



Central Coast Council
Business Paper
Ordinary Council Meeting
10 February 2020





COMMUNITY STRATEGIC PLAN 2018-2028

ONE – CENTRAL COAST IS THE COMMUNITY STRATEGIC PLAN (CSP) FOR THE CENTRAL COAST LOCAL GOVERNMENT AREA

ONE – CENTRAL COAST DEFINES THE COMMUNITY'S VISION AND IS OUR ROADMAP FOR THE FUTURE

ONE – CENTRAL COAST BRINGS TOGETHER EXTENSIVE COMMUNITY FEEDBACK TO SET KEY DIRECTIONS AND PRIORITIES

One - Central Coast will shape and inform Council's business activities, future plans, services and expenditure. Where actions are the responsibility of other organisations, sectors and groups to deliver, Council will work with key partners to advocate on behalf of our community.

Ultimately, every one of us who live on the Central Coast has an opportunity and responsibility to create a sustainable future from which we can all benefit. Working together we can make a difference.

RESPONSIBLE

WE'RE A RESPONSIBLE COUNCIL AND COMMUNITY, COMMITTED TO BUILDING STRONG RELATIONSHIPS AND DELIVERING A GREAT CUSTOMER EXPERIENCE IN ALL OUR INTERACTIONS.

We value transparent and meaningful communication and use community feedback to drive strategic decision making and expenditure, particularly around the delivery of essential infrastructure projects that increase the safety, liveability and sustainability of our region. We're taking a strategic approach to ensure our planning and development processes are sustainable and accessible and are designed to preserve the unique character of the coast.

 **Good governance and great partnerships**

G2 Communicate openly and honestly with the community to build a relationship based on transparency, understanding, trust and respect

There are 5 themes, 12 focus areas and 48 objectives

COMMUNITY STRATEGIC PLAN 2018-2028 FRAMEWORK

All council reports contained within the Business Paper are now aligned to the Community Strategic Plan. Each report will contain a cross reference to a Theme, Focus Area and Objective within the framework of the Plan.

The infographic details the following structure:

- THEME: BELONGING**
 - Focus Area: OUR COMMUNITY (Objectives: A1, A2, A3, A4)
 - Focus Area: COMMUNITY CONNECTION AND LOCAL IDENTITY (Objectives: B1, B2, B3, B4)
- THEME: SMART**
 - Focus Area: A GROWING AND COMPETITIVE REGION (Objectives: C1, C2, C3, C4)
 - Focus Area: A PLACE OF OPPORTUNITY FOR PEOPLE (Objectives: D1, D2, D3, D4)
- THEME: GREEN**
 - Focus Area: ENVIRONMENTAL RESOURCES FOR THE FUTURE (Objectives: E1, E2, E3, E4)
 - Focus Area: INCREASED AND PROTECTED NATURAL BEAUTY (Objectives: F1, F2)
- THEME: RESPONSIBLE**
 - Focus Area: GOOD GOVERNANCE AND GREAT PARTNERSHIPS (Objectives: G1, G2, G3, G4)
 - Focus Area: BELIEVING ESSENTIAL INFRASTRUCTURE (Objectives: H1, H2, H3, H4)
 - Focus Area: BALANCED AND SUSTAINABLE DEVELOPMENT (Objectives: I1, I2, I3, I4)
- THEME: LIVEABLE**
 - Focus Area: BELIEVING PUBLIC TRANSPORT AND ECONOMIC LIVING (Objectives: J1, J2, J3, J4)
 - Focus Area: SAFE AND SOUND LIVING (Objectives: K1, K2, K3, K4)
 - Focus Area: BELIEVING LIFE IS GOOD FOR A THRIVING COMMUNITY (Objectives: L1, L2, L3, L4)



Meeting Notice

**The Ordinary Council Meeting
of Central Coast Council
will be held in the Council Chamber,
Level 1, 49 Mann Street, Gosford on
Monday 10 February 2020 at 6.30 pm,
for the transaction of the business listed below:**

1 Procedural Items

- 1.1 Disclosures of Interest 5
- 1.2 Confirmation of Minutes of Previous Meeting..... 7
- 1.3 Notice of Intention to Deal with Matters in Confidential Session50

2 Planning Reports

- 2.1 Supplementary Report - DA/569/2016/B - Shop 37/2-6 Warrigal Street,
The Entrance - Use of Shop 37 for Recreational Facility - Personal Fitness
Studio (Amended Application).....52

3 General Reports

- 3.1 Community Support Grant Program - November 2019.....82
- 3.2 Proposed Naming of Reserve - "Ashley Chapman" Reserve89
- 3.3 Community Safety Facilities Needs Assessment and Options Study
Report 102
- 3.4 Sports Facility Lighting 118
- 3.5 Meeting Record of the Playspaces Advisory Committee held on 19
December 2019..... 124
- 3.6 2019-20 Capital Works Program Status..... 134

4 Information Reports

- 4.1 Deferred Item - Response to Notice of Motion - Lower Wyong
Floodplain Risk Management Plan 156
- 4.2 Meeting Records of the Catchments and Coast Committee Tuggerah
Lakes held on 26 September 2019 and 7 November 2019 167
- 4.3 Meeting Record of the Gosford Foundation Trust Management
Committee held on 5 November 2019 175
- 4.4 Meeting Record of the Status of Women Advisory Group held on 3
December 2019..... 179
- 4.5 Investment Report for November 2019..... 183
- 4.6 Investment Report for December 2019 192

5 Answers To Questions On Notice

- 5.1 QON - Q216/18 - Subdivision of the Meadows Rd/Robina Parade,
Springfield 200

6 Questions With Notice

- 6.1 Questions with Notice 202
- Poisoning of Vegetation at Mazlin Reserve and Hockey Oval
 - Council planning staff attending monthly meetings of the UDIA
 - Correspondence to Minister for Planning, The Hon Rob Stokes re. Gosford submissions
 - Federal Sports Grants

7 Notices Of Motion

- 7.1 Notice of Motion - Liberty Swing at Mackenzie Reserve Budgewoi..... 207
- 7.2 Notice of Motion - Ward's equitable expenditure and \$20 Million Dollar Loss 209
- 7.3 Notice of Motion - Central Coast Council to Recognise the Work of Local Firefighters and Emergency Service Workers in Response to the Recent Bushfires..... 210
- 7.4 Notice of Motion - Long Term Water Security 212
- 7.5 Notice of Motion - Council to seek independent expert advice on Critical Level 2 Water Restrictions..... 214
- 7.6 Notice of Motion - Black summer fuel load reduction initiatives 218
- 7.7 Notice of Motion - Process for developing Council Strategies and Policies..... 220
- 7.8 Notice of Motion - Breakwall - Dredging - Now - Flood Risk Rising - Co Author Cr Bruce McLachlan and Cr Greg Best..... 222

8 Rescission Motions

- 8.1 Rescission Motion - DA/171/2019 - Proposed Secondary Dwelling - 292 Palmdale Road, Palmdale 227

9 Confidential Items

- 9.1 Meeting Records of the Crown Lands Negotiation Program Committee held on 23 July 2019 and 19 August 2019

Gary Murphy
Chief Executive Officer

Item No: 1.1
Title: Disclosures of Interest
Department: Governance



10 February 2020 Ordinary Council Meeting

Trim Reference: F2019/00041-003 - D13747888

Chapter 14 of the *Local Government Act 1993* ("LG Act") regulates the way in which the councillors and relevant staff of Council conduct themselves to ensure that there is no conflict between their private interests and their public functions.

Section 451 of the LG Act states:

- "(1) A councillor or a member of a council committee who has a pecuniary interest in any matter with which the council is concerned and who is present at a meeting of the council or committee at which the matter is being considered must disclose the nature of the interest to the meeting as soon as practicable.*
- (2) The councillor or member must not be present at, or in sight of, the meeting of the council or committee:*
 - (a) at any time during which the matter is being considered or discussed by the council or committee, or*
 - (b) at any time during which the council or committee is voting on any question in relation to the matter.*
- (3) For the removal of doubt, a councillor or a member of a council committee is not prevented by this section from being present at and taking part in a meeting at which a matter is being considered, or from voting on the matter, merely because the councillor or member has an interest in the matter of a kind referred to in section 448.*
- (4) Subsections (1) and (2) do not apply to a councillor who has a pecuniary interest in a matter that is being considered at a meeting, if:*
 - (a) the matter is a proposal relating to:*
 - (i) the making of a principal environmental planning instrument applying to the whole or a significant part of the council's area, or*
 - (ii) the amendment, alteration or repeal of an environmental planning instrument where the amendment, alteration or repeal applies to the whole or a significant part of the council's area, and*
 - (a1) the pecuniary interest arises only because of an interest of the councillor in the councillor's principal place of residence or an interest of another person*

1.1 Disclosures of Interest (contd)

(whose interests are relevant under section 443) in that person's principal place of residence, and

- (b) the councillor made a special disclosure under this section in relation to the interest before the commencement of the meeting.*

- (5) The special disclosure of the pecuniary interest must, as soon as practicable after the disclosure is made, be laid on the table at a meeting of the council and must:*
 - (a) be in the form prescribed by the regulations, and*
 - (b) contain the information required by the regulations."*

Further, the Code of Conduct adopted by Council applies to all councillors and staff. The Code relevantly provides that if a councillor or staff have a non-pecuniary conflict of interest, the nature of the conflict must be disclosed as well as providing for a number of ways in which a non-pecuniary conflicts of interests might be managed.

Recommendation

That Council and staff now disclose any conflicts of interest in matters under consideration by Council at this meeting.



Item No: 1.2
Title: Confirmation of Minutes of Previous Meeting
Department: Governance

10 February 2020 Ordinary Council Meeting

Trim Reference: F2019/00041-003 - D13747901
Author: Maggie Rowland, Councillor and Meeting Support Officer
Manager: Shane Sullivan, Unit Manager, Governance and Business Services
Executive: Dr Liz Develin, Director Governance

Summary

Confirmation of minutes of the Ordinary Meeting of the Council held on 9 December 2019 and the Extraordinary Meeting of Council held on 16 December 2019.

Recommendation

That Council confirm the minutes of the:

- ***Ordinary Meeting of Council held on 9 December 2019 and***
- ***Extraordinary Meeting of Council held on 16 December 2019.***

Attachments

- | | | |
|----------|--|-----------|
| 1 | MINUTES - Ordinary Meeting - 9 December 2019 | D13736164 |
| 2 | MINUTES - Extraordinary Meeting - 16 December 2019 | D13745652 |



Central Coast Council

Minutes of the Ordinary Meeting of Council

held in the Council Chamber
2 Hely Street, Wyong
on 9 December 2019

Present

Mayor Lisa Matthews and Councillors Greg Best, Jillian Hogan, Kyle MacGregor, Doug Vincent, Troy Marquart, Chris Burke, Chris Holstein, Bruce McLachlan, Jilly Pilon, Rebecca Gale, Louise Greenaway, Jeff Sundstrom, Richard Mehrtens and Jane Smith.

In Attendance

Gary Murphy (Chief Executive Officer), Jay Spare (Acting Director Roads, Transport, Drainage and Waste), Julie Vaughan (Director Connected Communities), Scott Cox (Director Environment and Planning), Dr Liz Develin (Director Governance), Jamie Loader (Director Water and Sewer), Ricardo Martello (Executive Manager Innovation and Futures) and Craig Norman (Chief Finance Officer).

The Mayor, Lisa Matthews, declared the meeting open at 6.58pm and advised in accordance with the Code of Meeting Practice that the meeting is being recorded.

The Mayor, Lisa Matthews read an acknowledgement of country statement.

Procedural Motion

Moved: *Mayor Matthews*

Seconded: *Councillor MacGregor*

Resolved

1220/19 *That in accordance with clause 10.24 of the Code of Meeting Practice Councillor speeches will be restricted to 2 minutes.*

For:
*Mayor Matthews, Councillor Holstein,
Vincent, Smith, Sundstrom, Mehrtens,
Hogan, MacGregor, Greenaway,
McLachlan, Gale and Burke*

Against:
Councillors Best, Pilon and Marquart

The Motion was put to the vote and declared CARRIED.

1.1 Disclosures of Interest

Item 3.2 - DA55285/2018 Residential Flat Building 145 Blackwall Road, Woy Woy

Councillor Gale declared a less than significant non pecuniary interest in the matter as she knows the applicant professionally.

Councillor MacGregor declared a less than significant non pecuniary interest in the matter as he knows one of the speakers in a professional capacity and he is a Joint Regional Planning Panel delegate.

This item was resolved by the exception method.

Item 3.3 DA 171/2019 - Proposed Secondary Dwelling 292 Palmdale Rd Palmdale

Councillor Greenaway declared a less than significant non pecuniary interest in the matter as she knows one of the speakers professionally. Councillor Greenaway chose to remain in the chamber and participate in discussion and voting as the conflict is minor and does not affect her ability to impartially discharge her public duty.

Councillor Sundstrom declared a less than significant non pecuniary interest in the matter as he has known a speaker for a number of years, through social and political circles. Councillor Sundstrom chose to remain in the chamber and participate in discussion and voting as he will make his deliberations solely based on the substance of the matter.

Councillor MacGregor declared a less than significant non pecuniary interest in the matter as he has known the speakers in a professional capacity. Councillor MacGregor chose to remain in the chamber and participate in the discussion and voting as the conflict does not prejudice or influence his decision making.

Item 3.4 - Planning Proposal No PP/90/2016 - Beaufort Road, Terrigal

Councillor Sundstrom declared a less than significant non pecuniary interest in the matter as he has a long standing personal and political association with one of the proponents.

Councillor Marquart declared a less than significant non pecuniary interest in the matter as he knows one of the applicants.

This item was resolved by the exception method.

Item 3.6 – Outcomes of Public Exhibition of draft Central Coast Local Environmental Plan and draft Central Coast Development Control Plan

Councillor McLachlan declared a less than significant non pecuniary interest in the matter as some of the speakers are known to him professionally. Councillor McLachlan chose to remain in the chamber and participate in discussion and voting as the matter is general and does not affect his decision making ability.

Item 4.3 - Response to Notice of Motion - Davistown Wetlands Acquisition

Councillor Holstein declared a significant non pecuniary interest in the matter as the owner of the property in question is the landlord of a relative's business premises.

This item was resolved by the exception method.

Item 4.9 - Gosford Regional Library and Innovation Hub

Councillor Holstein declared a pecuniary interest in the matter as the site of the proposed library is currently the location where he is casually employed.

This item was resolved by the exception method.

Item 5.6 - Fire Safety Report 40 Lake Haven Dr Kanwal

Councillor Vincent declared a less than significant non pecuniary interest in the matter as he is an ordinary member of Wyong Leagues Club.

This item was resolved by the exception method.

Item 8.2 - Deferred Item - Notice of Motion - The Missing Munmorah SK8Park

Councillor Hogan declared a significant non pecuniary interest in the matter as she is a representative on the Crown Lands Negotiation Program. Councillor Hogan left the chamber at 10.08pm, returning at 10.18pm and did not participate in discussion or voting.

Councillor MacGregor declared a significant non pecuniary interest in the matter on the basis that he is a member of the Crown Lands Negotiation Committee. Councillor MacGregor left the chamber at 10.08pm, returning at 10.18pm and did not participate in discussion or voting.

Councillor Holstein declared a significant non pecuniary interest in the matter on the basis that he is a member of the Crown Lands Negotiation Programs Committee. Councillor Holstein left the meeting at 10.08pm and did not return.

Mayor Matthews declared a significant non pecuniary interest in the matter on the basis that she is a member of the Crown Lands Negotiation Programs Committee. Mayor Matthews left the chamber at 10.08pm, returning at 10.18pm and did not participate in discussion or voting.

Item 8.5 - Notice of Motion - Central Coast Group Training Lease Briefing

Councillor Gale, Burke, Pilon, McLachlan and Marquart declared a significant non pecuniary interest in the matter as she knows an individual on the Board of Central Coast Group Training.

Councillor Best declared a pecuniary interest in the matter as he is the General Manager of Central Coast Group Training.

This item was resolved by the exception method.

Item 8.6 - Notice of Motion - Wallarah 2 Progress Report

Councillor Best declared a pecuniary interest in the matter as the organisation he works for manages a Wallarah 2 scholarship program. Councillor Best left the chamber at 10.59pm, returning at 11.16pm and did not participate in discussion or voting.

Item 9.1 - Rescission Motion - DA/288/2018 Section 8.2 Review of Determination Proposed Short Term Rental Accommodation at 18 Soldiers Point Drive, Norah Head

Councillor Best declared a pecuniary interest in the matter as he owns property in close proximity to the DA in question. Councillor Best left the chamber at 12.03am, returning at 12.12am did not participate in discussion or voting.

Moved: Councillor Best
Seconded: Councillor Gale

Resolved

1221/19 That Council receive the report on Disclosure of Interest and note advice of disclosures.

For:
Unanimous

1.2 Confirmation of Minutes of Previous Meeting

Moved: Councillor Hogan
Seconded: Councillor MacGregor

Resolved

1222/19 That Council confirm the minutes of the Ordinary Meeting of Council held on 25 November 2019.

For: Mayor Matthews, Councillor Best, Holstein, Smith, Sundstrom, Mehrtens, Hogan, MacGregor, Greenaway, McLachlan, Gale, Pilon, Burke and Marquart	Abstained: Councillor Vincent
--	--

1.3 Notice of Intention to Deal with Matters in Confidential Session

Moved: Councillor MacGregor
Seconded: Councillor Hogan

Resolved

1223/19 That Council receive the report and note that no matters have been tabled to deal with in a closed session.

For:

Unanimous

Procedural Motion – Exception

Moved: Councillor MacGregor

Seconded: Councillor Hogan

Resolved

1224/19 That Council adopt the following items as a group and in accordance with the report recommendations:

Item #	Item Title
2.1	Mayoral Minute - Donation for NSW Drought Relief
2.2	Mayoral Minute – Consultation on Development Proposals in the Gosford CBD and State Significant Applications for which Council is not the Consent Authority
3.2	DA55285/2018 Residential Flat Building 145 Blackwall Road, Woy Woy
3.4	Planning Proposal No PP/90/2016 - Beaufort Road, Terrigal
3.5	Gosford Central Business District Heritage Interpretation Strategy - Results of Public Consultation
4.1	Deferred Item - Fraud and Corruption Control Policy
4.3	Response to Notice of Motion - Davistown Wetlands Acquisition
4.4	Response to Notice of Motion – Reclassification
4.5	Councillor Expenses and Facilities Report as at 30 October 2019
4.6	1A Lucca Road, Wyong
4.8	Gosford Cultural Precinct - Erina Street, Gosford
4.9	Gosford Regional Library and Innovation Hub
4.10	Wyong River Streambank Rehabilitation Project
4.11	Acquisition of Private Land for Environmental Purposes
4.12	Acquisition of Land at Orana Road Gwandalan for Road
4.13	Progress of Actions of the Destination Management Plan 2018-2021
5.4	Meeting Record of the Protection of the Environment Trust Management Committee held on 5 November 2019

Item #	Item Title
5.5	Meeting Record of the Town Centre Advisory Committee held on 29 October 2019
5.6	Fire Safety Report 40 Lake Haven Dr Kanwal
5.7	Somersby to Erina Corridor Strategy
5.8	Activities of the Development Assessment & Environment and Certification Units - July to September 2019 - Quarter 1
8.5	Notice of Motion - Central Coast Group Training Lease Briefing
8.9	Notice of Motion - Request from Proposals from Minister Kean (Councillor Smith)

1225/19 *That with the exception of the reports listed below, Council adopt the recommendations contained in the reports listed above:*

Item #	Item Title
3.1	Supplementary Report - DA 708/2018 - Multi Dwelling Housing Comprising 54 Dwellings & Community Title Subdivision at 7 Stratford Ave Charmhaven
3.3	DA 171/2019 - Proposed Secondary Dwelling 292 Palmdale Rd Palmdale
3.6	Outcomes of Public Exhibition of draft Central Coast Local Environmental Plan and draft Central Coast Development Control Plan
4.2	After Hours Call Centre Service - Alternative Service Delivery Models
4.3	Response to Notice of Motion - Davistown Wetlands Acquisition
4.7	Gosford Cultural Precinct - Decline Tenders
5.1	Deferred Item - 2019 Election Commitments - Progress Update
5.2	Deferred Item - Meeting Record of the Social Inclusion Advisory Committee held on 24 October 2019
8.1	Deferred Item - Notice of Motion - Redress Scheme
8.2	Deferred Item - Notice of Motion - The Missing Munmorah SK8Park
8.3	Notice of Motion - Closure of the Iconic Entrance Boatshed
8.4	Notice of Motion - End of Year Thank You to Staff
8.6	Notice of Motion - Wallarah 2 Progress Report
8.7	Notice of Motion - Domestic and Family Violence
8.8	Notice of Motion - Inclusion of Park on Tuggerawong Hall Site Adjacent to Tuggerawong Pathway
8.10	Notice of Motion - Terms of Reference and Reviewers for the WAR Act Review

Item #	Item Title
9.1	Rescission Motion - DA/288/2018 Section 8.2 Review of Determination Proposed Short Term Rental Accommodation at 18 Soldiers Point Drive, Norah Head
9.2	Rescission Motion - Deferred Item - Notice of Motion - Water Security Emergency

For:
Unanimous

Procedural Motion - Deferral

Moved: Mayor Matthews
Seconded: Councillor Greenaway

Resolved

1226/19 That Council defer consideration of item 5.3 – Response to Notice of Motion - Lower Wyong Floodplain Risk Management Plan to the 10 February 2020 Ordinary Meeting.

For:
Unanimous

The meeting was adjourned at 7.36pm, resuming at 8.06pm.

2.1 Mayoral Minute - Donation for NSW Drought Relief

This item was resolved by the exception method.

Moved: Councillor MacGregor
Seconded: Councillor Hogan

Resolved

1227/19 That Council request the Chief Executive Officer donate \$10,000 to the Country Women's Association of NSW (CWA) Disaster Relief Fund in support of the NSW drought effort from the organisation's consultancy budget.

1228/19 That Council request the Chief Executive Officer to investigate opportunities to promote 'Buy from the Bush' and encourage tourism to regional and rural areas to help the economies of drought and bushfire affected Councils via Council's communications channels.

- 1229/19** *That Council acknowledge staff and community efforts to donate to charities and organisations supporting drought-affected communities.*
- 1230/19** *That Council acknowledge the efforts of Central Coast Council to provide water trucks to drought-affected communities in the Hunter and Upper Hunter.*
- 1231/19** *That Council request the Chief Executive Officer to provide any available in-kind support to firefighting efforts, bushfire relief and post-emergency clean-up such as more water trucks, other council service vehicles and staff.*

For:

Unanimous

2.2 Mayoral Minute - Gosford Submissions

This item was resolved by the exception method.

Moved: **Councillor MacGregor**

Seconded: **Councillor Hogan**

Resolved

- 1232/19** *That Council note the submissions made by Council staff on;*
- *The Kibbleplex/Lederer Group Proposal (SSD-9813 136-146-148 — Donnison Street, Gosford); and*
 - *The St Hilliers Property Proposal (SSD-10114 – 26-32 Mann Street – Old Gosford Primary School site).*
 - *The Central Coast Leagues Club Redevelopment – Concept Application, SSD 10374*
- 1233/19** *That Council note that whilst the Council is supportive of the revitalisation of Gosford through appropriate development, these proposals are considered to be large, complex and significant proposals in the Gosford CBD that require careful consideration.*
- 1234/19** *That Council note that Council was consulted on both development proposals at the same time as well as a Secretary's Environmental Assessment Request for the Central Coast Leagues Club Redevelopment - Concept Application (SSD 10374). Whilst Council officers made a request for an extension to the consultation period in order to permit an adequate assessment by staff and appropriate engagement with Councillors on all three developments, the extension of time granted for submissions was still inadequate.*
- 1235/19** *That Council request that the Mayor, as a matter of urgency, write to the Minister for Planning, The Hon Rob Stokes:*

- a) **requesting that alternate timeframes and referral processes be established in consultation with Council, especially given the short timeframe for comment, the complexity/scale of the proposals, the wide range of disciplines that are required to be considered and in order to allow appropriate engagement with the Council and the community.**
- b) **Formally objecting to the proposals based on the submissions prepared by Council staff.**

1236/19 That Council require every development application lodged with the Department of Planning, Industry and Environment under the State Environmental Planning Policy (Gosford City Centre) and State Environmental Planning Policy (State and Regional Development) be determined by an Independent Planning Commission to ensure complete independence of the planning system.

For:

Unanimous

**3.1 Supplementary Report - DA 708/2018 - Multi Dwelling Housing
Comprising 54 Dwellings & Community Title Subdivision at 7 Stratford
Ave Charmhaven**

Moved: Councillor Best
Seconded: Councillor Vincent

- 1 *That Council grant consent subject to the conditions detailed in the schedule attached to the report and having regard to the matters for consideration detailed in Section 4.15 of the Environmental Planning and Assessment Act 1979 and other relevant issues.*
- 2 *That Council advise those who made written submissions of its decision.*

Amendment Moved: Councillor Greenaway
Amendment Seconder: Councillor Hogan

- 1 *That Council grant consent subject to the conditions detailed in the schedule attached and having regard to the matters for consideration detailed in Section 4.15 of the Environmental Planning and Assessment Act 1979 and other relevant issues.*
- 2 *That Council advise those who made written submissions of its decision.*
- 3 *That Council include the following additional condition of consent;*

Condition (Prior to Release of Subdivision Certificate)

The Community Management Statement for the proposed subdivision shall contain a public authority by-law that protects the rights of residents to park in a stacked parking arrangement on the hardstand driveways within the development. The Community

Management Statement shall ensure that this by-law can only be amended or revoked with the consent of council AND by a special resolution of the community association. Proposed wording of the public authority by-law shall be provided to Council for approval prior to release of the subdivision certificate.

Amendment For:

Mayor Matthews, Councillors Smith, Vincent, Sundstrom, Mehrtens, Hogan, MacGregor and Greenaway

Amendment Against:

Councillors Best, Holstein, McLachlan, Gale, Pilon, Burke and Marquart

The Amendment was put to the vote and declared CARRIED, thereby becoming the Motion.

Moved: **Councillor Greenaway**

Seconder: **Councillor Hogan**

Resolved

1237/19 ***That Council grant consent subject to the conditions detailed in the schedule attached and having regard to the matters for consideration detailed in Section 4.15 of the Environmental Planning and Assessment Act 1979 and other relevant issues.***

1238/19 ***That Council advise those who made written submissions of its decision.***

1239/19 ***That Council include the following additional condition of consent;***

Condition (Prior to Release of Subdivision Certificate)

The Community Management Statement for the proposed subdivision shall contain a public authority by-law that protects the rights of residents to park in a stacked parking arrangement on the hardstand driveways within the development.

The Community Management Statement shall ensure that this by-law can only be amended or revoked with the consent of council AND by a special resolution of the community association. Proposed wording of the public authority by-law shall be provided to Council for approval prior to release of the subdivision certificate.

For:

Unanimous

3.2 DA55285/2018 Residential Flat Building 145 Blackwall Road, Woy Woy

Councillor Gale declared a less than significant non pecuniary interest in the matter as she knows the applicant professionally.

Councillor MacGregor declared a less than significant non pecuniary interest in the matter as he knows one of the speakers in a professional capacity and he is a Joint Regional Planning Panel delegate.

This item was resolved by the exception method.

Moved: Councillor MacGregor
Seconded: Councillor Hogan

Resolved

1240/19 That Council grant consent subject to the conditions detailed in the schedule attached to the report and having regard to the matters for consideration detailed in Section 4.15 of the Environmental Planning and Assessment Act 1979 and other relevant issues.

1241/19 That Council advise those who made written submissions of its decision.

For:
Unanimous

3.3 DA 171/2019 - Proposed Secondary Dwelling 292 Palmdale Rd Palmdale

Councillor Greenaway declared a less than significant non pecuniary interest in the matter as she knows one of the speakers professionally. Councillor Greenaway chose to remain in the chamber and participate in discussion and voting as the conflict is minor and does not affect her ability to impartially discharge her public duty.

Councillor Sundstrom declared a less than significant non pecuniary interest in the matter as he has known a speaker for a number of years, through social and political circles. Councillor Sundstrom chose to remain in the chamber and participate in discussion and voting as he will make his deliberations solely based on the substance of the matter.

Councillor MacGregor declared a less than significant non pecuniary interest in the matter as he has known the speakers in a professional capacity. Councillor MacGregor chose to remain in the chamber and participate in the discussion and voting as the conflict does not prejudice or influence his decision making.

Moved: Councillor Greenaway
Seconded: Councillor MacGregor

That Council defer consideration of this item to allow assessment of the following key points;

- *Issues included in the presentation provided by the speaker during the public forum.*
- *The application does not comply with the Water Management Act 2000 and the Water Management Regulations 2018 in that development activities are located within waterfront land in that:*
 - *the Asset Protection Zone is located within the bank of a fourth order stream. Such land use is prohibited in the bed or bank of a stream; and*

- *the dwelling is located between 6 and 15 metres from the top of bank of a fourth order stream. The required distance from the top of bank is 40 metres for a fourth order stream.*
- *The application does not comply with the Environmental Planning and Assessment Act 1979 in that it does not recognise or adequately assess the potential direct and indirect impacts on the natural environment.*
- *The application does not comply with the Biodiversity Conservation Act 2016 and the Biodiversity Conservation Regulation 2017 in that:*
 - *the Asset Protection Zone is located within the mapped Biodiversity Values layer and thus the Biodiversity Offsets Scheme is triggered, requiring the preparation of a Biodiversity Development Assessment Report in accordance with the Biodiversity Assessment Method 2017. No such assessments have been provided;*
 - *the flora assessment provided as supporting documentation does not comply with the biodiversity assessment requirements as it does not adequately consider fauna, fails to recognise native vegetation as anything other than trees, does not demonstrate how biodiversity impacts have been avoided, and does not properly assess the full range of direct and potential indirect impacts such as failure of the effluent disposal area.*
- *The application does not comply with WDCP 2013 in that:*
 - *the proposed effluent disposal areas are located within 9 and 22 metres from the top of bank of the watercourse, while the control calls for a distance of 100 metres. The variation of 91 metres or 91% is deemed a high risk on-site system; and*
 - *the required side setbacks for an effluent disposal area are not observed. The proposed 1.5 metre setback has the potential to significantly impact on the neighbour's amenity.*
- *The application is not in the public interest in that:*
 - *it will create an expectation that similar non-compliance with Council's planning controls is acceptable; and*
 - *there is an unacceptable potential for impacts to important and sensitive environments.*

*For:
Councillors Holstein, Smith, Vincent,
Sundstrom, Hogan, MacGregor and
Greenaway*

*Against:
Mayor Matthews, Councillors Best,
Mehrtens, McLachlan, Gale, Pilon, Burke
and Marquart*

The Motion was put to the vote and declared LOST. The foreshadowed Motion was then put.

Moved: Councillor Mehrtens
Seconded: Mayor Matthews

Resolved

1242/19 That Council grant consent subject to the conditions detailed in the schedule attached to the report and having regard to the matters for consideration detailed in Section 4.15 of the Environmental Planning and Assessment Act 1979 and other relevant issues.

1243/19 That Council advise those who made written submissions of its decision.

For:
Mayor Matthews, Councillors Best,
Mehrtens, McLachlan, Gale, Pilon, Burke
and Marquart

Against:
Councillors Holstein, Smith, Vincent,
Sundstrom, Hogan, MacGregor and
Greenaway

The Motion was put to the vote and declared CARRIED.

3.4 Planning Proposal No PP/90/2016 - Beaufort Road, Terrigal

Councillor Sundstrom declared a less than significant non pecuniary interest in the matter as he has a long standing personal and political association with one of the proponents.

Councillor Marquart declared a less than significant non pecuniary interest in the matter and he knows one of the applicants.

This item was resolved by the exception method.

Moved: Councillor MacGregor
Seconded: Councillor Hogan

Resolved

1244/19 That Council supports the Planning Proposal as exhibited to rezone Lot 5, DP 207799, Lots 1022 and Lot 1023 DP 1054632 Beaufort Road, Terrigal to R2 Low Density Residential with a minimum lot size of 650m² under Gosford Local Environmental Plan 2014 or the Central Coast Local Environmental Plan (whichever is in effect);

1245/19 That Council request the Secretary of the Department of Planning, Industry and Environment to concur that the inconsistency of the Planning Proposal with the s9.1 Ministerial Direction 4.3 Flood Prone Land be considered of minor significance for the reasons outlined in this report;

1246/19 That Council request, upon the receipt of concurrence requested by resolution 2, the Chief Executive Officer to exercise the delegation issued by the Department of Planning, Industry and Environment for Planning Proposal (PP_2017_CCOAS_004_00; PP/90/2016) to proceed with the steps for drafting and making of Amendment No. 37 to Gosford Local

Environmental Plan 2014 or an amendment to the Central Coast Local Environmental Plan (whichever is in effect);

1247/19 ***That Council advise all those who made a submission of the decision;***

1248/19 ***That Council adopt Chapter 5.23 Beaufort Road Terrigal (Attachment 2) as:***

a ***A new chapter within Gosford Development Control Plan 2013, or as new Chapter 5.55 within the Central Coast Development Control Plan (whichever is in effect), which shall come into effect upon notification of the plan.***

b ***Be amended as per the following items outlined in response to the exhibition period incorporating the following changes:***

- **Addition of objectives and controls regarding flooding, water sensitive urban design, bushfire and Aboriginal heritage.**
- **Including additional and expanded requirements for Council to consider**
- **at the DA stage which include management/ownership arrangements of riparian vegetation, drainage channel design, servicing, access and footpath connections.**
- **Minor alterations to wording, terminologies and references to make the DCP clearer and to better reflect objectives.**

1249/19 ***That Council publish a public notice of its decision regarding the adoption of the Development Control Plan within 28 days.***

1250/19 ***That Council provide the Planning Secretary with a copy of the Development Control Plan within 28 days.***

For:

Unanimous

3.5 Gosford Central Business District Heritage Interpretation Strategy - Results of Public Consultation

This item was resolved by the exception method.

Moved: ***Councillor MacGregor***

Seconded: ***Councillor Hogan***

Resolved

1251/19 ***That Council adopt the amended draft Gosford Central Business District Heritage Interpretation Strategy (Attachment 1) including the following amendments in response to the Public Exhibition as follows:***

- **More detailed information on the role of the Strategy and its implementation.**
- **The inclusion of additional interpretation projects such as the Aboriginal Astronomy Light Installation.**
- **Corrections to errors identified in the histories and stories.**
- **Inclusion of additional information on local Aboriginal culture and traditions.**
- **Increased interpretation within the south Mann Street area of Gosford.**
- **Updated recognition of additional consultation and engagement.**

1252/19 That Council request the Chief Executive Officer to incorporate the projects identified in the Implementation Phases and Costings section of the Strategy into future Delivery Programs and Operational Plans.

1253/19 That Council request the Chief Executive Officer to explore additional external funding sources such as community and State Agency grants.

1254/19 That Council encourage and assist local businesses and community groups to seek funding to implement some of the identified interpretation projects.

1255/19 That Council advise all those that made a submission of Council's decision.

For:

Unanimous

3.6 Outcomes of Public Exhibition of draft Central Coast Local Environmental Plan and draft Central Coast Development Control Plan

Councillor McLachlan declared a less than significant non pecuniary interest in the matter as some of the speakers are known to him professionally. Councillor McLachlan chose to remain in the chamber and participate in discussion and voting as the matter is general and does not affect his decision making ability.

Moved: Councillor Smith

Seconded: Councillor MacGregor

Resolved

1256/19 That Council defer consideration of this item until February 2020 to allow for the following:

- a That the Chief Executive Officer seek legal advice regarding the ability of Council to rezone the current deferred matters that are not public lands, to an equivalent environmental zone as an interim measure, whilst the Environmental Lands Review project is undertaken.**

- b That the Chief Executive Officer provide an updated table comparing proposed changes with the former Gosford and Wyong LEPs and DCPs, referencing the clauses in the relevant instruments.**

- c That the Chief Executive Officer provide a written briefing to Councillors about the Environmental and Urban Edge Review (EUEZR) including an outline and timeline of the process since commencement.**

For:
Unanimous

4.1 Deferred Item - Fraud and Corruption Control Policy

This item was resolved by the exception method.

Moved: Councillor MacGregor
Seconded: Councillor Hogan

Resolved

1257/19 That Council adopt the Central Coast Council Policy for Prevention of Fraud and Corruption as set out in Attachment 1 to this report, noting that it will form part of Council's Fraud and Corruption Control Framework.

For:
Unanimous

4.2 After Hours Call Centre Service - Alternative Service Delivery Models

Moved: Councillor Best
Seconded: Councillor Holstein

That Council commence the tender process for the After Hours Call Centre Service, as noted for Model 2.

Amendment Moved: Councillor Vincent
Amendment Seconded: Councillor Sundstrom

That Council defer this report for consideration, to allow time for a Councillor Briefing to be held prior to 24 February 2020.

Amendment For:	Amendment Against:
<i>Mayor Matthews, Councillors Smith, Vincent, Sundstrom, Mehrtens, Hogan, MacGregor, Greenaway and Burke</i>	<i>Councillors Best, Holstein, McLachlan, Gale, Pilon and Marquart</i>

The Amendment was put to the vote and declared CARRIED, thereby becoming the Motion.

