criteria established in the Department's Practice Notes to conserve scenic values and limit future residential intensification in areas subject to environmental and infrastructure constraints. The E3 and E4 zones were used in this instance as the Residential Zones did not provided the ability to limit future development and intensification in these areas.

The areas, subject to the E3 and E4 zones were established using an evidence-based approach, which clearly indicated certain types of residential development, such as dual occupancies and secondary dwellings, could not be supported in these areas. The Department's stance on not permitting the use of environmental overlays has consequently lead to land used primarily for residential purposes to not be zoned Residential as the Residential Zones fail to provide adequate protection for important environmental and aesthetic values of these areas. These sites alternatively were zoned E3 or E4 in accordance with the Department's Practice Note.

Criteria for E2 and E3 zones

The creation of criteria for E2 and E3 is a concern for Council as the criteria removes reference to scenic and cultural values. Areas in Pittwater zoned E2 are bushland reserves and headlands identified within Plans of Management as having high conservation values such as species habitat. It is uncertain whether this analysis would be considered a validated data set or evidence-based as the terms are not defined or explained in the exhibition material. Furthermore, concern is raised regarding the ongoing implications of properties zoned E2 if they did not meet the new criteria outlined.

The implications for the E3 zone criteria are also a concern. The criteria established by Parsons Brinkerhoff again do not reference scenic/ cultural values and environmental hazards/processes that require careful consideration/management. Council has established its E3 Zones on this basis. Areas zoned E3 throughout the LGA have infrastructure constraints as well as environmental and aesthetic qualities, being land without road access adjoining the Pittwater waterway and/or Ku-ring-gai Chase National Park. The implications for Council are that if the criteria remove the abovementioned references than these areas may be subject to inappropriate residential intensification.

The application of the established criteria outside of the Far North Coast is uncertain at this point and further clarification is sought on this matter. If the criteria established for the Far North Coast is to apply across the state, additional criteria such environmental hazards and natural processes that require careful consideration and management and the availability of adequate infrastructure (i.e. limited/ restricted access to road networks, non-reticulated sewage and potable water supply and scenic value must be added when considering the application of E3 in metropolitan areas.

Removal of aesthetic values as an attribute of E3

Pittwater Council does not support the removal of aesthetic values as an attribute for the E3 zone. We have applied this zone to areas that require careful consideration and management of the natural environment (ecological and aesthetic values). These areas are also highly constrained with limited access to essential infrastructure, as outlined in the above section. Scenic/cultural qualities and the proliferation of native vegetation are highly valued by the Pittwater community.

Environmental overlays

Council does not support the Department of Planning and Environment's stance on environmental overlays. Although the most 'important' vegetation forms part of the proposed criteria for the E2 and E3 zones, this is not the extent of native vegetation that is worthy of conservation and management. The habitat of native species that are not threatened or endangered should also be conserved and managed where appropriate. For this reason, environmental conservation and management should be viewed as a spectrum where all native flora and fauna are considered and not just limiting it to the most threatened. Environmental overlays allow an additional level of protection to native species and habitats at the development application stage while enabling land to be zoned for its primary purpose and provide a step between the protection offered by Environment Protection zones with their limited range of land uses and relying only on Clause 5.9 to prevent native tree and habitat loss.

Removal of E4 Environmental Living in low impact residential areas

The recommendations regarding the application of the E4 zone is not supported by Council. We are concerned of the potential implications the proposed recommendation will have for other regions in NSW. E4 Zones have been used extensively throughout the LGA to protect sensitive environmental attributes from future inappropriate residential intensification, which cannot be supported in these areas. In general, the scenic and environmental qualities of these sites, such as steep slopes and significant native vegetation, limit the potential for development and in order to manage these qualities the E4 zone was applied rather than a residential zone such as R2 Low Density Residential, as the current suite of residential zones do not provide adequate protection of the sensitive environmental attributes.

In the case of Pittwater LGA, the E3 and E4 zones have been applied to existing areas of residential development to differentiate between areas which can or cannot support certain forms of development due to their environmental, scenic and infrastructure constraints. In the case of dual occupancy development, the R2 zone applies to areas which can support dual occupancy and the E4 zone applies to existing low density residential development which cannot support dual occupancy because of their environmental attributes/constraints. Likewise, those areas which are highly constrained by their ecological value, aesthetic value, lack of essential infrastructure, and geographic isolation can support dwelling houses but cannot support greater intensification of development such as secondary dwellings and dual occupancies. This differentiation can only be achieved by zones as overlays are a mechanism not supported by the Department.

Council seeks advice on the state wide implications of the recommendation to replace E4 in Byron Shire Council with an appropriate residential zone. We are concerned that the scale of residential development permitted within the residential zone is inappropriate and will jeopardise the environmental and aesthetic attributes and qualities of these areas. While Clause 5.9 may assist in maintaining important native vegetation, different zones are still required to maintain existing development restrictions, limiting the amount of development on sites and therefore limit the potential number of trees removed.

Clarification from the Department is sought as to whether a set of criteria similar to those developed for E2 and E3 will be developed for the E4 zone. Council does not support the establishment of criteria for E4 and considers Practice Note09-002 is appropriate to provide necessary guidance for application of this zone.

It is considered the removal of residential land uses from E3 and E4 is considered inappropriate as the current suite of residential zones under the Standard Instrument are considered to provide an inadequate level of protection for land with special environmental attributes and qualities. Furthermore, zoning such land with a residential zone (with its extended range of permissible uses) creates an expectation that higher densities can be achieved at the development application stage, even though there is evidence to confirm that the land cannot support residential intensification. It is Council's view that the planning system needs to be front-loaded, where sound planning decisions are made during the strategic planning process and the LEP preparation stage to ensure land suitable for specific land uses is zoned accordingly.

If land is burdened by significant environmental land attributes and constraints, than the zone needs to recognise and reflect these constraints appropriately. It is not considered good planning practice to negotiate and deal with the constraint issues as they arise at the development application stage.

New Zones

The proposal for a new Natural Resources Management zone is supported for agricultural areas however this should not replace the E3 Environmental Management zone as suggested as the applicability of the E3 zone has not been limited to agricultural land in NSW. E3 land in the Pittwater LGA currently incorporates low impact residential development and a limited range of compatible land uses. When considering the applicability of the recommendation to the broader state context, it is considered inappropriate to remove the E3 zone and replace it with a Natural Resources Management zone.

If the recommendation to remove low density residential land uses from E4 Zones (i.e. Byron Shire Council recommendation) and replace with an appropriate residential zone is applied across NSW, new residential zones will be required to capture areas with sensitive environmental attributes that cannot support further residential intensification. Currently, the limited number of residential zones is considered inadequate to reflect and capture the varying capabilities of residential land with environmental attributes and constraints. The inclusion of a residential zone which recognises areas with environmental and natural attributes (e.g. presence of native vegetation, wildlife corridors, steep slopes) that limit its future development potential of the land, is necessary. It is noted that Zones E3 and E4 identify dwelling houses as mandatory uses, and this along with the Department's Practice Notes and Planning Circulars lead to Council's interpreting the E3 and E4 zones as fulfilling the purpose as outlined above.

