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Administrator's Welcome Speech – Capital Works Interactive Map

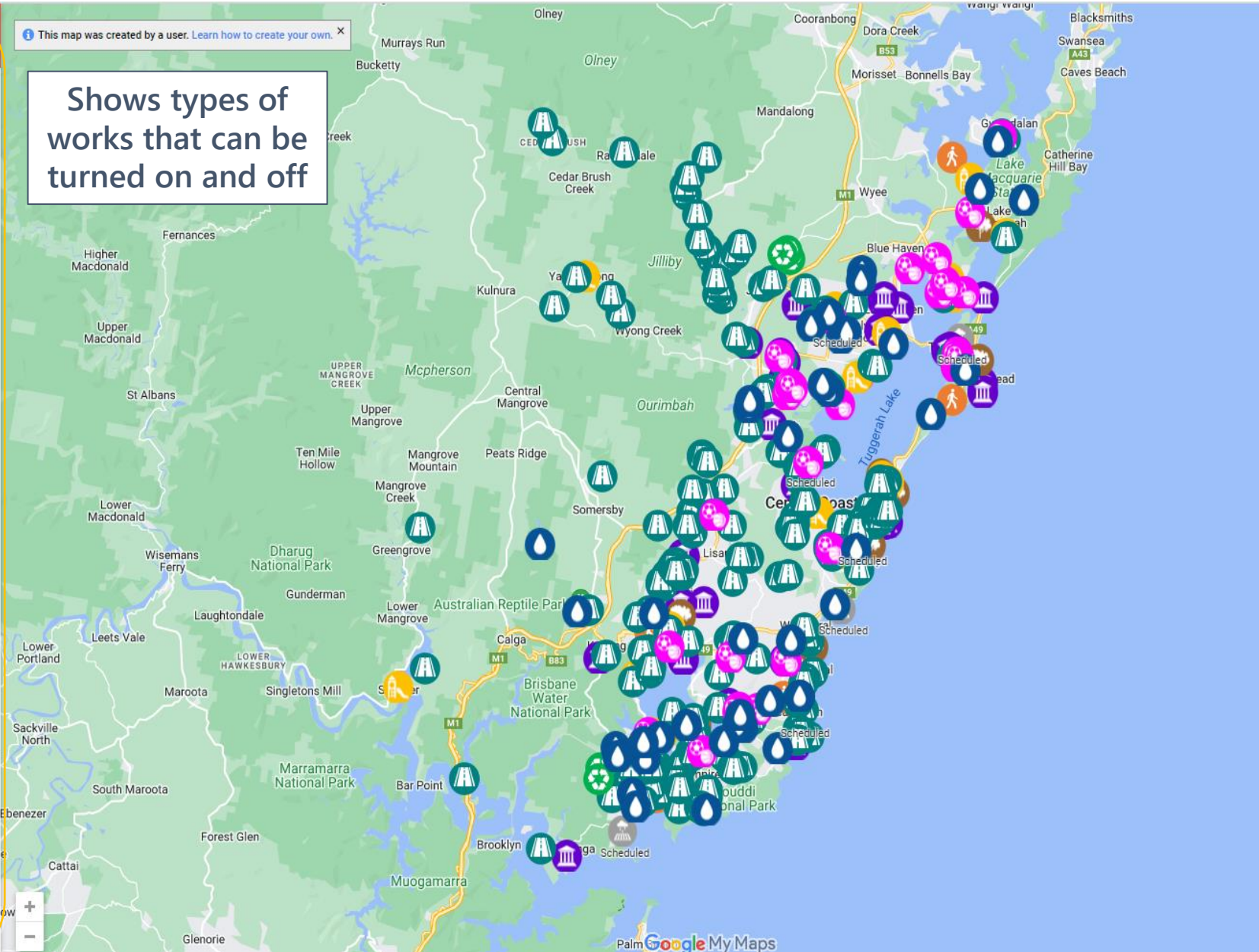
24 July 2024

24/25 Capital Works ...
Engineering Services

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- Drainage
 - Scheduled
- Facilities and Buildings
 - Scheduled
- Natural Assets
 - Scheduled
- Pathways
 - Scheduled
- Playgrounds
 - Scheduled
- Roads and Carparks
 - Scheduled
- Waste Facilities
 - Scheduled

Shows types of works that can be turned on and off



Updated Capital Works Map

- Revised map was launched on 1 July 2024
- New features include:
 - financial details such as commentary and year-to-date (YTD) financial status
 - zooming into an area
 - using the search function to look up a street or suburb

← New shared path construction

Project
New shared path construction

Location
Wilfred Barret Drive from National Park Carpark to Opposite Magenta Shores Golf Course