Moved: *Councillor Vincent*
Seconded: *Councillor Sundstrom*

Resolved

1258/19 *That Council defer this report for consideration, to allow time for a Councillor Briefing to be held prior to 24 February 2020.*

For: <i>Mayor Matthews, Councillors Smith, Vincent, Sundstrom, Mehrrens, Hogan, MacGregor, Greenaway and Burke</i>	Against: <i>Councillors Best, Holstein, McLachlan, Gale, Pilon and Marquart</i>
--	---

The Motion was put to the vote and declared CARRIED.

4.3 Response to Notice of Motion - Davistown Wetlands Acquisition

Councillor Holstein declared a significant non pecuniary interest in the matter as the owner of the property in question is the landlord of a relative's business premises.

This item was resolved by the exception method.

Moved: *Councillor MacGregor*
Seconded: *Councillor Hogan*

Resolved

1259/19 *That Council receive the report on Davistown Wetlands Acquisition.*

For:
Unanimous

4.4 Response to Notice of Motion - Reclassification

This item was resolved by the exception method.

Moved: *Councillor MacGregor*
Seconded: *Councillor Hogan*

Resolved

1260/19 *That Council propose to reclassify the following land from operational to community land ('Proposed Community Land):*

- *2-18 Newbridge Road, Berkeley Vale*
- *38W Wombat Street and 19W Marlborough Place, Berkeley Vale*
- *151W – 153W Wyong Road, Berkeley Vale*
- *75 Panorama Avenue, Charmhaven*
- *2W Bundeena Road, Glenning Valley*

- **13W Palm Springs Avenue, Glenning Valley**
- **30W and 32 Sandra Street, Jilliby**
- **231 Hue Hue Road, Jilliby**
- **1W Merro Close, Lake Haven**
- **105W Woodbury Park Drive, Mardi**
- **50 Wilfred Barrett Drive, Norah Head**
- **60W Burns Road, Ourimbah**
- **40W Coachwood Drive, Ourimbah**
- **1 Teralba Street and 1W Pacific Highway, Ourimbah**
- **102W Yermaba Road, Summerland Point**
- **7 Wyong Road, Tuggerah**
- **11W Molsten Avenue, Tumbi Umbi**
- **1W Britannia Drive Watanobbi**

1261/19 That Council give public notice of the proposed resolution to reclassify the Proposed Community Land from operational to community land in accordance with s.34 Local Government Act.

1262/19 That on completion of the public notification process, Council approval is sought to reclassify the Proposed Community Land from operational to community land and, if necessary, to prepare a planning proposal to remove the Proposed Community Land from Schedule 4 of Wyong Local Environmental Plan.

1263/19 That Council propose to reclassify the following properties from operational to community land but that public notice of the proposed resolution is not given until after a Plan of Management has been adopted by Council in relation to those properties:

- **Chittaway Point Hall, 72-76 Geoffrey Rd, Chittaway Point**
- **Chittaway Bay Hall and oval 91 Chittaway Rd, Chittaway Bay**
- **1-3 Berkeley Road, Berkeley Vale**
- **36-38 Kitchener Road, Long Jetty**
- **1W Wolseley Avenue, Tacoma**
- **7W Sir Joseph Banks Drive, Bateau Bay**
- **19-21 and 29 Keren Avenue, Berkeley Vale**
- **15W Footts Road, Ourimbah**
- **8 Titania Avenue, Tuggerah**
- **375 Pacific Highway Wyong**
- **40-50 Pollock Avenue Wyong**
- **The Tuggerawong Hall site, 326 Tuggerawong Road Tuggerawong**

1264/19 That the following properties remain classified as operational land:

- **23 Shirley Street, Ourimbah**
- **309 Old Maitland Road, Mardi**
- **10 Summerland Road, Summerland Point**

For:

Unanimous

4.5 Councillor Expenses and Facilities Report as at 30 October 2019

This item was resolved by the exception method.

Moved: Councillor MacGregor

Seconded: Councillor Hogan

Resolved

1265/19 That Council receive the report on Councillor Expenses and Facilities Report as at 30 October 2019.

For:

Unanimous

4.6 1A Lucca Road, Wyong

This item was resolved by the exception method.

Moved: Councillor MacGregor

Seconded: Councillor Hogan

Resolved

1266/19 That Council endorse the budget adjustment of \$60,000 for the design and construction of a sewer connection to 1A Lucca Road, Wyong (Lot 24 in DP 1220033).

1267/19 That Council endorse the sale of the operational Council owned land at 1A Lucca Road, Wyong (Lot 24 in DP 1220033) as an englobo development parcel through a competitive sales and marketing campaign, provided the sale price is not less than the independent valuation.

1268/19 That Council resolve, pursuant to section 11(3) of the Local Government Act 1993, that Attachment 4 to this report remain confidential in accordance with section 10A(2)(d) of the Local Government Act as it contains commercial information of a confidential nature that would, if disclosed would confer a commercial advantage on a competitor of the Council and because consideration of the matter in open Council would on balance be contrary to the public interest as it would affect Councils ability to obtain value for money services for the Central Coast community.

For:

Unanimous

4.7 Gosford Cultural Precinct - Decline Tenders

Moved: Councillor Best
Seconded: Councillor Marquart

Resolved

1269/19 That Council request the Chief Executive Officer to decline all tenders in relation to the Gosford Cultural Precinct Project Director under Section 55(3)(i) of the Local Government Act 1993 as resolved in Resolution No 926/19 of the Ordinary Meeting of Council dated 25 September 2019 relating to the withdrawal of the Gosford Cultural Precinct.

1270/19 That Council direct the Chief Executive Officer to notify the relevant tenderers in relation to the decision to withdraw the Gosford Cultural Precinct.

For:
Unanimous

4.8 Gosford Cultural Precinct - Erina Street, Gosford

This item was resolved by the exception method.

Moved: Councillor MacGregor
Seconded: Councillor Hogan

Resolved

1271/19 That Council's representatives notify the Vendor's Representatives that it will cease all discussions relating to the proposed purchase of 135-137 Erina Street East, Gosford.

1272/19 That Council resolve that resolutions 511/19, 552/19 and 553/19 noted within Actions' Ordinary Meeting minutes are no longer pursued for the reasons set out in this report.

1273/19 That Council resolve, pursuant to s10A(2)(c) of the Local Government Act 1993, that Attachment 1 to this report remain confidential as it contains information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

For:
Unanimous

4.9 Gosford Regional Library and Innovation Hub

Councillor Holstein declared a pecuniary interest in the matter as the site of the proposed library is currently the location where he is casually employed.

This item was resolved by the exception method.

Moved: Councillor MacGregor

Seconded: Councillor Hogan

Resolved

1274/19 That Council direct the Chief Executive Officer to proceed to engage required consultants necessary for the development of full documentation suitable for statutory submissions and calling of construction tenders for the Regional Library.

1275/19 That Council request the Chief Executive Officer provide a further report be submitted prior to the submission of Development Application.

1276/19 That Council request the Chief Executive Officer to provide 12 months written notice to the current tenants of the Parkside building to provide vacant possession effective December 2020.

1277/19 That Council approve \$1,115,000.00 from the current Gosford Cultural Precinct budget allocation 2019/20 to be repurposed for the design and Development Application stage of the Regional Library.

1278/19 That Council resolve, for the purposes of s.11(3) of the Local Government Act 1993, that Attachment 2 is to be treated and remain as confidential because these documents contain information that would, if disclosed confer a commercial advantage on a person with whom Council is conducting (or proposing to conduct) business and because consideration of the matter in open Council would on balance be contrary to the public interest as it would affect Councils ability to obtain value for money services for the Central Coast community.

For:

Unanimous

4.10 Wyong River Streambank Rehabilitation Project

This item was resolved by the exception method.

Moved: Councillor MacGregor

Seconded: Councillor Hogan

Resolved

1279/19 That Council approve the works detailed in Attachment 1 to this report, to be carried out at: Lot 42 DP75527, No. 33 Dunks Lane Jilliby under the continued implementation of the Tuggerah Lakes Estuary Management Plan.

1280/19 That Council note that all works are to be at no cost to the property owner, or Council being fully funded by the Department of Industry, Innovation and Environment, Department of the Environment and Energy "Improving Your Local Parks and Environment" grant.

For:

Unanimous

4.11 Acquisition of Private Land for Environmental Purposes

This item was resolved by the exception method.

Moved: Councillor MacGregor

Seconded: Councillor Hogan

Resolved

1281/19 That Council acquire the land below by private treaty known as:

- **Lot 137 DP 1128053 at 100 Lake Road, Tuggerah (the Land);**
- **Lot 4, 5, 6 DP 255846 at 1856 Thompson Vale Road, Doyalson (the Land); and**
- **Lot 105 DP 791039 at 5 Eric Malouf Close, Tumby Umbi (the Land)**

1282/19 That the purchase price for the acquisition of the land be negotiated based on an assessment of the market values of the land by a qualified Valuer.

1283/19 That Council authorise the Common Seal of Central Coast Council to be affixed to the documents necessary to acquire the land including but not limited to any Transfer or Contract.

1284/19 That Council authorise the Mayor and the Chief Executive Officer to execute all documents necessary to acquire the Land including but not limited to any Transfer or Contract.

1285/19 That Council resolve, pursuant to section 11(3) of the Local Government Act 1993, that Attachments 4, 5 & 6 to this report remain confidential in accordance with section 10A(2)(d) of the Local Government Act as it contains commercial information of a confidential nature that would, if disclosed would confer a commercial advantage on a competitor of the Council and because consideration of the matter in open Council would on balance be contrary to the public interest as it would affect Councils

ability to obtain value for money services for the Central Coast community.

**For:
Unanimous**

4.12 Acquisition of Land at Orana Road Gwandalan for Road

This item was resolved by the exception method.

**Moved: Councillor MacGregor
Seconded: Councillor Hogan**

Resolved

- 1286/19 That Council resolve to acquire the following land for the purpose of road widening.**
- 1287/19 That part of Lot 27 DP Section 6 DP27782 highlighted in yellow in the plan in Attachment 1 at 52 Orana Road, Gwandalan ('Land').**
- 1288/19 That Council authorise the Chief Executive Officer to execute all necessary documentation relevant to the acquisition of the land.**
- 1289/19 That Council resolve to acquire all or some of the portions comprising the land by compulsory process for the purposes of a road, pursuant to Section 177 of the Roads Act 1993 and in accordance with the requirements of the Land Acquisition (Just Terms Compensation) Act 1991, in the event that negotiations for the acquisition of all or some of the portions comprising the Land with the relevant property owner or owners cannot be satisfactorily resolved.**
- 1290/19 That Council resolve to make an application to the Minister for Local Government and the Governor for approval to acquire all or some of the portions comprising the Land by compulsory process pursuant to the Land Acquisition (Just Terms Compensation) Act 1991, in the event that negotiations for the acquisition of the land with the relevant property owner or owners cannot be satisfactorily resolved.**

**For:
Unanimous**

4.13 Progress of Actions of the Destination Management Plan 2018-2021

This item was resolved by the exception method.

**Moved: Councillor MacGregor
Seconded: Councillor Hogan**

Resolved

1291/19 *That Council receive the report and Attachment 1 on the Progress of Actions of the Destination Management Plan 2018-2021.*

1292/19 *That Council receive a further report on the progress of the Destination Management Plan in twelve months.*

For:

Unanimous

5.1 **Deferred Item - 2019 Election Commitments - Progress Update**

Councillor Best left the chamber at 9.42pm and did not vote.

Moved: **Councillor Smith**

Seconded: **Councillor MacGregor**

Resolved

1293/19 *That Council receive the report on 2019 Election Commitments – Progress Update.*

1294/19 *That Council request the Chief Executive Officer write to the appropriate Government representative seeking clarification on funding commitments including timeframes and procedures to formalise funding commitments.*

1295/19 *That the next Election Commitments Progress update (February 2020) include correspondence and timeframes, procedures and status.*

For:

Unanimous

5.2 **Deferred Item - Meeting Record of the Social Inclusion Advisory Committee held on 24 October 2019**

Councillor Best returned to the chamber at 9.43pm during consideration of this item.

Moved: **Councillor Marquart**

Seconded: **Councillor MacGregor**

Resolved

1296/19 *That Council receive the report on Deferred Item - Meeting Record of the Social Inclusion Advisory Committee held on 24 October 2019.*

For:

Unanimous

5.3 Response to Notice of Motion - Lower Wyong Floodplain Risk Management Plan

Council deferred the consideration of item 5.3 to the Ordinary Meeting to be held on 10 February 2020 (minute 1226/19).

5.4 Meeting Record of the Protection of the Environment Trust Management Committee held on 5 November 2019

This item was resolved by the exception method.

Moved: **Councillor MacGregor**

Seconded: **Councillor Hogan**

Resolved

1298/19 That Council note the Meeting Record of the Protection of the Environment Trust Management Committee held on 5 November 2019.

For:

Unanimous

5.5 Meeting Record of the Town Centre Advisory Committee held on 29 October 2019

This item was resolved by the exception method.

Moved: **Councillor MacGregor**

Seconded: **Councillor Hogan**

Resolved

1299/19 That Council receive the report on Meeting Record of the Town Centre Advisory Committee held on 29 October 2019 .

For:

Unanimous

5.6 Fire Safety Report 40 Lake Haven Dr Kanwal

Councillor Vincent declared a less than significant non pecuniary interest in the matter as he is an ordinary member of Wyong Leagues Club.

This item was resolved by the exception method.

Moved: **Councillor MacGregor**

Seconded: **Councillor Hogan**

Resolved

- 1300/19** *That Council note that the club is actively assisting staff to ensuring that an adequate level of fire safety is afforded to building occupants, inclusive of the carrying out of works to rectify any identified deficiency;*
- 1301/19** *That Council resolve to not exercise its power to issue an order 1 under Part 2 of Schedule 5 of the Environmental Planning and Assessment Act 1979 with respect to the matters raised within the fire safety inspection report received from Fire and Rescue NSW; at this time, and*
- 1302/19** *That Council give notice of its determination to the Commissioner of Fire and Rescue NSW.*

For:

Unanimous

5.7 Somersby to Erina Corridor Strategy

This item was resolved by the exception method.

Moved: **Councillor MacGregor**

Seconded: **Councillor Hogan**

Resolved

- 1303/19** *That Council adopt the draft Somersby to Erina Corridor Strategy as amended in response to public exhibition as outlined in Attachment 1 to this report.*
- *Insert Action 2.3: Collaborate with relevant Government Agencies to ensure transport infrastructure along the Corridor supports anticipated growth and investment.*
 - *Insert Action 6.2: Opportunities for the reuse of the Old Sydney Town site.*
 - *Amend Action 7.1 : Somersby Plan of Management to "support the continued implementation of Somersby Plan of Management."*
 - *Insert a new Action 8.1: Collaborate with HCCDC on the review of the Masterplan for Mount Penang Parklands Site.*
 - *Insert Action 11.1 Structure Plan for future renewal south of the Highway including West Gosford Shopping Centre and land to the north of the highway.*
 - *Delete Action 11.3: Masterplan for West Gosford Shopping Centre.*
 - *Merge previous Actions 17.1 and 17.2 to create Action 16.1. Prepare a precinct plan for East Gosford Centre*
 - *Insert Direction 17: Set up Erina for future renewal.*
 - *Action 17.3 (Now Action 16.2) regarding Pocket Parks has been amended to focus on Pioneer Park.*

- 1304/19** *That Council incorporate the projects identified in the Implementation section of the Strategy into future Delivery Program and Operational Plans.*
- 1305/19** *That Council monitor the implementation of the Actions in the Strategy and update the Strategy after 5 years.*
- 1306/19** *That those people who lodged submissions or attended a workshop be notified of Council's resolution.*

For:
Unanimous

5.8 **Activities of the Development Assessment & Environment and Certification Units - July to September 2019 - Quarter 1**

This item was resolved by the exception method.

Moved: **Councillor MacGregor**
Seconded: **Councillor Hogan**

Resolved

- 1307/19** *That Council receive the report on Activities of the Development Assessment & Environment and Certification Units - July to September 2019 - Quarter 1.*

For:
Unanimous

8.1 **Deferred Item - Notice of Motion - Redress Scheme**

Moved: **Councillor Hogan**
Seconded: **Councillor Mehrtens**

Resolved

- 1308/19** *That Council receive the report on Deferred Item – Redress Scheme.*
- 1309/19** *That Council notes that every child has the right to grow up in an environment where they feel safe and secure, have access to services, clean air and water, can play, learn and grow, and where their voice is heard and matters (UNICEF).*
- 1310/19** *That Council notes that the Australian Government expects every institution in which the sexual abuse of children occurred, to be accountable for that abuse and join the National Redress Scheme (the Scheme) and provide redress.*

- 1311/19** *That Council notes that 'the Scheme', acknowledges that many children were sexually abused in Australian institutions, holds institutions accountable for this abuse, and helps people who have experienced institutional child sexual abuse gain access to counselling, a direct personal response, and a Redress payment.*
- 1312/19** *That Council notes that applications identifying institutions that have not yet joined the National Redress Scheme will not be assessed until the relevant institution/s has joined.*
- 1313/19** *That Council notes that we support many sporting codes that have not been named in the Royal Commission however this Notice of Motion will help to start a conversation, raise awareness and ultimately protect children.*
- 1314/19** *That Council notes that Football NSW, Swimming Australia and Tennis NSW have been identified by the Royal Commission into Institutional Responses to Child Sexual Abuse and have not yet joined the Scheme.*
- 1315/19** *That Council request the Chief Executive Officer write to Football NSW, Swimming Australia and Tennis NSW and encourage these organisations to lead by example and join the Redress Scheme.*

For:

Unanimous

8.2 Deferred Item - Notice of Motion - The Missing Munmorah SK8Park

Councillor Hogan declared a significant non pecuniary interest in the matter as she is a representative on the Crown Lands Negotiation Program. Councillor Hogan left the chamber at 10.08pm, returning at 10.18pm and did not participate in discussion or voting.

Councillor MacGregor declared a significant non pecuniary interest in the matter on the basis that he is a member of the Crown Lands Negotiation Committee. Councillor MacGregor left the chamber at 10.08pm, returning at 10.18pm and did not participate in discussion or voting.

Councillor Holstein declared a significant non pecuniary interest in the matter on the basis that he is a member of the Crown Lands Negotiation Programs Committee. Councillor Holstein left the meeting at 10.08pm and was not present for this item.

Mayor Matthews declared a significant non pecuniary interest in the matter on the basis that she is a member of the Crown Lands Negotiation Programs Committee. Mayor Matthews left the chamber at 10.08pm, returning at 10.18pm and did not participate in discussion or voting.

Councillor Smith assumed the Chair.

Moved: Councillor Best
Seconded: Councillor Vincent

Resolved

1316/19 That Council receive the refer Deferred Item – The Missing Munmorah SK8Park.

1317/19 That Council notes the recent Mayoral Message highlighting the construction of a \$1.9M regional state park at Lake Munmorah, to be delivered this financial year. (Provided below)

1318/19 That Council notes that this important youth project was commenced arising from a formal resolution in the then Wyong Shire Council on 13 May 2015, more than 4 years ago (Attachment 1).

1319/19 That Council also notes with great concern recent reports by the Lake Munmorah Progress Association that they have been advised by staff that this project is now again “on hold” due to site selection issues (Attachment 2).

1320/19 That Council further request the Chief Executive Officer for an urgent update/report on this conflicting situation, in the event that this project is indeed stalled the 2019 project allocation funds be preserved and reported into the 2020/2021 budget.

For:
Councillors Best, Smith, Vincent,
Sundstrom, Greenaway, McLachlan, Gale,
Pilon, Burke and Marquart

Abstained:
Councillor Mehrtens

Procedural Motion

Councillor Smith vacated the chair at 10.18pm and Mayor Matthews assumed the Chair for the remainder of the meeting.

Councillor Holstein left the meeting at 10.08pm and was not present for this item.

Moved: Mayor Matthews
Seconded: Councillor Mehrtens

Resolved

1321/19 That Council extend the Ordinary Meeting until 11.30pm to allow consideration of the remaining items.

For:
Mayor Matthews and Councillors Best, Smith, Vincent, Sundstrom, Mehrstens, Hogan, MacGregor, Greenaway, McLachlan, and Gale

Against:
Councillors Pilon, Burke and Marquart

8.3 Notice of Motion – Closure of the Iconic Entrance Boatshed

Councillor Holstein left the meeting at 10.08pm and was not present for this item.

Moved: Councillor Best
Seconded: Councillor Pilon

Resolved

- 1322/19 That Council note due to the continuing deterioration of the Tuggerah Lakes system and the choking of The Entrance Channel, the historic Entrance boat shed may close.**
- 1323/19 That Council further notes that 2020 will mark the centenary of this local icon and may well also mark its demise.**
- 1324/19 That Council request the Chief Executive Officer to urgently carry out a foreshore cleanup around The Entrance Boatshed down to the eastern end of Memorial Park.**
- 1325/19 That Council seeks to redirect if possible surplus funds from the Brisbane Water dredging program also any Federal or State Government opportunities that may be available.**
- 1326/19 That Council request the Chief Executive Officer urgently report all the aspects of this issue for Councils consideration.**
- 1327/19 That Council request the Chief Executive Officer continue to pursue all funding options, including the State Government's Rescue our Waterways Fund, for long term funding solution for the maintenance of the Entrance Channel.**
- 1328/19 That Council request the Chief Executive Officer seek advice and expert opinion from Crown Lands staff on the best way to proceed with maintaining long term sustainable access in keeping with the previous dredging profile and seeking to address current issues where possible.**
- 1329/19 That Council convene a roundtable of experts and stakeholders including the Mayor and Chief Executive Officer as well as the Member for The Entrance, David Mehan MP, Member for Terrigal Adam Crouch MP, the three ward Councillors, DPIE Crown Lands staff – regarding an ongoing strategy to keep The Entrance Channel open and accessible for the community.**

1330/19 That Council request that the Mayor and Chief Executive Officer meet with the owner of The Entrance Boatshed regarding the issues raised.

1331/19 That Council request the Chief Executive Officer to write to Adam Crouch MP, Member for Terrigal, for advice as to whether a portion or all of the \$1.4 million in funding left over from dredging the Ettalong Channel can be diverted to fund dredging of The Entrance Channel as an interim solution.

For:

Unanimous

8.4 Notice of Motion – End of Year Thank You to Staff

Councillor Holstein left the meeting at 10.08pm and was not present for this item.

Moved: Councillor Best

Seconded: Councillor MacGregor

Resolved

1332/19 That Council, as tonight's meeting draws to a close for 2019, through the Chief Executive Officer, pass on its sincere appreciation to all our staff for their outstanding efforts in what has been a challenging year.

1333/19 That Council further passes on its special thanks to Section Manager, Sarah Georgiou, and the Councillor and Meeting Support team. Merry Christmas and all the very best in 2020.

For:

Unanimous

8.5 Notice of Motion - Central Coast Group Training Lease Briefing

Councillor Gale, McLachlan, Pilon, Burke and Marquart declared a significant non pecuniary interest in the matter as she knows an individual on the Board of Central Coast Group Training. This item was resolved by the exception method.

Councillor Best declared a pecuniary interest in the matter as he is the General Manager of Central Coast Group Training.

This item was resolved by the exception method.

Moved: Councillor MacGregor

Seconded: Councillor Hogan

Resolved

1334/19 *That Council requests the Chief Executive Office to arrange a briefing for councillors as soon as possible around the terms of the Central Coast Group Training Lease given that the option to purchase/ sell is exercisable as of February 2020.*

1335/19 *That Council notes that in the event that the option is exercised, that any agreement for sale would come back to Council for determination.*

For:

Unanimous

8.6 Notice of Motion - Wallarah 2 Progress Report

Councillor Best declared a pecuniary interest in the matter as the organisation he works for manages a Wallarah 2 scholarship program. Councillor Best left the chamber at 10.59pm, returning at 11.16pm and did not participate in discussion or voting.

Councillor Holstein left the meeting at 10.08pm and was not present for this item.

Moved: Councillor Marquart

Seconded: Councillor MacGregor

- 1 *That Council notes the recent defeat of the Central Coast Water Protection Bill that was voted down in State Parliament on 21 November 2019.*
- 2 *That Council request the Chief Executive Officer to provide an update to Council around the implications of the above and the overall current situation of the Wallarah 2 proposal.*
- 3 *That Council request the Chief Executive Officer to provide an itemised report by March 2020 as to how the funds provided by Council to assist with legal proceedings were expended.*

Amendment Moved: Councillor Greenaway

Amendment Seconded: Councillor MacGregor

- 1 *That Council notes the recent defeat of the Central Coast Water Protection Bill that was voted down in State Parliament on 21 November 2019.*
- 2 *That Council request the Chief Executive Officer to provide an update to Council around the implications of the above and the overall current situation of the Wallarah 2 proposal and specifically address the impact of the water allocation including ground water and surface water and accumulative seepage.*
- 3 *That Council reaffirm its opposition to the Wallarah 2 Coal Mine.*

- 1341/19** *That Council also acknowledges and recognises the work that staff have undertaken to support woman and children who are experiencing Domestic and Family Violence.*
- 1342/19** *That Council leads by example and continues with the conversations and messages and ensures staff are an active participant in the development of new initiatives going into 2020.*
- 1343/19** *That Council directs the Chief Executive Officer to provide a report on the initiatives that Council has undertaken to support woman and children in the past 12 months.*
- 1344/19** *That Council apply (or partner with stakeholders) for the Federal Government's Safer Places Grant or under the National Plan to Reduce Violence Against Women and their Children 2010 to 2022 and its Fourth Action Plan to provide new or expanded emergency accommodation for victims on the Central Coast by the closing date of 14 February 2020.*

For:

Unanimous

8.8 Notice of Motion - Inclusion of Park on Tuggerawong Hall Site Adjacent to Tuggerawong Pathway

Councillor Holstein left the meeting at 10.08pm and was not present for this item.

Moved: Councillor MacGregor

Seconded: Councillor Greenaway

- 1 Council notes the success of the ongoing Tuggerawong Pathway project driven by the community and currently being delivered by Council.
- 2 Council include in the upcoming operational plan a public park on the former Tuggerawong Hall Site with a view to including toilets, a water station, shade cover, BBQ(s), play equipment and car parking.
- 3 That Council consult with the community on the scope, scale and design of the park prior to delivery of the project.
- 4 That the appropriate budgetary allocation and any additional relevant information for the delivery of the park be discussed and finalised at the upcoming February budgetary planning session.
- 5 That Council apply for any relevant grants that could fast-track the project or co-fund the project in conjunction with other levels of government who support the Tuggerawong Pathway Project.

For:
Councillors Vincent, Sundstrom, Mehrtens,
Hogan, MacGregor, Greenaway and
McLachlan

Against:
Mayor Matthews, Councillors Best, Smith,
Mehrtens, Gale, Pilon, Burke and Marquart

The Motion was put to the vote and declared LOST. The Motion was then put.

Moved: Councillor Smith
Seconded: Councillor Greenaway

Resolved

- 1345/19 That Council notes the success of the ongoing Tuggerawong Pathway project driven by the community and currently being delivered by Council.**
- 1346/19 That Council include in the upcoming operational plan a public park on the former Tuggerawong Hall Site with a view to including toilets, a water station, shade cover, BBQ(s), play equipment and car parking.**
- 1347/19 That Council consult with the community on the scope, scale and design of the park prior to delivery of the project.**
- 1348/19 That the appropriate budgetary allocation and any additional relevant information for the delivery of the park be considered at the upcoming February budgetary planning session.**
- 1349/19 That Council apply for any relevant grants that could fast-track the project or co-fund the project in conjunction with other levels of government who support the Tuggerawong Pathway Project.**

For:
Unanimous

Procedural Motion – Extend Meeting

Councillor Holstein left the meeting at 10.08pm and was not present for this item.

Moved: Mayor Matthews
Seconded: Councillor

Resolved

- 1350/19 That Council extend the meeting for a further 15 minutes the time being 11.44pm.**

For:
Mayor Matthews and Councillors Smith, Vincent, Mehrtens, MacGregor, Greenaway, McLachlan, Gale, Pilon, Burke, and Marquart

Against:
Councillors Best, Hogan and Sundstrom

8.9 Notice of Motion - Request from Proposals from Minister Kean

This item was resolved by the exception method.

Moved: Councillor MacGregor
Seconded: Councillor Hogan

Resolved

1351/19 That Council note the correspondence and commend The Hon Matt Kean MP, Minister for Energy and Environment, for his recent announcement of his intention to add lands to the National Parks Estate and calling for proposals.

1352/19 That Council note that staff have commenced a process of identifying potential land that could be included as part of a proposal.

1353/19 That Council request the Chief Executive Officer provide all Councillors with the opportunity to contribute to the process of identifying suitable lands.

1354/19 That Council request the Chief Executive Officer submit a proposal by the end of January, 2020.

For:
Unanimous

8.10 Notice of Motion - Terms of Reference and Reviewers for the WAR Act Review

Councillor Holstein left the meeting at 10.08pm and was not present for this item.

Moved: Councillor Greenaway
Seconded: Councillor MacGregor

- 1 That staff include any submissions made by Councillors in the discussions pertaining to the development of the Terms of Reference (TOR) and nominating of Reviewers for the WAR Act Review.
- 2 That Councillors be updated about the discussions between the NSW Department of Planning, Industry & Environment and Council regarding the Review.

- 3 That the draft Terms of Reference (TOR) and Reviewers for the WAR Act Review, which has been initiated by the NSW Government, be brought to Council for resolution as soon as possible after they are provided by the NSW Government;
- 4 That if the NSW Government seeks an agreement to the draft Terms of Reference (TOR) and Reviewers for the WAR Act Review in a timeframe that precludes formal Council consideration, that the Mayor/CEO consult all Councillors and seek to gain their consensus for Council's position on the TOR and Reviewers.

Amendment Moved: Councillor McLachlan
Amendment Seconded: Councillor Best

That Council request the Chief Executive Officer to exhibit the Airport Masterplan and the public submissions regarding the previous WAR Act review be made available.

Amendment For:
Councillors Best, McLachlan, Gale, Pilon,
Burke and Marquart

Amendment Against:
Mayor Matthews, Councillors Smith,
Vincent, Sundstrom, Mehrtens, Hogan,
MacGregor and Greenaway

The Amendment was put to the vote and declared LOST. The Motion was then put.

Moved: Councillor Greenaway
Seconded: Councillor MacGregor

Resolved

- 1355/19 That staff include any submissions made by Councillors in the discussions pertaining to the development of the Terms of Reference (TOR) and nominating of Reviewers for the War Act Review.**
- 1356/19 That Councillors be updated about the discussions between the NSW Department of Planning, Industry & Environment and Council regarding the Review.**
- 1357/19 That the draft Terms of Reference (TOR) and Reviewers for the War Act Review, which has been initiated by the NSW Government, be brought to Council for resolution as soon as possible after they are provided by the NSW Government;**
- 1358/19 That if the NSW Government seeks an agreement to the draft Terms of Reference (TOR) and Reviewers for the War Act Review in a timeframe that precludes formal Council consideration, that the Mayor/CEO consult all Councillors and seek to gain their consensus for Council's position on the TOR and Reviewers.**

For:
Mayor Matthews, Councillors Smith,
Vincent, Sundstrom, Mehrtens, Hogan,
MacGregor and Greenaway

Against:
Councillors Best, McLachlan, Gale,
Pilon, Burke and Marquart

The Motion was put to the vote and declared CARRIED.

Procedural Motion – Extend Meeting

Councillor Holstein left the meeting at 10.08pm and was not present for this item.

Councillor Best left the chamber at 12.03am and was not present for this item.

Moved: **Mayor Matthews**

Seconded: **Councillor Pilon**

Resolved

1359/19 That Council extend the meeting for a further 5 minutes the time being 12.04am, Tuesday 10 December 2019.

For:

Unanimous

9.1 Rescission Motion - DA/288/2018 Section 8.2 Review of Determination Proposed Short Term Rental Accommodation at 18 Soldiers Point Drive, Norah Head

Councillor Best declared a pecuniary interest in the matter as he owns property in close proximity to the DA in question. Councillor Best left the chamber at 12.03am, returning at 12.12am did not participate in discussion or voting.

Councillor Holstein left the meeting at 10.08pm and was not present for this item.

Moved: **Councillor Pilon**

Seconded: **Councillor Marquart**

That the following resolution carried at the Ordinary Meeting of Council held on 25 November 2019 be rescinded:

1132/19 That Council refuse consent for the proposed short term rental accommodation for the following reasons;

- a The proposed development does not comply with the objectives of the zone as it will not maintain the residential amenity of the surrounding area.*
- b The proposed development is not compatible with the adjacent low density residential development having regard for visual and acoustic privacy.*
- c The proposed short term rental accommodation is not in the public interest as it will create unacceptable impacts in relation to increased noise and loss of amenity on the adjoining properties.*

*For Rescission:
Councillors Gale, Pilon, Marquart and
McLachlan*

*Against Rescission:
Mayor Matthews, Councillors Smith,
Vincent, Sundstrom, Mehrrens, Hogan,
MacGregor, Greenaway and Burke*

The Rescission Motion was put to the vote and declared LOST.

**9.2 Rescission Motion - Deferred Item - Notice of Motion - Water Security
Emergency**

This item has been moved to the 10 February 2020 Ordinary Meeting.

Note: Subsequent to the meeting of 9 December 2019, a request for an Extraordinary Meeting to consider this item was duly submitted and a meeting scheduled for 16 December 2019.

The Meeting closed at 12:12am on Tuesday 10 December 2019.



Central Coast Council

Minutes of the Extraordinary Meeting of Council

held in the Council Chamber
2 Hely Street, Wyong
on 16 December 2019

Present

Mayor Lisa Matthews and Councillors Greg Best, Jillian Hogan, Kyle MacGregor, Doug Vincent, Troy Marquart, Chris Burke, Chris Holstein, Bruce McLachlan, Jilly Pilon, Louise Greenaway, Jeff Sundstrom, Richard Mehrtens and Jane Smith.

In Attendance

Gary Murphy (Chief Executive Officer), Boris Bolgoff (Director Roads, Transport, Drainage and Waste), Julie Vaughan (Director Connected Communities), Scott Cox (Director Environment and Planning), Dr Liz Develin (Director Governance), Jamie Loader (Director Water and Sewer) and Craig Norman (Chief Finance Officer).

The Mayor, Lisa Matthews, declared the meeting open at 5.00pm and advised in accordance with the Code of Meeting Practice that the meeting is being recorded.

The Mayor, Lisa Matthews read an acknowledgement of country statement.

Bushfire Threat

The Mayor acknowledged those in our community affected by the ongoing fire threat, especially those in the Spencer and Mangrove Mountain areas, and recognised the community spirit and resilience shown. Thanks was also given to the local firefighters for everything they are doing to protect our community.

White Island Disaster

The Mayor acknowledged those victims of the White Island Disaster in New Zealand. Council's thoughts are with those families and friends at this difficult time. A minutes silence was held.

The reports are recorded in their correct agenda sequence.

Apologies

Moved: Mayor Matthews
Seconded: Councillor Hogan

Resolved

That Council accept the apology received from Councillor Gale.

For:
Unanimous

1.1 Disclosure of Interest

Moved: Mayor Matthews
Seconded: Councillor MacGregor

Resolved

That Council receive the report on Disclosure of Interest and the fact that no disclosure was made for noting.

For:
Unanimous

**2.1 Rescission Motion - Deferred Item - Notice of Motion - Water Security
Emergency**

Moved: Councillor Best
Seconded: Councillor Pilon

That the following resolution carried at the Ordinary Meeting of Council held on 11 November 2019 be rescinded:

- 1111/19 *That Council request the Chief Executive Officer to expedite the report around rain water tanks.*
- 1112/19 *That Council advise as to whether the storm water harvesting scheme in Terrigal is working and if not when Council can expect it will be functional.*
- 1113/19 *That Council refer the water level restriction triggers levels to the Water Advisory Committee for consideration.*

For:
Councillors Best, Holstein, McLachlan, Pilon,
Burke and Marquart

Against:
Mayor Matthews, Councillors Smith,
Vincent, Sundstrom, Mehrstens, Hogan,
MacGregor and Greenaway

A division was called by Councillors Best, Pilon, McLachlan, Burke and Marquart.

For:
Councillors Best, Holstein, McLachlan, Pilon,
Burke and Marquart

Against:
Mayor Matthews, Councillors Smith,
Vincent, Sundstrom, Mehrstens, Hogan,
MacGregor and Greenaway

As a result of the division the Rescission Motion was declared LOST.

The Meeting closed at 5.46 pm.



Item No: 1.3
Title: Notice of Intention to Deal with Matters in Confidential Session
Department: Governance

10 February 2020 Ordinary Council Meeting

Trim Reference: F2019/00041-003 - D13747905

Summary

It is necessary for the Council to adopt a resolution to formalise its intention to deal with certain matters in a closed and confidential Session. The report is incorporated in the "Confidential" business paper which has been circulated.

The *Local Government Act 1993* requires the Chief Executive Officer to identify those matters listed on the business paper which may be categorised as confidential in terms of section 10A of the *Local Government Act 1993*. It is then a matter for Council to determine whether those matters will indeed be categorised as confidential.

Recommendation

That Council resolve that the following matters be dealt with in closed session, pursuant to s. 10A(2)(a) of the Local Government Act 1993 for the following reasons:

9.1 Meeting Records of the Crown Lands Negotiation Program Committee held on 23 July 2019 and 19 August 2019

Reason for considering in closed session:

2(c) contains information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

That Council resolve, pursuant to section 11(3) of the Local Government Act 1993, that this report and the attachments to this report remain confidential in accordance with section 10A(2)(c) of the Local Government Act as it contains information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business and because consideration of the matter in open Council would on balance be contrary to the public interest as it would affect Councils ability to obtain value for money services for the Central Coast community.