Conclusion

Pittwater Council welcomes the opportunity to comment on the Northern Councils E Zone Review Interim Report and recommend the matters raised in this submission be duly considered as part of the process of determining the state wide implications of this review. Council would also welcome the opportunity to provide further comments on the state wide implications of the review's recommendations when they become apparent and more detail is available.

Given the broader state wide implications of the review, we urge the Department to reconsider the 'next steps' as outlined on the Department's website. Specifically Council seeks the inclusion of an additional exhibition period to seek feedback on the Department's decision to support all or part of the recommendations contained in the final report. This exhibition period also needs to clearly identify and seeks feedback on the potential implementation strategies to incorporate the recommendations into the Standard Instrument.

Should you have any further queries regarding any of the matters raised in the submission, please do not hesitate to contact Anne-Maree Newbery.

Yours sincerely,

Steve Evans
DIRECTOR, ENVIRONMENTAL PLANNING & COMMUNITY

E2 Criteria	
1	Statutory mapping for SEPP 26 Littoral Rainforests
2	Statutory mapping for SEPP 14 Wetlands
3	Land identified in a validated spatial dataset comprising areas of EECs (as listed under the <i>Threatened Species Conservation Act 1995</i> and/or the <i>Environment Protection and Biodiversity Conservation Act 1999</i>)
4	Land identified within a validated spatial dataset comprising areas of habitat for threatened species (as listed under the <i>Threatened Species Conservation Act 1995</i> and/or the <i>Environment Protection and Biodiversity Conservation Act 1999</i>)
5	Land identified within a validated spatial dataset comprising over-cleared vegetation communities where >70% of the original extent has been cleared (vegetation formations as defined by Keith, D 2004, <i>Ocean Shores to Desert Dunes: The Native Vegetation of New South Wales and the ACT</i> , Department of Environment and Conservation, Hurstville.)
6	Land identified within a validated spatial dataset comprising areas of native vegetation in over-cleared Mitchell landscapes (includes native vegetation in the Byron-Tweed Alluvial Plains, Byron-Tweed Coastal Barriers, Clarence-Richmond Alluvial Plains, and Upper Clarence Channels and Floodplains)
7	Where appropriate, land identified within a validated spatial dataset comprising areas of culturally significant lands such as Aboriginal object sites and Aboriginal places and other significant objects and places that are not formally recorded (as identified by the local Aboriginal community)

E3 Criteria	
1	Land identified within a validated spatial dataset comprising areas of all types of rainforest other than SEPP 26 mapped areas
2	Land identified within a validated spatial dataset comprising areas of old-growth forest, defined as an ecologically mature forest where the effects of disturbances are now negligible (Commonwealth of Australia 1997)
3	Land identified within a validated spatial dataset comprising areas of riparian, wetland and estuarine vegetation other than SEPP 14 mapped areas
4	Land identified within a validated spatial dataset comprising areas of rare, endangered and vulnerable forest ecosystems based on criteria defined by the Joint ANZECC/MCFFA National Forest Policy Statement Implementation sub-committee (JANIS) (Commonwealth of Australia 1997).
5	Land identified within a validated spatial dataset comprising areas of native vegetation on coastal foreshores and land subject to coastal hazards (as listed under the <i>Coastal Protection Act 1979</i>), including climate change effects.
6	<p>Land identified within a validated spatial dataset comprising areas of land where strict controls on development should apply. Such land includes those areas of native vegetation where the ecosystem services provided by the vegetation is critical including:</p> <ul style="list-style-type: none"> ■ where the risks of severe erosion and landslides are extremely high (i.e. steep land) and the consequences are potentially catastrophic ■ where native vegetation that is critical to watershed protection (i.e. when vegetation protects against catastrophic floods or drought and the destruction of fisheries where spawning grounds are protected by mangroves or riparian forests).

C12.3	Minutes of the Sustainable Towns and Villages Reference Group Meeting held on 21 May 2014
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Meeting: Sustainable Towns and Villages Committee

Date: 16 June 2014

STRATEGY: Corporate Management

ACTION: Maintain and Service Council's Range of Committees

PURPOSE OF REPORT

To present to Council for consideration, the Minutes of Sustainable Towns and Villages Reference Group Meeting held on 21 May 2014 (**Attachment 1**).

1.0 BACKGROUND

1.1 The Sustainable Towns and Villages Reference Group was established by Council to consider matters involving goals and initiatives contained in the key direction of Council's Strategic Plan – Integrating Our Built Environment.

1.2 The strategic objectives within the associated key direction are:

- Asset Management Coordination Strategy
- Energy Efficiency Strategy
- Land Use & Development Strategy
- Town & Village Strategy
- Transport & Traffic Strategy

1.3 To fulfil its role, the Sustainable Towns and Villages Reference Group provides:

- a link between Council and the community which enhances communication about the strategic direction of Council initiatives,
- input from Council and the community (historical, social and environmental) when considering possible solutions,
- consideration of implications from strategic initiatives and their likely impact on the local community; and feedback to Council on behalf of the community.

2.0 ISSUES

2.1 STV4.1 - Steps to a Sustainable Home Update

Reference points

1. That the update on the Steps to a Sustainable Home be noted.
2. That the document be submitted and reviewed at an operational level, distributed to reference group members and published on the Pittwater Council Website.
3. Further discussions regarding marketing be undertaken at the August Reference Group Meeting.

2.2 STV4.2 - Draft Pittwater Local Environmental Plan update

Reference points

That the update on the Draft Pittwater Local Environment Plan be noted.

2.3 STV4.3 - Ingleside Precinct Planning Process

Reference points

1. That the update on the progress of the Ingleside Precinct Planning process be noted.
2. That Reference Group members continue to encourage their respective associations and groups to stay informed of the progress of the Ingleside Precinct Planning process via the Ingleside website and be encouraged to attend the future community workshops.

2.4 STV4.4 - Draft Delivery Plan & Budget

Reference points

That the update on the Draft Delivery Plan and Budget be noted.

2.5 STV4.5 - Draft Pittwater Public Space & Recreation Strategy

Reference points

1. That the update on the Draft Pittwater Public Space and Recreation Strategy be noted.
2. That the exhibition period for the Draft Pittwater Public Space and Recreation Strategy be extended for 6 weeks with an end date being amended to 23 June 2014.
3. That the Council be commended for creating a unique wildlife corridor connecting Kuringai National Park through the Ingleside Escarpment to the Warriewood Wetlands.

2.6 STV4.6 - Tree Planting in Elanora Update

Reference points

1. That the update on the Tree Planting in Elanora be noted.
2. That the verbal update on tree planting across the Pittwater Local Government Area by Ms Jacqui Marlow be noted and that there is a great deal of enthusiasm to increase Canopy Tree cover throughout Pittwater.
3. That a representative from Council's Compliance area attend the next reference group meeting and provide an update on the item.

3.0 SUSTAINABILITY ASSESSMENT

This report does not require a sustainability assessment.

4.0 EXECUTIVE SUMMARY

- 4.1 To present to Council the outcome of discussion papers on Strategic issues and to present Reference Points of the Sustainable Towns and Villages Reference Group contained in the minutes of the meeting of 21 May 2014.

RECOMMENDATION

That the Minutes of the Sustainable Towns and Villages Reference Group meeting of 21 May 2014 be noted.