Suburb
Magenta

Funding Source
Contributions Funded

Budget \$ 2023-24
\$ 6,540,000

Budget \$ 2024-25
-

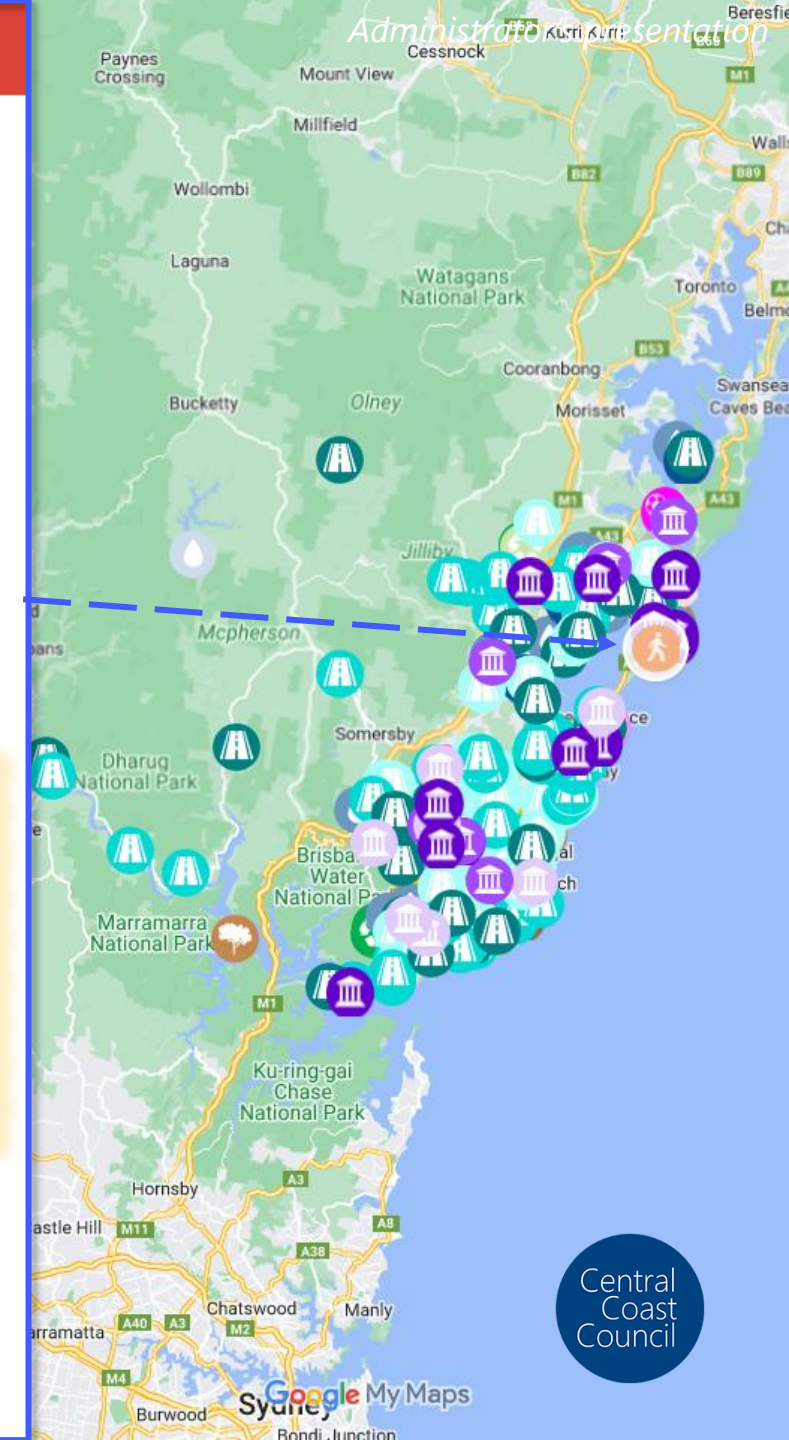
YTD Actuals
\$ 4,609,933

YTD Budget
\$ 4,518,202

Financial Comment
This developer contribution funded project is ahead of schedule due to contractor availability and will continue into 2024/2025 financial year as planned.

Project Status - February
Commenced

Project Comment - February
In February, Council continued construction of shared path and retaining wall works.



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Open Space Strategy 2024-2031

Public Exhibition

Item 2.3 - 23 July 2024

Open Space Strategy 2024-2031 For Public Exhibition

- The Strategy is an analysis of existing open space supply and future open space demand based on projected population growth across the Coast.
- It recommends planning principles and frameworks for parks and sporting facilities, and open space benchmarks for Council to reference over the life of the document.
- The strategy recommends the development of supporting Action Plans to sit under the Open Space Framework, with key plans inclusive of but not limited to:
 - **Sports Facilities Action Plan**
 - **Parks and Playspaces Action Plan**
 - **Physical Activity Action Plan**
 - **Aquatics and Leisure Facilities Action Plan.**



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Greater Warnervale Structure Plan

Item 2.4 – 24 July 2024

Background

What is the Greater Warnervale Structure Plan (GWSP)?

The GWSP is a long-term plan that establishes a vision and land use planning framework to guide the growth of Greater Warnervale over the next 20 years (2021-2041) - developed with input from the community, agency and industry stakeholders.

Why a Structure Plan?

Greater Warnervale has been growing for over 20 years and is expected to accommodate the majority of population, housing and employment growth projected within the Central Coast LGA.

A Structure Plan is needed to guide where growth and development will occur, ensure development is appropriately located and sequenced and supported by the necessary infrastructure and services required to meet the needs of existing and future residents.

By 2041 it is anticipated that Greater Warnervale will need to house more than 27,198 additional people.

Background

Where does the Structure Plan apply?

The Study Area is an extensive area (3,900 hectares) covers the suburbs of Warnervale, Wadalba, Hamlyn Terrace, Woongarra, Wallarah and Halloran together with parts of Wyong, Kanwal, Wyongah Tuggerawong, Tacoma, Charmhaven and Jiliby.