Context

1.3 Notice of Intention to Deal with Matters in Confidential Session (contd)

Section 10A of the *Local Government Act 1993* (the Act) states that a Council may close to the public so much of its meeting as comprises:

- 2(a) personnel matters concerning particular individuals (other than Councillors),*
- 2(b) the personal hardship of any resident or ratepayer,*
- 2(c) information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business,*
- 2(d) commercial information of a confidential nature that would, if disclosed:*
 - (i) prejudice the commercial position of the person who supplied it, or*
 - (ii) confer a commercial advantage on a competitor of the Council, or*
 - (iii) reveal a trade secret,*
- 2(e) information that would, if disclosed, prejudice the maintenance of law,*
- 2(f) matters affecting the security of the Council, Councillors, Council staff or Council property,*
- 2(g) advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege,*
- 2(h) information concerning the nature and location of a place or an item of Aboriginal significance on community land.*

It is noted that with regard to those matters relating to all but 2(a), 2(b) and 2(d)(iii) it is necessary to also give consideration to whether closing the meeting to the public is, on balance, in the public interest.

Further, the Act provides that Council may also close to the public so much of its meeting as comprises a motion to close another part of the meeting to the public (section 10A(3)).

As provided in the Office of Local Government Meetings Practice Note August 2009, it is a matter for the Council to decide whether a matter is to be discussed during the closed part of a meeting. The Council would be guided by whether the item is in a confidential business paper, however the Council can disagree with this assessment and discuss the matter in an open part of the meeting.

Attachments

Nil



Item No: 2.1
Title: Supplementary Report - DA/569/2016/B - Shop 37/2-6 Warrigal Street, The Entrance - Use of Shop 37 for Recreational Facility - Personal Fitness Studio (Amended Application)
Department: Environment and Planning

10 February 2020 Ordinary Council Meeting

Trim Reference: F2019/00041-003 - D13719170
Author: Amanda Hill, Town Planner
Manager: Andrew Roach, Unit Manager, Development Assessment
Executive: Scott Cox, Director Environment and Planning

Summary

An application to modify development consent DA/569/2016 has been received to delete Condition 19 to allow the permanent use of the premises as an indoor recreation facility (gym) on Lot 37 SP 77340, Shop 37/2-6 Warrigal Street, The Entrance.

A Councillor Support Update was provided on 9 August 2019 outlining the number of submissions received, the issues raised and indicated the officer's recommendation to refuse the application. Following the Councillor Business Update, the application was 'called up' to Council by Mayor Matthews and Councillor McLachlan.

The matter was initially considered at the Ordinary Meeting of the Council on 28 October 2019 where Council resolved:

1003/19 That Council defer consideration of this item until a site inspection has been conducted.

A site inspection was undertaken on 27 November 2019. The following persons were in attendance at the site inspection:

- Mayor Lisa Matthews;
- Councillor Jeff Sundstrom;
- Mr Trevor Butcher (the applicant); and
- Council staff

The following matters were discussed during the site inspection:

- 1 When does the lease expire for the gym?

Comment: The applicant stated the lease expires in less than 2 years time, in September 2021.

2.1 Supplementary Report - DA/569/2016/B - Shop 37/2-6 Warrigal Street, The Entrance - Use of Shop 37 for Recreational Facility - Personal Fitness Studio (Amended Application) (contd)

- 2 Was the new applicant (Mr T Butcher) given the opportunity to submit additional acoustic information to Council?

Comment: The new applicant was advised by the assessing officer during the assessment process that a new Acoustic Assessment Report would need to be prepared to address the amenity impacts. Due to the costs involved in obtaining a new acoustic assessment report, the new applicant decided not to submit any further acoustic assessment information.

The matter is now reported by to Council for determination following the Councillor site inspection. The application is recommended for refusal in accordance with the original report (original report enclosed in full as Attachment 1).

Recommendation

- 1 That Council refuse development application 569/2016/B for the following reasons having regard to the matters detailed in Section 4.55 (1A) and 4.15 of the Environmental Planning and Assessment Act 1979 and other relevant issues:**
- a There is insufficient information to justify the proposed development is of minimal environmental impact in accordance with Section 4.55(1A)(a) of the Environmental Planning and Assessment Act 1979.**
 - b The proposed development is not considered to be substantially the same development to that which was originally approved in accordance with Section 4.55(1A)(b) of the Environmental Planning and Assessment Act 1979.**
 - c The proposed development does not comply with the objective of the B2 Local Centre zone under Wyong Local Environmental Plan 2013 which seeks to avoid land use conflicts within the zone.**
 - d There is insufficient information to determine the extent of impact on the amenity of residents within the development and other adjoining properties.**
 - e The site is not suitable for a continued and permanent use as an indoor recreation facility (gym) having regard for the matters for consideration in Section 4.15(1)(c) of the Environmental Planning and Assessment Act 1979.**
 - f The deletion of condition 19 under DA/569/2016 to allow a continued and permanent use as an indoor recreation facility (gym) is not in the public interest.**
- 2 That Council advise those who made written submissions of its decision.**

**2.1 Supplementary Report - DA/569/2016/B - Shop 37/2-6 Warringal Street,
The Entrance - Use of Shop 37 for Recreational Facility - Personal Fitness
Studio (Amended Application) (contd)**

Attachments

- 1** Ordinary Meeting – 28 October 2019 – DA/569/2016/B – Shop 37/2-6 Warringal Street, The Entrance – Use of Shop 37 for Recreational Facility – Personal Fitness Studio (Amended Application) D13789703

Item No: 2.1
Title: DA/569/2016/B - Shop 37/2-6 Warringal Street, The Entrance - Use of Shop 37 for Recreational Facility - Personal Fitness Studio (Amended Application)
Department: Environment and Planning



28 October 2019 Ordinary Council Meeting

Trim Reference: DA/569/2016/B - D13635467
 Author: Amanda Hill, Town Planner
 Manager: Andrew Roach, Unit Manager, Development Assessment
 Executive: Scott Cox, Director Environment and Planning

Summary

Development consent was granted on 7 September 2016 (Development Application 569/2016) for an indoor recreation facility (gym) within an existing mixed-use development. The consent was time limited for a 12 month period (Condition 19) to enable Council to review the operation of the facility in relation to impact on the amenity of adjoining properties. In 2018, approval was granted for an additional 12 months. An application to modify development consent DA/569/2016 has been received to delete Condition 19 to allow the permanent use of the premises as an indoor recreation facility (gym).

There have been two notification periods for the application – the first resulted in a total of 17 submissions plus a noise survey completed by 17 residents. The second notification period resulted in 15 submissions. In accordance with Council's *Policy for Determining Development Applications subject to Public Objection*, a Councillor Business Update was provided on 9 August 2019 outlining the number of submissions received, the issues raised and indicated the officer's recommendation to refuse the application. Following the Councillor Business Update, the application was 'called up' to Council by Mayor Matthews and Councillor McLachlan.

The application has been examined having regard to the matters for consideration detailed in section 4.15 and 4.55 (1A) of the *Environmental Planning and Assessment Act 1979* and other statutory requirements with the issues requiring attention and consideration being addressed in the report.

Applicant	Mr T Butcher
Owner	Owners Corporation SP 77340
Application No	DA/569/2016/B
Description of Land	Lot 37 SP 77340 37/2-6 Warringal Street, THE ENTRANCE
Proposed Development	Deletion of Condition 19 (remove time limited consent)
Site Area	1905m ²
Zoning	B2 Local Centre
Existing Use	Recreational Facility (indoor) - Gym
Employment Generation	Yes

2.1 DA/569/2016/B - Shop 37/2-6 Warrigal Street, The Entrance - Use of Shop 37 for Recreational Facility - Personal Fitness Studio (Amended Application) (contd)

Estimated Value N/A

Recommendation

- 1 That Council refuse development application 569/2016/B for the following reasons having regard to the matters detailed in Section 4.55 (1A) and 4.15 of the Environmental Planning and Assessment Act 1979 and other relevant issues:**
- a There is insufficient information to justify the proposed development is of minimal environmental impact in accordance with Section 4.55(1A)(a) of the Environmental Planning and Assessment Act 1979.**
 - b The proposed development is not considered to be substantially the same development to that which was originally approved in accordance with Section 4.55(1A)(b) of the Environmental Planning and Assessment Act 1979.**
 - c The proposed development does not comply with the objective of the B2 Local Centre zone under Wyong Local Environmental Plan 2013 which seeks to avoid land use conflicts within the zone.**
 - d There is insufficient information to determine the extent of impact on the amenity of residents within the development and other adjoining properties.**
 - e The site is not suitable for a continued and permanent use as an indoor recreation facility (gym) having regard for the matters for consideration in Section 4.15(1)(c) of the Environmental Planning and Assessment Act 1979.**
 - f The deletion of condition 19 under DA/569/2016 to allow a continued and permanent use as an indoor recreation facility (gym) is not in the public interest.**
- 2 That Council advise those who made written submissions of its decision.**

Proposed Development	Deletion of Condition 19 (to remove 12 month time limited consent)
Permissibility and Zoning	The site is zoned B2 Local Centre under <i>Wyong Local Environmental Plan 2013</i> . The proposal aims to modify the consent for the approved indoor recreation facility. The proposed development is permitted in the zone.
Relevant Legislation	<ul style="list-style-type: none"> • <i>Environmental Planning and Assessment Act</i>

2.1 DA/569/2016/B - Shop 37/2-6 Warrigal Street, The Entrance - Use of Shop 37 for Recreational Facility - Personal Fitness Studio (Amended Application) (contd)

	<p>1979</p> <ul style="list-style-type: none"> • Wyong Local Environmental Plan 2013 • Draft Central Coast Local Environmental Plan 2018 • Wyong Development Control Plan 2013
Current Use	Recreational Facility (indoor) - Gym
Integrated Development	No
Submissions	<p>First Notification Period (30 January 2019 – 12 February 2019) - 17 submissions plus a noise survey completed by 17 residents.</p> <p>Second Notification Period (26 June 2019 – 10 July 2019) – 15 Submissions.</p>

Background

The subject site contains an existing mixed-use development comprising three ground floor commercial tenancies and 35 residential units above. Development Consent was granted on 7 September 2016 (Development Application 569/2016) for the use of a ground floor tenancy as an indoor recreation facility (gym), including minor internal alterations and associated signage. A condition of consent (Condition 19) restricted the approval to an initial 12 month period so that Council could review the operation of the facility in relation to impact on the residents within the building and those in adjoining properties.

During the initial 12 month period Council received complaints in relation to noise and vibration impacts from the approved use. Council Compliance Officers deemed that the gym was being operated in accordance with the conditions of consent and no further action could be taken.

On 28 July 2017, an application was lodged to modify the development consent by changing the hours of operation and deleting the condition that limited the consent to a 12 month period. Given historical complaints, the applicant was requested to provide acoustic assessment and detail appropriate measures to mitigate noise and vibration impacts. The applicant provided details of acoustic assessments undertaken and measures instigated to deal with noise/amenity impacts, including: reducing trading hours, additional floor matting, signage to remind gym users of potential impacts on neighbours.

Based on the additional detail provided by the applicant, approval was granted for amendment to the hours of operation and to allow operation for an additional 12 months.

The applicant has requested the deletion of Condition 19, which would end the time limited consent arrangement.

2.1 DA/569/2016/B - Shop 37/2-6 Warrigal Street, The Entrance - Use of Shop 37 for Recreational Facility - Personal Fitness Studio (Amended Application) (contd)

The Site

The subject site is 37/2-6 Warrigal Street, The Entrance (legally described as Lot 37 in SP 77340). The site is on the corner of Warrigal and Taylor Streets and contains an existing mixed-use development comprising three ground floor tenancies and 35 residential units above. The site location is shown in **Figure 1**.



Figure 1 – Site location (in blue)

The recreation facility (operated as a 'F45 gym') is situated in shop 37 and has an area of 160m². Pedestrian access is via Warrigal Street. The frontage of Shop 37 is shown in **Figure 2**.

2.1 DA/569/2016/B - Shop 37/2-6 Warrigal Street, The Entrance - Use of Shop 37 for Recreational Facility - Personal Fitness Studio (Amended Application) (contd)



Figure 2 – Frontage of Shop 37

Surrounding Development

Located above and to the rear of shop 37 are 35 residential units. Below shop 37 is a basement car park for use by the tenants and residents of the mixed-use development. To the south (opposite side of Warrigal Street) and further to the east there are existing residential dwelling houses. To the west of the subject site there are other commercial premises. These can be seen in Figure 1.

The Proposed Development

Under the provisions of Section 4.55 (1A) of the *Environmental Planning and Assessment Act 1979*, consent is sought to delete condition 19 to allow the permanent use of the premises as an indoor recreation facility (gym) as follows:

Condition 19 currently reads:

- 19 *This consent is for an additional twelve (12) month period only and accordingly must cease at the expiration of twelve (12) months from the date of the modified consent. Any extension of the approved use beyond twelve (12) months will require the prior submission and approval of an application under Section 96 of the Environmental Planning and Assessment Act 1979. In considering any application for the extension of this consent, Council would have regard for relevant matters under the Environmental Planning and Assessment Act 1979, including any submission received during the period.*

2.1 DA/569/2016/B - Shop 37/2-6 Warrigal Street, The Entrance - Use of Shop 37 for Recreational Facility - Personal Fitness Studio (Amended Application) (contd)

The deletion of Condition 19 would allow for the permanent use of shop 37 as an indoor recreation facility which is not supported for the reasons outlined within the report. The continuation of the use for an additional period is also not supported.

History

The following approvals relate to the subject site:

- DA/569/2016 – Use of Shop 37 for recreational facility (indoor) – Personal Fitness Studio approved on 7 September 2016.

During the initial 12 month period Council received complaints in relation to noise and vibration impacts from the approved use. Council Compliance Officers deemed that the gym was being operated in accordance with the conditions of consent and no further action could be taken.

- DA/569/2016/A – Amended application which approved a modification to the hours of operation and extended the 12 month trial period under Condition 19.

Given historical complaints in relation to noise/vibration the applicant provided details of acoustic assessments undertaken and measures instigated to deal with noise/amenity impacts (including reducing trading hours, additional floor matting, signage to remind gym users of potential impacts on neighbours).

Based, in part, on the mitigation measures proposed by the applicant, the application was approved on 5 January 2018, providing an additional 12 month approval for the use.

Submissions

The modified application was notified in accordance with Wyong Development Control Plan 2013, Chapter 1.2 Notification of Development Proposals.

- The first notification period (30 January 2019 to 12 February 2019) resulted in a total of 17 submissions and a noise survey completed by 17 residents.
- The modified application was re-notified (26 June 2019 to 10 July 2019) providing objectors an opportunity to review and make comment on an acoustic report and noise mitigation measures detailed by the applicant. During the second notification period a total of 15 submissions were received.

The issues raised in the submissions and the noise survey are summarised as follows:

2.1 DA/569/2016/B - Shop 37/2-6 Warrigal Street, The Entrance - Use of Shop 37 for Recreational Facility - Personal Fitness Studio (Amended Application) (contd)

- *The gym opens before 6am and operates on Sunday which is not in accordance with the approved hours of operation.*

Comment:

Council contacted the operator to request compliance with the approved hours of operation. Council compliance staff continue to monitor operational matters, including compliance with approved operating hours.

- *Noise and vibration from the gym can be heard throughout building and within residential units.*

Comment:

The Acoustic Assessment report prepared by Reverb Acoustics has not provided noise measuring data that is reflective of the current operations of the gym. A vibration assessment has not been provided. Noise and vibration from the operation of the gym is an issue for residents within the building and in adjoining properties. The information submitted with the application has not demonstrated there is minimal environmental impact as a result of the operation of the gym.

- *Weights being dropped causes the building to shake.*

Comment:

The Acoustic Assessment report prepared by Reverb Acoustics has not provided a vibration assessment to verify that the dropping of weights is not causing an impact.

- *The initial DA was approved for cardio exercises which acoustic matting would be adequate. Weights have now been introduced to these exercise classes causing a disturbance.*

Comment:

The original approval under DA/569/2016 was for shop 37 to be used as a recreational facility (indoor) – Personal Fitness Studio. The acoustic report approved as part of the original development consent was prepared based on gym activities where no heavy weights are used or any unsupervised activities involving the use of free weights.

Weights have now been introduced to exercises. The dropping of weights is disturbing residents and this impact has not been addressed within the Acoustic Assessment report prepared by Reverb Acoustics.

2.1 DA/569/2016/B - Shop 37/2-6 Warringal Street, The Entrance - Use of Shop 37 for Recreational Facility - Personal Fitness Studio (Amended Application) (contd)

- *There are cracks in the building that were not there before the gym started operation. A Structural Engineers report should be submitted by the Applicant.*

Comment:

It is unclear whether any cracks or other issues with the building are related to the current use of the gym.

- *The acoustic report did not provide any noise testing results taken from within residential units.*

Comment:

Agreed.

- *The acoustic report states that dropping of weights was not audible during visits. The worst case scenario has not been tested within the acoustic report.*

Comment:

Agreed.

Internal Consultation

The development application was referred to Council's Environmental Health Officer to assess the impact of noise and vibration from the gym including the sampling data, methodology and findings of the Acoustic Assessment report prepared by Reverb Acoustics. The assessment found the acoustic assessment deficient having regard for the consideration of noise and vibration impacts within the development and to adjoining properties and does not support the proposed modification.

Ecologically Sustainable Principles:

The original application addressed ecological sustainable principles. The proposed modified development does not change the original assessment findings.

Climate Change

The original application addressed potential impacts of climate change. The proposed modified development does not change the original assessment findings.

2.1 DA/569/2016/B - Shop 37/2-6 Warrigal Street, The Entrance - Use of Shop 37 for Recreational Facility - Personal Fitness Studio (Amended Application) (contd)

Assessment:

Environmental Planning and Assessment Act, 1979

Section 4.55 (1A) – Modification of Consents

In accordance with Section 4.55(1A) of the *Environmental Planning and Assessment Act 1979* (EP&A Act), Council may consider a modification of development consent provided that:

- a) *It is satisfied that the proposed modification is of minimal environmental impact, and*
- b) *It is satisfied that the development to which the consent as modified relates is substantially the same development as the development for which the consent was originally granted and before that consent as originally granted was modified (if at all), and*
- c) *It has notified the application with:*
 - (i) *The regulations, if the regulations so require, or*
 - (ii) *A development control plan, if the consent authority is a Council that has made a development control plan that requires the notification or advertising of applications for modification of a development consent, and*
- d) *It has considered any submissions made concerning the proposed modification within any period prescribed by the regulations or provided by the development control plan, as the case may be.*

In order to satisfy s.455(1A)(a) and determine whether the proposed modification is of minimal environmental impact, the applicant was requested to submit an acoustic report to address issues raised in submissions in relation to noise and vibration from current operations. The acoustic report was to include an acoustic and vibration assessment that included consultation with the neighboring residents.

The applicant submitted an Acoustic Assessment Report prepared by Reverb Acoustics. Following assessment of the acoustic report was considered unsatisfactory as it did not adequately address the following:

- Noise and vibration associated with the dropping of weights;
- Impacts outside of the approved hours, including impact of the arrival and departure of patrons on the amenity of the surrounding area; and
- The impact of music associated with the gym.

The report provided limited information that does not reflect the current operations of the gym and subsequently does not satisfy council that there will be minimal environmental impact if the gym continues to operate.

In addition to assessment of the acoustic report by Council officers, the application was re-notified to the objectors providing them an opportunity to review and make comment on the

2.1 DA/569/2016/B - Shop 37/2-6 Warrigal Street, The Entrance - Use of Shop 37 for Recreational Facility - Personal Fitness Studio (Amended Application) (contd)

report. The submissions received indicate that the use of the premises as a gym is creating an ongoing amenity impact to residents (both within the mixed use development on the site, and also to dwelling houses opposite side of Warrigal Street).

The consistent concern is that the gym, previously primarily operated as a fitness studio with limited heavy weight facilities, is now predominately focused on weight-based exercises which contribute to noise and vibration both within and external to the building.

The acoustic report has not provided sufficient information to demonstrate that the continued and permanent use of the gym is of minimal environmental impact therefore the proposed modification does not satisfy Section 4.55(1A)(a) of the EP&A Act.

Section 4.55(1A)(b) requires the consent authority to determine whether the proposed modification is substantially the same development as the development for which consent was originally granted. The basis for which the original development consent was granted had regard for the description of development and outline of the proposed operation of the facility contained within the Statement of Environmental Effects which included a strict exercise environment with set classes of 45 minutes to an hour, where exercises were focused on functional, compound movements largely reliant on body weight and small apparatus. It was predominantly for cardio vascular exercise with little to no free weight-based exercises.

The assessment also relied upon the recommendations contained within the original acoustic report prepared by Rodney Stevens Acoustic Consultants. The nature of the gym activities described included no heavy weights being used, no unsupervised activities involving the use of free weights and a total of 25 people in the gym.

The current gym is operated by a new tenant who has established a revised gym operated as part of the 'F45' gym chain. The gym offers structured circuit classes that run for 45 minutes which are broadcast to the class via video. Some exercises use weights and kettle-bells. During a site inspection it became evident that the current exercise programs are predominately weight based. Heavy weights (up to 30Kg) and kettle-bells were seen on site. Vibration noise from the gym was heard within the basement car park. The consistent objection to this proposal being vibration caused by the dropping of weights is reliable and observed by Council officers on site.

The assessment of the modified application has considered the submissions received and the information provided within the Acoustic Assessment Report prepared by Reverb Acoustics. The intent of the original development consent granted was for a cardio vascular gym with little to no free weight based exercises. The operation of the gym has changed from that which was considered under the original granting of consent and it is therefore considered that the continuation and permanent use of this type of indoor recreational facility would not be substantially the same development as that was originally granted under the original development consent therefore failing one of the key tests under Section 4.55(1A) of the EP&A Act.

2.1 DA/569/2016/B - Shop 37/2-6 Warrigal Street, The Entrance - Use of Shop 37 for Recreational Facility - Personal Fitness Studio (Amended Application) (contd)

In accordance with the provisions of s.455(1A)(c) and (d), the modified application was notified in accordance with Chapter 1.2 Notification of Development Proposals and the submissions received have been considered in the assessment of the modification. For reasons stated above, it is considered that the modified development does not satisfy the test of being of minimal environmental impact or substantially the same development in accordance with Section 4.55(1A) of the EP&A Act.

In accordance with Section 4.55(3) of the EP&A Act, *in determining an application for modification of a consent under this section, the consent authority must take into consideration such of the matters referred to in section 4.15(1) as are of relevance to the development the subject of the application. The consent authority must also take into consideration the reasons given by the consent authority for the grant of the consent that is sought to be modified.*

The matters of consideration within Section 4.15 have been addressed further within the report. In addition, in determining an application for modification, the consent authority must also take into consideration the reasons given by the consent authority for the grant of the consent that is sought to be modified.

Formally specified reasons did not accompany the original granting of consent. However, the following reasons were identified in the assessment report for the determination and included (but were not limited to):

- 1 The proposal was considered satisfactory having regard for the relevant environmental planning instruments, plans and policies.
- 2 The proposal was considered against the objectives of the B2 Local Centre zone and was found to be satisfactory.
- 3 There were no significant issues or impacts identified with the proposal under section 4.15 of the *Environmental Planning and Assessment Act 1979*.

The reasons for the granting of the original development consent have been considered and having regard for those reasons, the modified application is considered to be contrary to the original consent given the nature of the use of the indoor recreation facility has changed such that additional noise is being generated at the premises therefore impacting on the amenity of residents which was not the case under the original application.

Wyong Local Environmental Plan 2013

The subject site is zoned B2 Local Centre under the *Wyong Local Environmental Plan 2013* (WLEP 2013). The proposed modification to the approved indoor recreation facility remains permissible within the B2 zone.

2.1 DA/569/2016/B - Shop 37/2-6 Warrigal Street, The Entrance - Use of Shop 37 for Recreational Facility - Personal Fitness Studio (Amended Application) (contd)

The granting of the original development consent was considered consistent with the objectives of the B2 Local Centre zone which are:

- *To provide a range of retail, business, entertainment, and community uses that serve the needs of people who live in, work in and visit the local area.*
- *To encourage employment opportunities in accessible locations.*
- *To maximise public transport patronage and encourage walking and cycling.*
- *To permit residential accommodation while maintaining active retail, business and other non-residential uses at street level.*
- *To minimise conflict between land uses within the zone and land uses within adjoining zones.*

In the absence of sufficient information to adequately assess the impact on the amenity of existing residents, the assessment of the modified application has found that the approved use is no longer in harmony with the objectives of the B2 Local Centre zone specifically in relation to minimising conflict between land uses within the zone. The subject site contains a mixed-use development where residential and business premises co-exist. The current operation of the gym is creating a conflict with the residential land use on the site and adjoining. This is evidenced through previous complaints to Council, previous complaints to the strata management body of the building, the submissions received as part of this application and the impacts as noted by Council officers during site inspection.

In accordance with Clause 2.3 of WLEP 2013, the consent authority must have regard to the objectives for development in a zone when determining an application. It is considered that the continued and permanent use of the gym within the subject premises is no longer consistent with the objectives of the zone.

Draft Central Coast Local Environmental Plan 2018

The draft *Central Coast Local Environmental Plan 2018* (DCCLEP) exhibition period ended on 28 February 2019. The proposal has been considered against the provisions of the DCCLEP. The subject site is zoned B2 Local Centre and development for the purpose of an indoor recreation facility remains permissible with consent within the B2 Local Centre zone pursuant to the DCCLEP. However, as the objectives of the zone remain the same, the application would be inconsistent with the objective which relates to minimizing conflict between land uses within the zone.

2.1 DA/569/2016/B - Shop 37/2-6 Warringal Street, The Entrance - Use of Shop 37 for Recreational Facility - Personal Fitness Studio (Amended Application) (contd)

Wyong Development Control Plan (WDCP) 2013

The application was notified in accordance with Chapter 1.2 Notification of Development Proposals. There are no other specific requirements of a Chapter of the DCP which warrant further discussion in relation to the proposed modification.

Likely Impacts of the Development

The application has not adequately addressed the impact on amenity to surrounding residents. The acoustic assessment is deficient and does not provide the necessary information for council to adequately assess and determine whether there will be minimal environmental impact in terms of the amenity.

Suitability of the Site for the Development

The original assessment found the development suitable for the site and in keeping with the character of the area having regard for the way in which the recreation facility was to be operated which was supported by the findings of the original acoustic report and recommendations. There is insufficient information in the acoustic assessment that was submitted with the modification to satisfy council that there will be minimal environmental impact on the surrounding neighbourhood, particularly having regard for the matters raised previously and within the submissions. The site is not suitable for the continued and permanent use as an indoor recreation facility (gym).

The Public Interest

Having regard for the assessment contained in this report, it is considered that the deletion of condition 19 to allow the permanent use of the premises as an indoor recreation facility (gym) is not in the public interest.

Conclusion

After consideration of the proposed modification against Section 4.55(1A) and 4.15 of the *Environmental Planning and Assessment Act 1979* and other relevant statutory and policy provisions, the proposed modification is considered to result in an unacceptable environmental impact having regard for the amenity of surrounding residents and is not considered to be substantially the same development to that which was originally granted consent. As a result, the modification is recommended for refusal.

Attachments

- 1 Acoustic Report D13585745



**Noise Impact Assessment
F45 Fitness Studio
37 / 2-6 Warringal Street
The Entrance NSW**

May 2019

**Prepared for Mr Luke Greenwood
Report No. 19-2316-R1**

Building Acoustics-Council/EPA Submissions - Modelling - Compliance - Certification



Mr Luke Greenwood
Noise Impact Assessment – F45 Fitness Studio
37/2-6 Warrigal Street, The Entrance

Page 2 of 14

1 INTRODUCTION

Reverb Acoustics has been commissioned to conduct a noise impact assessment for an F45 Fitness Studio at 37/2-6 Warrigal Street, The Entrance. This assessment considers music, dropping weights, trainer instruction. No additional mechanical plant is proposed as part of the proposal, therefore mechanical plant impacts have not been considered further.

The assessment was requested by Mr Luke Greenwood in support of and to accompany a Development Application to Central Coast Council (CCC) and to ensure any additional noise control measures are incorporated, where required.

2 TECHNICAL REFERENCE / DOCUMENTS

NSW Environment Protection Authority (2017). *Noise Policy for Industry*

NSW Environment Protection Authority (1999). *Environmental Criteria for Road Traffic Noise*

NSW Roads and Traffic Authority (2001). *Environmental Noise Management Manual*

Office of Environment and Heritage (2011). *NSW Road Noise Policy*.

NSW Environment Protection Authority (1994). *Environmental Noise Control Manual*

Department of Environment and Climate Change NSW (2010). *Noise Guide for Local Government*.

Liquor Administration Board "Noise Control Guidelines"

Van den Berg G.P. and Passchier-Vermeer W. (1999). *Assessment of low frequency noise complaints, Proc, Internoise 99*.

W.J. Davies, P. Hepworth, A. Moorhouse, R. Oldfield (2005). *Noise from Pubs and Clubs, Ph 1*.

A. Moorhouse, D. Waddington, M. Adams (2005). *Proposed criteria for the assessment of low frequency noise disturbance*.

Rodney Stevens Acoustics Pty Ltd (1 August 2016). *Noise Assessment Report. Proposed Gymnasium. 37/2-6 Warrigal Street, The Entrance, NSW*.

Central Coast Council (7 September 2016). *Application to Modify Development Consent. Notice of Determination. (Development Application Number: DA/569/2016/A)*

A Glossary of commonly used acoustical terms is presented in Appendix A to aid the reader in understanding the Report.

COMMERCIAL IN CONFIDENCE

In order to protect the integrity and proper use of this document, it may be copied in full providing it is complete and securely bound. Consider separate pages of this report in contravention of copyright laws.

Mr Luke Greenwood
Noise Impact Assessment – F45 Fitness Studio
37/2-6 Warrigal Street, The Entrance

Page 3 of 14

3 PROJECT DESCRIPTION

An F45 Fitness Studio occupies Shop 37 2-6 Warrigal Street, The Entrance. Noise sources of concern include music, dropping weights, and trainer instruction. Approved operating hours are 6am-7pm Monday to Friday, 7am-12pm on Saturday, and closed on Sunday.

This assessment will focus on the noise impact at nearest receivers and it should be acknowledged that compliance with criteria at nearest receivers will ensure satisfactory results at more remote locations.

Nearest receivers identified during our site visits are shown on Figure 1:

Figure 1: Site Plan



4 EXISTING ACOUSTIC ENVIRONMENT

A background noise level survey was conducted using a Class 1, Svan 977 environmental noise logging monitor, installed on the west side of Taylor Street, approximately 30 metres from the Warrigal Street intersection. The selected location is representative of the acoustic environment in the receiver area and is considered an acceptable location for determination of the background noise in accordance with Appendix B of the NSW Environment Protection Authority's (EPA's) – Noise Policy for Industry (NPI).

Noise levels were continuously monitored from 1 April to 7 April 2019, to determine the existing background and ambient noise levels for the area. The instrument was programmed to accumulate environmental noise data continuously and store results in internal memory. The data were then analysed to determine 15 minute Leq and statistical noise levels using dedicated software supplied with the instrument.

Mr Luke Greenwood
Noise Impact Assessment – F45 Fitness Studio
37/2-6 Warringal Street, The Entrance

Page 4 of 14

The instrument was calibrated with a Brüel and Kjaer 4230 sound level calibrator producing 94dB at 1kHz before and after the monitoring period, as part of the instrument's programming and downloading procedure, and showed an error less than 0.5dB.

Table 1 shows a summary of our noise survey, including the Assessment Background Levels (ABL's), for the day, evening and night periods. From these ABL's the Rating Background Level (RBL) has been calculated, according to the procedures described in the EPA's NPI and by following the procedures and guidelines detailed in Australian Standard AS1055-1997, "Acoustics - Description and Measurement of Environmental Noise, Part 1 General Procedures". A complete set of logger results is not shown, but available on request. Measured road traffic noise levels at the site are shown in Table 2.

Table 1: Summary of Noise Logger Results, dB(A)

Time Period	Background L90			Ambient Leq		
	Day 7am-6pm	Evening 6pm-10pm	Night 10pm-7am	Day 7am-6pm	Evening 6pm-10pm	Night 10pm-7am
15-16 Dec	47.9	49.0	38.4	53.6	54.9	49.1
16-17 Dec	49.6	47.9	39.5	55.2	53.9	48.3
17-18 Dec	45.6	46.5	38.0	51.8	52.6	49.8
18-19 Dec	47.6	46.2	37.6	54.2	53.3	48.9
19-20 Dec	47.4	46.8	40.0	52.4	51.9	48.7
20-21 Dec	46.1	46.0	39.2	52.2	51.7	48.2
21-22 Dec	44.8	44.9	39.0	51.2	51.6	47.9
RBL	47.4	46.5	39.0	--	--	--
LAeq	--	--	--	53.2	53.0	48.7

Site, weather and measuring conditions were all satisfactory during our noise surveys. We therefore see no serious reason to modify the results because of influencing factors related to the site, weather or our measuring techniques. A summary of the measured noise environment at the site appears in Table 2, taken from our logger results. The measured noise levels are typical for residential areas near a busy road.

Table 2: Existing Source Noise levels

Time Period	Leq		Lmax		L10		L90	
	Range	Average	Range	Average	Range	Average	Range	Average
Day	49-61	53	57-82	66	52-65	55	43-55	48
Evening	50-66	53	58-83	66	52-70	55	45-56	48
Night	41-64	48	52-77	62	43-69	51	37-55	42

5 CRITERIA

5.1 Nearby Receivers

Noise from industrial noise sources scheduled under the Protection of Environment Operations Act is assessed using the NSW Environment Protection Authority's (EPA's) Noise Policy for Industry (NPI). However, local Councils and Government Departments may also apply the criteria for land use planning, compliance and complaints management. The NPI specifies two separate criteria designed to ensure existing and future developments meet environmental noise objectives. The first limits intrusive noise to 5dB(A) above the background noise level and the other is based on the total industrial noise in an area in relation to the noise levels from the development to be assessed. Project Noise Trigger Levels are established for new developments by applying both criteria to the situation and adopting the more stringent of the two.

Mr Luke Greenwood
Noise Impact Assessment – F45 Fitness Studio
37/2-6 Warringal Street, The Entrance

Page 5 of 14

The existing L(A)_{eq} for the receiver areas is dominated by traffic on nearby roads, and commercial activity during the day, evening and night. Reference to Table 2.2 of the NPI shows that all receiver areas are classified as urban. The Project Amenity Level is derived by subtracting 5dB(A) from the recommended amenity level shown in Table 2.2. A further +3dB(A) adjustment is required to standardise the time periods to LA_{eq,15} minute. The adjustments are carried out as follows:

Recommended Amenity Noise Level (Table 2.2) – 5dB(A) +3dB(A)

Table 3 below specifies the applicable project intrusiveness and amenity noise trigger levels for the proposed redevelopment.

Table 3: - Intrusiveness and Amenity Noise levels

Period	Intrusiveness Criteria	Amenity Criteria
Day	52 (47+5)	58 (60-5+3)
Evening	51 (46+5)	48 (50-5+3)
Night	44 (39+5)	43 (45-5+3)
Shoulder (6am-7am)	47 (42+5)	43 (45-5+3)

Receiver Type: Urban (See EPA's NPI - Table 2.1)

1. Shoulder Period: the lowest 10th percentile of LAF_{90,15min} dB measurements for the equivalent of one week's worth of valid data taken over the shoulder period (that is, all days included in a single data set of shoulder periods (see Section A3 of the EPA's NPI).

Project Noise Trigger Levels, determined as the more stringent of the intrusiveness criteria and the amenity / high traffic criteria, are as follows:

Day **48dB LA_{eq,15} Minute** 7am to 6pm Mon to Sat or 8am to 6pm Sun and Pub Hol.
 Evening **46dB LA_{eq,15} Minute** 6pm to 10pm
 Night **43dB LA_{eq,15} Minute** 10pm to 7am Mon to Sat or 10pm to 8am Sun and Pub Hol.
 Shoulder **43dB LA_{eq,15} Minute** 6am to 7am.

5.2 Adjoining Apartments

The design criteria are set according to the use of adjoining rooms and the likely sources of noise within them. Published sound insulation performance in terms of R_w/STC ratings relate to partitions tested in ideal laboratory conditions or opinions based on such measurements. We therefore recommend selecting partitions with a laboratory R_w rating 3-4dB higher than required, to compensate for loss of performance through installation on-site.

There are differing classes of speech privacy which depend on speech level, absorption and background noise level in the adjoining room, and the sound insulation of the common partitions. The background noise level is typically generated by air-flow over grilles or diffusers in offices and by conversation and general people movements in corridors and reception areas.

Criteria for the assessment of quasi-steady-state noise sources, are sourced from AS/NZS 2107-2016 "Acoustics-Recommended Design Sound Levels and Reverberation Times for Building Interiors" and are detailed below.

Room Type	dB(A)
RESIDENTIAL BUILDINGS	
<i>Houses & apartments in inner city areas or entertainment districts or near major roads-</i>	
Living areas	35 – 45
Sleeping areas (night time)	35 – 40

REVERB ACOUSTICS

Mr Luke Greenwood
Noise Impact Assessment – F45 Fitness Studio
37/2-6 Warrigal Street, The Entrance

Page 6 of 14

The aim of this assessment is to ensure that the allowable noise levels shown above are not (theoretically) exceeded within any habitable room of apartments above the F45 Fitness Studio.