Report prepared by

Steve Evans
DIRECTOR, ENVIRONMENTAL PLANNING & COMMUNITY

Minutes

Sustainable Towns and Villages Reference Group

held in the Level 3 Conference Room, 5 Vuko Place, Warriewood
on

21 May 2014

Commencing at 4:10pm

Attendance:

Members of the Committee, namely

Mr Mark Ferguson, General Manager - Chairperson
Cr Grace, Chairperson

representatives from the following organisations:

Mr Peter Mayman, Avalon Preservation Association
Mr Graham Rayner, Bayview - Church Point Residents Association
Ms Linda Haefeli, Climate Action Pittwater
Mr Dick Clarke, Elanora Heights Residents Association
Ms Jacqui Marlow, Friends of Narrabeen Lagoon Catchment Committee
Mr Mark Wadsworth, Mona Vale Residents Association
Ms Selena Webber, Newport Residents Association
Ms Merinda Rose, Palm Beach & Whale Beach Association
Ms Kim Jones, Pittwater Business Limited
Mr Greg Roberts, Scotland Island Residents Association
Mr Peter Cotton, Pittwater Resident
Ms Jennifer Knox, West Pittwater Community Association
Mr James Vosper, Pittwater Resident Representative

and the following Council Advisors

Ms Jane Mulrone, Community Engagement Officer and Corporate Strategy Manager
Mr Andrew Pigott, Manager - Planning and Assessment
Ms Tija Stagni, Senior Planner (Land Release)
Ms Anne-Maree Newbery, Principal Strategic Planner
Ms Jenny Cronan, Landscape Architect
Mr Steve Lawler, Principal Officer, Reserves, Recreation and Building Services
Ms Sherryn McPherson, Administration Officer/Minute Secretary

**Sustainable Towns and Villages
Reference Group Meeting**

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1.0 Apologies

1. Apologies were received from

- Mr Steve Evans, Director, Environmental Planning & Community
- Mr Stephen Richmond, Bayview - Church Point Residents Association
- Mr Stephen Koolloos, Pittwater Resident Representative
- Mr Ray Mills, Clareville and Bilgola Plateau Residents Association
- Ms Merinda Rose, Palm Beach & Whale Beach Association
- Mr Anthony Edge, Climate Action Pittwater
- Ms Ruth Gaines, SIRA / Pittwater Resident
- Mr Geoff Sheppard, Pittwater Resident Representative

and leave of absence was granted from the Sustainable Towns and Villages Reference Group Meeting held on 19 February 2014.

2. The Reference Group members accepted the apologies.

(Ms Selena Webber / Mr Greg Roberts)

2.0 Declarations of Pecuniary Interest

Nil

3.0 Confirmation of Minutes

REFERENCE GROUP RECOMMENDATION

That the Minutes of the Sustainable Towns and Villages Reference Group Meeting held on 19 February 2014, be confirmed as a true and accurate record of that meeting.

(Mr Peter Mayman / Mr Greg Roberts)

4.0 Discussion Topics

STV4.1 Steps to a Sustainable Home Update

Proceedings in Brief:

Mr Greg Roberts, Scotland Island Residents Association addressed the reference group on this item.

Discussion Points

Q: Is there an estimated completion date and will there be any further opportunities to review the document prior to the final product being launched to the public?

A: The document is in its final stages of completion and is estimated to be completed by the end of May.

Once the document is completed, it will be reviewed by key Council staff to verify that the components contained in the document are accurate, correct and that it is also approved from a planning perspective. Once this process is complete, copies will be distributed in a PDF format to all reference group members for final approval.

Council is proposing to schedule a workshop to provide reference group members an opportunity to review the product and make any final amendments. Discussions and final steps for launching the document on the website and a marketing program will need to be discussed and endorsed to ensure that the best outcome is achieved.

It is anticipated that a final copy will be available for the Reference Group members at the August meeting.

Q: Will this be an advisory document or will it be implemented and used as regulatory component for residents / developers when building in Pittwater?

A: It will be an advisory document. Council will be incorporating the document into pre-lodgment packages and will be utilised as an essential tool for residents when building in Pittwater. Councils Customer Service and Planning staff will be well informed about the product and how to retrieve copies and where it can be located on the website.

Q: Could the document be adopted by SHOROC and implemented as a regional document and possibly set the standard across all Councils in the future?

A: Once the document is finalised it could be presented to SHOROC for further consideration and implementation as a model across Councils.

REFERENCE GROUP RECOMMENDATION

1. That the update on the Steps to a Sustainable Home be noted.
2. That the document be submitted and reviewed at an operational level, distributed to reference group members and published on the Pittwater Council Website.
3. Further discussions regarding marketing be undertaken at the August Reference Group Meeting.

(Mr Greg Roberts / Ms Linda Haefeli)

STV4.2 Draft Pittwater Local Environmental Plan update

Proceedings in Brief

Ms Anne Maree Newbery, Principal Strategic Planner and Mr Andrew Pigott – Manager Planning and Assessment addressed the meeting on this item.

Discussion Points

- Q:** The amendments that came back from the final review, where they matters of significance or editorial?
- A:** Council is aware that there has been amendments made to the document, some were significant and some were editorial. We have made comment on those amendments with supporting of justification as to why they should not be changed. Council is yet to receive any formal feedback on our comments and whether they have been received, supported and reverted back to its original form. The Department cannot advise Council on the current version until it has been finalised signed off.
- Q:** If Council is dissatisfied with the document, do we have any right of address?
- A:** Once the LEP is published, the document will be finalised. There is always opportunity for amendment which would need to be strongly justified via a formal Planning Proposal process. This will be an updated model of the existing LEP 1993 which has been transformed into a more current model.
- Q:** Can Council please provide an update on the recent Joint Regional Planning Panel Review Meeting (JRPP) in which the LEP will be amended to incorporate changes to 120-122 Mona Vale Road?
- A:** The planning proposal for 120-122 Mona Vale Road effects rezoning and the conversion of that land to residential lots similar to Warriewood Valley. The planning proposal was put forward to the JRPP who made a decision and supported changing the zone from the current non-urban zone to the following 3 zones;
- R2 – Standard Residential,
 - E4 – Environmental Living Zone, and
 - E2 – Environment Protection Zone.

If approved, the final decision on whether or not to progress the Planning Proposal will be made by the Department of Planning and Environment and the standard instrument will be adopted, published on the NSW Planning website and the first amendment to the LEP will be to change the Zone on 120 – 122 Mona Vale Road.

This amendment will not be included in the first comprehensive published version of the LEP but it will be amended to reflect the changes of that particular zone.

- Q:** Does Council have the opportunity to challenge that amendment before it gets added to the LEP and is it proposed within the rezoning that access be granted directly onto Mona Vale Road?
- A:** The JRPP make a recommendation to the Department and it's up to the department to agree with the decision before them.

It is highly unlikely that they will gain access to Mona Vale Road and if they are granted access, it will be emergency access only.

Q: Once the LEP is finalised, will there be a series of marketing or workshops held by Council to provide the residents with an opportunity to question how this will impact on their area?

A: Yes there is an implementation strategy which Council is working on and part of this strategy will include a consultation plan in regards to how we distribute this information to the community. Information will be distributed to all community stakeholders and details will be available on Councils website. There will be a range of options that will be implemented to make sure the community is aware of the date the LEP will be launched on the Government website, as it will be 28 days from this date that it will come into effect.