This area is expected to accommodate the majority of population growth within the Central Coast LGA.

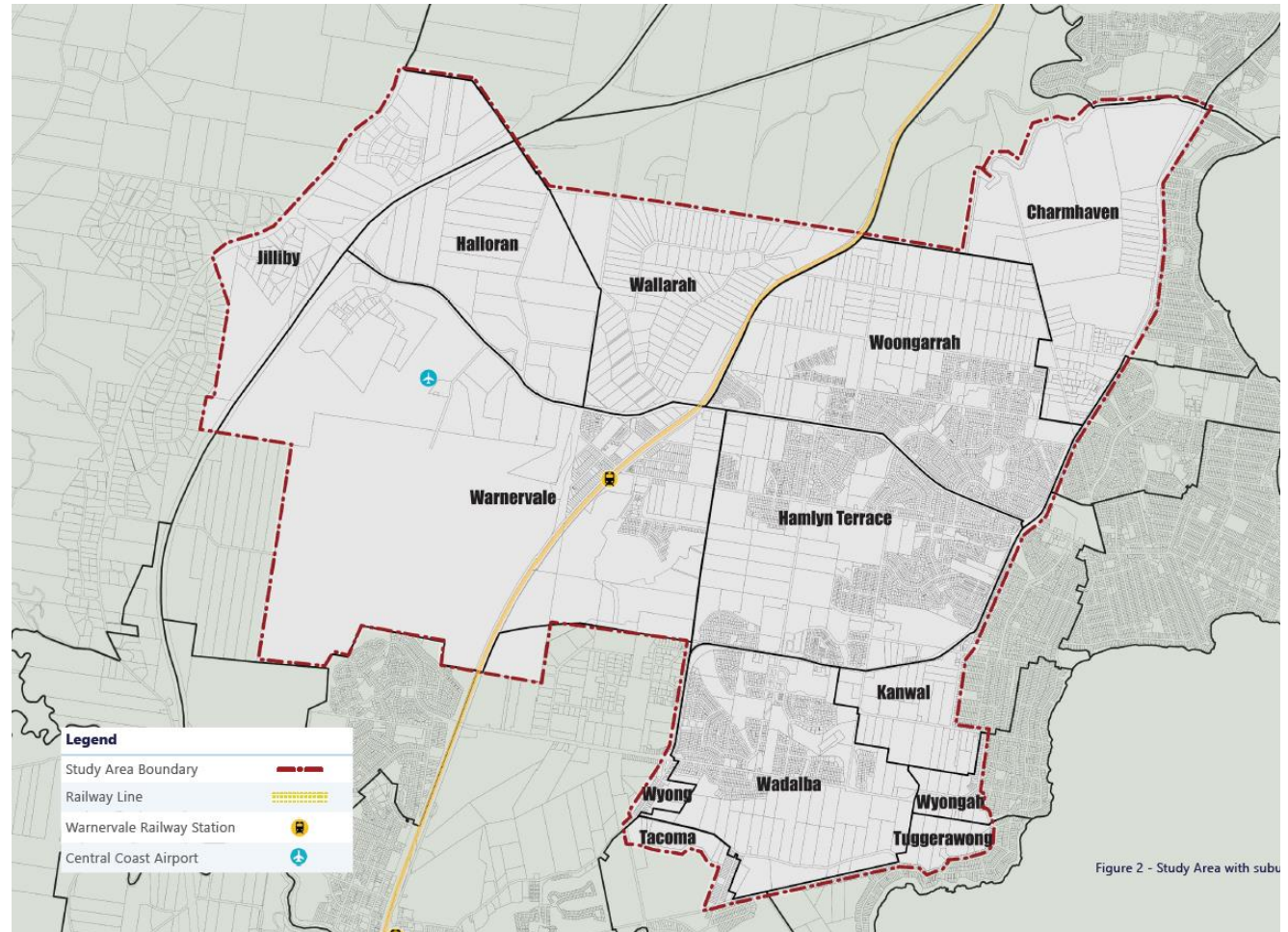


Figure 1 – The Study Area

Exhibition

- In February 2023, the draft Greater Warnervale Structure Plan was placed on public exhibition. Community engagement was conducted from 30 January 2023 to 31 March 2023.
- Engagement was undertaken online in the form of a social pinpoint map and a feedback form. Council received **115 comments** on the interactive concept plan and **62 feedback forms** completed.
- Meetings were also conducted with key agency stakeholders.
- Following the public exhibition period, finalisation of the Structure Plan was placed on hold while Council worked through the submissions received.