The transmission of noise within a building can occur in two ways, namely, air-borne noise and structure-borne noise. Air-borne sounds can be considerably attenuated by intervening enclosures i.e. walls, floors, ceilings, screens, etc. Control of structure-borne noise is more difficult as it causes vibration of the building structure and is readily transmitted to adjoining areas with little attenuation. Therefore, structure-borne noise needs to be suppressed at the source by provision of isolation mountings and hangers, anti-vibration pads, resilient flooring, etc.

Just as the terms air-borne and structure-borne define the origin of sound, so direct or indirect defines the method of transmission of noise to the receiving room. The direct sound, whether air-borne or structure-borne, is that which impinges directly on the surface of the intervening partition between the source and receiver and is radiated from the source directly to the receiver. Indirect or flanking sound is that component of the source which reaches the receiving room by way of open or inadequate windows, doors, ceiling plenums or ventilation ducts. Increasing the Weighted Sound Reduction Index (Rw) of the dividing partition will have little effect if the acoustic energy of the indirect field dominates. The weaker insulating path is always the critical one.

The main transmission path considered in the assessment is the common floor/ceiling system between adjoining tenancies and flanking noise thru shop-front glazing.

5.3 Background (Incidental) Music

Repetitive low frequency drum and base noise, that is a feature of all live and recorded music, may be a source of offensive noise for neighbouring residents and simply applying the EPA criteria will underestimate its intrusive nature. We have therefore applied the Liquor Administration Board's (LAB's) Standard Noise Conditions for the assessment of background music, and modified to suit the situation, as shown below:

"The LA10 noise level emitted from the licensed premises shall not exceed the background noise level in any Octave Band Centre Frequency (31.5Hz - 8kHz inclusive) by more than 5dB between 07:00 am and 12:00 midnight at the boundary of any affected residence.

The LA10 noise level emitted from the licensed premises shall not exceed the background noise level in any Octave Band Centre Frequency (31.5Hz - 8kHz inclusive) between 12:00 midnight and 07:00 am at the boundary of any affected residence.

Notwithstanding compliance with the above, the noise from the licensed premises shall not be audible within any habitable room in any residential premises between the hours of 12:00 midnight and 07:00 am".

To ensure the requirements of the LAB (and therefore Council) are satisfied, we have adopted a planning level equal to the prevailing background noise level in the adjacent residential area, during the most stringent early morning period from 6am to 7am of **42dB(A),L10**. This equates to planning noise level targets.

Table 4: Background Music Planning Level, L(A)10

dB(A)	Octave Band Centre Frequency, Hz								
	31.5	63	125	250	500	1k	2k	4k	8k
42	24	27	30	32	36	37	31	29	23

Mr Luke Greenwood
Noise Impact Assessment – F45 Fitness Studio
37/2-6 Warrigal Street, The Entrance

Page 7 of 14

6 METHODOLOGY

6.1 Site Noise

Reverb Acoustics conducted measurements of typical morning classes on two (2) separate occasions. The main sources identified were the instructor's voice, client voices and footfall noise. Dropping of weights was not audible during our visits, however, to assess a worst-case situation we have assumed a full-class during a cardio-session using weights. It should be acknowledged that it is usual practice to place a second layer of gym matting in areas where dumbbells or kettlebells are used.

The sound power level of each activity was determined according to the procedures described in AS2102 or AS1217 as appropriate, and theoretically propagated at to nearby receivers. Propagation calculations were carried out using the following equation. Where noise impacts above the criteria are identified, suitable noise control measures are implemented and reassessed to demonstrate satisfactory received noise levels in the residential area.

Equation 1:

$$L_{eq,T} = L_w - 10 \log(2\pi r^2) + 10 \log \frac{(D \times N)}{T}$$

Where L_w is sound power level of source (dB(A))
 R distance to receiver (m)
 D is duration of noise for each event (sec)

N is number of events
 T is total assessment period (sec)

6.2 Background (Incidental) Music

An in-house amplification system is used with speakers located in each corner of the main gym area. Measurements revealed that output from speakers has been set at **75dB(A) at a distance of 1m** from each speaker. Using noise data for the above situation and the known criteria in the residential area enabled calculation of the required transmission loss of each building element. Inspection of the premises has revealed that glazing, the entry door and the roof/ceiling system are the main noise leakage paths. The SPL dB(A) at a distance of 1m is shown in Table 5.

Table 5: SPL Background Music at 3m dB(A),L10

Octave Band Centre Frequency, Hz									
dB(A)	31.5	63	125	250	500	1k	2k	4k	8k
75	28	43	55	65	70	71	66	65	50

From consideration of the known dimensions and orientation of each building component the sound pressure level immediately outside was propagated to nearest residences using an equation¹ giving the sound field due to an incoherent plane radiator.

¹ Equation (5.104), DA Bies and CH Hansen, *Engineering Noise Control*, E & FN Spon, 1996.

Mr Luke Greenwood
Noise Impact Assessment – F45 Fitness Studio
37/2-6 Warrigal Street, The Entrance

Page 8 of 14

7 ANALYSIS AND DISCUSSION

7.1 Incidental Music

Background (incidental) music is played during fitness classes to create a more appealing atmosphere for clients and staff. The most significant noise paths are the glazing and entry doors fronting Warrigal Street. The following Table shows sample calculations to predict noise from incidental music, propagated through the front facade to nearest receivers directly opposite the studio across Warrigal Street and apartments directly above.

Table 6: Calculated SPL Incidental Music – Thru Warrigal Street Facade Propagated South to Residential Facades dB(A),L10

Item	dB(A)	Octave Band Centre Frequency, Hz								
		31.5	63	125	250	500	1k	2k	4k	8k
SPL at facade ¹	75	28	43	55	65	70	71	66	65	50
TL glazing/doors ²		-4	-8	-14	-18	-21	-24	-28	-26	-32
Area Gain		+11	+11	+11	+11	+11	+11	+11	+11	+11
SPL at rec	30	1	12	18	24	26	24	15	16	-5
Criteria	42	24	27	30	32	36	37	31	29	23
Impact	-12	-23	-15	-12	-8	-10	-13	-16	-13	-28

1. Background music. 2. 5mm clear float glass.

Table 7: Calculated SPL Incidental Music – Thru Warrigal Street Facade Propagated Within Residential Apartments Above Studio dB(A),L10

Item	dB(A)	Octave Band Centre Frequency, Hz								
		31.5	63	125	250	500	1k	2k	4k	8k
SPL at facade ¹	75	28	43	55	65	70	71	66	65	50
TL glazing/doors ²		-4	-8	-14	-18	-21	-24	-28	-26	-32
Area Gain		+11	+11	+11	+11	+11	+11	+11	+11	+11
Barrier loss ³		6	8	9	12	14	17	20	23	24
SPL at rec	31	9	18	23	26	26	21	9	7	-15
Criteria	42	24	27	30	32	36	37	31	29	23
Impact	-11	-15	-9	-7	-6	-10	-16	-22	-22	-38

1. Background music. 2. 4-5mm clear float glass. 3. Intervening awning.

Theoretical results in the above Table show that noise emissions from incidental music will be compliant with the overall LAB (and therefore Council) criteria at the nearest residences to the south across Warrigal Street and also within apartments directly above the studio.

The LAB criteria also requires that music to be inaudible within any habitable room in any residential premises between the hours of 12:00 midnight and 07:00 am. The IOA (i.e. European equivalent of the Australian Acoustic Society and the Acoustic Society of America) gives the following definition, "Noise is considered to be inaudible when it is at a sufficiently low level that it is not recognisable as emanating from the source in question and it does not alter the perception of the ambient noise environment that would prevail in the absence of the source in question". The IOA further suggests that entertainment noise will be inaudible within a residence when the L10 (entertainment noise level) does not exceed L90 (background noise level) in any 1/3 octave band between 40Hz and 160Hz. Reference to the above Tables reveals that incidental music is predicted to be more than 6dB(A) below the prevailing background noise level at 31.5Hz-8KHz, implying that music will be inaudible.

Attended measurements at the boundaries of residences directly opposite the site during a typical class with music accompaniment has confirmed that noise emanating from the studio was inaudible, validating our theoretical calculations. Compliance with the criteria is dependent on the specified limit being set and maintained for music output. Use of incidental music is considered acceptable, subject to the noise control recommendations detailed in Section 8.

REVERB ACOUSTICS

Mr Luke Greenwood
Noise Impact Assessment – F45 Fitness Studio
37/2-6 Warrigal Street, The Entrance

Page 9 of 14

7.2 Training Activities (Dropping Weights/Clients/Instructor)

Impacts from weights and training equipment on the floor, together with trainers instructing clients (raised speech) has the potential to create unacceptable noise levels at nearest receivers. The following Tables show calculations to predict the combined noise impact, from these activities at nearest receivers directly opposite the studio across Warrigal Street and apartments directly above.

Table 8: Calculated SPL Studio Activities – Thru Warrigal Street Facade Propagated South to Residential Facades dB(A),Leq

Item	dB(A)	Octave Band Centre Frequency, Hz								
		31.5	63	125	250	500	1k	2k	4k	8k
Lw activities ¹	82	46	54	66	78	75	75	70	62	36
TL glazing/doors ²		-4	-8	-14	-18	-21	-24	-28	-26	-32
Area Gain		+11	+11	+11	+11	+11	+11	+11	+11	+11
SPL at rec	34	14	18	24	32	26	23	14	8	-24
Crit (5am-7am)	43									
Impact	0									

1. Class activities. 2. 5mm clear float glass.

Table 9: Calculated SPL Studio Activities – Thru Warrigal Street Facade Propagated Within Residential Apartments Above Studio dB(A),Leq

Item	dB(A)	Octave Band Centre Frequency, Hz								
		31.5	63	125	250	500	1k	2k	4k	8k
SPL at facade ¹	82	46	54	66	78	75	75	70	62	36
TL glazing/doors ²		-4	-8	-14	-18	-21	-24	-28	-26	-32
Area Gain		+11	+11	+11	+11	+11	+11	+11	+11	+11
Barrier loss ³		6	8	9	12	14	17	20	23	24
SPL at rec	34	20	22	27	32	24	18	6	-3	-36
Crit (5am-7am)	43									
Impact	0									

1. Class activities. 2. 5mm clear float glass. 3. Intervening awning.

As can be seen by the above results, noise from class activities (clients, dropping weights, etc) and trainer instruction is predicted to be compliant with the criteria at nearest residential boundaries. See Section 8 for acoustic strategies to ensure ongoing compliance.

7.3 Cumulative Noise Impact

The cumulative noise impact from all activities associated with the site must be considered to confirm compliance. Peak periods during the early morning are considered the time periods of most concern. The acoustic sum of all noise generating items expected to operate at the site, propagated to nearest residential receivers, is shown in the following Table.

Table 7: Cumulative Noise Impact - Propagated to Nearest Receivers (Peak Periods)

Receiver/Item	Bgd Music	Gym Activities	Sum
Res's S across rd	30	34	35
Apartments above	31	34	36

Criteria: Day=48dB(A),Leq, Evening=46dB(A),Leq, Night=43dB(A),Leq Shoulder (6am-7am)=43dB(A),Leq

As can be seen by the above results, the cumulative noise impact from activities associated with operation of the development will be compliant with the criteria at all nearby receivers during all assessed time periods, subject to recommendations detailed in Section 8 being implemented.

REVERB ACOUSTICS

May 2019

Document Ref: 19-2316-R1

Commercial in Confidence

Mr Luke Greenwood
Noise Impact Assessment – F45 Fitness Studio
37/2-6 Warrigal Street, The Entrance

Page 10 of 14

7.4 Noise/Vibration Transmission to Adjoining Tenancies

Section 5.2 specified an average maximum noise level within apartments of 35dB(A), implying that the floor/ceiling system must attenuate at least 47dB(A) at 250-500Hz to provide an acceptable noise environment in adjoining consulting suites. To put results into context, an impact of 47 implies that the partition must be capable of attenuating 47dB (i.e. 82dB(A) – 35 = 47).

Inspection of the premises during our site visit reveals that the floor/ceiling system is at least 150mm reinforced concrete with a suspended ceiling below. To calculate the R_w (airborne) rating of the partition wall noted above, we used Marshall Day's Insul Predictive Program (used by over many acoustic consultancies worldwide and has proved a reliable tool for accurately predicting the acoustic performance of complex building systems). The Insul program has predicted that the partition wall will attenuate more than 50dB(A) at speech frequency range (250-500Hz) and more than 35dB(A) at lower frequencies. Noise levels from activities associated with the fitness centre are therefore predicted to be acceptable in adjoining consultancy rooms.

Structure-borne noise transmission also has the potential to be audible within apartments above when weights are dropped on the floor. Reference to the Rodney Stevens acoustic report confirms that 35mm impact matting was recommended for the free weights and dumbbell/kettlebell sections of the studio. Inspection of the studio during our site visits revealed that the entire active floor area is covered with hard wearing 12mm compressed rubber. As a further precaution, additional sections of the 12mm rubber matting is laid on top of the flooring in areas where dumbbells and kettlebells are used. This flooring is compressed and in our experience relatively ineffective at reducing structure-borne noise transmission from impacts. We therefore recommend the following:

- Retain existing 12mm compressed flooring to entire active studio area.
- Store 40-50mm thick gymnastic mats (say 2400mm x 1200mm dimensions) in an easily accessible location to be used as an overlay when using dumbbells and kettlebells.
- Details of selected mats are to be forwarded to the acoustic consultant for approval prior to purchase.

See Section 8 for floor covering recommendations to ensure structure-borne noise transmission (i.e. from dropping of weights) does not become an issue.

As previously stated, attended measurements at the boundaries of residences directly opposite the site during a typical class has confirmed that noise emanating from the studio was inaudible, and therefore compliant with the criteria.

Mr Luke Greenwood
Noise Impact Assessment – F45 Fitness Studio
37/2-6 Warringal Street, The Entrance

Page 11 of 14

8 NOISE CONTROL RECOMMENDATIONS

8.1 Approved current operating hours are acceptable, as shown below:

6am-7pm Monday to Friday
7am-12pm on Saturday
Closed on Sunday.

8.2 Background (incidental) music is permitted. Output must be limited to 75dB(A) at a distance of 1m from each speaker. This level has already been calibrated to corresponding settings on the sound system controls.

8.3 The existing 12mm compressed rubber matting is to be retained in the active floor area of the studio.

8.4 The following strategies are to be implemented to eliminate audible structure-borne noise transmission to apartments above:

- Retain existing 12mm compressed flooring to entire active studio area.
- Store 40-50mm thick gymnastic mats (say 2400mm x 1200mm dimensions) in an easily accessible location to be used as an overlay when using dumbbells and kettlebells.
- Details of selected mats are to be forwarded to the acoustic consultant for approval prior to purchase.

Comparable systems may be used subject to review by Reverb Acoustics.

Figure 2: Examples of Typical Additional Matting Overlay.



8.5 The main entry door must be closed at all times during classes. The automatic door closer must be maintained in good working order.

Mr Luke Greenwood
Noise Impact Assessment – F45 Fitness Studio
37/2-6 Warrigal Street, The Entrance

Page 12 of 14

9 CONCLUSION

A noise impact assessment for a fitness studio at 37/2-6 Warrigal Street, The Entrance, has been completed, resulting in noise control recommendations summarised in Section 8 of this Report. The site is suitable for the intended purpose providing recommendations outlined in this report are incorporated into the design. With these or equivalent measures in place, noise from the site will be either within the criteria or generally below the existing background noise level in the area for the majority of the time.

Considering the relatively constant traffic on nearby roads and nearby commercial activity, noise generated by the site may be audible at times but not intrusive at any nearby receiver. As the character and amplitude of activities associated with the site will be similar to those already impacting the area, it will be less intrusive than an unfamiliar introduced source and should be acceptable, considering the economic and social benefit to the local community as a whole.

Providing the recommendations presented in this report are implemented, operation of the fitness studio will not have any long term adverse impact upon the acoustical amenity of nearby residents. We therefore see no acoustic reason why the proposal should be denied.

STEVE BRADY M.A.S.A. A.A.A.S.
Principal Consultant

Mr Luke Greenwood
Noise Impact Assessment – F45 Fitness Studio
37/2-6 Warringal Street, The Entrance

Page 13 of 14

APPENDIX A

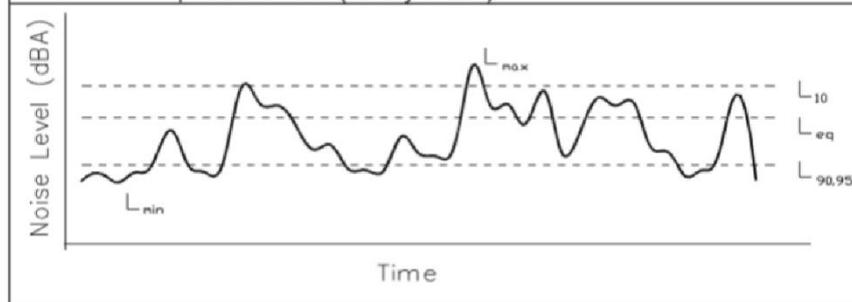
Definition of Acoustic Terms

Mr Luke Greenwood
 Noise Impact Assessment – F45 Fitness Studio
 37/2-6 Warrigal Street, The Entrance

Page 14 of 14

Definition of Acoustic Terms

Term	Definition
dB(A)	A unit of measurement in decibels (A), of sound pressure level which has its frequency characteristics modified by a filter ("A-weighted") so as to more closely approximate the frequency response of the human ear.
ABL	<i>Assessment Background Level</i> – A single figure representing each individual assessment period (day, evening, night). Determined as the L90 of the L90's for each separate period.
RBL	<i>Rating Background Level</i> – The overall single figure background level for each assessment period (day, evening, night) over the entire monitoring period.
Leq	Equivalent Continuous Noise Level - which, lasting for as long as a given noise event has the same amount of acoustic energy as the given event.
L90	The noise level which is equalled or exceeded for 90% of the measurement period. An indicator of the mean minimum noise level, and is used in Australia as the descriptor for background or ambient noise (usually in dBA).
L10	The noise level which is equalled or exceeded for 10% of the measurement period. L ₁₀ is an indicator of the mean maximum noise level, and was previously used in Australia as the descriptor for intrusive noise (usually in dBA).





Item No: 3.1
Title: Community Support Grant Program - November 2019
Department: Connected Communities

10 February 2020 Ordinary Council Meeting

Reference: F2019/00041-003 - D13752215
Author: Stuart Slough, Team Leader, Community Planning and Funding
Manager: Glenn Cannard, Unit Manager, Community Partnerships
Executive: Julie Vaughan, Director Connected Communities

Report Purpose

This report considers the applications and recommendations for the Community Support Grant Program, which supports the community to deliver community activities which require a small amount of funding and/or in-kind support

Recommendation

- 1 That Council allocate \$23,461.21 from the 2019-20 grants budget to the community grant programs as outlined in the following report and Attachment 1.**
- 2 That Council decline applications for the reasons indicated in Attachment 2 the applicants be advised and where relevant, directed to alternate funding.**

Context

Council's grant programs are provided to support the community to deliver quality programs, projects or events that build connections, celebrate our local community that align with the One-Central Coast Community Strategic Plan and build capacity across the entire Central Coast community.

The Community Support Grant Program is provided to support the community to deliver activities which require a small amount of funding and/or in-kind support. The Community Support Grant Program remains open throughout the year to provide assistance for community activities that require:

- 1 In-kind support through the provision of subsidised access to Council services.
- 2 Financial assistance for community activities that require a smaller amount of support.

3.1 Community Support Grant Program - November 2019 (contd)

The Community Support Grant Program provides a combined budget of \$300,000 annually as detailed in table 1 below.

Table 1: Community Support Grant Program

Program	Budget	Opening Period	2019/2020 allocation to date	Recommendation allocation within this report	Allocation to date + Recommendation within report
Community Support Grant Program	\$300,000	Ongoing	\$227,760.20	\$23,461.21	\$251,221.41
TOTAL			\$227,760.20	\$23,461.21	\$251,221.41

Current Status

The Community Support Grant Program remains open for applications throughout the year and the closing date for each assessment period is the last day of each month.

The Community Support Grant Program provides up to \$5,000 per project per financial year in combined funding and in-kind Council services to applicants who are a legally constituted not-for profit organisations, or auspiced by one.

Assessment

Eight applications were received and assessed by 30 November 2019 with seven recommended for funding in this Council report.

The Community Support Grant applications were assessed by Council's Unit Manager Community Partnerships and the Community Planning and Funding Team.

Consultation

Information on Council's Community Grants program is provided on Council's website and promoted through Councils Social Media platforms.

Regular emails with relevant information were provided to the community grants database.

Council staff also provided information and individual appointments with interested applicants to assist with their submissions where required.

Options

- 1 Approval of all recommended applications as submitted will provide a community benefit to residents of the Central Coast Local Government Area.
- 2 Non approval of some or all applications, as recommended, may result in projects not being undertaken if the respective proponents are unable to secure alternate funding.

Financial Impact

Council's 2019/2020 Council Operational Expenditure budget allocates \$300,000 to the Community Support Grant Program.

Expenditure is approved until the end of the 2019-20 financial year. Unspent funds will lapse on 30 June 2020.

Link to Community Strategic Plan

Theme 1: Belonging

Goal A: Our community spirit is our strength

B-A1: Work within our communities to connect people, build capacity and create local solutions and initiatives.

Risk Management

All successful applications will receive a letter of offer outlining Council's requirements of funding, service delivery and accountability for both Council and the funded organisation.

All successful applicants are required to submit a final project acquittal report no later than twelve weeks after the agreed completion date of the activity/project with copies of any photos, promotional materials and evidence of payment/purchase for each funded item.

Critical Dates or Timeframes

Many of these grant applications are dependent upon support via Council's grant program. Should decisions be delayed or not supported projects may not be undertaken.

Attachments

- | | | |
|----------|---|-----------|
| 1 | Attachment 1 - Community Support Grants - November 2019 - Recommended for Funding | D13782126 |
| 2 | Attachment 2 - Community Support Grants - November 2019 - Not recommended for Funding | D13782130 |

Recommended for Funding – November 2019

Organisation Name	Project Title and Summary	Staff Funding Recommendation	Staff Assessment
Central Coast Regional Show	2020 Central Coast Regional Show - Grant to offset partial costs	\$5,000.00	Recommended for funding as community benefit is demonstrated. Recommendation is conditional on public liability documentation being supplied prior to the release of funds.
Mingaletta Aboriginal and Torres Strait Islander Corporation	Music and Dance - Traditional music and dance for Aboriginal Youth	\$4,000.00	Recommended for part funding for all items except volunteer labour as per application. Community benefit is demonstrated, and all required information is provided.
The Bays Community Group Incorporated	Rates Subsidy	\$739.21	Recommended for funding as community benefit is demonstrated and all required information is provided.
North Entrance Surf Life Saving Club	Gymnasium Upgrade - New floor matting and gym equipment to support volunteer lifesavers and youth members	\$4,750.00	Recommended for funding as community benefit is demonstrated and all required information is provided.
Wagstaffe to Killcare Community Association Inc	Australia Day Recognition 2020 - Relief of costs for community event	\$2,810.00	Recommended for funding as community benefit is demonstrated. Recommendation is conditional on all required approvals to be provided prior to funds being released.

Organisation Name	Project Title and Summary	Staff Funding Recommendation	Staff Assessment
Chain Valley Bay Progress Association Incorporated	Australia Day Community Celebration at Joshua Porter Reserve - Community BBQ and music to celebrate Australia Day, open to all of the community at no charge	\$4,062.00	Recommended for funding as community benefit is demonstrated. Recommendation is conditional on all required approvals to be provided prior to funds being released.
Tempo Terrific Incorporated	Rehearsal Space Support & Development of Band Repertoire - Support for weekly rental of rehearsal space and other music expenses for the band's operation	\$2,100.00	Recommended for part funding of new music and rental of rehearsal space from 1 January 2020-30 June 2020, as earlier dates are retrospective. Community benefit is demonstrated and all required information is provided.
TOTAL:		\$23,461.21	

Not Recommended for Funding – November 2019

Organisation Name	Project Title and Summary	Staff Funding Recommendation	Staff Assessment
Avoca Beachside Markets	Rates Subsidy Avoca Beachside Markets - Rates Subsidy Avoca Beachside Markets Site Fees / Traffic Fees	\$0.00	Not recommended for funding as the applicant is ineligible as per CSP Guidelines 6.1- Applicants must be a legally constituted not-for-profit organisation or be auspiced by a legally constituted not-for-profit organisation



Item No: 3.2
Title: Proposed Naming of Reserve - "Ashley Chapman"
Reserve
Department: Environment and Planning

10 February 2020 Ordinary Council Meeting

Reference: F2017/01262 - D13753689
Author: Lisa Fox, Senior Advisory Policy and Projects
Executive: Brett Sherar, Acting Director Environment and Planning

Report Purpose

The purpose of this report is to recommend that Council support naming of an unnamed reserve at Budgewoi after Mr Ashley Chapman.

Recommendations

- 1** *That Council support the naming of the unnamed reserve at Budgewoi after Mr Ashley Chapman.*
- 2** *That Council support an application being made to the Geographical Names Board to request that the name "Ashley Chapman" be assigned to the Reserve.*

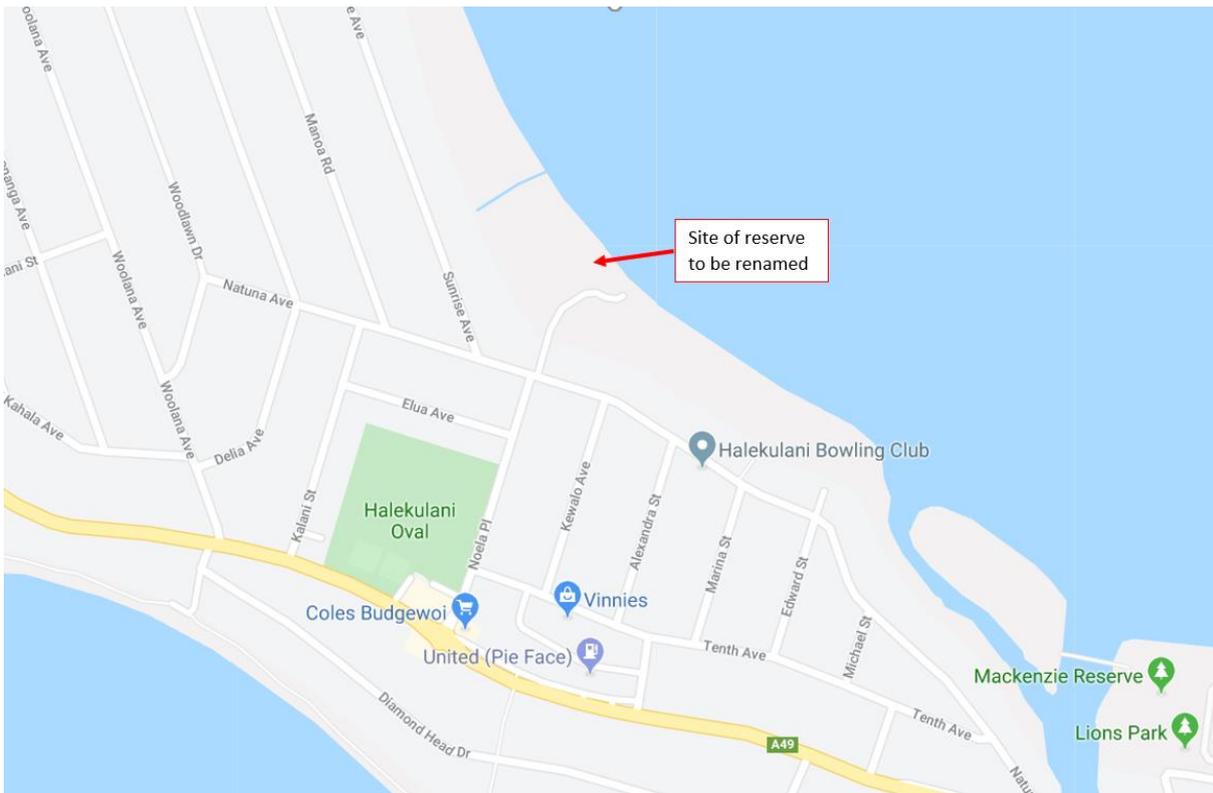
Background

Members of the Noela Place Reserve Community Group have proposed that an unnamed reserve, locally referred to as Noela Place Reserve or Sailing Club Reserve, be named "Ashley Chapman Reserve."

The reserve is situated on the lake foreshore at the end of Noela Place, Budgewoi and has been the home of the Budgewoi Sailing Club since 1972.

3.2

Proposed Naming of Reserve - "Ashley Chapman" Reserve (contd)



The application (Attachment 1) has been assessed as meeting the criteria set out in Council's *Policy for Memorials, Naming of Council Facilities and Donations of Park Furniture and Trees*.

For the reserve to be officially named, a naming proposal application will need to be submitted to the Geographical Names Board (GNB). This application requires a supporting Resolution of Council.

Mr Ashley Chapman was the co-founder and life-long member of the Budgewoi Sailing Club. He raced in regattas until 18 months before his death, aged 99, in 2012.

As is detailed in the application, Mr Chapman's connection to the reserve and sailing club was extensive. His home, immediately behind the reserve, was the venue for sailing club

3.2 Proposed Naming of Reserve - "Ashley Chapman" Reserve (contd)

meetings and social events. Club boats were stored at the rear of his property and he gave access to a toilet and shower for members.

Mr Chapman devoted much of his life to teaching sailing through his Budgewoi Sailing School, believing that "the pleasures and challenges of sailing offer a unique opportunity to discover and develop all that is best within oneself."

In 1990, Mr Chapman was named an outstanding Central Coast citizen by the Coast branch of the Commonwealth Trust.

Mr Chapman was a recipient of the Australian Sports Medal in 2000. This commemorative medal was given during 2000 to recognise Australian sporting achievements. The medal acknowledged a range of Australians who, in different ways, contributed to the nation's sporting success.

Consultation

As required by Council's policy the application has three supporting parties:

- Ms Kerrie Smith - Mr Chapman's daughter.
- Mr Mark Vandersteen – Club Captain, Budgewoi Sailing Club
- Councillor Jillian Hogan

Council staff have also received additional communication from other members of the Budgewoi sailing community expressing their support for the application. Staff are of the view that the proposed name is widely supported by the community.

Council staff consulted the GNB to confirm that the proposed name is required to be registered with them. The community will have further opportunity to comment during the GNB process.

Next steps

If Council resolves to support an application being made to the GNB to request that the name "Ashley Chapman" be assigned to the Reserve, the next steps are:

- 1 Council submits the proposed name to the GNB.
- 2 The GNB Board considers the application. If it is supported, members of the public will be invited to comment.
- 3 If no objections are received the name becomes official and GNB updates the official NSW mapping database and Geographical Names Register. If objections are received, Council will have an opportunity to comment prior to a report going to the Minister for approval.

Financial Impact

The financial impact will be minimal and limited to the installation of signage.

Risk

There is no corporate risk in approving this request for renaming.

Options

Option 1

Support the application to rename the unnamed reserve at Budgewoi after Mr Ashley Chapman – **Recommended**

Reason

For reasons outlined in the report and the supporting document.

Option 2

Do not support the application to rename the unnamed reserve at Budgewoi after Mr Ashley Chapman – **Not Recommended**

Reason

For reasons outlined in the report and the supporting document.

Link to Community Strategic Plan

Theme 1: Belonging

Goal A: Our community spirit is our strength

B-A2: Celebrate and continue to create opportunities for inclusion where all people feel welcome and participate in community life.

Attachments

- 1 Ashley Chapman Reserve Naming Proposal D13775611

Mr Gary Murphy, Chief Executive Officer,
Central Coast Council
PO Box 20, Wyong 2259

Attn: Mr Brett. Sherar Brett.sherar@centralcoast.nsw.gov.au

Application for naming a facility owned by Central Coast Council

NAME AND ADDRESS OF THE REQUESTER/S

Dr Janet Clark-Duff [REDACTED] (On behalf of Noela Place Reserve
Community Group)

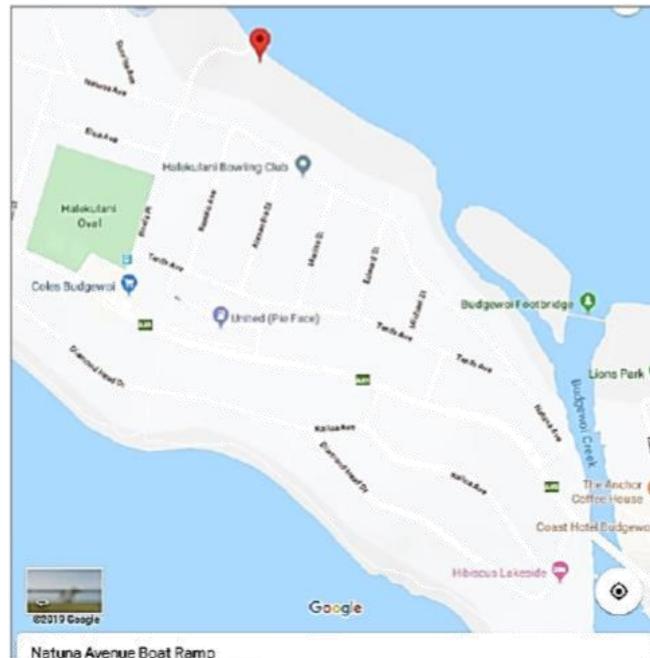
John Wallace [REDACTED]
Doreen Vandersteen [REDACTED]

The members of the Noela Place Reserve Community Group wish to propose that the reserve be officially named "**Ashley Chapman Reserve**" in memory of the co-founder of the Budgewoi Sailing Club, who lived behind the reserve from 1968 and continued to race in regattas until eighteen months before his death, aged 99, in 2012. Ashley was awarded the Australian Sports Medal in 2000 and after his death, he was honoured in a National Obituary in the Sydney Morning Herald and at a memorial regatta by the sailing club.

LOCATION OF THE FACILITY:

The reserve is currently un-named, and is situated on the lake foreshore at the end of Noela place, Budgewoi, off Natuna Ave. It is usually referred to locally as the Noela Place reserve or the Sailing Club reserve.

<https://goo.gl/maps/UdARjb7f7TU1fvq67>



Noela Place Budgewoi - Foreshore Reserve Area and Current Facilities.



REASON FOR THE CHOICE OF FACILITY, INCLUDING THE ORIGIN AND SIGNIFICANCE OF THE CURRENT NAME TO THE FACILITY.

The reserve is currently unnamed. It is a popular spot for visitors and sightseers, a peaceful lunch-time venue for trades and others, a rest and relaxation place for young mums with children, and popular with walkers, particularly the many dog-walkers who use the foreshore track mornings and evenings.

It has an amenities block, recently re-opened after negotiations with council, with male and female change rooms and toilets, and a toilet for people with disabilities. People with mobility problems like the reserve because it is flat and relatively easy to negotiate.

Apart from its regular daily visitors, because of its reliable nor'easterly breeze in the summer, the reserve has been the home of the Budgewoi Sailing Club since 1972. It has hosted numerous Sailing Championships on Lake Munmorah over the years.

PROPOSAL TO COMMEMORATE A PERSON**Background**

Ashley Leonard Chapman (1913 - 2012) was born in Hounslow, London. Ashley's sailing career started early, during an annual family holiday at a Channel seaside village in Kent.

Immigrating to Australia in 1930, aged 17 years, Ashley learned shorthand and became a cadet reporter for the Sydney Morning Herald and later a stenographer/clerk in Burns Philp's trading post in remote Salamaua, on the north coast of New Guinea. While there, he learned to sail dug-out outrigger catamarans. At just 22, he became manager of the fast-growing Shell fuel depot at Salamaua. He met legendary US aviator Amelia Earhart and was in the small crowd on July 2 1937 that watched her fly out of Lae on her fateful attempted record circumnavigation of the world.

Ashley met his future wife, Russian-born Sadie. She was the daughter of a Romanov family who had fled Russia via China following the Bolshevik revolution. They married in 1938.

After the Pacific War broke out in December 1941, Sadie left for Australia, but Ashley remained to refuel RAAF aircraft stationed at Salamaua airstrip until the RAAF pulled out. In 1942, he watched the Japanese forces land, blew up his depot and trekked for six weeks across the Bismarck Ranges to the coast, then sailed across the Gulf of Papua to Port Moresby in an open canoe.

After being flown back to Sydney, he enlisted in the RAAF. Because of his knowledge of the local area and fluent Pidgin, he was sent back to New Guinea and served with distinction as a coast-watcher and intelligence operative in Milne Bay and Bougainville.

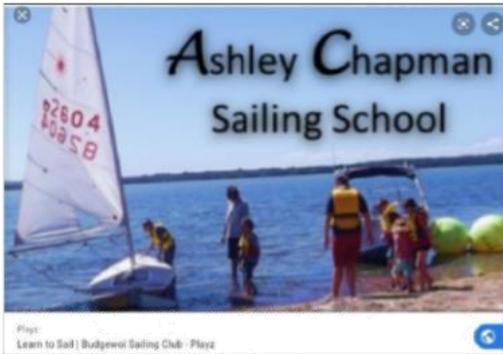
After the war, Ashley and Sadie developed a pioneering self-serve general store at Malabar. After selling their prosperous business, they "retired" to Budgewoi, on the Central Coast.