STV4.3: Ingleside Precinct Planning Process

Proceedings in Brief

Ms Tija Stagni, Senior Planner (Land Release) and Mr Andrew Pigott – Manager Planning and Assessment addressed the meeting on this item.

Discussion Points

Q: Is there a timeline for when the Draft Structure Plan for Ingleside will be completed?

A: Consultants are still completing preliminary testing for the 3 options and working towards a draft Structure Plan (layout plan for Ingleside), however, it still requires extensive testing. It is a detailed process involving input from each of the various consultants, testing and refinement. It is predicted that a draft structure plan will be developed by August and will be presented to the Community at a second round of workshops, similar in format to the March workshop sessions.

Q: Will the Structure Plan prepared by the Master Planner be a layout of the area and will it include zoning?

A: The zoning will not be shown on the plan. The Draft Structure Plan will include:

- the road layout,
- development blocks (not yet in specific detail such as low or medium density), and
- conservation land and the corridors that will be preserved.

Q: Will this Plan include an overview of the proposed works on Mona Vale Road and is it correct that they will not exceed past Ingleside?

A: Council has engaged a Consultant to undertake an assessment of infrastructure requirements for Ingleside, part of that process includes liaising with Roads and Maritime Services (RMS) in regards to their agenda for their planned updates in the area.

The RMS was initially focused on Mona Vale Road on the west side of Ingleside (Powderworks Road intersection) however these priorities have changed and they will initially commence work on the eastern side of Mona Vale Road from Samuel Street, Warriewood to Powderworks Road, Ingleside. The change in focus has contributed to the delay in the planning investigations for Ingleside.

REFERENCE GROUP RECOMMENDATION

1. That the update on the progress of the Ingleside Precinct Planning process be noted.
2. That Reference Group members continue to encourage their respective associations and groups to stay informed of the progress of the Ingleside Precinct Planning process via the Ingleside website and be encouraged to attend the future community workshops.

(Ms Kim Jones / Mr Greg Roberts)

STV4.4 Draft Delivery Plan & Budget

Proceedings in Brief

Ms Jane Mulronev provided copies of the Draft Delivery Program & Budget on USB sticks. The document which is currently on public exhibition can also be accessed via the link provided below:

http://www.pittwater.nsw.gov.au/council/documents_on_ex/document_pages/draft_delivery_program_and_budget_2014-2018

Discussion points:

Q: Why has the major works total been reduced by 7 million in the current year and do these items include; Special Rate Variation expenditure and does the expenditure on projects significantly fluctuate from year to year?

A: Yes it does incorporate the Special Rate Variation projects.

Bungan Lane Carpark and Avalon Surf Club which are two (2) major projects which Council is spending a significant amount this financial year which will reflect considerably in the reduced figures in the following financial year.

In regards to the fluctuation on expenditure, in last financial year our asset renewal ratio was 108%, in the next year it is predicted to be 90%.

In the December 2013-2014 budget review, applications for grant funding that would make the figure slightly higher, however, in the Draft Budget for 2014-2015 we have a number of grant applications that are unconfirmed and cannot include them in the budget.

REFERENCE GROUP RECOMMENDATION

That the update on the Draft Delivery Plan and Budget be noted.

(Ms Jennifer Knox / Ms Jacqui Marlow)

Ms Jenny Cronan, Landscape Architect and Mr Steve Lawler, Principal Officer – Reserves, Recreation and Building Services addressed the committee on this item.

A copy of the Draft Pittwater Public Space and Recreation Strategy PowerPoint presentation is attached to the minutes at attachment 1.

Discussion points:

Q: What is classified as a Nature Conservation area in Pittwater?

A: Bushland is classified as a Nature Conservation area which in Pittwater LGA would make approx. 61%.

Nature Conservation is an ethic of resource use, allocation, and protection. Its primary focus is upon maintaining the health of the natural world: its, fisheries, habitats, and biological diversity.

Q: In regards to the Cafes run by private individuals / companies, how does Council calculate the rent calculated in order to receive maximum revenue?

A: Council advertises a Public Tender process which is assessed against a set criteria. The market dictates the rental return.

Q: Is their future plans for additional Cafes to operate on Pittwater beachfronts and would Clareville Carpark be an option?

A: Council is continually reviewing opportunities for beachfront cafes and locations with Bilarong Reserve being a possibility in the future. A Café has been established at the Mona Vale Surf Club and the revenue that is raised from this is placed in a rental account to maintain the Surf Club.

In regards to the Clareville Beach Carpark, yes this is a great location however this was trialed with a Coffee van approximately 10 years ago but it only operated for a short period before closing down due to being an unsustainable business.

Q: Can Council utilise more of their Surf Clubs for beachside cafes / coffee shops?

A: Council needs to maintain a correct balance without becoming over commercialized.

Newport Surf Club for example is a heritage listed building, is a big club which requires them to utilise and reinvest any income to maintain their own infrastructure.

Bilgola and Mona Vale Beach cafes are a great success and have been well received. There is also a small café that's opened on limited days on Warriewood Beach which is becoming increasingly popular.

Q: Is it correct that Council requires approximately 4 hectares for Warriewood Valley and where will Council find this land?

A: Council requires an additional 4.7 hectares and there is a few options available, one being on Boondah Road.

- Q:** Can Council install additional garbage recycle bins into our parks and carparks?
- A:** Council has approximately 20 recycling bins at various beach locations including Narrabeen Rock pool carpark and Newport Surf Club.
- Q:** Does the area require 6 Golf Clubs and is this land put to the most equitable use?
- A:** The Strategy suggests Pittwater has too many golf courses; three public and three private, some of which are struggling for membership. The Strategy recommends investigating alternative uses for golf courses to ensure equitable distribution of open space for the wider Pittwater community. Council recognises that golf courses provide other public benefits, such as large swathes of green open space that contribute to the local character and amenity, especially when situated in sometimes densely populated suburbs.
- Q:** Is Council proposing to sell small land / pocket parks in order to purchase land to improve open space areas?
- A:** Yes, we need to further assess the open space network. Although we have an oversupply of open space most is on steep land that is unsuitable for active recreation. We have a shortage of large flat parcels of land, particularly for sportsfields.

Council is also recommending rationalizing our playgrounds by removing those that are no longer required.

Currently the existing 800 hectares that Council owns costs approximately \$5million per year to maintain. Pittwater currently has 58 playgrounds, all of which cost money to maintain. Also, Council has the additional responsibility to ensure that playgrounds comply with current standards and this is not currently true for all playgrounds in Pittwater.

REFERENCE GROUP RECOMMENDATION

1. That the update on the Draft Pittwater Public Space and Recreation Strategy be noted.
2. That the exhibition period for the Draft Pittwater Public Space and Recreation Strategy be extended for 6 weeks with an end date being amended to 23 June 2014.
3. That the Council be commended for creating a unique wildlife corridor connecting Kuringai National Park through the Ingleside Escarpment to the Warriewood Wetlands.

(Ms Jacqui Marlow / Ms Kim Jones)

STV4.6 Tree Planting in Elanora Update

Mr Steve Lawler, Principal Officer – Reserves, Recreation and Building Services and Ms Jacqui Marlow, Friends of Narrabeen Lagoon Catchment Committee addressed the Committee on this item.