The Structure Plan

Greater Warnervale
Structure Plan
2021 - 2041

Central Coast Council

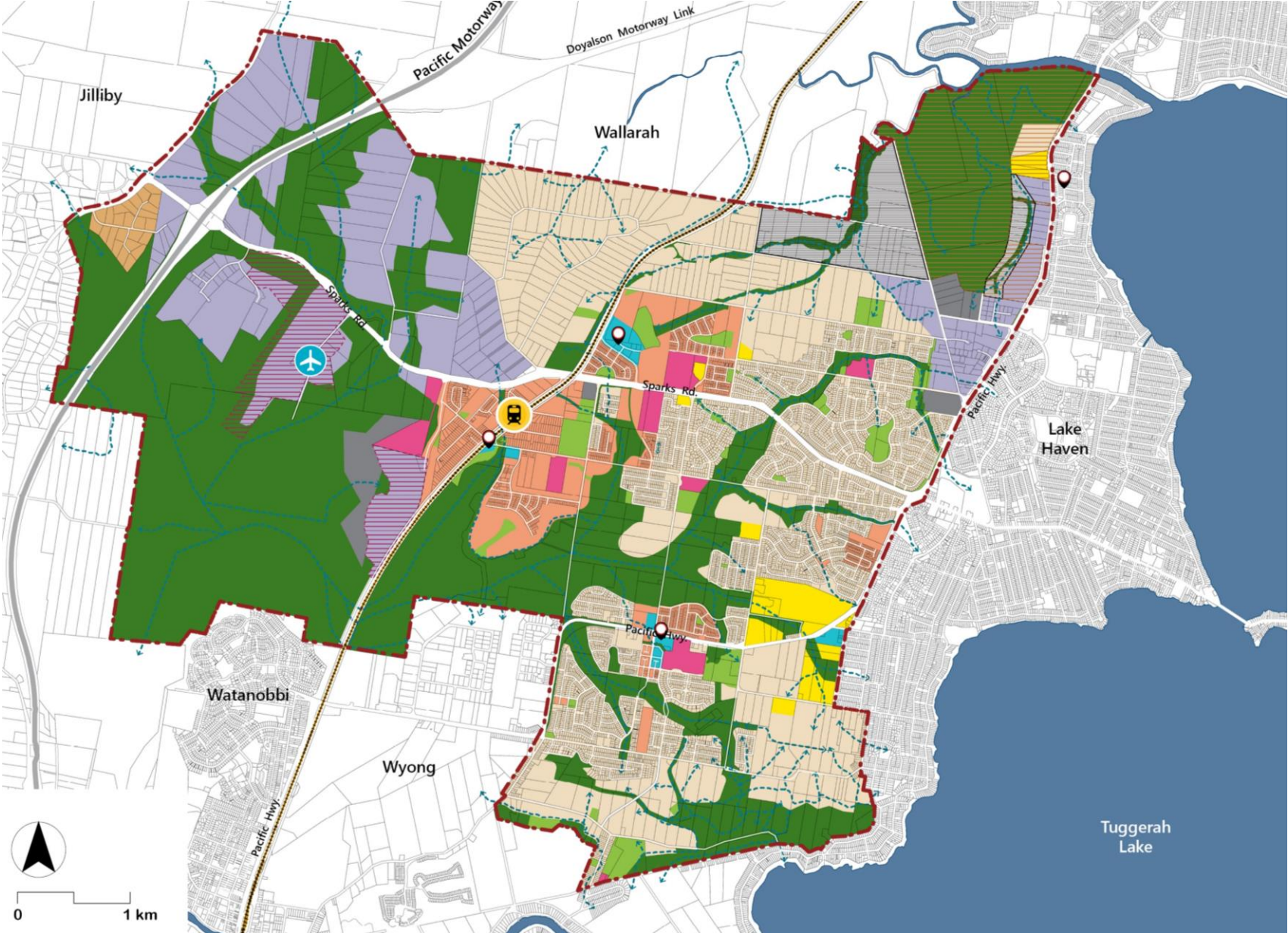
Shaping the future of Greater Warnervale

July 2024
Directorate: Environment & Planning

Understanding Greater Warnervale
Appendix A - Background Report
Shaping the future of Greater Warnervale