ASSOCIATION OF THE PERSON WITH THE FACILITY TO BE NAMED

Ashley and Sadie bought a holiday house at 91 Natuna Ave and lived there while he built his permanent home at [REDACTED], which still exists and is owned by a family member.

In 1972, together with Stan Vitnell, Ashley co-founded the Budgewoi Sailing Club, which has been integrally associated with this reserve from then until the present day. Ashley's house, immediately behind the reserve became the headquarters of the Budgewoi Sailing Club, from 1972 until 2007. The house was rebuilt in 2004 as a two-story home, with a large downstairs rumpus room. Ashley continued to offer the sailing club meeting facilities for the sailing school and social events, as well a toilet and a warm shower. Club boats were stored at the rear of the house and a small canteen was set up to cater to the families attending the club's events.

ASHLEY CHAPMAN'S ASSOCIATION WITH THE RESERVE IN NOELA PLACE



Passionate sailor ... Ashley Chapman in his beloved dinghy.



ASHLEY CHAPMAN'S ASSOCIATION WITH THE RESERVE IN NOELA PLACE (Cont'd)

When: Sunday, 11th September 2016
 Where: Budgewoi Sailing Club – Southern Shore of Lake Munmorah

(Access to the rigging area is via the laneway at the intersection of Noela Place and Natuna Avenue, Budgewoi)

Budgewoi Sailing Club Registration

Budgewoi Sailing Club would like to invite you to come to our club and meet our members.

The club has always been a place where young & old can both learn & enjoy the sport of sailing in a friendly environment open to all. With sailing classes & races held weekly, across a variety of "off the beach" classes, Budgewoi Sailing Club welcomes sailors of all experience levels. Whether an old salt or brand new to sailing, come and join in the fun!

If you like to give sailing a try you can register for our new sailing season.

Ashley Chapman Sailing School; Sunday's 10am – 12pm

Club membership:
 Intro sail 6 lessons \$20
 Youth under 18 \$65
 Adult over 18 \$100
 Family 2 adults & children \$245



Sailing Club Registration

 Budgewoi Sailing Club

 11th September 2016

 10am until 12pm

 Contact Mark

 WEBSITE

 FACEBOOK

PERSON'S ASSOCIATION AND CONTRIBUTION TO THE LOCAL COMMUNITY

Ashley was one of the first people accredited as a Sailing Master by the Australian Yachting Federation. Shortly afterwards, he set up the Budgewoi Sailing School where many local children (and adults) learned to sail. He devoted the rest of his long life to imparting his deep-held belief that the pleasures and challenges of sailing offer a unique opportunity to discover and develop all that is best within oneself.

He observed in a speech in 1990. "It is evident then, that unless age initiates and maintains an intelligent and tolerant contact with youth, we eventually will have a very uncomfortable society to live in. Hundreds of youngsters have gone through my sailing classes over the years. I cannot recall one who became a social liability. That, to my mind, is success." He was awarded the Australian Sports Medal in 2000.

At Ashley's memorial regatta, Mark Vandersteen, whom Ashley taught to sail as a boy, and who went on to become the club's senior instructor, said: "There are not many places where a 10-year-old might think of an 80-year-old as his or her best friend, but that is how it was here for so many of us."



Ashley's a grand old salt

ASHLEY Chapman has always been an outstanding sailor and now he's been officially declared an outstanding citizen.

Seventy-seven year old Ashley was recently named one of three outstanding Central Coast citizens by the Coast branch of Commonwealth Trust.

They received their awards at a function at the Ettalong Sea and Sands Motel.

Mr Chapman founded Budgewoi sailing club in 1972 and since then has devoted most Saturdays to training youngsters in the art of sailing.

His nomination for the award described him as the 'Grand old man of sailing' and said he was an 'object

lesson to his own generation and an inspiration to all who follow'.

"For 18 years Ashley Chapman has worked quietly each weekend to help to build the self-confidence, self-knowledge and self-esteem of local youth through sailing," the award stated.

Just a fortnight ago at Toukley, Mr Chapman came second in his class after 21 dinghies and catamarans in the 29-boat fleet withdrew because of high winds and heavy chop.

In thanking the Trust for the award, Mr Chapman

said it was evident that "unless age initiates and maintains an intelligent and tolerant contact with youth, we eventually will have a very uncomfortable society".

"Hundreds of youngsters have gone through my sailing classes over the years. I cannot recall one who became a social liability," he said.

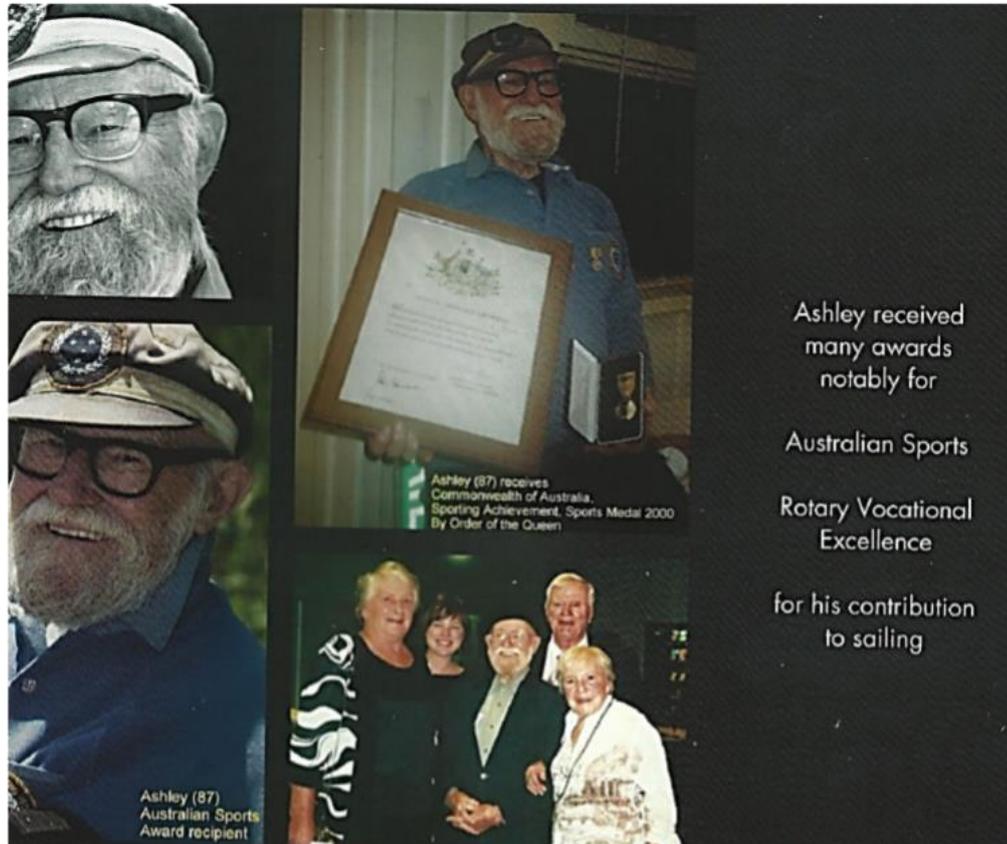
"I find in my dotage there is nothing more rewarding than passing on one's knowledge and skills to others.

"For the aged, it is almost a duty.

"It seems odd, therefore, that one gets special recognition for doing what one likes doing best."

Former NSW Governor, Sir James Rowland, presented the awards and said they reflected his view of the Commonwealth which was built by people who "had a sense of service, a sense of team spirit, a sense of community and were people who would give".

This is the second year the Central Coast branch of the Trust has given outstanding community achievement awards.



Ashley received many awards notably for

Australian Sports

Rotary Vocational Excellence

for his contribution to sailing

SOURCE OF THE ABOVE INFORMATION:

- **AFLOAT MAGAZINE** JANUARY, 2013 No. 279 - PAST MASTER OF DINGHY SAILING WHO TOUCHED HISTORY: Ashley Chapman 1913-2012 (Kathryn Bourke and Tony Maiden, co-authors)
- **Sydney Morning Herald National Obituary** 15 November 2012
<https://www.smh.com.au/national/imparting-love-of-sailing-his-greatest-legacy-20121115-29elz.html>
- **Budgewoi Sailing Club records and photos** – Doreen Vandersteen, Kathryn Bourke
- **Personal recollections and photos from long time sailing club members** – John Wallace and Sylvia Bowman Wallace

HOW THE NOMINEE MEETS THE CONDITIONS AS STATED IN THE POLICY

The Noela Place Reserve Community Group strongly believe that this documentation proves that Ashley Chapman more than adequately fulfils all the conditions as a prominent, positive local identity and role model. His dedication to improving the lives of young people through sailing was clearly demonstrated throughout his many years in Budgewoi.

OTHER RELEVANT SUPPORTING DOCUMENTATION
--

<p>Sydney Morning Herald National Obituary</p>

<p>https://www.smh.com.au/national/imparting-love-of-sailing-his-greatest-legacy-20121115-29elz.html</p>
--

<p><i>Imparting love of sailing his greatest legacy</i></p>
--

<p>Sailing master Ashley Chapman was one of Australia's great dinghy sailing enthusiasts, and mentor for more than 40 years to hundreds of young NSW sailors. He raced his 4.8-metre Corsair class dinghy Sadie Too at Budgewoi Sailing Club until just 18 months before his death.</p>

<p>Chapman talked with the American pilot Amelia Earhart before her fateful take-off from Lae in the then mandated territory of New Guinea in 1937. After the Japanese invasion of New Guinea in 1942 he trekked to safety across the forbidding Bismarck Range in one of the epic escapes of the war.</p>
--

<p>However, it is as a passionate dinghy sailor after he and his wife Sadie retired to Budgewoi in 1968 that he is remembered.</p>
--

<p>Ashley Leonard Chapman was born on July 29, 1913, in Hounslow, London. His interest in sailing was first sparked by the fishing smacks he loved to use to explore during annual family seaside holidays in Kent.</p>

<p>Ashley and Sadie developed a pioneering self-serve general store at Malabar after the war and prospered, retiring early to the central coast, where he co-founded Budgewoi Sailing Club in 1972 and devoted the rest of his long life to imparting his love of sailing to others. In a speech in 1990 he observed: "Hundreds of youngsters have gone through my sailing classes over the years. I cannot recall one who became a social liability."</p>
--

<p>Sadie died in 1997. Ashley Chapman was awarded the Australian Sports Medal in 2000</p>

THREE SUPPORTING PARTIES

<p>Kerrie Smith (Relative), Mark Vandersteen (Club captain, Budgewoi Sailing Club), Jillian Hogan, (Councillor, Central Coast Council.)</p>

Documentation Validated by Statutory Declaration and signed by a JP or Legal Practitioner
--

<p>See attached.</p>

<p>Proposed use of Aboriginal names for a facility must demonstrate consultation with the Local Aboriginal Lands Council and Council's Indigenous Community Development Worker.</p>

<p>N/A</p>

<p>In circumstances as determined by Council's Property and Asset Management unit where an application to name or re-name a facility is potentially controversial or questionable, the application will be advertised for a period of 21 days to provide opportunity for community comment and feedback for consideration by Council.</p>
--

<p>Up to council to decide. No known issues.</p>
--

If Council registers the name with the Geographical Names Board, it will follow the relevant guidelines of the Board and, prior to forwarding a request for naming determination, will ensure that:

- (a) The community was consulted on the proposed name;
- (b) The proposed name is widely supported by the community; and
- (c) The proposed name has been formally endorsed by Council.

Glenn Cannard (Connected Communities) has informed us that the proposal won't need to go to the Geographical Names Board. The community has been consulted and is supportive.

Prepared by :

Janet Clark-Duff (Spokesperson, Noela Place Reserve Community Group)

(Contact: [REDACTED])

With the great assistance of John Wallace, Doreen Vandersteen and Kathryn Bourke

26 October 2019



Item No: 3.3
Title: Community Safety Facilities Needs Assessment and Options Study Report
Department: Environment and Planning

10 February 2020 Ordinary Council Meeting

Trim Reference: F2004/06957 - D13703518
Author: Warren Murphy, Section Manager Contracts and Projects
Manager: Brian Jones, Unit Manager, Environment and Compliance
Executive: Scott Cox, Director Environment and Planning

Report Purpose

The purpose of this report is for Council to consider the findings of an independent review into the status of existing animal care and impounding facilities.

Recommendation

- 1 That Council note the report by Signature Project Management dated 8 May 2019 "Central Coast Council Community Safety Facilities – Needs Assessment and Options Study Report (the Report)".**
- 2 That Council support further detailed investigations into new Animal Impounding Facility options as recommended by the Report.**
- 3 That Council resolve, pursuant to section 11(3) of the Local Government Act 1993, Attachment 2 to this report is to remain confidential in accordance with section 10A(2)(c) of the Local Government Act 1993 as it contains information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business and because consideration of the matter in open Council would on balance be contrary to the public interest as it would affect Councils ability to obtain value for money services for the Central Coast community.**

Background

Council's Community Safety Section (CSS) conducted a strategic review of animal care, impounding facilities and services provided by Central Coast Council (CCC). The objective of the review was to identify Council's ability meet current and future responsibilities for animal and impounding services.

Currently, there are nine locations used for management of impounding functions, which include the:

- Council administration building at Wyong.

3.3 Community Safety Facilities Needs Assessment and Options Study Report (contd)

- Council administration building at Gosford.
- Animal Care Facility at Charmhaven.
- Animal Care Facility at Erina.
- Vehicle Impound Wyong.
- Vehicle Impound West Gosford.
- Article Impound Facility Wyong.
- Article Impound Erina.
- Livestock Impound Mardi.

The report titled "*Needs Assessment and Options Study Report*" dated 8 May 2019 (the Report) prepared by Signature Project Management (SPM) identified a number of issues including:

- The current fragmented nature of animal care facilities are producing inefficiencies.
- The current animal care facilities require upgrading to meet current welfare standards.
- The current animal care facilities need to be upgraded to accommodate increasing demand.

The Executive Summary (Attachment 1), outlines existing services and lists options to address Council's to meet the growing needs of the community. The Executive Summary has been provided to the Companion Animal Advisory Committee and may be released for public consultation.

The Report provides four options which include:

- Option 1 – The upgrade of the current facilities.
- Option 2 – The creation of a single centralised facility that includes all animal holding and article impound requirement.
- Option 3 - The creation of multiple centralised facilities to incorporate the needs of CSS.
- Option 4 – The total outsourcing of animal holding and vehicle impounding functions at privately owned facilities.

The Report (Attachment 2) contains information that is potentially of commercial advantage and should not be released to the public at this time.

The Report recommends the creation of a single centralised facility, Option 2. SPM suggests a centralised facility would be the most cost effective option on operational grounds due to the expense of upgrading ageing facilities with questionable ability to meet future standards, economies of scale and the need to provide for future service requirements.

Further investigation is required to enable staff to advise Council of a preferred option.

3.3 Community Safety Facilities Needs Assessment and Options Study Report (contd)

Consultation

On 20 May 2019, SPM provided a briefing to Council on the process that was undertaken and an overview of their findings.

On 10 October 2019 the inaugural meeting of the Companion Animal Advisory Committee (CAAC) was held.

The CAAC was provided a copy of the Executive Summary. The CAAC generally discussed the Executive Summary and the need for the further investigation into animal care facilities provided by Council.

The CAAC did not make a recommendation in relation to the Report.

Ongoing consultation is proposed to assist Council to determine a preferred approach for the provision of future animal care services. The consultations will include development of conceptual designs, consultation via the CAAC and additional internal/external stakeholder engagement.

Next Stages

The next stages of the program are to:

Stage 2

- Identify potential sites for new Animal Care Facility/Facilities.

Stage 3

- Engage a consultancy agency to develop a conceptual design for establishment of a new Animal Care Facility for community consultation purposes.

Financial impact

It is proposed to include provision of \$150,000 for the further investigation into a new Regional Impounding Facility in the 2020/21 operational expenditure.

The funding is to enable appointment for a consulting agency to prepare a conceptual design to enable a community consultation program.

3.3 Community Safety Facilities Needs Assessment and Options Study Report (contd)

Link to Community Strategic Plan

Theme 4: Responsible

Goal G: Good governance and great partnerships

R-G4: Serve the community by providing great customer experience, value for money and quality services.

Attachments

- | | | | |
|---|--|--|-----------|
| 1 | CCC Community Safety Facilities Needs Assessment and Options Study Report - Executive Summary | | D13580236 |
| 2 | Confidential - CCC Community Safety Facilities Needs Assessment and Options Study Report with Appendices | Confidential
Provided Under
Separate Cover | D13790938 |

**Central Coast Council
Community Safety Facilities**



**NEEDS ASSESSMENT AND
OPTIONS STUDY REPORT – EXECUTIVE SUMMARY**



FINAL 8 May 2019

Executive Summary

Introduction

Central Coast Council's Community Safety Section has identified the need to carry out a strategic review of their operations and the way they utilise their facilities. The recent formation of Central Coast Council ('CCC') from two Council's, being Gosford City Council and Wyong City Council has resulted in a number of facilities and operating contracts being duplicated over a wider Local Government Area (LGA). A legacy of the formation of the Council is a number of duplications within the Community Safety Section ('CSS') in the way it functions, utilises its facilities and its contracts are managed. A number of the current facilities (particularly for animal holding) are also nearing the end of their practical life and without major upgrades and maintenance would not meet current and future requirements. A number of the contracts are nearing the end of their terms in June 2020, which presents an opportunity to review these and in turn, review how those functions best utilise their facilities.

CSS has commissioned a consultant to carry out a strategic review of its operations and facilities management, and to provide a report incorporating a needs assessment and options study (the 'Report') on a number of CSS's key functions including:

- Staff office facilities;
- Animal Holding Facilities (AHF's);
- Livestock Impounding Facilities (LIF's);
- Article Impound Facilities (AIF's);
- Vehicle Towing and Impound Facilities (VTIF's).

Objectives

The objective of the Report is to assess whether there is a need for change and provide options to ensure Council's statutory responsibility and requirements for impounding and office space meet current and future requirements over the next 20 to 40 years. We note that the request to look out to the longer term 40-year timeframe is for the purpose of future-proofing for future growth of any new facilities, rather than catering for that additional space in terms of building and fit-out requirements. It was established in briefing sessions with CSS that the main focus of the Report should be on animal holding as this is the major component of CSS's facilities and that the other functions should be assessed in parallel;

Additionally, this Report assesses Council's CSS facilities infrastructure in terms of meeting its legislative requirements and the needs of the community now and into the future. This Report provides a needs assessment of CSS's animal holding obligations against current legislative regulations and standards, industry best-practice from benchmarking for other jurisdictions and trends both in Australia and overseas.

Executive Summary

This Report assesses whether there is a justification for change and provides options to ensure Council’s statutory responsibility and requirements for impounding and office space meet current and future requirements over the next 20 to 40 years.

This Report outlines the findings from the assessment of CSS’s future requirements, how its facilities would be able to cater for these requirements, whether there is a justification for change in its operational contracts and facilities infrastructure and then presents a number of feasible options to proceed to the next step if Council resolves that there is a need for change.

Current Facilities

The current CSS facilities are spread over nine locations and contractual arrangements include five external providers (two AHF providers, one LIF provider and two VTIF providers) as outlined in the following figure.



Figure: Facility Overview in LGA

Executive Summary

Key Issues Identified

The Report identifies a number of operational issues for the current CCC AHF's and for other jurisdictions, which are primarily related to animal holding capacity, operations and building standards. These issues included:

- Spread of diseases due to too many animals being in one enclosure;
- Lack of quarantine facilities;
- Lack of proper cat accommodation;
- Climate control for animal enclosures;
- Some enclosures facing each other resulting in stress and anxiety for animals as a consequence;
- Lack of appropriate food storage and kitchen facilities;
- Insufficient outside exercise yard space;
- Insufficient power supply to cater for high demand times resulting in intermittent power outages;
- Insufficient water supply capacity and water pressure to cater for the operational needs and equipment requirements.

It was evident from the assessment that the nine locations and five providers for a number of CSS services are causing operational, financial and workload inefficiencies, such as additional staff resourcing, travel time between locations and duplication of work functions.

The table below outlines a summary of the key issues identified for each of the CSS functions. A tick indicates that the current facilities and operations are suitable for a range of key indicators and a cross indicates that they are not meeting requirements.

	Location	Operation	Facility	Contract
Offices	√	×	×	√
Animal Holding Facilities	√	×	×	×
Vehicle & Towing Impound Facilities	√	×	√	×
Article Impound Facilities	√	×	√	√
Livestock Impound Facilities	√	√	×	×

Figure: Key issue summary

Executive Summary

Needs Assessment

The needs assessment included an assessment of CSS’s facilities to cater for current and future growth and trends. To assess current requirements CSS’s legislative requirements and minimum regulations and standards have been determined and facilities have been assessed for best-practice through benchmarking against other jurisdictions. To determine the future needs due to growth in demand for CSS’s services this need has been projected based on established correlations to population growth as well as industry trends and CSS’s aspirations and strategic goals.

The projected population for CCC has been provided by a population forecaster (namely Forecast.id) who provides population forecasts to Councils including CCC. These population forecasts are also included in the Central Coast Regional Plan 2036, indicating a growth to 415,000 people by 2036. According to projections in Council’s WaterPlan 2050, the number of residents will grow to 465,000 people in 2051.

Refer following Figure for population growth projections and animal shelter capacity projections.

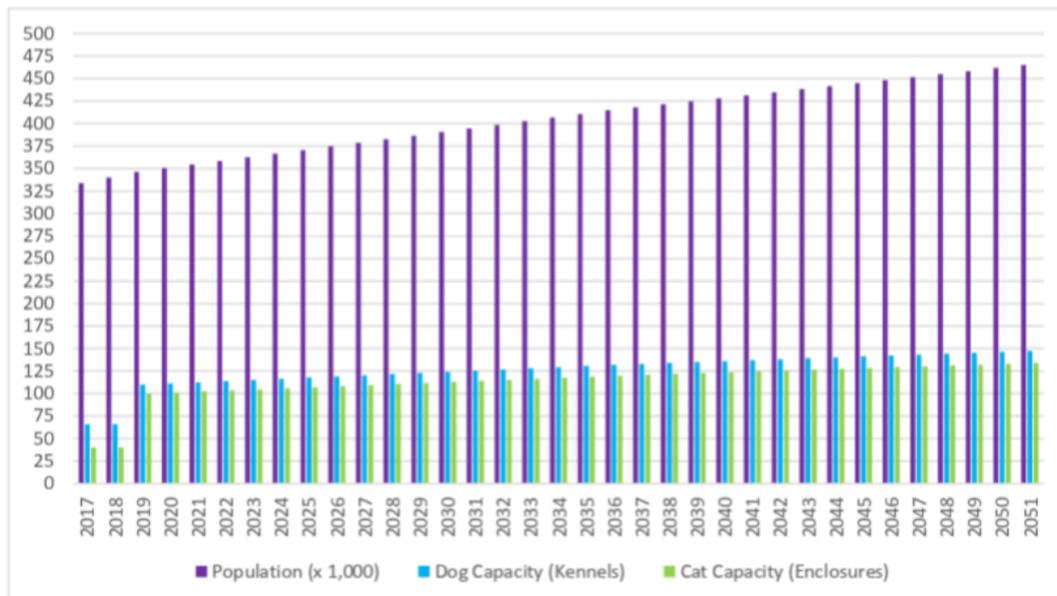


Figure: Population growth and animal holding capacity projections

The growth of the impounding requirements for Central Coast Council can be translated to an expected growth of 20% as directly correlated to projected population by 2036 and 34% by 2051 (refer above figure).

Executive Summary

Key Findings

The following key findings were identified from the needs assessment:

- CSS's vision for animal holding operations in regard to aspirational and community benefits was taken into account in the assessment to mitigate against reputational risks and realising additional potential benefits to Council;
- The needs assessment identified the following key factors to be considered in assessing the CSS facilities:
 - Community perception of animal welfare issues and re-homing rates,
 - The need for staff security and safety,
 - Operational and financial efficiencies,
 - Space efficiencies including economies of scale,
 - Workplace synergies and team-building, and
 - Increased amenity and associated facilities to optimise re-homing rates and attraction to the community.
- The projected growth for CCC's population is up to 2036 to 415,000 (i.e. 20%) and up to 465,000 in 2051 (i.e. 34%);
- Operational efficiencies may be achieved by combining functions in one location and a new long-term contract with one service provider for each impound facility (refer section 2.5). The current inefficiencies include doubling up of administration and management duties for CSS, doubling up of office space, two separate facilities, contracts and providers for the animal holding and vehicle impounding functions, and travelling between two office locations;

Requirements and Gap Analysis

The operational arrangements of the CSS facilities were discussed with CSS's representatives and were based on key findings. The arrangements for ownership, operation and external contracting of each facility is outlined in the following table:

Facility	Owned by	Operated by	Contract
Office	Council	Council	N/A
Animal Holding	Council (Operator)	Operator	Long-term SLA
Livestock Holding	Council (Operator)	Operator	Long-term SLA
Article Impound	Council	Council	N/A
Vehicle Towing and Impound	Operator	Operator	Long-term SLA

Table: required operational set-up

The current facilities have been assessed and the following shortfalls have been identified:

Executive Summary

- The current Erina and Charmhaven AHF locations are both of insufficient area to accommodate the required site area and floor space for growth in animal holding and livestock impounding capacity projections based on the assumption that the facilities cannot take up any further space in the Council depots (this assumption can be tested with Council);
- Each of the current Wyong and Gosford office spaces are insufficient to cater for the total combined office space for the CSS (without taking up further space in the Council buildings). This assumption could be tested.

Justification for Change

The needs assessment above has identified that CSS's current facility arrangements do not meet the current and future demand projections in the following areas:

- The current Offices, AHF's and Livestock Impound Facilities have a (high) risk of not meeting animal holding, building and workplace standards.
- The nine Community Safety Facility locations and five providers are causing operational, financial and workload inefficiencies for the CSS.
- The current AHF's have insufficient capacity to meet the short to medium- and long-term Animal Holding demand.

Therefore, there is a justification for a change to be considered in regard to the current facilities infrastructure and operational contracting arrangements. Options for the future of CSS's facilities infrastructure and operational arrangements have been outlined below for consideration by Council.

Options Considered

A range of feasible options have been identified to address the current and projected future needs of the CSS functions. For each option the proposed works include optimising the number of locations and/or contracts. Each option has advantages and disadvantages that need to be considered in formulating a preferred option or options. A quantitative analysis of the options indicates that the total capital costs for each option vary and these would need to be assessed in an economic or financial model to identify the options with highest cost benefit ratios in a Cost Benefit Analysis (CBA) or Nett Present Value (NPV), which are measures used to determine the viability of options in economic or financial terms. As the operational cost inputs for such an analysis are not available at this stage of preliminary assessment a CBA or NPV analysis would need to be carried out as part of a business case once Council decides there is a justification for change and chooses to proceed with further investment on the proposal.

Executive Summary

The list of options considered by this report include the following:

Options	Description
Option 1	– Upgrade current facilities without combining them
Option 2	– New Community Safety Compound built by Council in one central location (outsourcing vehicle impounding facility)
Option 3	– New Animal and Livestock Holding Facility built by Council in a central location – A plan/ solution for offices refurbishment and article impound facility on other locations (outsourcing vehicle impounding facility)
Option 4	– Animal and Livestock Impounding functions totally outsourced including facilities provision – A plan/ solution for offices refurbishment and article impound facility on other locations (outsourcing vehicle impounding facility)

Table: options description

The advantages and disadvantages for the four options is included in the following table.

Option	Advantages	Disadvantages
Option 1: Upgrade current facilities	– Proximity of CSS facilities in Wyong and Gosford to people living in those centres	– Not able to meet space requirements for current and projected demand – The same functions split between different locations lead to operational inefficiencies – If these were to be upgraded or refurbished then temporary facilities are needed to ensure functions continue during construction.
Option 2: New Community Safety Compound built by Council (Outsourcing vehicle facility)	– Opportunity to meet current and future requirements for almost all CSS's facilities infrastructure – Operational and financial efficiencies can be achieved (e.g. economies of scale, staff efficiency) – Existing facilities can operate without disruption, whilst the new facility is being built – New facility can incorporate quality amenities and associated functions	– Longer travel distance from some areas within the LGA but optimal location for the majority of people if located centrally e.g. Lisarow Ourimbah area.
Option 3: New AHF and Livestock Facility built by Council	– Opportunity to meet current and future requirements for AHF and Livestock.	– Longer travel distance from some areas within the LGA but optimal location for the majority of people if

Executive Summary

Option	Advantages	Disadvantages
(Outsourcing vehicle facility)	<ul style="list-style-type: none"> – Operational and financial efficiencies can be achieved for the above functions (e.g. economies of scale, staff efficiency). – Existing facilities can operate without disruption, whilst the new facility is being built – New facility can incorporate quality amenities and associated functions 	located centrally e.g. Lisarow Ourimbah area.
Option 4: animal holding facility, livestock and vehicle facilities totally outsourced	<ul style="list-style-type: none"> – Council can pass responsibility for facility ownership and maintenance to an external provider which could be an effective way to manage ongoing costs and not having a large capital cost investment upfront. – Existing facilities can operate without disruption, whilst the new facility is being built 	<ul style="list-style-type: none"> – A higher contract cost annually which may, over the life of the asset be a higher total cost overall (NPV). – Required appetite, financial solvency and quality of potential external providers is unknown at this stage. The current providers may have that capability but these have not been explored through an RFT process. – Financial risks for Council in the event of default or insolvency of the external provider. – Council has less control regarding amenity and quality of facilities (upkeep) and therefore higher exposure to community expectations and reputational risks should things go wrong.

Table: high-level summary of options considered

Identified Benefits

Several benefits can be achieved through realising new CSF's. These benefits are outlined below:

- Substantial benefits from higher animal welfare and higher re-homing rates can be expected. In general terms, animal welfare could be improved by meeting or exceeding current animal holding standards, but also by providing improved hygiene, quarantine and vet facilities with increases in animal health and decreases in the number of euthanised animals in the facility.
- A modern and functional facility will attract more users from the community and will provide residents with improved facilities to adopt animals. This generally results in higher re-homing rates.
- Operational, financial and workload efficiencies may be achieved for both the CSS offices and animal holding facilities.
- Amalgamation of the CSF's will reduce travel time for rangers and staff and will improve cooperation and team spirit within the CSS. Additionally, space efficiencies can be achieved by sharing facilities.

Executive Summary

- One larger AHF will require less staff to manage, especially during the off-peak hours. The resultant economies-of-scale provide the opportunity for additional amenities such as veterinary and small multi-purpose facilities which may not be feasible in a smaller facility. Better staff security can also be achieved through a more sophisticated operational arrangement and design of the facility.

More definitive and quantitative conclusions on these benefits would be developed through a social and economic benefit assessment which would be carried out following a decision by Council to proceed to the next phase of project development.

Implementation Phase

This Report outlines a number of options for implementation strategies for the project for Council's consideration for determination at the appropriate time. A variety of potential risks for the project have also been outlined in the risk management section of the report and a more detailed risk management plan would be developed for the implementation phase of the project. The various delivery methodologies should be considered by Council if a decision is made on proceeding with the project through the planning phase

Conclusions

The objective of this Report is to assess Council's CSS facilities infrastructure in terms of meeting its legislative requirements and the needs of the community now and into the future. This Report provides a needs assessment of CSS's animal holding functions which outline current legislative regulations and standards, industry best-practice from benchmarking against other jurisdictions and trends, both in Australia and overseas.

The needs assessment identified the following key factors to be considered in assessing the CSS facilities:

- Community perception of animal welfare issues and re-homing rates;
- The need for staff security and safety;
- Operational and financial efficiencies;
- Space efficiencies including economies of scale;
- Workplace synergies and team-building;
- Increased amenity and associated facilities to optimise rehoming rates and attraction to the community.

The conclusions of the Needs Assessment and Options Study are outlined as follows:

- The assessment concluded that the current CSS facilities do not meet the current and projected need for animal impounding requirements as well as other CSS functions (e.g. vehicle and article impound, stock impound and office requirements) over the next 20 to 40

Executive Summary

years, primarily due to population growth and changing household profile, therefore justifying a case for change.

- The gap analysis identified a number of inadequacies which are summarised below:
 - The current Erina and Charmhaven AHF locations are both of insufficient area to accommodate the required site area and floor space for growth in animal holding and livestock impounding capacity projections, based on the assumption that the facilities cannot take up any further space in the Council depots (this assumption can be tested with Council); and
 - The current Gosford and Wyong office spaces are insufficient to cater for the total combined office space for the CSS (without taking up further space in the Council buildings). This assumption could be tested with Council.
- The possible proposals to implement this change were further assessed through an options study to meet CSS's aspirational and strategic goals.
- The wider options assessment was narrowed down to four main options as worthy of further consideration and study as follows:
 - Option 1 – Base Case Option – The upgrade and expansion of current facilities (i.e. keeping them separated into Wyong and Gosford sectors) has a number of disadvantages, mainly being the marginal saving in capital costs over Options 2 & 3 and significant additional operational costs due to staffing inefficiencies, and do not make this a favourable option;
 - Option 2 – development of a new CSS compound combining the Wyong and Gosford animal holding and other CSS functions in one location centrally located in the LGA;
 - Option 3 – The option of developing new facilities in a number of locations across the LGA; and
 - Option 4 – full outsourcing (other than offices and articles) have also been identified as worthy of further consideration and study.

The assessment identified the two options which are favoured at this stage to be further developed into a business case are Option 2 and Option 4. Option 2 is included as one of the favoured options as it combines the new facilities in one central location which provides operational resourcing and organisational benefits. Option 4 is worthy of consideration to explore the appetite in the local industry for a full outsource model to assess as part of a business case for consideration by Council. Option 3 has the disadvantage of not achieving operational and staff efficiencies (due to duplication, lacking synergy and team building advantages).

If Council agrees that the need for change is justified, the recommendation is to further progress these two most favourable options as part of a preliminary business case to recommend a preferred option. The preliminary business case would include a Benefit Cost Analysis (BCA) and Nett Present Value (NPV), which would assess the relative economic and financial benefits of the above options over the life of the facility. This would show the economic and financial merit of Council developing its own facilities versus a full outsourcing model.

Executive Summary

The way forward then would be to further develop the facility brief and identify potential sites and carry out a due diligence on the sites for a single combined facility in a central LGA location and in parallel to run a full Expression of Interest (EOI) and Request for Tender (RFT) for a total outsource model to assess whether the local industry has an appetite to provide such a service. These two initiatives would provide the necessary data to complete a business case that would be presented to Council for making a decision on the preferred option for provision of CSS functions and facility infrastructure into the future. (refer section 10). In parallel, the extension of the current contracts by two years or an RFT for the new facilities be run from July 2020, with a two-year overlap period where the new providers operate out of the current facilities whilst any new facilities are developed if this is chosen as the preferred way forward at that time.

Recommendation on the next steps

Should Council agree there is a justification for change to meet the current and future needs for CSS's facilities infrastructure and agree the feasible options the following are recommended as the next steps:

1. Identify the development of CSS's facilities infrastructure as a project under the appropriate Council framework and undertake to progress this to preliminary business case stage;
2. Confirm Council's vision and strategic brief for the operations and facilities infrastructure;
3. Develop a Design Brief for the facilities;
4. Approve a budget and engage consultants to proceed with a site search and assessment for potential locations to meet the Design Brief;
5. Undertake an Expression of Interest and Request for Proposals for total outsourcing model for provision of the operations and facilities if appropriate;
6. Ensure a single AHF Provider from July 2020 through an RFT for operating the current facilities and/ or any new facilities if this is chosen as the preferred way forward at that time;
7. Once a decision is made by Council on the preferred option(s), proceed to a preliminary business case which would include initial financial modelling on funding a range of financial options, including the most expensive option for feasibility (with sensitivity on a range of scenarios) to be included in an economic analysis (with a Benefit Cost Analysis – BCA) to determine the preferred option for recommendation to Council.



Item No: 3.4
Title: Sports Facility Lighting
Department: Environment and Planning

10 February 2020 Ordinary Council Meeting

Reference: F2011/02560 - D13770254

Executive: Brett Sherar, Acting Director Environment and Planning

Report Purpose

The purpose of this report is to respond to Council resolution 709/19 – Sports Facility Lighting.

Recommendation

That Council maintain the current fees and charges process for floodlighting at sports facilities that are adopted for the 2019/20 budget.

Background

Council, at its meeting held on 12 August 2019 resolved:

709/19 That Council request the Chief Executive Officer to provide a report with a view to reducing the seasonal rates for 3 hours per night and 6 hours per night in the 2020/21 financial year.

Summary

Sport facility floodlighting is installed for the exclusive use of sporting groups to improve access to the facilities. Current fees and charges for floodlighting of sporting fields are currently only a contribution of approximately 35% of the full cost

Council do not charge fees based on hours of usage for sporting group seasonal hire, the charges are per night or per season. For most users and for most of the winter period lights are not required before 5:00pm (occasionally 4:30pm) and are normally switched off by 9:30pm with few exceptions. This is a window of 4.5 hours.

Council's sporting facility floodlighting infrastructure is installed for facilitating night usage of sports grounds. Most of the night usage is for training purpose with a small amount of competitions played at night. While there is incidental other use, sports usage is the reason for installation.

3.4 Sports Facility Lighting (contd)

When determining the fees for sports field usage, consideration is given to the fact that the fields are used by the greater community when organised sport is not active, but floodlighting is installed, maintained and operated purely for the sporting groups with no value to the greater community.