A copy of Ms Marlow's presentations is attached to the minutes at **Attachment 2**.

Discussion Points

Q: Can Council implement signage in areas to protect plants and implement a planting schedule to replace plants being removed and destroyed on private and public land?

A: Council is dedicated to the environment and is consistently replanting trees in the Pittwater area. However, Council has limited control over the destruction and removal of trees. Recently at Clareville Beach Council erected signage for years and on 6 - 8 occasions unfortunately the plants were continually poisoned.

Council has appointed a Tree Management Officer to work with the residents in the area and be more proactive with replanting. Council has organised a free plant to residents in the area to encourage replanting on residential properties.

The majority of residents are not necessary well educated in planting trees and are regularly seeking assistance from Council on what species they should plant and the best locations. In the Open Space Strategy (refer page 89), Council is recommending implementing the following initiatives to assist residents in regards to planting and promoting bush gardens:

1. Post a native garden forum where residents can submit photos of their garden where staff and residents can submit suggestions for design and improvements.
2. Introduce an annual award for the best local garden using local species.
3. Investigate whether a mentor system be developed in the community for native garden.

If you do agree with these points, please support the Open Space Strategy and write a submission of support.

Q: How can residents receive feedback on the outcome of reportable offenses and is it possible to continually advertise (e.g Manly Daily) and further educate the residents on protecting our environment in regards to tree removal and the repercussions if these directions are disregarded?

A: Councils Compliance section manages this aspect of the LGA but it should be noted that you cannot prosecute people without evidence and support from those reporting the offence.

Q: Is there also an opportunity to protect residents who are reporting instances of trees being poisoned?

A: There is an opportunity under the GIPA Act for residents to obtain copies of information as part of the Freedom of Information Act and can receive copies of outcomes to a reported offenses. It is also encouraged that residents initially research their complaint prior to submitting reports to ensure that the plant being removed for a legitimate reason.

It is also difficult for residents in the area with 30 year old trees on their property in which they would like to retain however the roots that continue to grow begin to effect the structure of their house. Engineers are employed to attend these applications and provide supporting evidence that this is in fact a problem and will need to be addressed.

Q: Can Council monitor the number of trees in the area?

A: Historical photos have been taken of the area but whilst we can attempt to calculate numbers of trees we have to take into consideration the continuing evolution of the area.

When development applications are lodged there is a standard condition that two (2) canopy trees be planted in the front yard and one (1) in the back yard and that is a condition of consent on their landscape plan. If we are made aware that they are not complying with their consent then Council's Compliance section can attend the site and issue with an Order to Comply.

REFERENCE GROUP RECOMMENDATION

1. That the update on the Tree Planting in Elanora be noted.
2. That the verbal update on tree planting across the Pittwater Local Government Area by Ms Jacqui Marlow be noted and that there is a great deal of enthusiasm to increase Canopy Tree cover throughout Pittwater.
3. That a representative from Council's Compliance area attend the next reference group meeting and provide an update on the item.

(Ms Jacqui Marlow / Mr Peter Mayman)

5.0 Emerging Business

Pittwater Business Limited invited all reference group members and associations to attend a breakfast "The 'experience' economy" with key-note speaker Kylie Legge which will focus on the branding of Pittwater.

Date: Wednesday, 18 June 2014

Time: 7am – 8.45am

Venue: Royal Motor Yacht Club, 46 Prince Alfred Parade, Newport.

Book Tickets: <http://www.pittwaterbusiness.com.au/events/breakfast-with-kylie-legge>



The 'experience' economy

Join us for our June breakfast where Kylie Legge, Director at Place Partners, talks about:

- The 'Experience' Economy and how our local business fits in
- How our businesses can help make Pittwater a 'place to go for business'
- Building social, cultural and economic vibrancy and unique brands for Pittwater



Kylie Legge - Guest Speaker



6.0**Next Meeting**

The next Sustainable Towns and Villages Reference Group meeting will be held on 20 August 2014, the location will be advised



Main Achievements Since the 2000 Strategy

- Land rationalisation – purchased 145.2 ha and sold 18.5 ha.
- Northern Beaches Indoor Sports Centre.
- Development of Winnererremy Bay regional park, playground and wildlife sanctuary.
- Warriewood Wetlands and Irrawong Reserve – boardwalks.
- Narrabeen Lagoon – multi-use pathway with Warringah Council.
- Bilarong Reserve, Governor Phillip Park, Warriewood Valley Local Park – large-scale playgrounds.
- Sportsgrounds – field upgrades, floodlights, alternate water supply and irrigation systems. Synthetic surface field at North Narrabeen High School.



2

Community Consultation

General Survey – 217 responses.

Workshop – 60 residents.

Meetings with Young People –
Mater Maria, Barrenjoey and
Narrabeen High Schools.

Survey for sports clubs – 24
responses.

Workshop for sports clubs – 24
clubs represented.

Grant writing workshop – 20
representatives.



General Survey Responses

Participants

Gender

129 females

135 males

Total 217

Ages

16-25 – 10

26-35 – 23

36-50 – 100

51-65 - 82

66 and over – 48

The most popular activities ranked from 1 to 35.

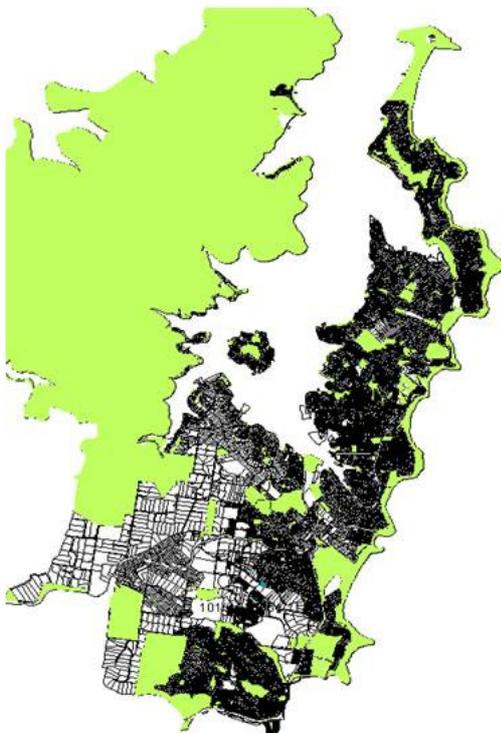
- | | |
|--|---|
| 1 Cafes/ Outdoor dining | 24. Tennis |
| 2 walking | 24. Hang gliding, paragliding |
| 3. Walking – bushland | 25. Surf Life Saving |
| 4. Swimming – pool | 26. Horse riding, |
| 5. Cinema | 27. Netball |
| 6. Park visits | 28. Badminton |
| 7. Nature appreciation | 28. Athletics |
| 8. Swimming – surf | 28. Lawn bowls |
| 9. Markets | 28. Football – rugby union |
| 9. Boating activities | 29. Youth groups such as so=Scouts and guides |
| 9. Community volunteer or fund raising | 29. Football – touch |
| 10. Cycling | 30. Triathlon, biathlon, marathon |
| 11. Dog walking | 30. Football – rugby league |
| 12. Surfing | 31. Volleyball |
| 13. Mountain bike | 31. Table tennis |
| 14. Playground | 32. Football – indoor |
| 15. Dog off-leash | 33. Hockey |
| 16. Golf | 33. Softball |
| 17. Watching sport | 33. Football – Australian Rules |
| 18. Educational activities | 33. Cricket |
| 19. Fishing | 33. Basketball |
| 20. Skateboard, roller blading etc. | 34. Football – Oz tag |
| 21. Football - soccer | 35. Baseball |