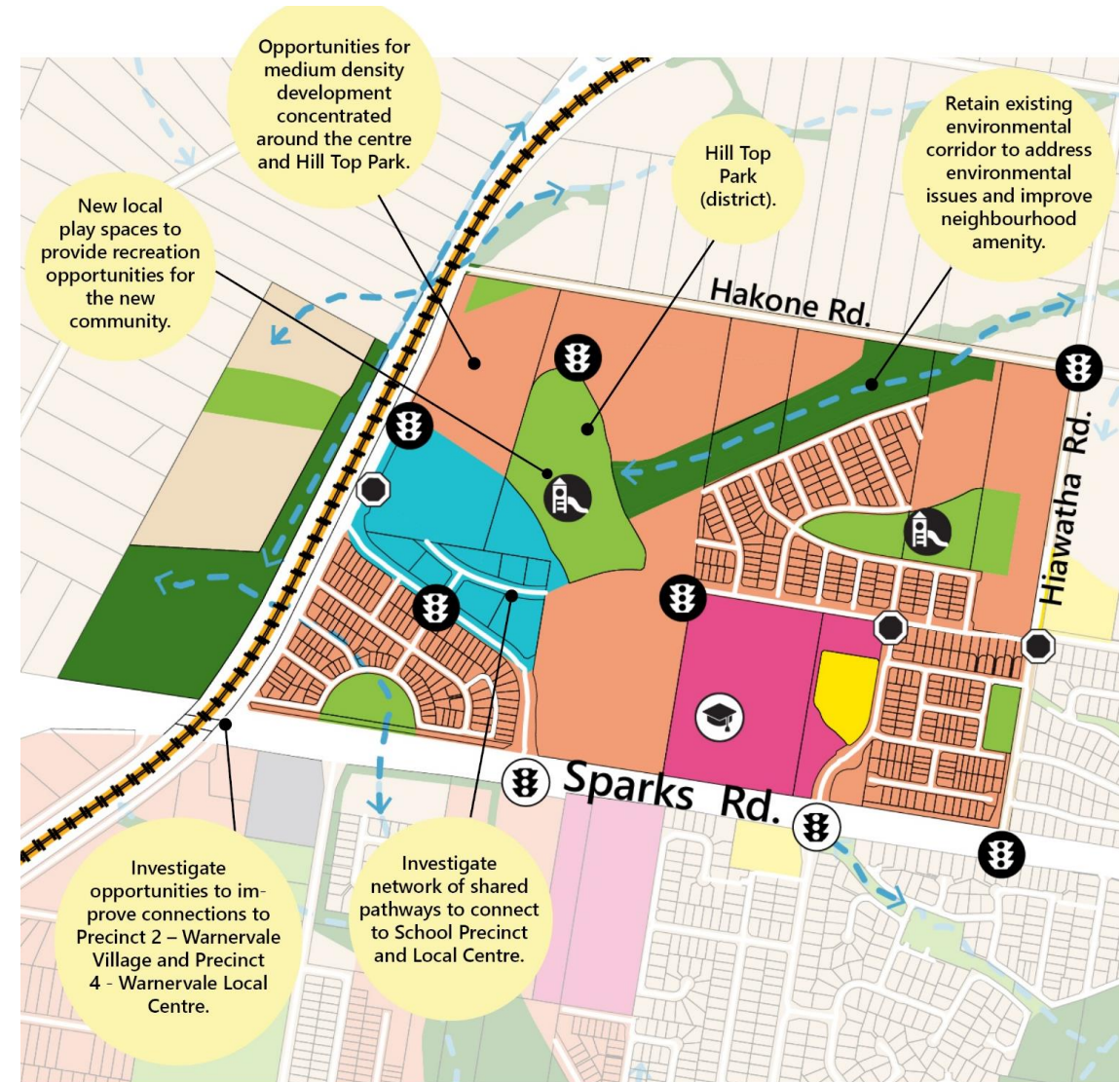
Central Coast Council

July 2024
Directorate: Environment & Planning



Next Steps

- **July 2024** – Council determination on whether to adopt the Structure Plan as recommended.
- Following the Council meeting, a copy of the final Structure Plan will be provided to the Department of Planning, Housing and Infrastructure for endorsement.
- A copy of the final Structure Plan will then be made available on Council's website.



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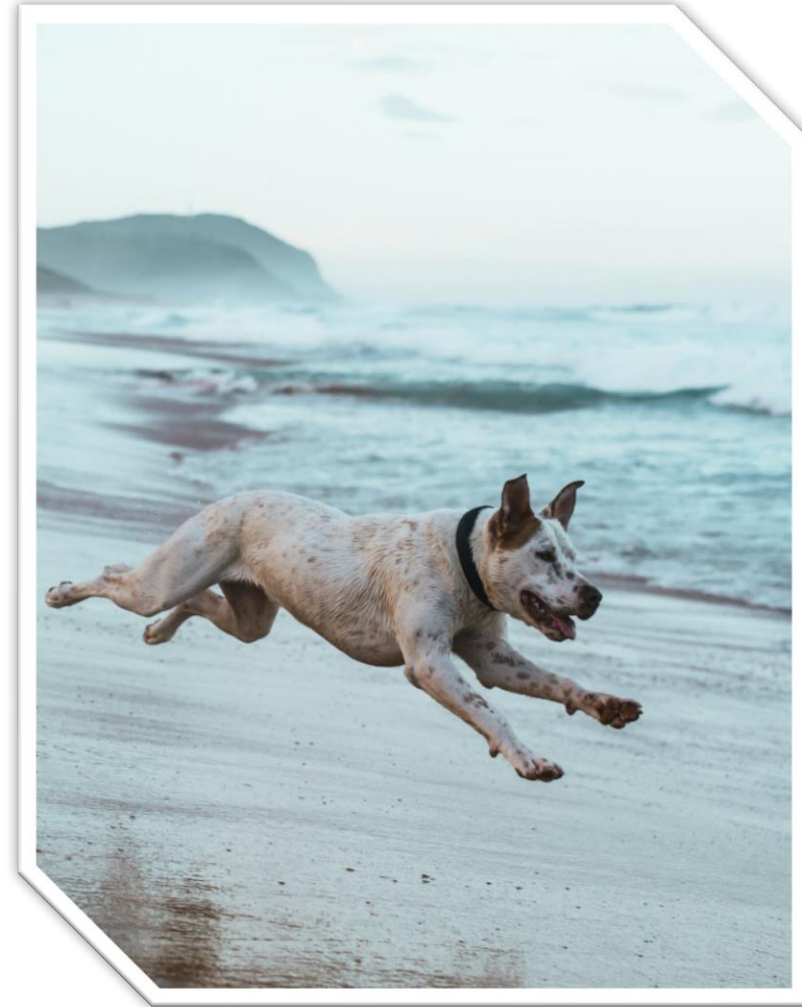
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Dogs in Open Spaces Action Plan