The cost of providing sports field floodlighting is not limited to the energy consumed. It also includes the original installation costs, electricity supply and access fees, the renewal and maintenance of the poles, wires, globes and switching gear, safety inspection and the replacement of blown globes.

Council's current adopted 2019/20 fees and charges provide a lighting fee per hour based on the recovery of electrical cost. Lighting is also used when non-sporting organisations hire the facility for alternate purposes. This energy recovery cost is not charged to the sporting facility users and neither is the true cost of Council providing this asset.

The cost charged to the sporting users is a contribution towards the cost of providing the service with the remainder of the costs being subsidised by Council.

To provide an estimate of the true cost of providing sports field lighting the below information has been provided:

- Average price to install floodlighting on a two-field complex - \$180,000
- Average lifespan of poles and wires - 30 years – Current specification
- Supply and access charges per site - \$600/year or \$0.77/usage hour
- Globe replacement per field (estimate) - \$400/ year
- Inspection, maintenance and repair all fields (estimate) - \$80,000/ year
- Electricity for floodlighting complex (estimate) at 36c per kw = \$17.28/hour
- Average usage winter 3 nights per week 4 hours per night or 12 hours per week
- Average usage summer 1 night per week 3 hours per night or 3 hours per week
- Average usage over full year = 7.5 hours per week

Total cost of floodlight provision

Asset Cost - One field@30-year life span =	\$7.70/usage hour
Electricity supply and access charges per site -	\$0.77/usage hour
Inspection, maintenance and repair (estimate) -	\$1.31/usage hour
Globe replacement -	\$1.02/usage hour
Electricity cost -	\$8.64/usage hour per field

The actual life cycle cost of sports field floodlighting is \$19.44/usage hour.

Current fees and charges for sport field seasonal hire, including lighting, is \$1,260.75 per night, without lights it is \$630.40. This equates to \$630.35 for lighting for a season of up to 24 nights. If the user averages 4 hours per night, the cost of the lights equates to \$6.57 per hour or approximately 35% of the full cost.

Current Process

There are a number of reasons why Council does not currently provide an hourly lighting fee being:

- Council's floodlighting across the two former LGA's was established differently over a long period of time with a number of the facilities not currently being able to be managed remotely, requiring the timing of the floodlighting to be set manually. This means that the sites that are set manually by manual timer can only have one setting for the entire week and cannot be varied for particular days of the week.
- Initial start-up cost of lighting is much higher than the continued use and any fee that was full cost recovery for electricity would need to take into account the initial hour of usage and then subsequent hours, making the administration difficult.
- Overall administration of the bookings process. The current bookings process and structure of fees and charges were designed to minimise the amount of administration that is required to manage the complexity in booking 78 facilities with up to 9 grounds per facility for 25 hours per week, up to 7 days per week. With every booking there are multiple actions that need undertaking including invoicing, cross referencing usage times and previous booking requests. As the lighting fee is included in the booking fee there is only one entry and invoice. By having a separate lighting fee to the booking fee there would be multiple entries and invoices to be managed per booking.
- The training fee, including lighting, is only a contribution to the total cost of providing the facilities with the current overall income for sporting facilities being less than 8.6% of Councils operational costs.
- In many shared facilities the lighting is not separately metered.

While Council could provide an hourly lighting fee this would entail substantial investment in remote operating technology of the current manual operated floodlighting and increased administration cost. Any savings to the users would depend on the fee that is set. While the floodlighting at sports facilities are not separately metered from the rest of the facility, they are the highest users of electricity on site and it is anticipated that if a cost recovery lighting fee was implemented, as is the case with many other Council's, the cost of provision would increase.

The anticipated electricity costs for outdoor sporting facilities for a full year is \$520,000 of an overall operational budgeted expenditure of \$8,678,289 with a total income from sports facilities bookings being \$742,673.

3.4 Sports Facility Lighting (contd)

Netball training fees, including lighting, are not considered elevated compared to ovals as they are 50% of the cost of hiring an oval. When netball courts are hired, users have access to two courts, whereas users of ovals pay per oval. The reason for providing two netball courts for one fee at complexes other than Baker Park, Gosford and Lemongrove is primarily due to the configuration of the netball court lighting.

Options

Option 1

That Council maintain the current fees and charges process for floodlighting that are adopted for the 2019/20 budget – **Recommended**

Reason

The lighting fee adopted was not set as a cost recovery for electrical use or full cost recovery. As with all other Central Coast Council sports fees, it was set as a contribution to the cost of facility provision. The process was also adopted to minimise the amount of administration.

Option 2

That Council maintain the current process for floodlighting charges that are adopted for the 2019/20 budget but review the fees for 2020/21 – **Not Recommended**

Reason

Any fee reduction will impact Council's overall budget and may impact the level of service provided to the sports facilities. The lighting fee adopted was not set as a cost recovery for electrical use or full cost recovery. Like all other Central Coast Council sports fees, it was set as a contribution to the cost of facility provision. The process was also adopted to minimise the amount of administration.

Option 3

That Council move to an hourly fee for lighting and provide adequate budget in the 2020 Capital works budget to upgrade the telemetry system to allow the management of the process - **Not Recommended**

Reason

The current capacity to manage the floodlighting hourly across the Central Coast is not yet available and would require substantial capital works of at least \$130,000 to be invested in its upgrade. It is also inefficient to administer requiring increased resources to manage, estimated at \$45,000 per year. As the current fees are only a contribution, then a new fee structure would need to be determined.

Option 4

That Council introduce an hourly floodlighting fee that is full cost recovery and provide adequate budget in the 2020 Capital works budget to upgrade the telemetry system to allow the management of the process – **Not Recommended**

Reason

The cost to the sport facility users will increase by approximately 200%. The current capacity to manage the floodlighting hourly across the Central Coast is not yet available and would require substantial capital works of at least \$130,000 to be invested in its upgrade. It is also inefficient to administer requiring increased resources to manage, estimated at \$45,000 per year.

Option 5

That Council introduce an hourly floodlighting fee that is energy cost recovery and provide adequate budget in the 2020 Capital works budget to upgrade the telemetry system to allow the management of the process – **Not Recommended**

Reason

The cost to the sport facility users will increase by approximately 24%. The current capacity to manage the floodlighting hourly across the Central Coast is not yet available and would require substantial capital works of at least \$130,000 to be invested in its upgrade. It is also inefficient to administer requiring increased resources to manage, estimated at \$45,000 per year.

Financial Impact

If options 3, 4, 5 or 6 are adopted for Lighting Costs, the cost to make the floodlighting capable of hourly charging is estimated at greater than \$130,000. There would also be an additional cost of administering the new lighting charge of an estimated \$45,000 per year.

If option 2 is adopted, it will reduce Council income. The amount would be dependent on the adopted reduced fee.

Link to Community Strategic Plan

Theme 5: Liveable

Goal L: Healthy lifestyle for a growing community

L-L1: Promote healthy living and ensure sport, leisure, recreation and aquatic facilities and open spaces are well maintained and activated.

Risk Management

There is no corporate risk identified in relation to this report.

Critical Dates or Timeframes

There are no critical timeframes identified in relation to this report.

Attachments

Nil.



Item No: 3.5
Title: Meeting Record of the Playspaces Advisory Committee held on 19 December 2019.
Department: Environment and Planning

10 February 2020 Ordinary Council Meeting

Reference: F2019/01087 - D13779868
Executive: Brett Sherar, Acting Director Environment and Planning

Report Purpose

To note the Meeting Record of Playspaces Advisory Committee held on 19 December 2019.

Recommendation

- 1 That Council receive the report on the Meeting Record of the Playspaces Advisory Committee held on 19 December 2019.**
- 2 That Council appoint Councillor Kyle MacGregor as the Chairperson and Councillor Jillian Hogan as the Alternate Chairperson for the Playspaces Advisory Committee.**
- 3 That Council adopt the Terms of Reference for the Playspaces Advisory Committee as set out in Attachment 2 to this report.**

Background

The Playspaces Advisory Committee held its inaugural meeting on 19 December 2019. The Meeting Record of that meeting is Attachment 1 to this report.

At that meeting, the Committee considered and adopted the Terms of Reference and recommended that Council appoint Councillor Kyle MacGregor as Chairperson of the Committee and Councillor Jillian Hogan be appointed as Alternative Chairperson.

Link to Community Strategic Plan

Theme 4: Responsible

Goal G: Good governance and great partnerships

R-G3: Engage with the community in meaningful dialogue and demonstrate how community participation is being used to inform decisions.

**3.5 Meeting Record of the Playspaces Advisory Committee held on 19
December 2019. (contd)**

Attachments

- | | | |
|----------|---|-----------|
| 1 | Playspaces Advisory Committee Meeting Record - 19 December 2019 | D13779849 |
| 2 | Terms of Reference - Playspace Advisory Committee | D13779844 |

Playspaces Advisory Group Inaugural Meeting Record 19 December 2019



Central
Coast
Council

Location:	Central Coast Council Wyong Office Level 2 Committee Room 2 Hely Street, Wyong	
Date:	19 December 2019	
Time	Started at: 3.58pm	Closed at: 6.06pm
Chair	Councillor Kyle MacGregor (Chair), Councillor Jillian Hogan (Alternate Chair)	
File Ref	F2019/00998	

Present:

Councillor Rebecca Gale (via phone), Councillor Jillian Hogan, Councillor Chris Holstein (left 5.31pm), Councillor Kyle MacGregor, Jason Blackwood, Susan Donoghue, Ted Edwards, Briohny Kennedy, Danielle Leete, Katie Stokes

Council Staff present:

Brett Sherar – Unit Manager, Open Space and Recreation (Convenor), Ian Rhodes – Landscape and Recreation Planner Open Space Projects and Planning, Katherine Simmons – Recreation Planner, Open Space and Recreation, Donna Payne – Advisory Group Support Officer

Item 1 Welcome, Acknowledgement of Country and Apologies

Apologies received: Mayor Lisa Matthews, Emma Wallace – Parks and Playground Officer

Brett Sherar – Unit Manager, Open Space and Recreation welcomed the Advisory Group and completed an Acknowledgement of Country.

Item 2 Introductions

Each member of the Advisory Group briefly introduced themselves.

Item 3 Nomination of Chairperson

The Advisory Group discussed the election of a Chairperson, noting that a Councillor is required to chair meetings as per the standard Terms of Reference for Advisory Groups.

Brett Sherar called for nominations of a Chairperson. Councillor Hogan and Councillor MacGregor both nominated and agreed to share the appointment as Councillor Kyle MacGregor as Chairperson and Councillor Jillian Hogan as Alternate Chairperson.



Recommendation: That Council appoint Councillor Kyle MacGregor as Chairperson and Councillor Jillian Hogan as Alternate Chairperson of the Playspaces Advisory Group.

Item 4 Disclosures of Interest

Councillor MacGregor called for any disclosures.

No disclosures were received.

Item 5 Terms of Reference

The Advisory Group reviewed the draft Terms of Reference, noting they conform with the standard template for all Advisory Groups.

Action: The Terms of Reference be reported to Council for adoption as soon as practicable.

Item 6 Council Current Processes and Draft Playspaces Strategies

Brett Sherar, Katherine Simmons and Ian Rhodes from Open Space and Recreation delivered a presentation on the Draft Playspaces Strategy.

It was noted that there are currently 260 local, district or regional Playspaces across the Central Coast region with the addition of another 4 completed by the end of the year.

An Independent Condition and Compliance Audit was conducted in 2010 and 2017, instigating a change in the Australian Standards and Aging Assets – Playspaces Management Program.

The three objectives of the Playspaces Management Program are to:

1. Set direction
2. Establish principles; and
3. Outline processes

The Open Space and Recreation team felt that most of the conversation at future meetings will focus around playspaces ancillary infrastructure.

Councillor Hogan thanked and congratulated the staff for their presentation.

Action: Advisory Group Support Officer to forward a copy of the Draft Strategic Plan to all Playspaces Advisory Group members.

Action: Advisory Group members to review and provide feedback and comments on the Draft Strategic Plan by Friday 10th January 2020 to Advisory Group Support Officer to collate and forward to staff.

Action: Advisory Group Support Officer to provide Advisory Group contact details to Community Representatives.



Item 7 Advisory Committee Action Plan for Remaining Term

The Advisory Group discussed possible future agenda items, the following topics were noted:

- Community Representatives invited further discussion on what determines a playspace as inclusive; are there any fully inclusive playspaces on the Central Coast; what is the difference between inclusive and access; Council's definition of inclusive.
- Co-location and co-use of playspaces and optimum utilisation of community infrastructure in central locations, for example; playgrounds in schools and regional sporting/recreational facilities that could be made available for community use.
- Sensory Park, Narara – An uncompleted project that still has potential?
- Community Representatives have requested discussion around ancillary/supporting structures for parks and playspaces. Staff suggested that the discussion topic focus on looking towards solutions.
- Community Representatives questioned the process for consultation with the community in the planning and design phase of future playspaces and how will consultation occur around the Draft Strategic Plan.
- Councillor Gale raised the issue surrounding toilets, safety and slippery-dips (*waiting for further clarification from Cllr Gale*).

Action: Councillor Hogan requested the Director, Environment and Planning review the budget to increase work capacity and resources for surrounding open spaces and recreational playspaces.

Action: Staff to provide link to *Everyone Can Play, A Guideline to Create Inclusive Playspaces* published by the NSW Government to Committee Members.

Action: Councillor Gale requested information detailing the difference in costing between different materials and life expectancy of playspace ancillary structures and items at the next meeting.

Action: Staff to provide information on the 2019/20 budget for parks and playspaces, and the 2020/21 budget and the process for the allocation of funds.

Action: Councillor Holstein and other Committee Members requested a Standing Agenda Item for future meetings being an "Update on the Delivery of Parks and Playspaces Works Program".

Action: Councillor MacGregor requested an update on S711 Contributions for playspaces currently held by Council, including the current provisions for playspaces in the Development Control Plan (DCP), and the Local Environmental Plan (LEP). What is proposed under the new DCP/LEP or any alternative funding or planning instruments related to playspaces. (Planning staff to be invited to a future meeting to provide information).

Item 8 General Business and Close

No general business was discussed.

Playspaces Advisory Group Inaugural Meeting Record
19 December 2019



The meeting closed at 6.06pm

Next Meeting: **Wednesday 12 February 2020 (TBC)**
 4pm – 6pm
 Central Coast Council Wyong Office
 Level 2 Committee Room

Draft Terms of Reference – Playspaces Advisory Committee

1. Role

Central Coast Council has an adopted Community Strategic Plan and Delivery Plan that will shape all activities and projects over the next four years. Council's Advisory Groups are an important mechanism for consultation, advice and feedback to Council and staff on implementation and review of the Community Strategic Plan.

The role of the Playspaces Advisory Committee (the Advisory Group) is to provide input into strategic planning for playspace provision across the Central Coast.

2. Responsibilities

The Advisory Group is responsible for providing advice and feedback to Council and staff on:

- Community vision for playspaces across the Central Coast.
- Future provision of playspaces.
- Determine the fair and equitable spread of accessible and inclusive playspaces.
- Rationalisation/expansion of existing playspaces.

3. Membership, Voting and Quorum.

Membership

Councillors:	Mayor Matthews (Chair)*	Voting Member
	Councillor Gale Collins	Voting Member
	Councillor Hogan	Voting Member
	Councillor Holstein	Voting Member
	Councillor MacGregor	Voting Member
Community Members:	Briohny Kennedy	Voting Member
	Danielle Leete	Voting Member
	Jason Blackwood	Voting Member
	Katie Stokes	Voting Member
	Susan Donoghue	Voting Member
	Ted Edwards	Voting Member

Community representatives shall comprise of the following:

- At least one representative from each Council ward
- At least one representative demonstrating connection to accessibility and inclusivity

Community representatives shall be appointed by resolution of Council following advertisement for nominations. Nominations are to be in writing and will be circulated in full to Councillors for evaluation and consideration. The Advisory Group is not involved in the evaluation or selection process, this is a matter for Council.

Draft Terms of Reference – Playspaces Advisory Committee

The staff holding the following Central Coast Council positions may attend Advisory Group meetings:

- Director, Environment and Planning
- Unit Manager, Open Space and Recreation
- Section Manager, Recreational Project Delivery and Design
- Recreation Planner
- Parks and Playgrounds Officer

Council officers will provide professional advice and administrative support. Employees of the Council are not subject to the direction of the Advisory Group or any members of it. Staff attendance is at the discretion of the Chief Executive Officer.

Non-staff members are appointed to the Advisory Group for the remainder of the current Council term, although membership can be altered at any time by a resolution of Council.

Membership can be withdrawn by resolution of Council.

If a member misses three consecutive meetings without apology, their membership may be withdrawn, and their position deemed vacant.

Casual Vacancy

A casual vacancy is caused by the resignation or death of a member or the withdrawal of membership. To fill a casual vacancy:

- The Advisory Group staff contact will report the vacancy to the Advisory Group and then to the next available Council meeting.
- If the member was nominated as a representative of an organisation, it will be recommended that the organisation be invited to nominate a replacement member.
- If the member was nominated as an individual, the original expressions of interest will be reviewed to identify an appropriate replacement member.
- Where there are no appropriate alternate nominations, expressions of interest will be called for to replace the member.
- Where the vacancy occurs within nine months of the end of the term of the Advisory Group the vacancy will not be filled.

Chairperson

The Chairperson is a Councillor.

The Chairperson is to have precedence at the meeting and shall determine the order of proceedings, generally as set out in the Agenda.

Draft Terms of Reference – Playspaces Advisory Committee

It is not necessary that the Chairperson be a member of the Advisory Group.

Where the Mayor is appointed to be a delegate to an Advisory Group it is not necessary that the Mayor be the Chairperson.

Convenor

A Central Coast Council staff position shall be nominated as Convenor by the Chief Executive Officer. They will be a staff member responsible for coordinating the preparation of agendas, invitations and minutes.

The Unit Manager, Open Space and Recreation shall be the Convenor of the PlaySpaces Advisory Committee.

Voting

No formal voting rules apply.

As the Advisory Group has an advisory role, its recommendations are to be made by consensus. Where consensus cannot be reached, a vote may be taken at the request of the Chair. The vote will be carried by a majority of voting members. The meeting record will reflect this process.

Council is the decision making body and the Advisory Group provides recommendations for consideration.

The Advisory Group may agree to allow participation in meetings through conference calls and other technology.

As no formal voting rules apply, there is no proxy voting. The Quorum for a meeting is half the voting non-Councillor representatives and at least two Councillors. However, the Chairperson shall use their discretion to determine if a meeting should be postponed due to insufficient members being able to attend.

4. Meetings

- Meetings are held quarterly
- The Chairperson has the authority to call additional meetings
- The agenda and meeting papers will be distributed to members at least three days prior to the meeting
- Meetings will be recorded by the taking of minutes. The minutes are a record of agreed outcomes and do not record discussions.

Draft Terms of Reference – Playspaces Advisory Committee

5. Communications and reporting

The agendas and meeting records of the Advisory Group will be stored as a permanent record of Council. All agendas and meeting records will be published on Council's website.

Where the Advisory Group recommends an action that is outside the delegation of staff to determine, a report will be provided to Council.

Staff will prepare the report that recommends that Council note the minutes of the Advisory Group. Reporting of Advisory Group recommendations to Council will be reported as Committee Recommendations without change. Staff will also provide professional commentary on the Advisory Group's recommendation where appropriate and provide a staff recommendation which may or may not align to that of the Group.

The Council may, at its discretion, resolve to adopt some or all the Advisory Group's recommendations and advice.

Where the Advisory Group has not recommended an action, the meeting record will be reported to Council as an Information Report only.

6. Conduct

Members of the Advisory Group will be provided with Council's adopted Code of Conduct. Conduct of members is expected to be consistent with the principles outlined in the Code of Conduct.

Members of the Advisory Group are not permitted to speak to the media or make representations on social media on behalf of the Advisory Group or Council unless approved by Council.



Item No: 3.6
Title: 2019-20 Capital Works Program Status
Department: Finance

10 February 2020 Ordinary Council Meeting

Reference: F2019/00464 - D13753971
Author: Michelle Best, Financial Controller
Executive: Craig Norman, Chief Financial Officer

Report Purpose

This report reports on Central Coast Council's performance progress for the Capital Works Program for 2019-20 to 31 December 2019.

Recommendation

- 1 That Council receive the report on 2019-20 Capital Works Program Status.**
- 2 That Council approve the additional capital works projects identified in the Table 1 totalling \$1.07 million for delivery as part of the 2019-20 Capital Works Program.**

Background

A status report of the Capital Works Program is provided monthly.

Capital Works Status Report (attachment 1)

The attached status report regarding capital projects is provided for the information of Councillors. The update details the current delivery status of capital works projects for the 2019-20 financial year to date (YTD), as at 31 December 2019.

Since the adoption of the 2019-20 Operational Plan (including Council's capital works budget), Council resolved that the following budget adjustments be included in the 2019-20 budget:

- \$6.0M for additional and continuing projects in August 2019;
- \$11.0M for Wadalba Sporting Fields land acquisition;
- \$4.8M for Gosford Cultural Precinct land acquisitions;
- \$3.4M for the Terrigal Boardwalk;
- \$0.7M for compulsory acquisition of land for the Central Coast Regional Sporting Complex under a resolution of the former Wyong Shire Council
- \$80K for various minor budget adjustments in the Q1 budget review

3.6 2019-20 Capital Works Program Status (contd)

The YTD budget in this status report reflects the above resolutions.

Most capital projects are tracking as planned.

YTD capital expenditure to 31 December 2019 is \$91.5M compared to a planned expenditure of \$98.5M. This represents a variance to budget of 93%, which compares favourably to the KPI of 90%.

This is a significant improvement on prior year comparatives, when the YTD Dec 18 variance to budget was 29%.

It is anticipated that the majority of projects will be delivered by 30 June 2020.

Detailed progress reports are provided by each unit in the attachment to this report.

Additional Capital Works Projects (Table 1)

Below is a list of additional capital works projects which can be delivered in the 2019-20 financial year from general revenue.

Project Ref	Project Name	Project Budget	Unit Responsible
New01	The Entrance Town Centre: Playground Fencing Upgrade	23,625	Community Partnerships
New02	Blue Haven Community Centre - Interior Fence Replacement	5,000	Leasing and Asset Management
New03	Community Facilities - Replacement of Tables & Chairs (13 Community Facilities)	30,000	Leasing and Asset Management
New04	Community Facilities Oven Upgrades - 13 sites halls /community centres identified across Central Coast	20,000	Leasing and Asset Management
New05	Tunkuwallin Hall - New Sound System	9,000	Leasing and Asset Management
New06	Laycock Street Theatre- Replacement of stage black drapery, crossover tunnel, foyer and office carpet.	28,000	Leisure and Lifestyle
New07	Lakes Beach Lifeguard Tower renewal works to building	25,000	Leisure and Lifestyle
New08	Scoping project to look at possible future expansion of the Laycock Street Theatre	100,000	Leisure and Lifestyle
New09	Wyong Olympic Pool - Pop Up bulk head for 50m pool Wyong Olympic Pool	125,000	Leisure and Lifestyle
New10	Leisure Centres & Swimming Pools - Equipment Replacement at Council swim centres, including pumps, filter upgrades, pool cover- trolleys and miscellaneous equipment.	200,000	Leisure and Lifestyle

3.6 2019-20 Capital Works Program Status (contd)

Project Ref	Project Name	Project Budget	Unit Responsible
New11	Niagara Park Stadium - Rolling facility improvements and equipment replacement, including drop down blind replacement, basketball backboards, gymnastic equipment.	85,000	Leisure and Lifestyle
New12	Peninsula Leisure Centre - Covered walkway from rear carpark	137,000	Leisure and Lifestyle
New13	Wyong Olympic Pool Change room upgrades stage 3	110,000	Leisure and Lifestyle
New14	Eucalyptus Natural 11 pieces Play Set for 8 centres	35,111	Libraries, Learning and Education
New15	Eucalyptus Toddler Playset for 8 centres	25,915	Libraries, Learning and Education
New16	Tactile Reception Series outdoor play for 8 centres	9,618	Libraries, Learning and Education
New17	Entryway flooring Toukley Library	5,300	Libraries, Learning and Education
New18	Replace Roller Blinds Kincumber Library	6,180	Libraries, Learning and Education
New19	Replace seating Kincumber Library	18,034	Libraries, Learning and Education
New20	Program Room Upgrades at Branches	48,000	Libraries, Learning and Education
New21	Upgrade of branch circulation peripherals	28,200	Libraries, Learning and Education

Total New Projects

1,073,984

Link to Community Strategic Plan

Theme 4: Responsible

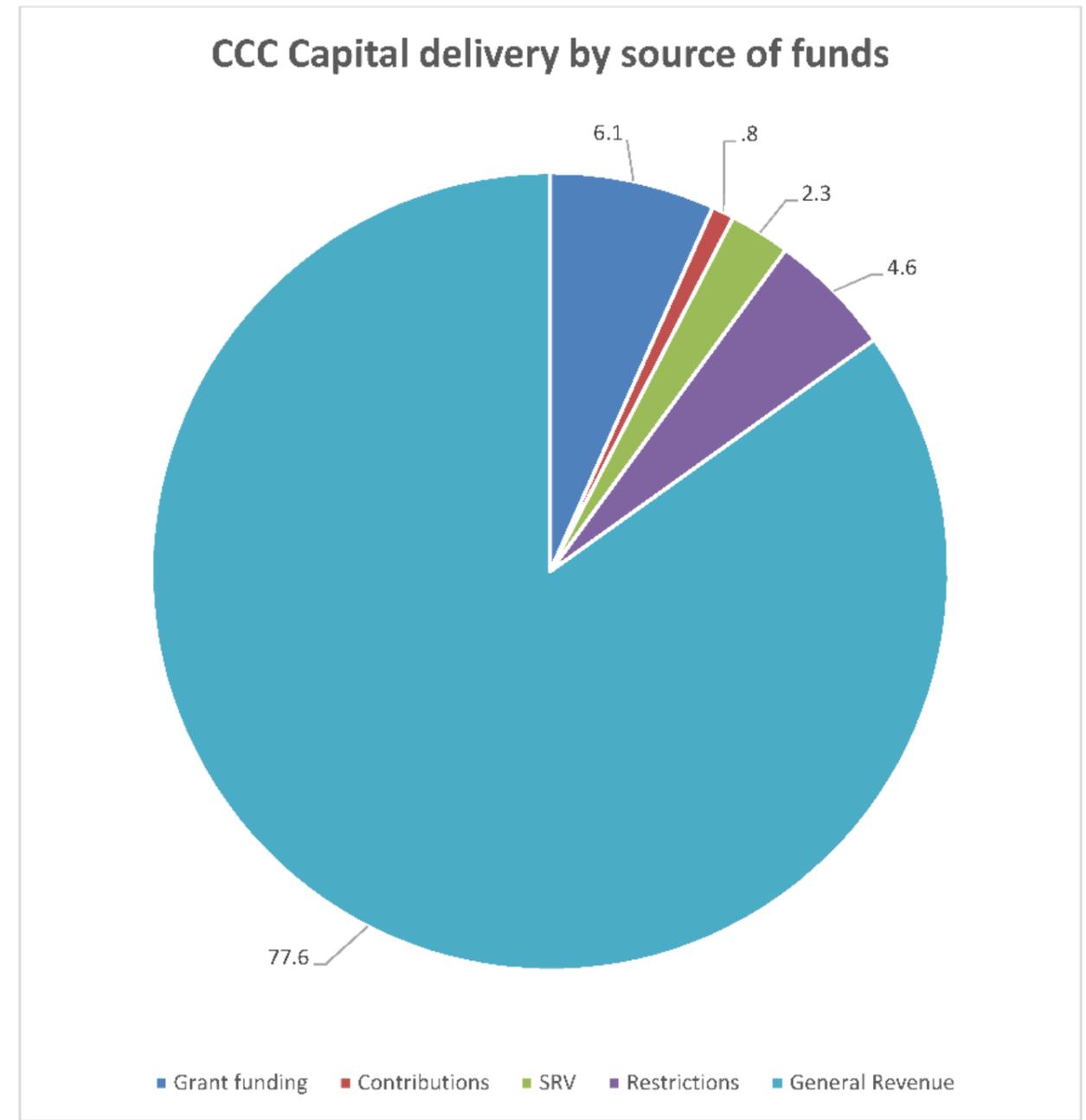
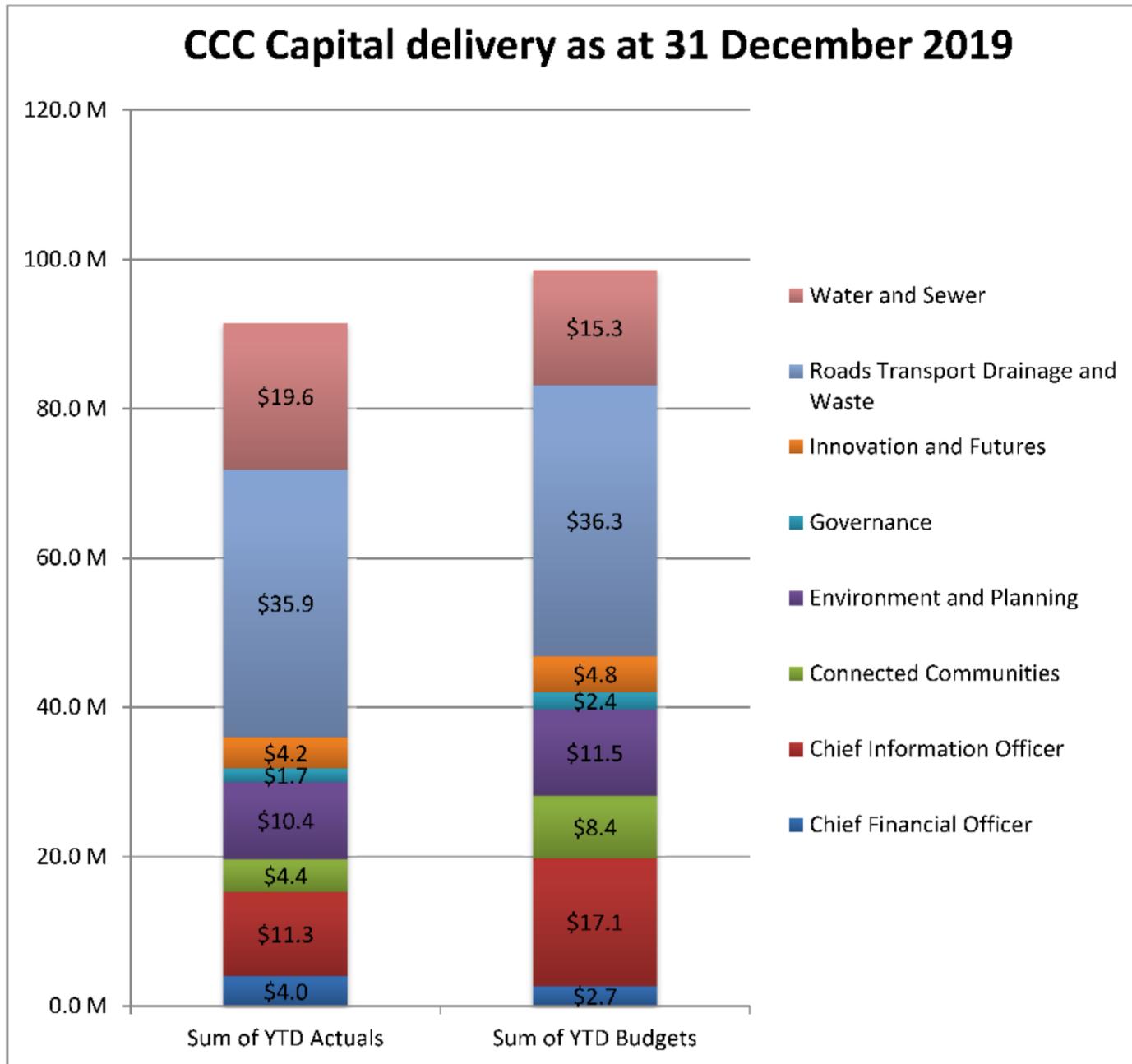
Goal G: Good governance and great partnerships

G4: Serve the community by providing great customer experience, value for money and quality services.

Attachments

- 1 Capital works status report December 2019 D13781723

Capital Works Status Report - December 2019



Capital Works Status Report - December 2019

Project status

Department and Unit	YTD December 2019					% Var to budget
	# Projects On Track	# Projects Complete	# Projects Delayed	# Projects Postponed	# Projects Total	
Chief Financial Officer	9	-	-	-	9	148%
Financial Performance	-	-	-	-	-	
Plant and Fleet	9	-	-	-	9	148%
Chief Information Officer	15	3	3	1	22	66%
Chief Technology Officer	3	1	2	-	6	83%
Core Systems Consolidation	6	2	1	1	10	69%
Digital Information Services	2	-	-	-	2	58%
Technology and Customer Service	4	-	-	-	4	19%
Connected Communities	95	33	11	9	148	53%
Community Engagement	1	-	2	-	3	18%
Community Partnerships	17	1	3	-	21	17%
Facilities and Asset Management	46	21	6	8	81	58%
Libraries, Learning and Education	14	6	-	1	21	78%
Leasing and Asset Management	3	3	-	-	6	0%
Leisure and Lifestyle	14	2	-	-	16	35%
Environment and Planning	99	46	3	3	151	90%
Environment and Certification	-	-	-	1	1	0%
Environmental Management Unit	43	11	1	-	55	83%
Open Space and Recreation	56	35	2	2	95	95%
Governance	28	8	10	-	46	72%
Business Enterprise	22	8	8	-	38	78%
Procurement and Projects	6	-	2	-	8	3%
Innovation and Futures	4	1	-	1	6	88%
Economic Development and Project Delivery	3	1	-	1	5	91%
Innovation and Futures Management	1	-	-	-	1	7%
Roads Transport Drainage and Waste	89	102	7	1	199	99%
Roads Asset Planning and Design	82	102	7	-	191	100%
Waste Services and Business Development	7	-	-	1	8	68%
Water and Sewer	107	12	-	-	119	128%
Water Construction and Project Management	107	12	-	-	119	136%
TOTAL	446	205	34	15	700	93%

Capital Works Status Report - December 2019

On Track	
Delayed - but to be delivered by 30 June 2020	
Need to postpone to another year or remove project	

Chief Financial Officer								
Top 5 Projects by \$ value								
Project Name	CSP Link	Total 19-20 Budget	YTD Actuals	YTD Budget	% spend to budget	Anticipated completion date	Status	Commentary
E - Light Vehicle	Responsible - Good governance and great partnerships	\$7,449,814	\$1,624,019	\$1,032,374	157%	June 2020		Supply contract established and forward orders commenced. 27 assets delivered and finalised YTD. Further orders of \$0.47M committed as of 10 Jan 20. Budget will be adjusted and rephased in Q2.
B - Earthmoving Plant	Responsible - Good governance and great partnerships	\$1,968,050	\$998,365	\$110,000	908%	June 2020		Specifications for all earthmoving plant purchases are drafted with 6 assets delivered and finalised YTD. Further orders of \$1.2M committed as of 10 Jan 20. Budget will be adjusted and rephased in Q2.
G - Truck	Responsible - Good governance and great partnerships	\$1,400,340	\$209,539	\$382,404	55%	June 2020		Specifications for all truck purchases are drafted with 4 assets delivered and finalised YTD. Further orders of \$3.2M committed as of 10 Jan 20. Budget will be adjusted and rephased in Q2.
A - Ancillary Equipment	Responsible - Good governance and great partnerships	\$1,032,084	\$489,587	\$461,584	106%	June 2020		Specifications for 60% of all ancillary purchases are drafted with 49 assets delivered and finalised YTD. Further orders of \$312k committed as of 10 Jan 20.
D - Ground Care and Equipment	Responsible - Good governance and great partnerships	\$734,838	\$641,961	\$510,603	126%	June 2020		Specifications for 80% of all ancillary purchases are drafted with 14 assets delivered and finalised YTD. Further orders of \$181k committed as of 10 Jan 20. Budget will be adjusted and rephased in Q2.

Capital Works Status Report - December 2019

On Track for delivery of greater than 90%	
Potential 80-90% project delivery for Unit	
Less than 80% project delivery for Unit	

Chief Financial Officer Unit Summary								
Business Unit	Total 19-20 Budget	YTD Actuals	YTD Budget	% spend to budget	# projects completed	# projects budgeted	Status	Commentary
Plant and Fleet	\$12,780,903	\$3,971,999	\$2,692,742	148%		9		37% of the total annual Plant and Fleet procurement program is complete. On track to meeting annual budget and task targets. Q2 Phasing and budget adjustment submitted to realign budgeted spend to revised new asset delivery timeframes.