National Trends

- Australians are becoming more physically active.
- Walking is the most popular activity closely followed by aerobics / fitness, then swimming, cycling, running.
- Field sports have remained popular, particularly outdoor football codes. Non-competitive and passive recreation is gaining in popularity.
- The number of people aged 65 and over is predicted to increase from just over one million in 2012 to 2.3 million in 2050.
- In 2010, 36% of Australians aged 18 years and over participated in voluntary work.
- Sixty-three percent of children aged 5 -14 years participated in organised sport outside school hours with football (soccer) being most popular with boys and swimming with girls.
- Screen based activities (internet and television) are popular with adults and children.

5

Pittwater's Open Space Network



247 reserves covering 808.5 hectares

- 101 nature conservation areas - 496.29 ha (61%)
- 107 small parks - 38.54 ha (5%)
- 27 large developed parks - 109.09 ha (13%)
- 9 sportsgrounds - 61.40 ha (fields - 28.9ha 8%)
- 3 golf courses - 62.10 ha 8% (plus 3 private courses)

It is considered most suburbs in Pittwater provide adequate open space with the exception of new urban release areas.

6

Analysis Open Space Network - Supply

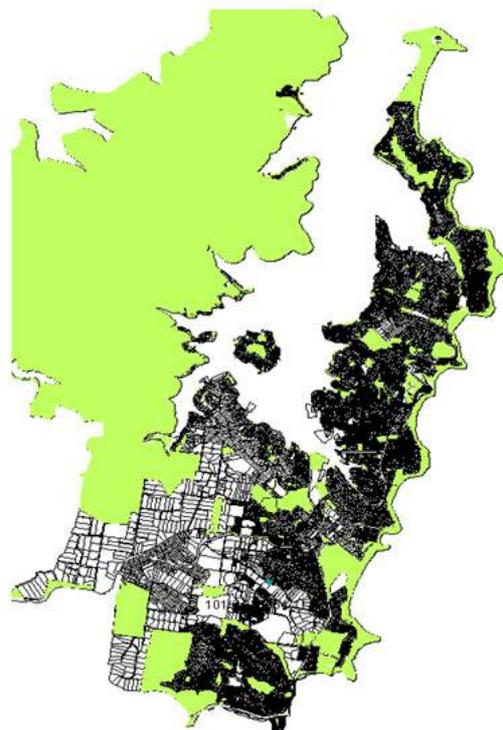
Supply of Open Space

Standards Approach

- 2.83 ha/1000 people for population:
- Pittwater's population - 61,201
- Required open space - 172.6 ha
- Actual open space 808.50 ha

Needs Based Approach

- Condition of the land – topography, geotechnical conditions, natural hazards, climate, heritage.
- Size and quality of land.
- Diversity of settings for active and passive activities.
- Changing community needs.



7

SWOT Analysis

Strengths

Wide range of settings and opportunities, support for nature conservation areas, parks well distributed, water sports, four large-scale playgrounds, positive benefits of tourism, sporting hub, linear pathways, scenic values.

Weaknesses

Expensive to maintain 808.5ha (over \$6m annually), undersupply of sportsfields and low nutrient soils, undersupply of large sized lots, poor access to estuary, negative impacts from tourism, potential impacts from natural hazards, limited use and access for all due to steep terrain, beaches and waterways are regional facilities, oversupply of golf courses.

Opportunities

Explore income generation, external funding, improve quality of land holdings through a rationalisation program, technologies, training, volunteers.

Threats

Funding budget cuts, climate change, fire and natural threats, injuries and risk management, resources to provide increased services, increasing population.

When the above issues are taken into consideration, although Pittwater appears to be well supplied with 808.5 ha of open space, there are many constraints that limit the suitability of the network in meeting the needs of the community - particularly the shortage of large flat areas for active recreation.

8

Goals and Objectives

- Conserve, protect and enhance the natural environment and cultural heritage.
- Protect and enhance Pittwater's amenity and visual qualities.
- Provide the best range of recreational opportunities to meet the needs of the community.
- Provide high quality facilities.
- Support active lifestyles.
- Ensure all open space is accessible to the wider community.

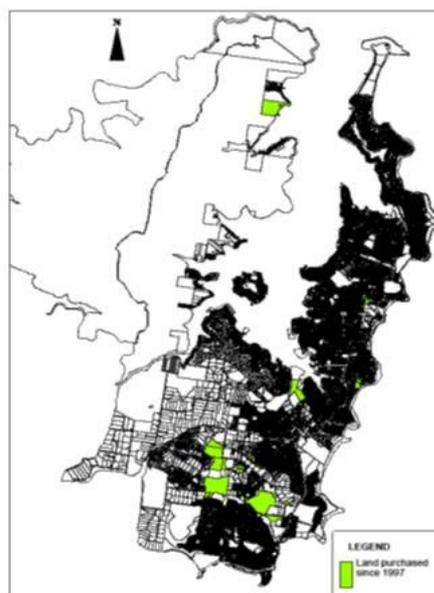


9

Options to Improve the Open Space Network

Land Rationalisation

- Since the inception of Pittwater Council 145.2 ha of public space with high social and environmental values has been purchased and 18.5 ha of land with lower values has been either swapped or sold. This is a net increase of over 126 ha.
- Sell, swap and purchase land to provide the best possible range of landscape settings and associated activities.
- Purchase foreshore and ocean beach areas to accommodate additional infrastructure such as parking and picnic areas.
- Purchase large areas of open space for sportsfields, particularly in new urban release areas
- Purchase properties adjacent to existing large reserves when suitable properties become available.
- Sell land to upgrade facilities such as the proposed skate park at Kitchener Park and road reserves.



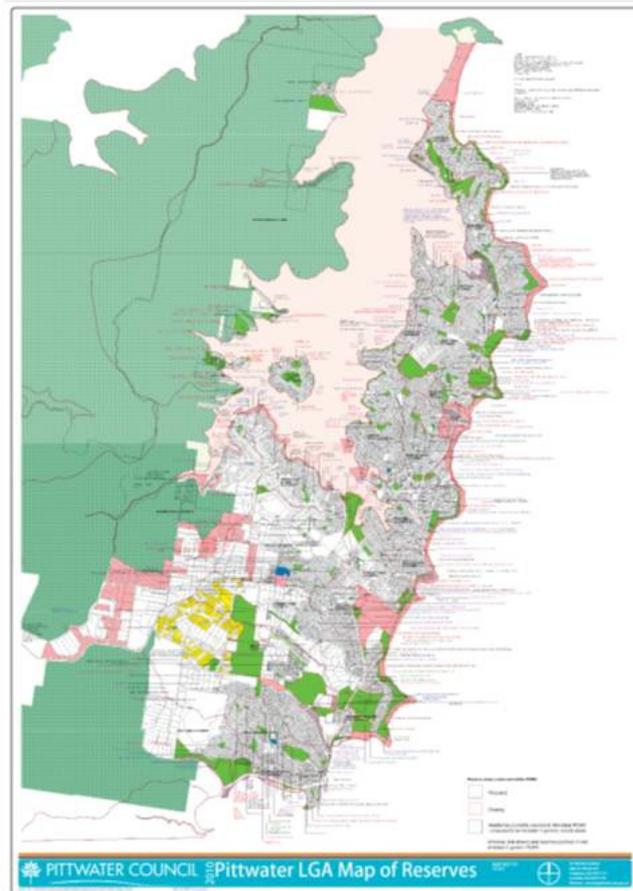
10

Examples of past purchases include:

- Warriewood / Ingleside Escarpment 65 ha.
- Warriewood Wetlands 30.86 ha.
- Winnererremy Bay 11.85 ha.
- Warriewood Valley Sportsground 4.7 ha
- Betty Morrison Reserve (dedication) 1.1 ha

Convert or Adapt Existing Open Space

- Investigate more equitable use of golf courses and bowling clubs.
- Rationalise facilities, particularly playgrounds.
- Group facilities to create 'hubs' for user efficiency and capital and operational savings.



Partnerships and Commercial Approaches

- Expand and foster partnerships with volunteers, neighbouring councils, business and educational institutions.
- Continue to work with students – current two year agreement with Macquarie University.
- Continue to develop Council / community owned cafes with funds raised being reinvested into community facilities – Dunes, Inch Café, Bilgola Beach, Flying Fox, proposed at Avalon Beach SLSC and Bilarong.
- Encourage fund raising, civic duties, self-funding by clubs (grant writing workshop), review leases, support local business.

Technologies and Enhanced Design

- Upgrade technologies to overcome space and time shortages at existing reserves such as night lighting, booking systems.
- Provide increased indoor recreational facilities and extended hours.

Effective Management

- Provide flexible, multipurpose spaces, facilities and programs.
- Safety measures – audits, surveillance, lighting.
- Continue to develop self funding facilities with expanded recreational opportunities.



Sustainability and Climate Change

- Grey water storage and recycling, irrigation, bio-swales, mulching, shade, renewable energy program.

New Urban Release Areas

- Purchase large areas of open space suitable for sportsground precincts using s.94 funds.

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Natural Conservation Areas

- Bushwalking, Bushcare volunteer workshops, bush gardens, educational programs.

Walking, Cycling and Equestrian

- Walking for fitness and enjoyment - pedestrian safety, reserves for access, tracks through bushland reserves, signage. Walking Pittwater phone application.
- Cycling – improve safety, promote cycling, investigate location of mountain bike track.
- Equestrian – feasibility study to provide bridle paths and facilities.

Ocean Beaches

- Support SLSC, broader range of activities, small-scale dances.

Foreshore Reserves

- Improve access, dinghy storage facilities, recreational facilities, promote foreshore walks, particularly the Mona Vale to Church Point Foreshore Walk for older people.

Large Developed Parks

- Promote social interaction, access for all (including accessible playgrounds), activities offering health benefits with low costs to the community.

Structured Sports and Recreation Areas

- Comfortable dog park, fence dog area at Careel Bay, additional netball courts, rationalise playgrounds, equitable use of golf courses and bowling clubs.

14

Sportsgrounds

Inventory

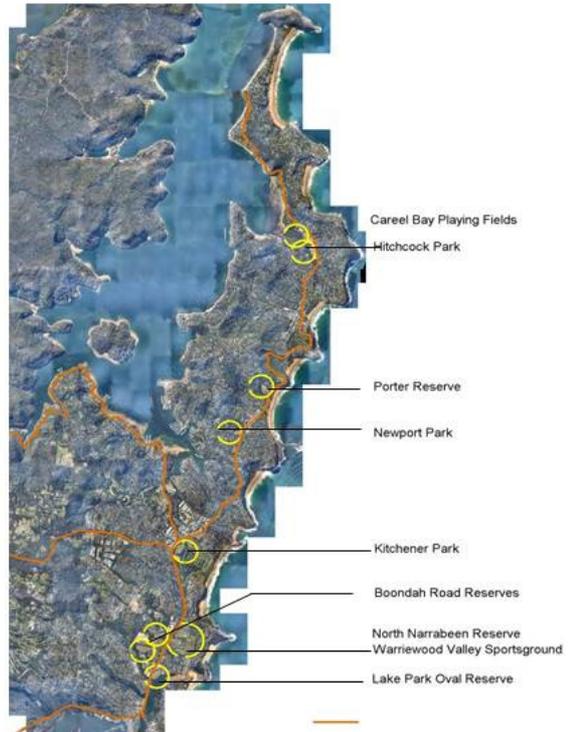
- Sportsgrounds – 61.4ha
- Playing fields and surrounds – 28.9 ha
- 18 full sized fields
- Three ¾ sized fields
- Ten mini fields

Code membership – 8,903

Football (Soccer)	3,079	AFL	208
Touch Football	1,705	Softball	198
Rugby (Union)	1,090	Cricket	174
Netball	794	Super Touch	156
Rugby League	574	Hockey	35
Oz tag	572	Equestrian	33
Baseball	294		

Key issues

- Shortage of fields
- Quality of fields
- Facility upgrades



15

- Seek opportunities to purchase suitable land for sportsfields, purchase land in urban release areas to create sportsfield precincts, relocation of existing facilities to accommodate sportsfields, small areas of open space for junior fields and training, partnerships.

- The current sports club membership represents 14.54% of Pittwater's population of 61,201.

- Should the population increase to 81,950 by 2030 as projected, the amount of land needed for sportsfields to retain the status quo is 38.48 ha. This is an additional 9.58 ha.

- It is essential that additional active open space be provided in the new release areas. The opportunity to secure additional land in the Boondah Reserves precinct will not present itself again. If this land is not purchased it will result in a lost opportunity for current and future generations.

16

Indoor Sports and Recreation

- Continue to support the NBISC.

Village Greens, Culture and Leisure

- Enliven village centres, outdoor cultural nodes, continue to work with the Chambers of Commerce, provide something to do other than shopping such as an art studio, support local causes and charities, community gardens, music and art competitions

Tourism

- Eco-tourism and associated activities, manage the negative impacts of tourism, alleviate congestion, tourism plan , joint ventures.



Conclusion

- This Strategy builds on the previous document by working within a framework of landscape settings to both protect and capitalise on the various landscapes.
- The key outcomes are to protect the natural environment, implement sustainable practices and secure additional large areas of flat land for sportsfields in the new urban release areas.
- There is a stronger commercial emphasis due to changing times - continue to upgrade land holdings by purchasing and selling land of higher quality and in more desirable locations and develop income producing assets to offset rates and leave a strong economic, social and environmental legacy for future generations to build on.