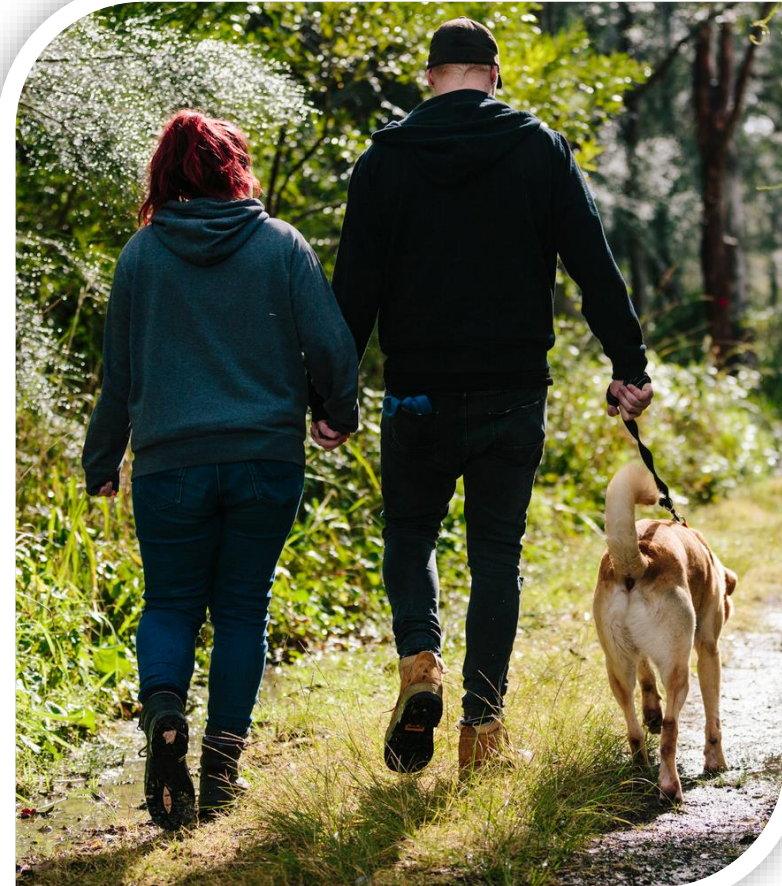
Item 2.5 – 23 July 2024

Drivers for the Action Plan

- Increasing population growth on the Central Coast
- The Central Coast has one of the highest, if not the highest, rates of companion animal ownership in NSW
- To balance interests and pressures across Council's open space network in a responsible and lawful manner



Quick recap:



- First Draft Plan placed on Public exhibition 2022 with Revised Draft Plan placed on Public exhibition 2023
- Relevant NSW Caselaw identified during review of submissions that directly impacts project
- Resulted in delays to project while Caselaw reviewed project adjusted in response

NSW Caselaw – NSWLEC 156

Palm Beach Protection Group Incorporated v Northern Beaches Council [2020] NSWLEC 156, 20 Nov 2020

This NSW Caselaw requires that Councils carefully consider the provisions of both Parts 4 (Development Assessments and Consents) and 5 (Infrastructure and Environmental Impact Assessment) of the *Environmental Planning and Assessment Act 1979* when making decisions about the creation of on- and off-leash areas for dogs under the *Companion Animals Act 1998* to ensure that such on- and off-leash areas obtain the appropriate approvals to ensure they are lawfully enacted. Further reinforced through *Narrawallee Beach Environmental Group Inc v Shoalhaven City Council [2023] NSWLEC 78*.

Independent legal advice received noted:

"Before carrying out or approving an activity under Part 5, Division 5.1 of the EPA Act, a determining authority is required to examine and take into account to the fullest extent [reasonably] possible all matters affecting or likely to affect the environment by reason of that activity (s5.5)"

It was recommended Council undertake a Review of Environmental Factors (REF) for newly proposed sites or sites with proposed changes

Davistown

- Remains a key issue of contention despite the refinement of a refined option that seeks to moderate all concerns and proposal to establish a new OLA at Memorial Oval
- NSWLEC 156 most relevant to this site, particularly given previous studies and expert advice
- Based on NSWLEC 156, previous studies, expert advice and review of all submissions to date, Council is proposing an REF for this and 21 other proposed sites



Terrigal



Remains a key issue of contention due to lack of alternative sites in the area

Fenced OLA still preferred by Council staff to manage competing uses and risks with more detailed concept designs in development

Based on NSWLEC 156, review of known risks, review of previous risk assessments and review of all submissions to date, Council is proposing an REF for this and 21 other proposed sites

Preferred recommendation:

That Council endorse the following:

- a. progress REFs for 22 sites that have a change to the current use, proposed change to the location of the current use, or a proposed inclusion of additional infrastructure to support the intended use on consideration of NSWLEC 156 while ensuring any and all relevant approvals are properly obtained, and
- b. provide a further Report to Council that outlines the results and findings of these REFs and where a final Plan is put forward for adoption that incorporates the results and findings from these REFs.

Other considerations

- Council staff acknowledge the time taken to progress this project.
- Delays have primarily related to the high volume of submissions, the difference of options across the community, the complexity of finding solutions that balance all needs and concerns and due to the identification of NSWLEC 156.
- In relation to NSWLEC 156, Council is required to ensure that our activities in enacting OLAs and FLOAs are appropriately assessed and approved to ensure that they obtain proper approvals and are lawful

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Woy Woy Commuter Car Park – Transfer to Transport for NSW

Item 2.7 - 23 July 2024

Aerial view of commuter car park site

The site of the Council-owned commuter car park in central Woy Woy.