Capital Works Status Report - December 2019

On Track	
Delayed - but to be delivered by 30 June 2020	
Need to postpone to another year or remove project	

Connected Communities								
Top 5 Projects by \$ value								
Project Name	CSP Link	Total 19-20 Budget	YTD Actuals	YTD Budget	% spend to budget	Anticipated completion date	Status	Commentary
Peninsula Leisure Centre - Air Handling system upgrade	Liveable - Healthy Lifestyles for a growing community	\$4,300,000	\$47,633	\$1,049,000	5%	September 2020		Noise level tests have been conducted at neighbouring properties to the Peninsula Leisure Centre. The test results will affect the design and location of the proposed air conditioning system. This matter has delayed selecting a suitable AC unit impacting on project delivery. Practical completion will fall into the first quarter of 2020-21. Budget to be adjusted in Q2.
Implement Regional Signage actions for town centres and villages	Responsible - Good governance and great partnerships	\$1,800,000	\$0	\$100,000	0%	June 2020		Project is multi-year and on-track for completion in 2021. Initial planning stage in progress and resourcing underway for Project Management to undertake Wayfinding Strategy and gateway signage deliverables. Consultation with Roads & Asset Management for signage upgrades is underway.
Renew pavement surface stages 1 and 2 Long Jetty Depot	Smart - A growing and competitive region	\$1,173,662	\$14,840	\$0	100%	June 2020		Only Stage 1 works to occur and will be delivered in the later half of the financial year. Quarter adjustment made for phasing and budget.
Wyong Administration Building - Refurbishment Level 2	Responsible - Good governance and great partnerships	\$1,000,000	\$0	\$0	0%	August 2020		Stakeholder feedback has now been collated and designs are being updated. It is expected that construction would not commence until May.
Refurbish The Entrance Visitor Information Centre	Smart - A growing and competitive region	\$950,000	\$21,398	\$20,000	107%	June 2020		Project is multi-year and on-track to deliver as scheduled end 2020. Feasibility/Preliminary Study complete and in review with project management team. Request for Quotation (RFQ) process underway.

Capital Works Status Report - December 2019

On Track for delivery of greater than 90%	
Potential 80-90% project delivery for Unit	
Less than 80% project delivery for Unit	

Connected Communities								
Unit Summary								
Business Unit	Total 19-20 Budget	YTD Actuals	YTD Budget	% spend to budget	# projects complete	# projects budgeted	Status	Commentary
Community Engagement	\$2,900,000	\$21,398	\$120,000	18%	0	3		All projects are on track for delivery, with The Entrance Visitor Information Centre to be carried over into 2020/21 to accommodate event scheduling in The Entrance. Outdoor Banner Project transferred to Roads and Asset Management in Q1
Community Partnerships	\$5,156,075	\$140,695	\$838,230	17%	1	21		17 projects are on track for completion, 3 have been delayed and 1 completed. The installation of portable hearing loops in The Hub and Erina Centre is completed. Construction of Wyong Cultural Hub is delayed as the design of the facility will now be undertaken externally - relevant budget savings and phasing changes will be included in Q2 review. Public Art projects in Woy Woy and The Entrance have also been delayed. The Woy Woy public art piece will be designed and constructed within this financial year however final installation will depend on timing of the adjacent Woy Woy wharf upgrade. The Entrance public art project has been delayed by the requirement to obtain legal advice, again design and construction of the public art piece is on track for completion however installation may now occur post June 30th 2020.

Capital Works Status Report - December 2019

On Track for delivery of greater than 90%	
Potential 80-90% project delivery for Unit	
Less than 80% project delivery for Unit	

Connected Communities (cont'd)								
Unit Summary								
Business Unit	Total 19-20 Budget	YTD Actuals	YTD Budget	% spend to budget	# projects complete	# projects budgeted	Status	Commentary
Facilities and Asset Management	\$18,594,534	\$3,257,277	\$5,605,169	58%	21	81		As at 31 Dec 2019, 21 projects are complete, 6 delayed, 8 are postponed and the remainder are on track. Replacing the roofs at Killcare Surf Club, Ocean Beach Surf Club and Umina Surf Club have been delayed to avoid works during the summer beach season. The shade sail at Chain Valley Bay Community Hall is delayed due to conflict with grant funded works occurring in the garden area where the shade sail was proposed. The works at St Barnabas Church have been delayed to allow a wedding to occur in late January. The replacement of stairs and seating at the Toukley Neighbourhood Centre has been delayed due to the identification of significant
Leasing and Asset Management	\$193,731	\$59,300	\$78,731	75%	3	6		As at 31 Dec 2019, all 6 projects are on track to be completed by 30 June 2020. 3 projects are already completed in 19-20 including community playground installations, Woy Woy Cafe softfall and fencing upgrades.
Leisure and Lifestyle	\$3,005,000	\$354,596	\$1,005,000	35%	2	16		As at 31 Dec 2019, all 16 projects are on track to be completed by 30 June 2020. 2 projects are already completed in 19-20 - including changing room upgrades and ventilation installation at Gosford Pool. Expenditure phasing is to be adjusted in the Q2 budget review for 8 projects
Libraries, Learning and Education	\$1,435,800	\$577,085	\$741,150	78%	6	21		As at 31 Dec 2020, 6 projects are complete, including 3 that utilised historical restricted local priority grant funds. 1 project at Woy Woy Library will be undeliverable due to heritage constraints of building. Savings realised have been returned in Q1 budget review. The remaining projects are currently in active implementation and planning phases and are on track for delivery by 30 June 2020.

Capital Works Status Report - December 2019

On Track	
Delayed - but to be delivered by 30 June 2020	
Need to postpone to another year or remove project	

Environment and Planning

Top 5 Projects by \$ value

Project Name	CSP Link	Total 19-20 Budget	YTD Actuals	YTD Budget	% spend to budget	Anticipated completion date	Status	Commentary
Land Acquisition - 77 & 85 Jensen Rd Wadalba	Liveable - Healthy Lifestyles for a	\$11,000,000	\$1,078,459	\$0	100%	March 2020		Agreement on price reached with paperwork to be finalised. Anticipated completion date 31 March 2020.
Adcock Park upgrade West Gosford	Liveable - Out and about in the fresh air	\$3,809,000	\$624,015	\$790,308	79%	June 2022		Commencement of site works was delayed in relation to phased budget timing due to the need for EPA approvals for waste extraction approvals on the former landfill site. Approvals have now been received, contractor appointed and works commenced. Project still projected to meet identified construction timeline.
Don Small Oval Amenities and Clubhouse	Liveable - Healthy Lifestyles for a growing	\$1,512,000	\$68,473	\$112,000	61%	June 2020		The contract for Don Small oval has been to tender with the contractor appointed in November for a 12 January commencement. The \$43K year to date variance is due to less than anticipated project management costs.
Upgrade amenities at Heazlett Park	Liveable - Out and about in the fresh air	\$1,385,000	\$501,982	\$920,000	55%	June 2020		Site works have been complete on building. Further ancillary works to be completed. Savings have been identified in the project and will be included in the Q2 report.
Renewal Works - Avoca Beach Seawall	Green - Cherished and protected	\$1,300,000	\$1,277,908	\$1,300,000	98%	December 2019		All works now complete. Completed 20 December 2019

Capital Works Status Report - December 2019

On Track for delivery of greater than 90%	
Potential 80-90% project delivery for Unit	
Less than 80% project delivery for Unit	

Environment and Planning								
Unit Summary								
Business Unit	Total 19-20 Budget	YTD Actuals	YTD Budget	% spend to budget	# projects complete	# projects budgeted	Status	Commentary
Environment and Certification	\$120,000	\$2,145	\$0	100%		1		Regional Impound facility project to be deferred to 20-21. Q2 budget adjustment to remove budget and new project Body Worn Cameras to be added.
Environmental Management Unit	\$8,016,789	\$3,677,975	\$4,435,566	83%	11	55		11 projects have been completed. 43 projects are currently on track with 1 project at risk
Open Space and Recreation	\$35,708,786	\$6,678,197	\$7,065,920	95%	35	95		35 Projects complete YTD. Lake Munmorah District Skate Park to be postponed to allow further investigation into site tenure. The majority of other non-multiyear projects anticipated to be completed as planned.

Capital Works Status Report - December 2019

On Track	
Delayed - but to be delivered by 30 June 2020	
Need to postpone to another year or remove project	

Governance								
Top 5 Projects by \$ value								
Project Name	CSP Link	Total 19-20 Budget	YTD Actuals	YTD Budget	% spend to budget	Anticipated completion date	Status	Commentary for public and Councillors
Upgrade Central Coast Stadium lighting towers	Liveable - Healthy Lifestyles for a growing	\$920,000	\$81	\$0	100%	June 2020		This project is phased for completion in the second half of the 2019/20 financial year. The Request for Tender will be released to the market in January 2020.
Upgrade swimming pool at Budgewoi Holiday Park	Liveable - Healthy Lifestyles for a growing	\$600,000	\$593,853	\$600,000	99%	December 2019		This project was completed slightly ahead of schedule and opened on 19 December 2019 in time for the Christmas peak period.
Resurface of stadium pitch at Central Coast Stadium	Smart - A growing and competitive region	\$600,000	\$3,956	\$0	100%	February 2021		This project is part of a multi year contract and involves 12 months cultivating the pitch off site before installing ready to play. The Request for Tender was released to the market in November 2019. Tenders are currently being assessed with the contract scheduled to be awarded in January 2020.
Replace seats at Central Coast Stadium	Liveable - Healthy Lifestyles for a growing	\$597,000	\$538,221	\$597,000	90%	November 2019		The project was completed as scheduled in late November 2019. Final invoicing was processed in December along with the letter of practical completion.
CCTV at Central Coast Stadium	Belonging - Our community spirit is our strength	\$450,000	\$2,313	\$0	100%	May 2020		The Request for Tender for this project was released to the market in October 2019 with a contract scheduled to be awarded in December 2019. Additional clarifications were required during the evaluation process resulting in contract award re-scheduled to January 2020

Capital Works Status Report - December 2019

On Track for delivery of greater than 90%	
Potential 80-90% project delivery for Unit	
Less than 80% project delivery for Unit	

Governance								
Unit Summary								
Business Unit	Total 19-20 Budget	YTD Actuals	YTD Budget	% spend to budget	# projects complete	# projects budgeted	Status	Commentary
Business Enterprise	\$5,460,617	\$1,724,145	\$2,221,948	78%	8	38		8 projects have been completed, including construction of a swimming pool at Budgewoi Holiday Park. 8 projects have been delayed however will be completed by 30 June 2020. Installation of gates at Terrigal Carpark was delayed due to a change in scope but will be completed in January. Works at Noraville Cemetery were delayed due to drainage issues.
Procurement and Projects	\$200,000	\$2,967	\$103,250	3%	0	8		Project for storage of road aggregates delayed pending environmental assessment. Project for inventory racking at Woy Woy Store delayed pending investigation into reuse of racks from other location. All other projects on track.

Capital Works Status Report - December 2019

On Track	
Delayed - but to be delivered by 30 June 2020	
Need to postpone to another year or remove project	

Information Management & Technology

Top 5 Projects by \$ value

Project Name	CSP Link	Total 19-20 Budget	YTD Actuals	YTD Budget	% spend to budget	Anticipated completion date	Status	Commentary
Implement a consolidated property and rating system	Responsible - good governance and great	\$4,588,094	\$1,521,387	\$1,933,945	79%	July 2020		Consolidated property and rating system scheduled to be implemented in July 2020, support activities in place for Q1 20/21
Implement a consolidated asset management system	Responsible - good governance and great	\$2,776,538	\$1,929,333	\$2,501,307	77%	June 2020		Final portion of consolidated assets solution implemented by Jan 2020, work order management scheduled for completion in FY 19/20
Implement a consolidated human capital management system	Responsible - good governance and great	\$2,581,705	\$701	\$318,958	0%	n/a		On hold due to other priorities as per agreement with Senior Leadership Team
Implement system integration improvements	Responsible - good governance and great	\$2,507,613	\$1,713,925	\$2,310,280	74%	n/a		System integration build and test in alignment with completion of consolidated solutions for Central Coast Council
Implement a business intelligence reporting tool	Responsible - good governance and great	\$2,122,937	\$765,005	\$1,313,645	58%	June 2021		Phase 1, system build and testing nearing completion. Phase 2 planning and implementation underway. Project on track and scheduled to continue FY 20/21.

Capital Works Status Report - December 2019

On Track for delivery of greater than 90%	
Potential 80-90% project delivery for Unit	
Less than 80% project delivery for Unit	

Information Management & Technology								
Unit Summary								
Business Unit	Total 19-20 Budget	YTD Actuals	YTD Budget	% spend to budget	# projects complete	# projects budgeted	Status	Commentary
Chief Technology Officer	\$3,934,557	\$2,311,378	\$2,798,239	83%	1	6		Windows10/Office365 rollout is complete. Planning for the next phase continues for 2 projects. 2 projects are in project initiation and the remaining 2 projects are on hold.
Core Systems Consolidation	\$19,059,871	\$7,972,365	\$11,613,729	69%	2	10		All projects are on track for completion to scope by 30 June 2020. Some constraints experienced with Vendor resources and licence procurement experienced plans underway to remediate. Post go live support activities will continue into Q1 20/21.
Digital Information Services	\$2,152,937	\$765,005	\$1,313,645	58%		2		Business Intelligence solution build and test nearing completion. Implementation of next phase in progress (build data patterns). Project on track and scheduled to continue into 20/21. Other projects on track.
Technology and Customer Service	\$1,360,000	\$256,502	\$1,360,000	19%		4		All 4 projects have started with some delays experienced related to procurement activities. The implementation has been prioritised and the projects are on track for completion by 30 June 2020.

Capital Works Status Report - December 2019

On Track	
Delayed - but to be delivered by 30 June 2020	
Need to postpone to another year or remove project	

Innovation and Futures								
Top 5 Projects by \$ value								
Project Name	CSP Link	Total 19-20 Budget	YTD Actuals	YTD Budget	% spend to budget	Anticipated completion date	Status	Commentary
Design and Construct Gosford Cultural Precinct	Smart - A growing and competitive region	\$12,126,868	\$3,034,479	\$3,101,489	98%	n/a		Project not continuing as planned in accordance with Council resolution. Budget to be transferred to Regional library project in Q2 budget review.
Terrigal Boardwalk	Liveable - Out and about in the fresh air	\$3,376,820	\$229,477	\$806,820	28%			Delays in procurement for construction. Budget to be rephased in Q2 budget review.
Concept design works to support the Car Parking Strategy	Responsible - Delivering essential infrastructure	\$1,000,000	\$143,375	\$240,298	60%	June 2020		Capital spend is slightly behind due to consultant delays but the overall project is on track.
Install solar power systems on Council assets	Green - Environmental resources for the future	\$989,056	\$11,702	\$175,000	7%	June 2020		Delays experienced in the tender development stage. Tender closed 24 Jan and will then be assessed. Project is still expected to be on track by 30 June 2020. The winning contractor will be expected to deploy installation teams to multiple sites simultaneously.
Design and Construct Car Park 10 Racecourse Road	Responsible - Delivering essential infrastructure	\$400,000	\$696,316	\$400,000	174%	December 2019		Project completed

Capital Works Status Report - December 2019

On Track for delivery of greater than 90%	
Potential 80-90% project delivery for Unit	
Less than 80% project delivery for Unit	

Innovation and Futures Unit Summary								
Business Unit	Total 19-20 Budget	YTD Actuals	YTD Budget	% spend to budget	# projects complete	# projects budgeted	Status	Commentary
Economic Development and Project Delivery	\$17,054,377	\$4,194,462	\$4,609,721	91%	1	5		Some projects have been delayed or terminated which has caused a change in the phased spending program
Innovation and Futures Management	\$989,056	\$11,702	\$175,000	7%		1		Project tracking as scheduled.

Capital Works Status Report - December 2019

On Track	
Delayed - but to be delivered by 30 June 2020	
Need to postpone to another year or remove project	

Roads Transport Drainage and Waste								
Top 5 Projects by \$ value								
Project	CSP Link	Total 19-20 Budget	YTD Actuals	YTD Budget	% spend to budget	Anticipated completion date	Status	Commentary
Road Resealing Program - 2019-20	Responsible - delivering essential infrastructure	\$7,171,001	\$5,514,974	\$5,651,498	98%	June 2020		This road renewal program comprises multiple road resurfacing projects which are identified at the commencement of the financial year. The program is progressing as planned for completion by 30 June 2020.
Asphalt Resurfacing Program 2019-20	Responsible - delivering essential infrastructure	\$5,107,999	\$2,919,535	\$2,941,592	99%	June 2020		This road renewal program comprises multiple road resurfacing projects which are identified at the commencement of the financial year. The program is progressing as planned for completion by 30 June 2020.
Woy Woy Town Centre - Wharf Renewal	Responsible - delivering essential infrastructure	\$3,591,000	\$174,517	\$0	100%	June 2020		This major wharf upgrade project is staged over multiple financial years and will continue into 2020/21. The project is progressing as planned with the 2019/20 scope of works on track for completion by 30 June 2020.
Heavy Patch Program - Local Roads 2019-20	Responsible - delivering essential infrastructure	\$2,000,000	\$1,384,145	\$1,000,000	138%	June 2020		This road renewal program comprises multiple asphalt patching projects which are identified throughout the financial year. The program is progressing ahead of schedule due to contractor availability and is on track for completion by 30 June 2020.
Colongra Sports Field - Access and Intersection Construction	Responsible - delivering essential infrastructure	\$1,950,000	\$32,485	\$0	100%	June 2020		The project is involves the construction of an access road to support an adjacent sports field development. The project is staged and will continue into 2020/21. The project is progressing as planned with the 2019/20 scope of works on track for completion by 30 June 2020.

Capital Works Status Report - December 2019

On Track for delivery of greater than 90%	
Potential 80-90% project delivery for Unit	
Less than 80% project delivery for Unit	

Roads Transport Drainage and Waste Unit Summary								
Business Unit	Total 19-20 Budget	YTD Actuals	YTD Budget	% spend to budget	# projects complete	# projects budgeted	Status	Commentary
Roads Asset Planning and Design	\$79,539,368	\$35,291,232	\$35,438,531	100%	102	191		191 projects have been identified for construction within the Operational Plan for the 2019/20 financial year. From this list, 102 projects have been completed with most of the remaining projects having commenced. 7 projects have been delayed due to contractor availability but are still expected to be completed by 30 June. The program is progressing as planned for completion by 30 June 2020.
Waste Services and Business Development	\$4,026,600	\$583,743	\$861,000	68%	-	8		Projects have commenced, minor delays in physical commencement of some contract works and savings realised through innovation, projects on track for completion this financial year. 1 project no longer required as pump was able to be refurbished at minimal cost instead of replaced.

Capital Works Status Report - December 2019

On Track	
Delayed - but to be delivered by 30 June 2020	
Need to postpone to another year or remove project	

Water and Sewer								
Top 5 Projects by \$ value								
Project Name	CSP Link	Total 19-20 Budget	YTD Actuals	YTD Budget	% spend to budget	Anticipated completion date	Status	Commentary
Sewer Pump Station Upgrade - Clarke Rd Norville (TO06)	Responsible - delivering essential infrastructure	\$4,779,296	\$479,640	\$227,196	211%	March 2021		Design period commenced with construction expected to begin in early February.
Water Treatment Plant Major Upgrade - Mardi	Responsible - delivering essential infrastructure	\$2,517,000	\$1,189,639	\$1,603,500	74%	February 2022		The Treatment plant upgrade requires a staged approach, to ensure continuity of services. Several future stages of the project are currently being evaluated to ensure efficient future operability.
20-112-2 - Annual Water Main Renewal Program	Responsible - delivering essential infrastructure	\$2,328,493	\$1,140,883	\$769,321	148%	June 2020		The planned program of works is on track for delivery. Water main renewals and extensions are prioritised on a regular basis. A recent prioritisation has identified additional renewals and extensions that are now required. These additional renewals and extensions have been programmed and will be constructed in addition to the original program.
Water Trunk Main Preconstruction - Mardi to Warnervale	Responsible - delivering essential infrastructure	\$2,100,773	\$890,197	\$0	100%	June 2021		Construction Contract currently being awarded. This project is physically ahead of schedule and will require an adjusted cashflow once the construction program is finalised.
30-112-RF1 - Critical Sewer Main Rehabilitation - Reticulation System	Responsible - delivering essential infrastructure	\$2,070,012	\$3,939,510	\$1,035,006	381%	June 2020		The planned program of works is on track for delivery. Sewer main renewals are prioritised on a regular basis. A recent prioritisation has identified additional renewals that are now required earlier than originally anticipated. These additional renewals have been programmed and will be constructed in addition to the original program.

Capital Works Status Report - December 2019

On Track for delivery of greater than 90%	
Potential 80-90% project delivery for Unit	
Less than 80% project delivery for Unit	

Water and Sewer Unit Summary								
Business Unit	Total 19-20 Budget	YTD Actuals	YTD Budget	% spend to budget	# projects complete	# projects budgeted	Status	Commentary
Water Construction and Project Management	\$20,689,113	\$8,747,804	\$6,420,779	136%	12	119		Annual program of works on track for physical delivery. There has been some slight variances in forecast spending profiles for large multi year projects however this has not impacted overall physical delivery.



Item No: 4.1
Title: Deferred Item - Response to Notice of Motion - Lower Wyong Floodplain Risk Management Plan
Department: Environment and Planning

10 February 2020 Ordinary Council Meeting

Trim Reference: F2019/00041-003 - D13747710
Author: Parissa Ghanem, Team Leader Floodplain Management and Senior Planner
Manager: Peter Sheath, Section Manager, Waterways
Executive: Scott Cox, Director Environment and Planning

Report Purpose

At the Council Meeting of 9 December 2019, Council resolved:

1226/19 That Council defer consideration of item 5.3 – Response to Notice of Motion - Lower Wyong Floodplain Risk Management Plan to the 10 February 2020 Ordinary Meeting.

Recommendation

That Council receive the report on Deferred Item - Response to Notice of Motion - Lower Wyong Floodplain Risk Management Plan.

Attachments

1 9 December 2019 Ordinary Council Meeting - Item 5.3 - Response to Notice of Motion - Lower Wyong Floodplain Risk Management Plan D13747769



Item No: 5.3
Title: Response to Notice of Motion - Lower Wyong Floodplain Risk Management Plan
Department: Environment and Planning

9 December 2019 Ordinary Council Meeting

Trim Reference: F2018/00020-008 - D13718636

Author: Parissa Ghanem, Team Leader Floodplain Management and Senior Planner

Manager: Luke Sulkowski, Unit Manager, Environmental Management

Executive: Scott Cox, Director Environment and Planning

Report Purpose

This report responds to Notice of Motion 914/19 relating to the Lower Wyong River Floodplain Risk Management Plan 2010, which is the existing adopted plan that relates to Wyong River.

Recommendation

That Council receive the report on Response to Notice of Motion - Lower Wyong Floodplain Risk Management Plan.

Background

Council, at its ordinary meeting on 25 September 2019 resolved the following:

- 914/19 *That Council request the Chief Executive Officer to provide a report on the recommendations contained within the Lower Wyong River Floodplain Risk Management Plan adopted by the fWSC on 27 October 2010. This report is to include;*
- a) *whether all the recommendations were implemented and if not, the rationale for not implementing them.*
 - b) *whether the LWRF is being addressed in the Wyong River Floodplain Risk Management Study and Plan, noting that community consultation in respect to this closed on 26 April 2019.*
 - c) *a copy of the Report prepared pursuant to Resolutions 302/13 305/13, (or advice that it wasn't prepared).*
 - d) *any recommendations to address the flooding at the intersection of Woodbury Park Dr/ Johnson Rd and Gavenlock Road.*

Recently a new Wyong River Floodplain Risk Management Plan has been drafted, which contains more implementation options than the previous plan.

5.3 Response to Notice of Motion - Lower Wyong Floodplain Risk Management Plan (contd)

Council, at its Ordinary Meeting on 28 October 2019 resolved the following regarding a new Wyong River Floodplain Risk Management Plan:

1029/19 That Council defer consideration of this item until a site inspection has been conducted with those interested Councillors and members of the Catchments and Coast Committee – Tuggerah Lakes.

Response to Notice of Motion 914/19

The response below relates to questions about the old plan, not the current plan being considered by Council.

a) *whether all the recommendations were implemented and if not, the rationale for not implementing them.*

The Lower Wyong River Floodplain Risk Management Plan was adopted by the former Wyong Shire Council on 27 October 2010. This plan identified five corresponding implementation actions, all of which have been effectively completed, as shown below.

No.	Issue	Implementation Comment
1	<p>Council's Flood Prone Land Development Policy is dated and needs updating and incorporation into a DCP.</p> <p>Response: Develop a new DCP covering flooding, with specific mention of local areas, where flood studies have been completed. "</p>	<p>This was completed as part of the Wyong Development Control Plan 2013.</p>
2	<p>Flood risk management issues regarding the Main Northern Railway and Wyong Nursing Home currently create concerns.</p> <p>Response: Strengthen formal communication channels to ensure dialogue is maintained and flood issues monitored."</p>	<p>Council has had ongoing engagement with the Rail Authority (several name changes) and continues to collaborate with the SES by providing flood information to support their operational activities. Note that the Draft Wyong River Floodplain Risk Management Study and Plan, placed on public exhibition earlier this year, considered the Wyong aged care facility further and recommends that Council undertake discussions with the facility to determine the potential for including an elevated flood refuge as part of any future development. This is due to be undertaken once the Study and Plan have been adopted.</p>

5.3 Response to Notice of Motion - Lower Wyong Floodplain Risk Management Plan (contd)

No.	Issue	Implementation Comment
3	<p>Wyong Shire Council has installed rain and water level gauges relied upon by the Bureau of Meteorology for flood warning.</p> <p>Response: Include maintenance and budget within Wyong Shire Council's LEMO activities. Request the Bureau of Meteorology to review the need and operational requirements for gauges and long-term funding requirements."</p>	<p>Council has undertaken an audit of Council-owned rain and water level gauges in the former Wyong LGA and is in the process of finalising a report which identifies the maintenance and operational requirements. External agencies, including the Bureau of Meteorology, have been consulted during the project. This report, in conjunction with a similar report previously prepared in the former Gosford LGA, will allow Council to make decisions regarding the long-term funding and operation requirements for the entire CCC LGA.</p>
4	<p>A general lack of knowledge of flooding is perceived within the community, partly created by the absence of major floods within recent years."</p> <p>Response: Undertake a formal publicising of flood information, specific to the Lower Wyong River floodplain, every four years. This could include information on Wyong Shire Council's website, mail outs to local residents and businesses or presentations to local precinct committees."</p>	<p>Council continues to work closely with the SES to provide flood knowledge to the community through websites and staff have attended community meetings to advise on localised flood response. All flood studies and floodplain risk management plans are also made available to the SES at their completion via the NSW Flood Data Portal.</p>
5	<p>The existing hydrology model and CELLS model need to be updated to define catchment hydrology more accurately and to update the hydraulic model to a fully two-dimensional model. This review should include impacts due to Climate Change, particularly due to the Tuggerah Lakes flooding.</p> <p>Response: Undertake new catchment hydrology study and flood study when adequate data becomes available."</p>	<p>The Wyong River Catchment Flood Study was completed in 2014. More recently, the Draft Wyong River Floodplain Risk Management Study and Plan was prepared and placed on public exhibition earlier this year. The Draft Study and Plan was recommended in the Council meeting of 28 October 2019 for adoption. It was deferred pending a site visit of the recommended options by the Councillors.</p>

b) whether the LWRF is being addressed in the Wyong River Floodplain Risk Management Study and Plan, noting that community consultation in respect to this closed on 26 April 2019.

The Draft Wyong River Floodplain Risk Management Study and Plan updates and expands on the Lower Wyong River Floodplain Risk Management Study and the Lower Wyong River Floodplain Risk Management Plan prepared by Paterson Consultants in 2010. The Porters

5.3 Response to Notice of Motion - Lower Wyong Floodplain Risk Management Plan (contd)

Creek sub-catchment and Tuggerah Lakes foreshore areas were addressed in separate studies and plans, the Porters Creek Floodplain Risk Management Plan (2012) and Tuggerah Lakes Floodplain Risk Management Study and Plan (2014) respectively.

c) a copy of the Report prepared pursuant to Resolutions 302/13 305/13, (or advice that it wasn't prepared).

A copy of report on *Repeated Flooding of Tuggerah Businesses* is attached, as included on the 12 June 2013 Ordinary Council Meeting Agenda.

d) any recommendations to address the flooding at the intersection of Woodbury Park Dr/ Johnson Rd and Gavenlock Road.

Although no specific options were recommended in the Lower Wyong River Floodplain Risk Management Plan (2010) to reduce flooding at the intersection of Woodbury Park Drive, Johnson Road and Gavenlock Road, the Lower Wyong River Floodplain Risk Management Study (2010) did investigate numerous options to potentially reduce flood levels in the Tuggerah Straight Industrial Area.

It is important to understand that the Tuggerah Straight Industrial Area can be affected by flooding from both Mardi Creek and Wyong River. Options investigated in the Study are summarized:

Tuggerah Straight Industrial Area Levee

The construction of a northern levee would potentially prevent floodwaters from the Wyong River spilling onto the southern floodplain upstream of the Pacific Highway and railway and reduce flood levels in the area. However, the area would still be susceptible to flooding from the local catchment and Mardi Creek and flood levels would be increased and a greater than 40 properties would suffer significantly higher flood levels as a result.

The construction of a southern levee to protect the industrial area from Mardi Creek flooding was also investigated although no appropriate location could be identified. If a suitable location was identified, the construction of such a levee would result in the loss of temporary flood storage in the area which would cause significant increases in flood levels in Mardi Creek and potential impacts to Woodbury Park and carpark areas of the Westfield shopping complex.

Replacement of Pacific Highway and Railway Bridges

The effectiveness of raising of the highway and railway bridges over the Wyong River is limited by the obstruction of floodwaters flowing over the floodplain which is caused by the railway embankment. Replacement of the bridges would provide minimal reduction in flood levels, typically less than 0.1m.

Mardi Dam Works

The temporary flood storage available in Mardi Dam provides a nominal flood mitigation benefit. However, due to the relatively small catchment area controlled by the dam and the

5.3 Response to Notice of Motion - Lower Wyong Floodplain Risk Management Plan (contd)

rapid response of the remainder of the Mardi Creek catchment, it is not considered feasible to pre-release from the dam or to operate the dam for flood mitigation purposes.

Cobbs Road Detention Basin

Several potential sites for detention basins were identified upstream of the Freeway/M1. Construction of a detention basin at the Cobbs Road location may reduce flood levels between Gavenlock Road and the Pacific Highway by approximately 0.05 metres.

Proposed Schemes

The effectiveness of various works and schemes were investigated for Mardi Creek, including Scheme 2 which comprised channel improvements downstream of the railway, channel improvements between Gavenlock Road and the Pacific Highway, upgrading the Gavenlock Road culvert and duplication of the culverts under the Pacific Highway and railway. Scheme 2 provided the greatest reduction in the number of premises flooded and mean annual flood damages and was adopted as the drainage strategy for Mardi Creek circa 1996. The bulk of the benefits derived from the scheme are attributable to the channel improvements and duplication of the culverts, with other works providing marginal benefit only.

Attachments

- 1 Repeated Flooding of Tuggerah Businesses D03379764

Attachment 1**Repeated Flooding of Tuggerah Businesses**

12 June 2013

Director's Report

To the Ordinary Council Meeting

Infrastructure and Operations

5.3 Repeated Flooding of Tuggerah Businesses

TRIM REFERENCE: F2004/07986 - D03379764

MANAGER: Andrew Pearce, Manager, Waterways Asset Manager

AUTHOR: Peter Sheath; Senior Planning Engineer Hydrology

SUMMARY

This report presents the outcomes of an investigation into managing flooding in Anzac Avenue and Ace Crescent, Tuggerah.

RECOMMENDATION

That Council receive the report on Repeated Flooding of Tuggerah Businesses.

ORDINARY MEETING HELD 12 JUNE 2013

RESOLVED unanimously on the motion of Councillor BEST and seconded by Councillor TROY:

778/13 That Council receive the report on Repeated Flooding of Tuggerah Businesses.

BACKGROUND

At the ordinary Council meeting of 13 March 2013 Council resolved as follows:

RESOLVED unanimously on the motion of Councillor BEST and seconded by Councillor TAYLOR:

302/13 That Council note with great concern the escalating frequency of flooding events of local Tuggerah businesses in and around the Anzac, Ace and Gavenlock roads area.

303/13 That Council investigate as a matter of urgency the possible flooding causes and seek advice from Roads and Maritime Services and RailCorp as to whether any works carried out by those bodies may be contributing to further localise flooding.

304/13 That Council note that since the Roads and Maritime Services upgrade of the Tuggerah Straight the major Tuggerah storm water channel is now permanently charged providing for little to no flood storage, further this now permanent standing body of water is ideal for supporting large quantities of aquatic vegetation, conducive to blocking drainage."

305/13 That Council direct the General Manager to report the outcome of the recommendations on this issue as a matter of urgency.

REPORT

This report addresses the first three above resolutions above in turn (the report itself addresses the fourth resolution).

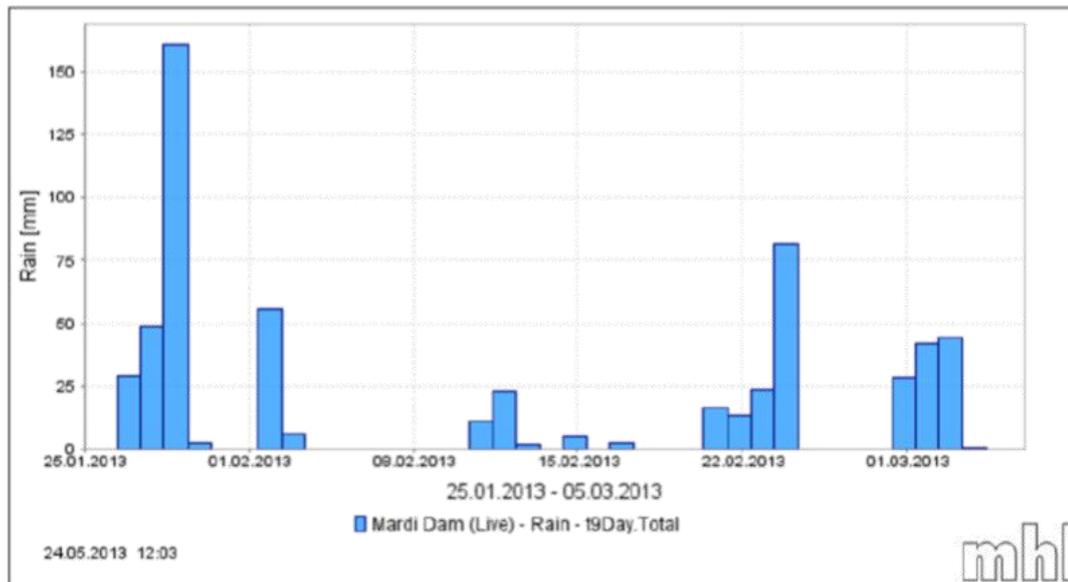
1. Escalating frequency of flooding events

The Anzac Road and Ace Crescent, Tuggerah commercial and industrial area is known for frequent flooding, which is associated with overflows from Mardi Creek. The area is located on the floodplain, with an average longitudinal grade of less than 0.1% along the 3km journey between the open channel and the Wyong River.

Council has carried out numerous studies and capital works throughout the 1990s to help manage this risk, largely in response to the February 1990 flood. There is no evidence to suggest that the frequency or severity of flooding is increasing.

The area is part of the Wyong River catchment and subsequently forms part of the Wyong River Flood Study which is presently being carried out. It is anticipated by August 2013 we will have updated flood information for this location.

600mm fell at the Mardi Dam rain gauge from late January 2013 till early March 2013, as shown in the graph below; this was about three times higher than the long-term climate average for the same period. While this rainfall was significant, it was not unusual, given that the Bureau of Meteorology classifies this area to have moderate rainfall variability from January to March.



Flooding occurred on both 29 January 2013 and 24 February 2013. The most severe flooding occurred on 29 January, associated with a 165mm rain-storm, which started at 10am Mon 28 January (public holiday) and ceased at 9am Tues 29 January. During this time flood depths at road low-points in both Anzac Avenue (opposite McDonalds) and the next road to the north, Ace Crescent, are estimated to have reached up to 1m deep, which is a flood depth that has a 10% chance of being reached or exceeded each year (10% AEP flood event). Note that the flood depths are expected to be another 0.3m deeper in a 1% AEP flood event.

Attachment 1Repeated Flooding of Tuggerah Businesses

It should also be noted that the frequency of flooding in this industrial area will always be greater than that observed in other industrial areas within the shire as the Council made a deliberate decision many years ago to allow this area to be developed and so as not to sterilize the area, applied a flood planning level of 2% AEP (1 in 50 years) as opposed to the normal flood planning level of 1% AEP (1 in 100 years) applied on other areas.

2. Investigation of possible flooding causes

Flooding in Anzac Avenue and Ace Crescent, Tuggerah is a result of Mardi Creek breaking its banks. The creek catchment includes Mardi Dam and Westfield Tuggerah. It measures 5.3km² to Pacific Highway, which can roughly be split into thirds: the area upstream of the dam wall, the area between the dam and the freeway (western side), and the area downstream of the freeway (eastern side). It should be noted that flooding would be much worse if Mardi dam were not present.

Council staff carried out a site inspection on 20 March 2013, including the Director Infrastructure Operations, Acting Manager Roads and Drainage, Manager Waterways & Asset Management, and Senior Planning Engineer Hydrology. During the site inspection standing water was observed in the drainage channels, which appeared to be largely matched by standing water levels in the creek downstream of the highway and railway.

Council's surveyors were subsequently requested to undertake water level measurements in both the channel and at various points downstream of the railway line into the Pioneer Dairy site. Measurements taken within the drainage channel and creek on the 9 April 2013 confirm that water levels were reasonably static between the open channel upstream of the highway to a point within the Pioneer dairy site. These results were consistent with a survey of water levels taken at the same locations in 1997.