• Property Disposal	Ha	Outcome
• Mona Street Depot- subdivided and sold to acquire W/Bay depot re-established	2	Fund Win Bay acquisition and embellishment,
• Part Stuart St road reserve to join Newport School	0.09	Swapped with Dept. Ed for Illuka
• Collins St, N Narrabeen road reserve lot	0.06	Fund road asset improvements
• Queens Pde East, Newport - sold as child care centre	0.06	Fund asset improvements
• Warraba Rd, Nth Narrabeen - drainage reserve	0.05	Fund asset improvements
• Paradise Ave - drainage reserve sold to adjoining owners	0.03	Fund asset improvements
• 205 Powderworks Rd, Elanora Heights - drainage reserve	0.05	Fund asset improvements
• Kalang Rd, Elanora Heights	0.06	Fund asset improvements
• 24 Avalon Pde - commercial - retail holding	0.09	Part fund Avalon CC and library
• Ingleside Depot - swapped for escarpment land	14.8	Fund escarpment acquisition
• Belinda / Goodwin - former landslip	0.28	Fund asset improvements
• Stanley St, Mona Vale - part road reserve	0.1	Fund road asset improvements
• 195 Powderworks Rd, Elanora Heights - drainage reserve	0.55	Fund asset improvements
• Gladstone Street Newport - former child care centre	0.07	Relocated to Newport CC
• Waterview St, Mona Vale - road reserve sold to adjoining foreshore park		Fund road asset improvements plus created
• Pittwater Quays Depot	0.25	Fund asset improvements
• Total disposals	18.54	
• Pending		
•		
• Kitchener Park – skate park	0.5385	Fund skate park
• Church Point – adjoining unmade Quarter Sessions Road	0.124	Fund foreshore improvements, cemetery etc.

19

Current Situation

808.5 hectares of open space valued at \$2 billion including infrastructure
Annual budget of about \$5 million to maintain the open space network.

Aim – reduce costs, generate income, better public services, capitalise on land holdings – best possible range of land and facilities.

Considerations

1. We have a huge investment in the open space network, it should be generating income to supplement rates – Dunes, Billies, Inch, proposed café at Bilarong and Avalon SLSC
2. Improved access to foreshore areas
3. Additional land near the ocean – infrastructure and environmental protection
4. Shortage of large flat areas of open space – sportsfields
5. Ensure we secure land for sportsfields in new urban release areas
6. Alternative uses of existing open space such as golf courses
7. Upgrades to infrastructure
8. Bowling Clubs have existing infrastructure – perhaps art classes in buildings, community gardens – roof to collect rain water and toilets. Share facilities and make them more vibrant and inviting for a wider demographic.

Consistent with State Government: Pittwater – *an iconic coastline and water environment: protect long term health, scenic quality and economic contribution; increase access to promote Sydney as a world class, high quality visitor destination.* Draft Metropolitan Strategy for Sydney, March 2013.

20

Values / Assessment

- Regional, District, Local or landscape settings – minimum size and standard of embellishment, arterial road, local road (See Inventory by suburb in Appendices page 33).
- Road reserves (Roads Act)
- High value location – villages, water, lineal areas
- Recreational use, facility visitation rating (FBR) use patterns
- Demographics – local community - visitors
- Geographical distribution
- Environmental and cultural significance, APZ
- Degraded land
- Constraints – access, land size, land form, flooding, drainage, easements, flooding (OS can provide a more desirable use for flood prone land)
- Equity – young people and elderly people
- Risk management – security
- Adjoining property uses
- Maintenance costs

21

.Australian Standards – Council’s Duty of Care / Litigation

1981 - first Australian Standard – min construction and material standards

Mid 1990s – revised Standard due to increased litigation re. playground injury – special case injured party usually a child. Councils need to demonstrate rigorous risk management to minimise injury.

Current Australian Standards for playgrounds are as follows:

- AS1924.1 – 1981. Playground equipment for parks, schools and domestic use.
- AS1924.2 – 1981. Playgrounds design and construction.
- AS2555 – 1982. Adventure playground guide.
- AS/NZS 4422:1996. Playgrounds surfacing – specifications, requirements and test method.
- AS/NZS 4486.1:1997. Playgrounds and playground equipment.

22

60 Playgrounds

2013 Audit – Replacement, Upgrade, Decommission

4 Regional – Bilarong, Governor Phillip Park, Winnererremy Bay, Apex

11 Large Developed or District – 10 Lake Park Oval Reserve, Anana (EH), Callistemon Way (WWW), Dunbar, Kotoa (NN), Newport Beach, Pittwater Park, Village Park, Whale Beach Reserve, Avalon Beach, Warriewood Valley.

45 Local including one kindergarden

Major Repairs Required – 7

Unserviceable - 7

Inadequate softfall – 2

Non compliant softfall - 17

Council's Commitment - to Provide

- Wide range of equipment for all ages and abilities
- Best range of equipment for child development
- Accessibility
- Safe play, amenity (shade, seating)
- Contribution to locality's sense of place / identity.

Possible Design Guidelines

Regional Parks – specialised equipment e.g. Bilarong Reserve, Gov. Phillip, Win Bay

Higher density areas, or high value areas

High level of landscaping

Amenities – seating shade

Linkage with lineal cycle/walking tracks

Generally \$500,000 to \$1m

Large Developed / District Parks – e.g. Apex Park, Dunbar Park

Multiple play equipment

Higher density areas or premium areas

High level of landscaping

Linkage with lineal cycle/walking tracks

Generally \$100,000 to \$200,000

Local Parks – e.g. Fernbrook Reserve

Minimum provision – swing and two to three other pieces of equipment

Linkage with lineal cycle / walking tracks

Generally \$30,000 to \$60,000.

Within 500 metre radius of homes

Trees in Pittwater

- 70% tree cover in Pittwater
- Urban heat sink
- Shade for sport
- Aesthetic appeal
- Time
- Climate change

What is required

- Active replanting
- Active follow up
- Work on both private and public land
- Signs
- Eco forensics
- Tree loppers
- Work with views and/or solar access

Council successfully prosecutes for tree removal on foreshore

↓

Monday, 21 October 2013

Many Sydney waterfront properties have the highly desirable feature of significant vegetation which characterises the Sydney harbour foreshore. In the recent case of *Hunters Hill Council v xxx*[2013] NSWLEC 89 we acted for Hunters Hill Council in the successful prosecution of local resident Gary Johnston for breaching the *Environmental Planning and Assessment Act 1979 (EPA Act)* as a result of Mr xxx removing four significant mature hoop pine trees located in front of his new waterfront house on the Hunters Hill foreshore. The trees were required to be protected and retained by conditions of development consent.



Whilst criminal prosecutions can be very difficult, particularly as they require evidence to be gathered which is sufficient to prove the offence beyond reasonable doubt, this is an example of a case where the Council was ultimately successful in achieving a conviction and a substantial fine. The case also exemplifies the fact that the Court will not treat those who breach conditions of development consent lightly.

A matter which is not apparent from the Court's judgment, though was very important for the case, was the investigation that was conducted on behalf of the Council which ultimately lead to critical evidence being gathered. The Council engaged and authorised a former Environment Protection Authority investigator Mr Terry Muir, of e-par to investigate the tree removal incident. A lengthy, and difficult, investigation ensued which involved among other things endeavouring to locate and obtain evidence from the tree lopper who was engaged to cut down the trees. Without that evidence it is possible that the prosecution would not have been successful.

Council Meeting

**13.0 Adoption of Leading and Learning Committee
Recommendations**

**14.0 Adoption of Sustainable Towns and Villages Committee
Recommendations**