Note that part of the commuter car park extends over the car park for the adjoining Deepwater Plaza shopping centre, which is situated to the west.



Pedestrian route to Woy Woy railway station



"A" – Create easement for pedestrian overbridge over roadway in favour of commuter car park land (to be owned by Transport for NSW).

"B" – Use existing easements for pedestrian access through Clocktower centre. Maintenance deed to be novated to Transport for NSW.

"C" – Create easement for pedestrian access over surface car park in favour of commuter car park land (to be owned by Transport for NSW).

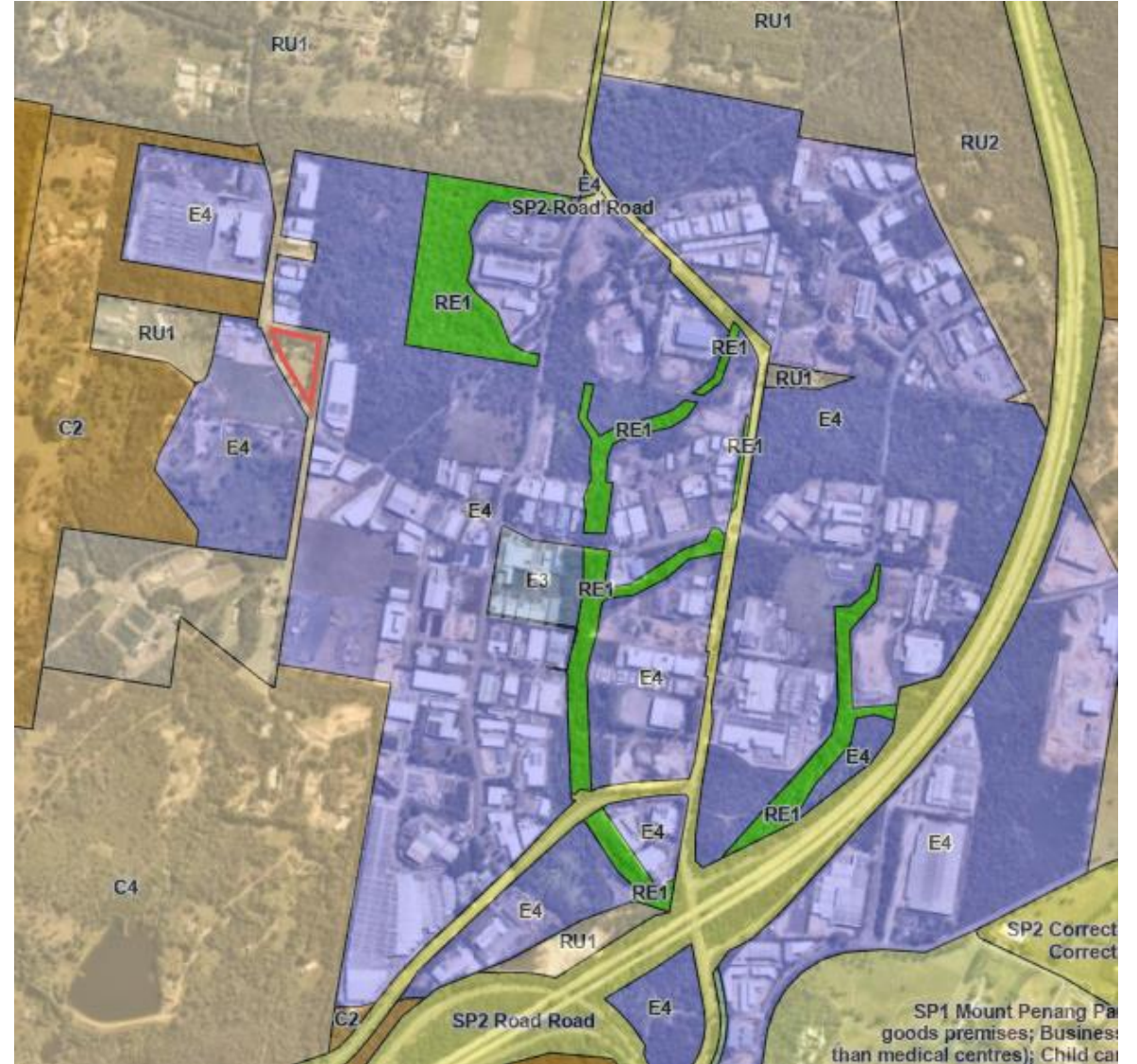
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Planning Proposal
126 Somersby Falls
Road, Somersby

Item 2.9 - 23 July 2024

Background



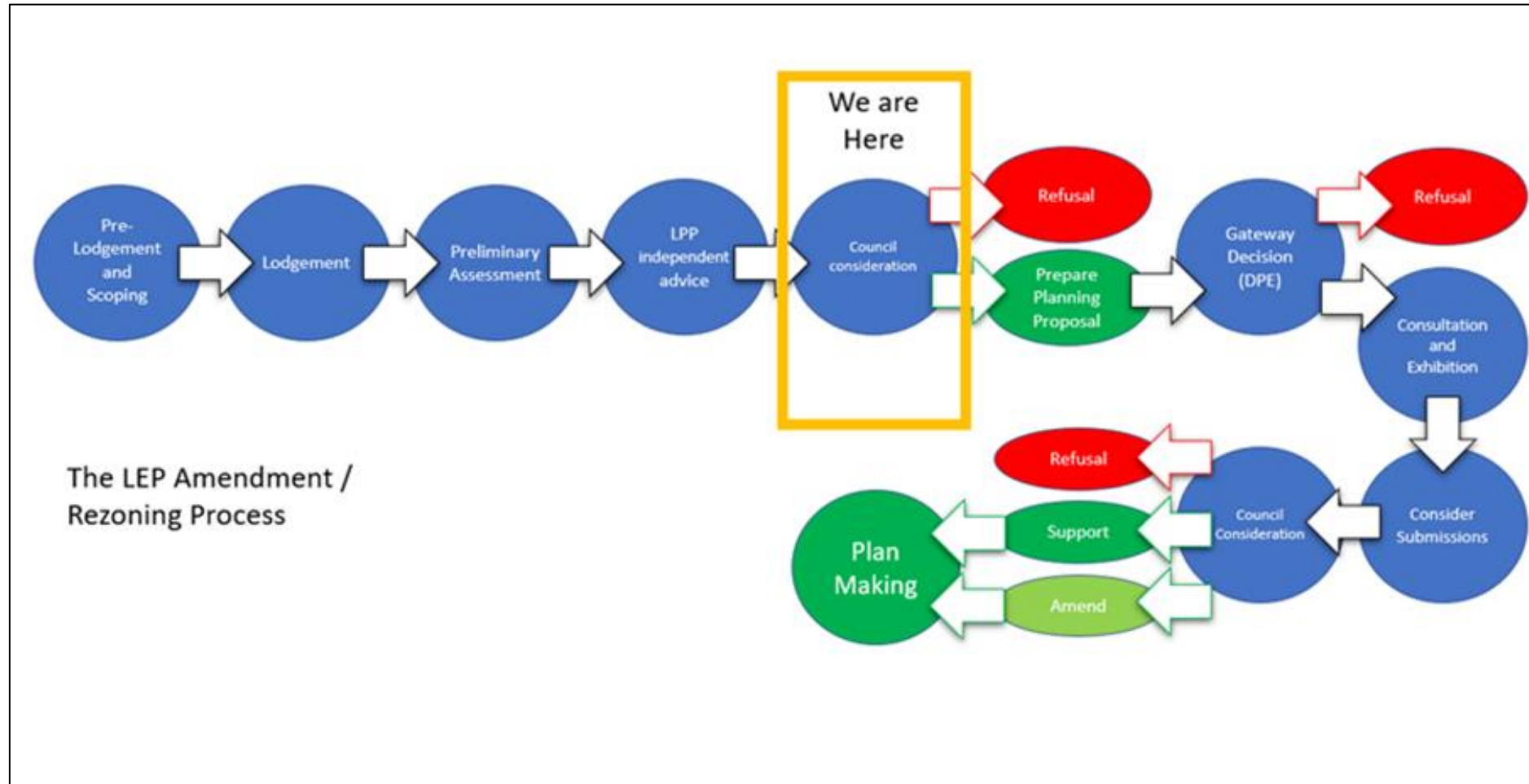
Proposal

Rezone site to E4 General Industrial

Strategic Planning Merit:

- Isolated parcel of RU1 land
- Existing use incompatible with surrounding industrial uses
- PP will reduce land use conflict
- PP will increase employment opportunities

LEP Amendment/Rezoning Process



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Local Planning Panel New Panel Members

Item 2.18 - 23 July 2024

Background to Local Planning Panel

- Council is required to have a functioning Local Planning Panel to meet legislative obligations under the *Environmental Planning & Assessment Act 1979*.
- Prior to 2018 Councils could choose to 'opt in' to Panel arrangements (then called Independent Hearing & Assessment Panels - IHAP's).
- In 2018 Local Planning Panels were made mandatory for all Sydney metro Councils and Wollongong Council.
- In early 2020 amendments to the EP&A Regulation required that a Central Coast Local Planning Panel was to be established.
- The Central Coast Panel was constituted by resolution of Council on 11 May 2020, and inaugural members appointed.

Role of Central Coast Local Planning Panel

- Determine a range of development applications where there is:
 - Potential for Conflict of Interest
 - Contentious Development (more than 10 objections)
 - Departure from Development Standards (greater than 10%)
 - Sensitive Developments (Heritage Items, Licenced Premises etc)
- Provide advice on strategic planning matters, including Planning Proposals/rezonings.
- Ministerial Directions set out which matters go before the Panel.

Panel Membership

- A pool of Panel members is selected, and at each meeting the Panel is made up of four members:
 - A Chair
 - Two 'expert' panel members with expertise in planning, urban design, engineering or related field; and
 - One 'community' representative
- Timing of Panel appointment is determined by the Department of Planning Housing & Infrastructure, as all Local Planning Panels in NSW have aligned appointment periods.

Selecting the Panel

- The Chair and deputy chairs – nominated directly by the Minister for Planning & Public Spaces
- 'Expert' Panel members – selected by Council from an approved shortlist endorsed by the Minister.
- Community Panel Members – Appointed by Council following an Expression of Interest process and evaluation of applicants against set criteria.

Recommended Panel

- The report included in the Agenda sets out the processes followed for the selection of Panel members.
- The recommended Panel is set out at *Attachment 1* to the report.