A survey taken further within the Pioneer Dairy site did however identify lower water levels indicative of a possible blockage between survey points in the Pioneer Dairy site. Further detailed survey works and accompanying site inspection will be required to identify if there is a particular blockage which may be impacting on upstream standing water levels.

Investigations into better managing flooding in the Mardi Creek catchment were carried out in the mid 1990s. At that time significant works were being carried out within the catchment including construction of Westfields and Woodbury Park Estate. Work was subsequently carried out on the stormwater channels and overbank changes immediately upstream of Gavenlock Road, construction of 4-cell 3m x 1.8m RC box culverts under the bend of Gavenlock Road, together with a 50m wide weir overflow.

An updated flood study and investigation of possible further flood mitigation options was carried out in 1997, which is still relevant. These were seen to have the following possible benefits on flood levels within Anzac Road and Ace Crescent:

Attachment 1 **Repeated Flooding of Tuggerah Businesses**

Option	Indicative Cost	Reduction in flood level (m) [measured just upstream of Pacific Highway]	
		1% AEP	10% AEP
A. Double the width of the Pacific Highway culverts and Railway Bridge	\$3M	-0.42	-0.34
B. Downstream channel works: Floodway downstream of rail bridge short-circuit bends in the creek, 20m wide base, 1:6 batters (three sections: 140m, 70m, 280m)	\$400 000	0.13	-0.20
C. Retarding basin upstream of F3, at back of Council Nursery	\$60 000	-0.25	-0.23
D. Options A + B	\$3.4M	-0.45	-0.47
E. Options B + C	\$460 000	-0.26	-0.34

Options A & B are not feasible. They are associated with a very high cost. Option B is also associated with a high environmental impact through realignment of the creek through Pioneer Dairy wetlands.

Option C, a retarding basin upstream of the F3, at the back of the Council Nursery, is expected to be associated with relatively low cost and low environmental impact. A project will be commissioned to further investigate the feasibility of a retarding basin at this location, which is likely to reduce flood depths by over 0.2m. Note however that even after such works are carried out then flood depths in these roads will still exceed 1.0m in a 1% AEP flood event.

3. Investigation of impact of Road & Maritime Services road widening works

The RMS road widening works at Tuggerah Straight involved simply extending the existing culverts, which would not have had an effect on ongoing water levels.

As discussed in 2 above, standing water levels were recently observed and surveyed to be similar both upstream and downstream of the highway and railway line.

The water level survey carried out in 1997, which is the only comparison data that is available, shows marginally lower but consistent standing water levels throughout the stormwater drains. This confirms that standing water within the stormwater drains is not new. The level of standing water most likely fluctuates according to the fluctuations in groundwater levels.

CONCLUSION

This report has detailed investigations into the repeated flooding in the area of Anzac Avenue and Ace Crescent, Tuggerah.

The area is characterised as being flood prone land with limited opportunity to mitigate flooding through engineering works.

Actions directly arising from the investigations have been:

- Investigations into the feasibility of a retarding basin upstream of the F3, at the back of the Council Nursery
- Enhanced focus on the area as part of the Wyong River Flood Study with updated flood modelling data anticipated to be available in August 2013
- Recent and ongoing maintenance of the existing storm water drains

Attachment 1

Repeated Flooding of Tuggerah Businesses

- Proposed further inspection and survey to identify any tangible blockage within the Pioneer Dairy site
- Proposed installation of warning signs and flood depth markers in Anzac Avenue and Ace Crescent.

ATTACHMENTS

Nil.



Item No: 4.2
Title: Meeting Records of the Catchments and Coast Committee Tuggerah Lakes held on 26 September 2019 and 7 November 2019

Department: Environment and Planning

10 February 2020 Ordinary Council Meeting

Trim Reference: F2018/00098 - D13733862

Manager: Luke Sulkowski, Unit Manager, Environmental Management

Executive: Scott Cox, Director Environment and Planning

Report Purpose

To note the Meeting Records of the Catchments and Coast Committee Tuggerah Lakes held on 26 September 2019 and 7 November 2019.

Recommendation

That Council receive the report on Meeting Records of the Catchments and Coast Committee Tuggerah Lakes held on 26 September 2019 and 7 November 2019.

Background

The Catchments and Coast Committee Tuggerah Lakes held meetings on 26 September 2019 and 7 November 2019. The Meeting Records of these meetings are Attachment 1 and 2 to this report respectively.

The Meeting Record from 26 September 2019 was previously put on hold for reporting to Council pending clarification on some matters regarding Porters Creek Wetland, and a proposed draft recommendation from the Advisory Group.

At the 25 November 2019 Ordinary Council Meeting, Council considered a report titled *Notice of Motion – Protection of Porters Creek Wetland*, which resulted in resolutions ([page 27 of Minutes of Ordinary Council Meeting](#)) that supersede the Advisory Group's draft recommendation.

There are consequently no actions recommended to Council. The Meeting Records are being reported for information only in accordance with the Terms of Reference.

It is noted the Catchments and Coast Committee Tuggerah Lakes also met on 18 December 2019 and agreed the Notice of Motion addressed the concerns raised, however that Meeting Record is still in the process of being reviewed following the Christmas shutdown period, but will be reported to Council as soon as practicable.

4.2 Meeting Records of the Catchments and Coast Committee Tuggerah Lakes held on 26 September 2019 and 7 November 2019 (contd)

Link to Community Strategic Plan

Theme 4: Responsible

Goal G: Good governance and great partnerships

G3: Engage with the community in meaningful dialogue and demonstrate how community participation is being used to inform decisions.

Attachments

- | | | |
|---|--|-----------|
| 1 | Catchments and Coast Committee Tuggerah Lakes Meeting Record - 26 September 2019 | D13733776 |
| 2 | Catchments and Coast Committee Tuggerah Lakes Meeting Record - 7 November 2019 | D13733778 |

Catchments and Coast Committee Tuggerah Lakes Extraordinary Meeting Record 26 September 2019



Location:	Central Coast Council Wyong Office Level 2 Committee Room 2 Hely Street, Wyong	
Date:	26 September 2019	
Time	Started at: 4.33pm	Closed at: 6.06pm
Chair	Councillor Doug Vincent	
File Ref	F2018/00098	

Present:

Councillor Jilly Pilon, Councillor Jane Smith, Councillor Doug Vincent, Michael Campbell, Doug Darlington, Robert Davies

External Representatives present:

Kym Bilham – Department of Planning, Industry and Environment

Council Staff present:

Luke Sulkowski – Unit Manager Natural and Environmental Assets (arrived 5.42pm), Rochelle Lawson – Senior Ecologist, Peter Sheath – Section Manager Waterways, Kelly Drover – Advisory Group Support Officer

Item 1 Apologies and Acknowledgement of Country

Apologies received: Councillor Louise Greenaway, Graham Hankin, Marlene Pennings, Samantha Willis

Councillor Jane Smith completed an Acknowledgement of Country and Connection to Land statement.

Item 2 Disclosure of Interest

No disclosures were received.

Item 3 Consultant's Report on Porters Creek Wetland and Priority Actions from the TLEMP for Implementation

Peter Sheath (Section Manager Waterways) gave a presentation on the Council Resolution of 9 September 2019 and the Feasibility Study of Options to Protect Porters Creek Wetland.



The Advisory Group discussed the options of a Conservation Agreement or a Biodiversity Stewardship Agreement. It was determined that a Conservation Agreement would be simpler to establish and provide protection to the wetland (beyond limitations of protection provided by current land use zonings), and that a Biodiversity Stewardship Agreement was an option that could be considered at a later date if deemed appropriate.

Action: Staff will confirm the following:

- Is there a significant difference between operational and community classified land in application of a Biodiversity Stewardship Agreement in this situation?
- What area is defined for WEZ, including the educational precinct and the runway?

Action: Staff to advise the Advisory Group of the outcomes of the above questions via email prior to reporting of this meeting record to Council

Draft Recommendation:

1. That Council define the area to be protected as those areas identified as Coastal Wetland and Coastal Wetland proximity areas in accordance with the Coastal SEPP and any other adjacent associated native vegetation communities located on land owned by Central Coast Council (these all tend to be located on and defined by the E2 or E3 zoned land), excluding; (as shown in Attachment 1).
 - that portion of the runway that complies with the *Warnervale Airport (Restrictions) Act*
 - the area zoned as the education precinct and industrial/business zone
2. That Council seek a conservation agreement on the area identified in Recommendation 1 and acknowledge that future parcels of Porters Creek Wetland that are acquired for conservation purposes will be included in other Conservation Agreements (as per the *Biodiversity Conservation Act*).
3. That Council proceed with subdivisions to achieve Recommendation 2.

Item 4 General Business and Close

Meeting closed 6.06pm

Next Meeting: **Thursday 7 November 2019**
 4pm – 6pm
 Central Coast Council Wyong Office
 Level 2 Committee Room

Catchments and Coast Committee Tuggerah Lakes Meeting Record 7 November 2019



Location:	Central Coast Council Wyong Office Level 2 Committee Room 2 Hely Street, Wyong	
Date:	7 November 2019	
Time	Started at: 4.03pm	Closed at: 6.05pm
Chair	Councillor Jane Smith	
File Ref	F2018/00098	

Present:

Councillor Jane Smith, Councillor Doug Vincent (arrived 4.30pm), Michael Campbell, Doug Darlington, Robert Davies, Graham Hankin, Samantha Willis

External Representatives present:

Sarah Conacher – Department of Primary Industries (Fishing), Richard Murphy – Department of Planning, Industry and Environment

Council Staff present:

Luke Sulkowski – Unit Manager Natural and Environmental Assets, Ben Fullagar – Section Manager Coastal Protection, Peter Sheath – Section Manager Waterways, Vanessa McCann – Team Leader Estuary Management, Zoie Magann – Advisory Group Support Officer, Donna Payne – Advisory Group Support Officer (left 5.01pm)

Item 1 Welcome, Acknowledgement of Country and Apologies

Apologies Received: Councillor Louise Greenaway, Councillor Jilly Pilon, Marlene Pennings

Councillor Jane Smith completed an Acknowledgement of Country and Connection to Land statement.

Item 2 Disclosures of Interest

Doug Darlington declared a less than significant non-pecuniary interest as he had done so previously, as a resident of Long Jetty with regard to the Killarney Vale/Long Jetty Catchments Floodplain Risk Management Study.



Item 3 Confirmation of Previous Meeting Record

The Advisory Group confirmed the Meeting Records from 28 August and 26 September 2019.

The Advisory Group discussed the Action Log.

Item 4 Feedback from Previous Meeting

No feedback was provided.

Item 5 Update from Department of Primary Industries (Fishing) (Action 52)

Sarah Conacher (Department of Primary Industries - Fishing) provided a presentation on seagrasses and features of a healthy ecosystem. Sarah invited questions from the Advisory Group regarding wrack and seagrass mapping in Tuggerah Lakes. Sarah advised *zostera* leaves are longer in Tuggerah Lakes than anywhere else in NSW, which is likely linked to high nutrient levels and turbidity in the lake.

It was noted that seagrasses are a key feature of the lake as they provide habitat for important fish species (e.g. Dusky Flathead spawn in *zostera* and Garfish spawn in floating wrack). Seagrass loss occurs globally at a rapid rate and is due to a number of factors.

Sarah also highlighted the importance of saltmarsh in a healthy ecosystem as it assists with the natural cycle of wrack and the lake.

Action: Sarah Conacher (Fisheries) to provide most recent seagrass maps to Council staff when available.

Action: Advisory Group Support Officer to circulate link to [Fisheries Spatial Data Portal website](#) showing seagrass maps.

Action: Sarah Conacher (Fisheries) to forward commercial fishing stats (namely collection amounts and number of operators) to Advisory Group Support Officer for circulation to Advisory Group members.

Action: Sarah Conacher (Fisheries) to forward info on prawn numbers in Lake Munmorah following the power plant closure to Advisory Group Support Officer for circulation to Advisory Group members.

Action: Advisory Group Support Officer to circulate copy of Sarah Conacher's presentation to Advisory Group members.

Item 6 Protection of Porters Creek Wetland Update

Staff provided an update on the protection of Porters Creek Wetland, and noted that works are currently on hold for the airport as per previous Council resolutions. Further clarification is required as to what 'works' entails. It was commented that although Porters Creek Wetland is linked to the airport and Warnervale Employment Zone (WEZ), protection of the site shouldn't be pushed aside while works are on hold.



Janine McKenzie (Unit Manager Business Enterprise) was briefly phoned to clarify some points about the airport. It was noted the current runway length is 1,196m, and the max length as per *Warnervale Airport (Restrictions) Act 1996* is 1,200m.

Action: Councillors Jane Smith and Doug Vincent to seek a meeting with Janine McKenzie (Unit Manager Business Enterprise) and other relevant staff to define boundaries of the airport and education precinct, with a view to progress protection of Porters Creek Wetland. Information to be relayed back to Advisory Group members via email in preparation for a Notice of Motion to the first Council meeting in December.

Sarah Conacher advised that Fisheries are currently doing works to map where encroachments occur with regard to airports and wetlands.

Luke Sulkowski (Unit Manager Natural and Environmental Assets) advised that staff are considering engaging a consultant to explore how to better manage the Porters Creek wetland with consideration of historical issues and various other external pressures and invited feedback from Advisory Group members about the approach.

The Advisory Group noted its support of staff preparing a scope of works and seeking advice from an appropriately qualified consultant to develop a revised Porters Creek Floodplain Restoration Conservation Management Plan.

Item 7 Update on Floodplain Risk Management Project (Standing Item)

Peter Sheath (Section Manager Waterways) provided an update on the Floodplain Risk Management Project, showing a table of current projects and their status.

The Advisory Group noted the below Council resolutions from the 28 October 2019 Ordinary Council Meeting, with regard to adoption of the Wyong River and Ourimbah Creek Floodplain Risk Management Studies and Plans (FRMSP).

- | | |
|---------|---|
| 1029/19 | <i>That Council defer consideration of this item until a site inspection has been conducted with those interested Councillors and members of the Catchments and Coast Committee – Tuggerah Lakes.</i> |
| 1030/19 | <i>That Councillors and members of the Catchments and Coast Committee – Tuggerah Lakes be invited to identify relevant sites.</i> |

The below sites were identified by Advisory Group members:

- Pioneer Dairy (South Tacoma)
- University of Newcastle, Ourimbah (lower carpark and Burns Road)
- Wyong Nursing Home

Action: Advisory Group Support Officer to confirm interest with Advisory Group members and Councillors regarding site inspections and update as information becomes available.

Action: Advisory Group members to email any additional suggested sites to Advisory Group Support Officer by Monday 11 November. (AGSO to send reminder)



Regarding Action 51 (Killarney Vale/Long Jetty FRMSP), it was noted that internal engagement is underway and Advisory Group members were invited to forward any additional feedback to staff for noting.

Item 8 End of Council Term

This item has been added to agendas for all Advisory Groups and Committees in preparation for the end of Council term in September 2020, as Advisory Groups and Committees may be placed on hold once caretaker mode is engaged.

It was noted that in at least former Gosford, Advisory Committees continued through the end of the Council term until the new Council determined otherwise. Councillor Jane Smith noted she will be discussing this further with the Director Governance to clarify.

Item 9 General Business and Close

- a) Coastal Conference: Councillor Jane Smith congratulated and thanked staff for their involvement in the Annual NSW Coastal Conference, which occurred 30 October 2019 – 1 November 2019 in Terrigal. It was noted that the event will be occurring in Byron Bay in 2020.
- b) Grant opportunities: the Advisory Group noted consideration should be given to inviting a Federal Government representative to future Advisory Group meetings, given their involvement in funding.
- c) Flooding in Chittaway Point: Graham Hankin shared that Chittaway Point residents have approached Council regarding ongoing flooding issues believed to be linked to road height and are seeking support for their campaign.

Action: Councillors will submit a Councillor Request regarding flooding in Henry Street Chittaway Point, requesting that staff further investigate the matter and consider options to reduce the frequency of flooding of the road by raising the road height.

- d) Luke Sulkowski (Unit Manager Natural and Environmental Assets) advised that a draft works program is being developed to apply for a grant for Tuggerah Lakes under the Environment Restoration Fund (\$4.7mil over four years). The deadline for grant submission is 28 November 2019 and updates will come to the Advisory Group as available.
- e) Bycatch of wrack: Sarah Conacher (Fisheries) advised the State Government is interested in working with Council to investigate bycatch of wrack and impacts of the wrack harvester.
- f) Peter Sheath (Section Manager Waterways) advised the Minister for Energy and Environment is currently seeking advice on parcels of land to add to the national parks system.

The meeting closed at 6.05pm

Next Meeting: Wednesday 18 December 2019
2pm – 4pm
Central Coast Council Wyong Office
Level 2 Committee Room



Item No: 4.3
Title: Meeting Record of the Gosford Foundation Trust Management Committee held on 5 November 2019
Department: Connected Communities

10 February 2020 Ordinary Council Meeting

Trim Reference: F2018/00731 - D13727551

Executive: Julie Vaughan, Director Connected Communities

Report Purpose

To note the Meeting Record of the Gosford Foundation Trust Management Committee held on 5 November 2019.

Recommendation

That Council note the Meeting Record of the Gosford Foundation Trust Management Committee held on 5 November 2019.

Background

The Gosford Foundation Trust Management Committee held a meeting on 5 November 2019. The Meeting Record of that meeting is Attachment 1 to this report.

Link to Community Strategic Plan

Theme 4: Responsible

Goal G: Good governance and great partnerships

G3: Engage with the community in meaningful dialogue and demonstrate how community participation is being used to inform decisions.

Attachments

- 1 Gosford Foundation Trust Management Committee Meeting Record - 5 November 2019 D13727491

Gosford Foundation Trust Management Committee Meeting Record 5 November 2019



Central
Coast
Council

Location:	Central Coast Council Gosford Office Level 1 Committee Room 49 Mann Street, Gosford	
Date:	5 November 2019	
Time	Started at: 4.07pm	Closed at: 4.40pm
Chair	Councillor Jane Smith	
File Ref	F2018/00731	

Present:

Councillor Jane Smith, Gary Murphy – Chief Executive Officer, Clive Blunt, Barbara Wills

Staff present:

Phil Cantillon – Unit Manager Leisure and Lifestyle, Kelly Drover – Advisory Group Support Officer, Donna Payne – Advisory Group Support Officer

Item 1 Welcome, Apologies and Acknowledgement of Country

Apologies received: Shane Sullivan – Unit Manager Governance and Business Services

The Chairperson, Councillor Jane Smith, declared the meeting open and completed an Acknowledgement of Country and Connection to Land statement.

Item 2 Disclosure of Interest

The Chair called for any declarations of interest.

No disclosures received.

Item 3 Confirmation of Previous Meeting Record

The Committee confirmed the Meeting Record from 6 August 2019.

The Committee discussed the Action Log.



Item 4 Review of Trust Deed

Staff advised in previous meetings that Council was obtaining legal advice on the Trusts. As Chair of the Committee, Councillor Smith has expressed concerns to the CEO and Director Governance and has received clarification that the legal advice relates to whether the Trust is operating within the legal framework of the Deed. This advice will be discussed with the Committee once received.

Item 5 Koi Sculptures (Action Item 23)

Phil Cantillon (Unit Manager Leisure and Lifestyle) provided images of the separated Koi sculptures and advised the plan is to take the sculptures to different events, which staff will develop a calendar for.

Clive Blunt suggested payWave as a donation option at the Gallery and other venues.

Item 6 Promotion and Donation to the Trusts (Action Items 20, 21, 22)

A handout was provided by Shane Sullivan (Unit Manager Governance and Business Services) detailing advice received from Communications staff.

The advice from Communications staff is that:

- The Committee develop a separate website independent to Council's website, a similar example would be that of Northern Beaches and their set up for Pittwater Environmental Trust.
- The Committee develop and manage an RFQ to procure a full-service digital agency to support marketing, website and content creation and ongoing management.
- A Community Representative member of the committee manage and be the point of contact for information and the services provided by an appointed digital agency.

Councillor Smith to review the Pittwater Website.

<http://www.pittwaterenvironmentalfoundation.org.au/donations/>

The Committee discussed other options such as an information flyer, downloadable PDF or engaging a resource such as Treehouse Creative to create an info video that might be alternative options to creating a new webpage.

Action: Councillor Smith to meet with Director Governance to seek clarification around the Trusts setting up a website, the process including preferred suppliers and provide advice back to the next meeting.

Action: Staff to investigate what other Trusts are doing and provide a briefing note back to the next meeting.

Action: Staff to liaise with the National Trust or the Art Gallery and discuss their philanthropy programs and invite them to attend the next meeting of the Trust, if appropriate.

Gosford Foundation Trust Management Committee Meeting Record
5 November 2019



Item 7 Finance Report (Standing Agenda item)

The Committee discussed the Income Statement as at 31 October 2019 for the Gosford Foundation Trust.

Item 8 General Business and Close

No general business was discussed.

The meeting closed at 4.40pm

NOTE: A discussion was held after the meeting had closed with a suggestion of inviting Council's Heritage Officer to the next meeting of the Gosford Foundation Trust with an aim to discuss key projects that could benefit from Philanthropy.

Next Meeting: Tuesday 4 February 2020 (TBC)
4pm – 5pm
Central Coast Council Gosford Office
Level 1 Committee Room



Item No: 4.4
Title: Meeting Record of the Status of Women Advisory Group held on 3 December 2019
Department: Connected Communities

10 February 2020 Ordinary Council Meeting

Reference: F2017/00176 - D13771884

Executive: Julie Vaughan, Director Connected Communities

Report Purpose

To note the Meeting Record of the Status of Women Advisory Group held on 3 December 2019.

Recommendation

That Council receive the report on Meeting Record of the Status of Women Advisory Group held on 3 December 2019.

Background

The Status of Women Advisory Group held a meeting on 3 December 2019. The Meeting Record of that meeting is Attachment 1 to this report.

There are no actions recommended to Council therefore the Meeting Record is being reported for information only.

Link to Community Strategic Plan

Theme 4: Responsible

Goal G: Good governance and great partnerships

G3: Engage with the community in meaningful dialogue and demonstrate how community participation is being used to inform decisions.

Attachments

1 SOWAG Meeting Record - 3 December 2019 D13771882

Status of Women Advisory Group Meeting Record 3 December 2019



Central
Coast
Council

Location:	Central Coast Council Gosford Office Level 1 Committee Room 49 Mann Street, Gosford
Date:	3 December 2019
Time	Started at: 3:10pm Closed at: 4.03pm
Chair	Mayor Lisa Matthews
File Ref	F2017/00176

Present

Mayor Lisa Matthews, Councillor Chris Holstein, Councillor Kyle MacGregor, Councillor Doug Vincent, Sharryn Brownlee (called in), Margot Castles, Sally Jope, Sharon Walsh, Julie Vaughan – Director Connected Communities

Council Staff present:

Glenn Cannard – Unit Manager Community Partnerships, Aliesha Carreno – Community Development Worker (minute taker)

Item 1 Welcome, Acknowledgement of Country, Apologies

Apologies received: Danielle Habib, Sharon Walsh, Belinda Kimpton

Mayor Lisa Matthews welcomed the Advisory Group and completed an Acknowledgement of Country.

Item 2 Disclosures of Interest

No disclosures were noted.

Item 3 Confirmation of Previous Meeting Record

The Advisory Group confirmed the Meeting Record from 22 October 2019.

The Advisory Group reviewed the Action Log and noted the following updates from staff.

Action 59: Staff have contacted potential members and confirmed Monique Tovo as a new community representative.

Status of Women Advisory Group Meeting Record
3 December 2019



Action 60: Grants have been submitted for the Festival of Women and a number of community education workshops were held as part of the 16 Days of Activism. Great feedback was received regarding the light boxes in Terrigal and the walk at The Entrance.

Action: Staff to circulate a list of Domestic Violence events to Advisory Group members.

Item 4 #Women in the House

The Advisory Group discussed the Women for Election Australia Newsletter.

Action: Mayor's Office to organise a meeting in February 2020 to start initial conversations.

Item 5 Deepwater Older Women's Network Woy Woy

The Advisory Group discussed an email received from Deepwater Older Women's Network Woy Woy.

Councillor Chris Holstein attended the Christmas afternoon tea hosted by the Network. It was noted there are 3 Older Women's Networks, which the Advisory Group are aware of.

Action: Aliesha Carreno to invite a representative from each Older Women's Network to a future meeting for a 10 minute sharing of information.

Item 6 ALGWA Conference 26-28 March 2020 (Action 65)

The Advisory Group discussed the [2020 ALGWA Conference](#) and noted a letter and response to the Mayor of Shellharbour City Council.

EOI for State Conference to be distributed as there was well received feedback from the National Conference regarding sending Advisory Group members. It was noted that registrations open on 16 December 2019 at 9am.

Action: Aliesha Carreno to confirm details for State Conference and send EOI details to Advisory Group members.

Action: Mayor's Office to send invite for State Conference to other Councillors.

Item 7 SOWAG Membership

This item was addressed as part of the Action Log update in Item 3.

Item 8 Update on 2019 Activities and Confirm Priorities for 2020

This item was deferred to a future meeting.

Status of Women Advisory Group Meeting Record
3 December 2019



Central
Coast
Council

Item 9 General Business and Close

- a) Launch Event for IWD: The Advisory Group discussed details for the IWD event being hosted by the Mayor's Office in February 2020 (Action 61). It was noted the theme is 'Each for Equal' and there should be number of speakers (including a keynote speaker) and a Q&A panel. The event will be a good opportunity for networking and to promote other events happening during the Festival of Women.

Action: Advisory Group members to send through any ideas and contact details of proposed speakers/invitees for the event to staff.

Action: Advisory Group Support Officer to send out save the dates for 2020 meetings to Advisory Group members.

Action: Mayor's Office to confirm if Function Room is available for IWD event.

It was requested that meetings be held on the second Tuesday bi-monthly for 2020 with the proposed dates below.

Next Meetings: **Tuesday 11 February 2020**
 3:30pm – 5pm
 Location TBC

Tuesday 14 April 2020
3pm – 5pm
Location TBC

Tuesday 9 June 2020
3pm – 5pm
Location TBC

The meeting closed at 4:03pm



Item No: 4.5
Title: Investment Report for November 2019
Department: Finance

10 February 2020 Ordinary Council Meeting

Reference: F2004/06604 - D13751631
Author: Carlton Oldfield, Unit Manager, Financial Services
Executive: Craig Norman, Chief Financial Officer

Report Purpose

To present the monthly report on the investment portfolio as required in accordance with cl. 212 of the *Local Government (General) Regulation 2005*.

Summary

This report details Council's investments as at 30 November 2019.

Recommendation

That Council receive the Investment Report for November 2019.

Background

Council's investments are made in accordance with the *Local Government Act 1993*, *Local Government (General) Regulation 2005*, the investment policy adopted at the Ordinary Council Meeting on 28 October 2019, Ministerial Investment Order issued February 2011 and Division of Local Government (as it was then known) Investment Policy Guidelines published in May 2010.

Current Status

Council's current cash and investment portfolio totals \$431.87 million at 30 November 2019.

Source of Funds	Value (\$'000)
Investment Portfolio	\$419,478
Transactional accounts and cash in hand	\$12,396
Total	\$431,874

Council has a net inflow of \$13.79 million in November 2019, being an outflow of \$0.12 million in transactional cash and an increase of \$13.90 million of Investments.

4.5 Investment Report for November 2019 (contd)

This investment report will focus on the investment portfolio of \$419.48 million. Investments are managed primarily through term deposit and floating rate note maturities.

Total net return on the portfolio for Council, in November was \$712K, comprising entirely of interest earnings. The total value of the Council's investment portfolio as at 30 November 2019 is outlined in Table 1 below.

Table 1 – Portfolio movement

Description	2018-19 Financial Year \$'000	Sep-19 Qtr 2019/20 \$'000	Oct -19 2019/20 \$'000	Nov -19 2019/20 \$'000	FYTD 2019/20 \$'000
Opening Balance	467,254	445,661	433,160	405,574	445,661
Movement for the period	-21,593	-12,501	-27,586	13,904	-26,183
Closing Balance	445,661	433,160	405,574	419,478	419,478
Interest earnings	13,017	2,724	848	712	4,284

Council's investments are evaluated and monitored against a benchmark appropriate to the risk (Standard and Poor's BBB long term or above) and time horizon of the investment concerned. Council's investment portfolio includes rolling maturity dates to ensure that Council has sufficient funds at all times to meet its obligations. A summary of the term deposit and floating rate notes maturities are listed in Table 2 below.

Table 2 - Investment Maturities

Time Horizon	Percentage Holdings	Maturity on or before	Value \$'000
At Call	15.35%	Immediate	64,380
Investments			
0 - 3 months	9.77%	Feb-2020	41,000
4 - 6 months	24.58%	May-2020	103,098
7 - 12 months	25.98%	Nov-2020	109,000
1 - 2 years	11.92%	Nov-2021	50,000
2 - 3 years	2.38%	Nov-2022	10,000
3 - 4 years	3.58%	Nov-2023	15,000
4 - 5 years	6.44%	Nov-2024	27,000
Total Investments	84.65%		355,098
Total Portfolio	100.00%		419,478

The investment portfolio is concentrated in AA above (67.10%), A (14.30%) and BBB (18.36%).

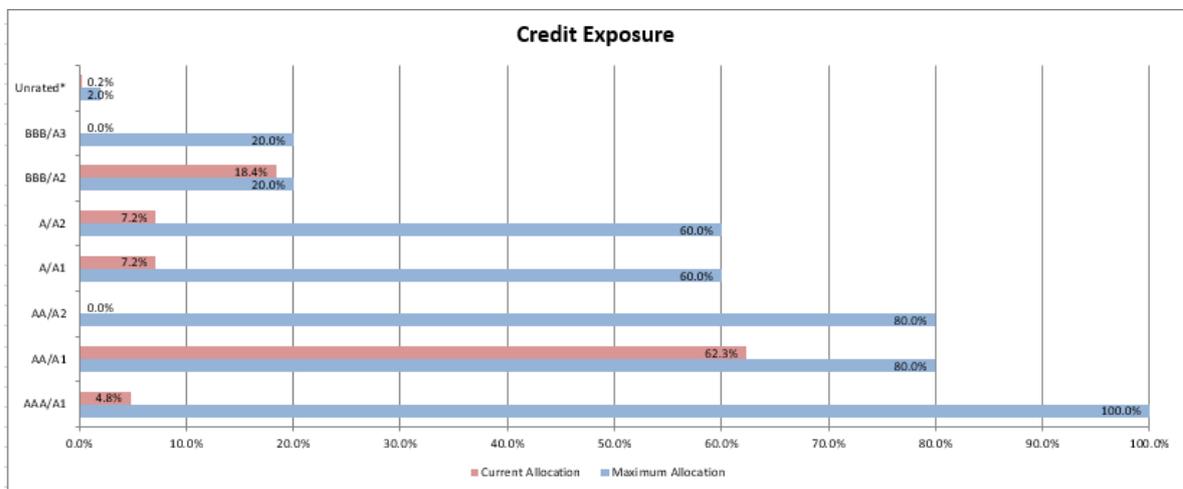
4.5 Investment Report for November 2019 (contd)

The investments in AA are of a higher credit rating and BBB represented the best returns at the time of investment within Policy guidelines. Financial institutions issuing fixed income investments and bonds are considered investment grade (IG) if its Long-Term credit rating is BBB or higher by Standard and Poor (S&P).

Council continues to monitor the portfolio and manage investments taking into consideration credit ratings of financial institutions, interest rates offered for the maturity dates required and the amount of our investment portfolio already held with each financial institution.

The current spread of investments is listed in Graph 1 and counter party credit exposure is listed in Graph 2.

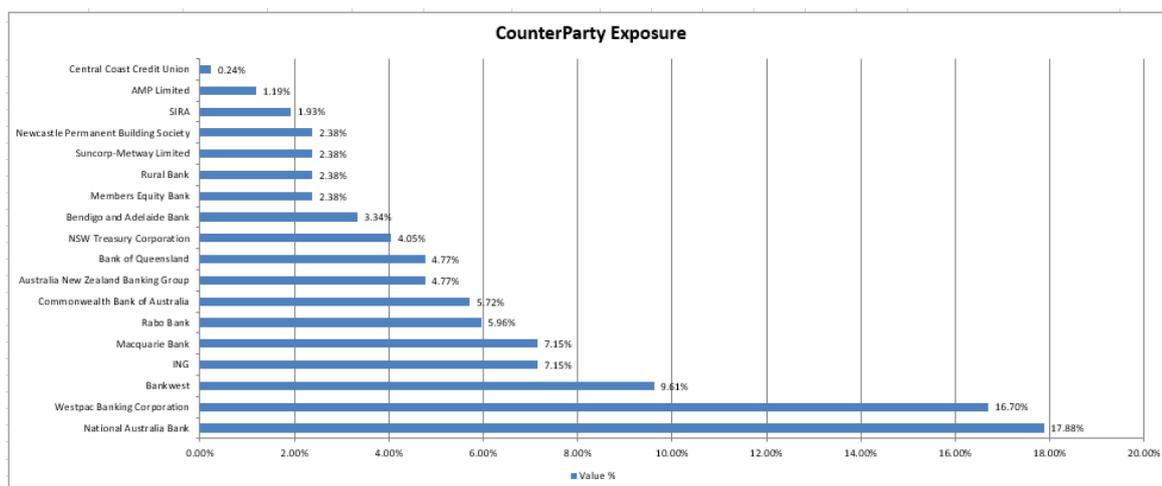
Graph 1 – Credit Exposure



* **AA/A1:** Council has provided security for self-insurance by way of a term deposit invested in an ADI (with a short-term S & P rating of A1) through State Insurance Regulatory Authority (formerly WorkCover NSW). This security has been included as part of Council's investment portfolio. Council regularly conducts a review to identify the optimal security providing Council with the best return possible.

** **Unrated:** Unrated investment comprises of a term deposit with Central Coast Credit Union

Graph 2 - Counter Party Credit Exposure



Environmental, Social and Green (ESG) Investments

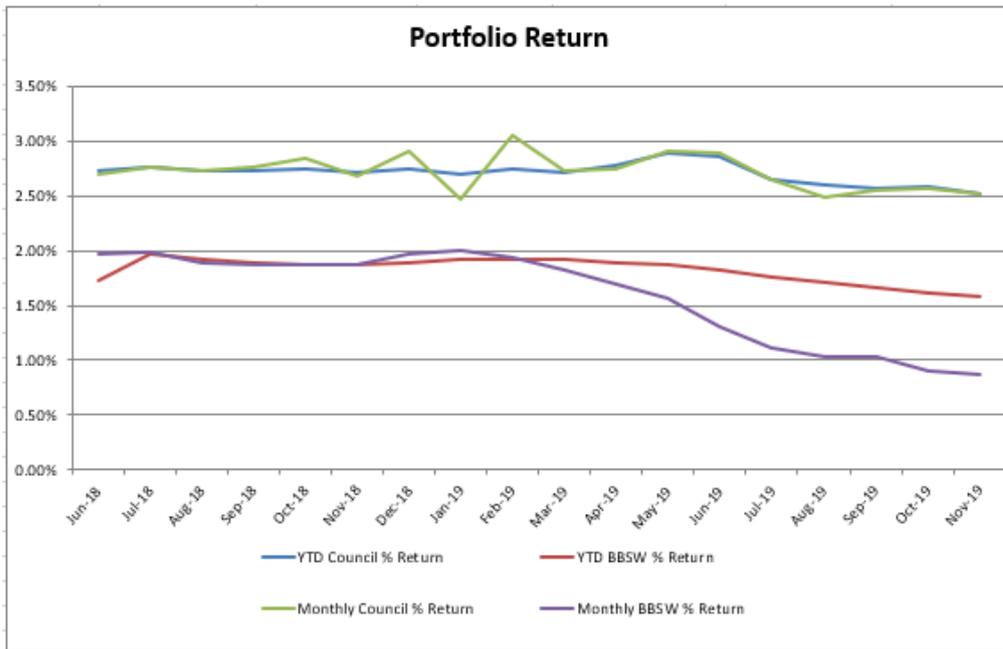
Council continues to look for ESG investment opportunities subject to prevailing investment guidelines. A list of current ESG investments held is contained on the investment listing, highlight in green. For the month of November, one new ESG investment was undertaken with a placement of \$2m (0.48% of portfolio) with NSW Treasury.

Council holds 6.44% of its portfolio in ESG rated investments at 30 November 2019.

Portfolio Return

Interest rates on investments in the month, ranged from 1.25% to 3.50%, all of which exceeded the monthly Bank Bill Swap Rate (BBSW) benchmark of 0.87%. The annualised financial year to date return for November of 2.52% for Central Coast Council is favourable compared to benchmark bank bill swap (BBSW) *financial year to date* Calculated Bank Bill Index of 1.58% as shown in Graph 3 - Portfolio returns.

Graph 3 – Portfolio Return



Council’s portfolio by Source of Funds

Council is required to restrict funds received for specific purposes. Restricted funds consist of funds in the investment portfolio and in transactional accounts as follows:

Source of Funds	Value (\$'000)
Investment Portfolio	\$419,478
Transactional accounts and cash in hand	\$12,396
Total	\$431,874
Cash Restrictions	\$433,686

Link to Community Strategic Plan

Theme 4: Responsible

Goal G: Good governance and great partnerships

R-G4: Serve the community by providing great customer experience, value for money and quality services.

Attachments

- | | | |
|---|--|-----------|
| 1 | Summary of Investments by Type at 30 November 2019 | D13772006 |
| 2 | Summary of Restrictions as at 30 November 2019 | D13772296 |

Central Coast Council Summary of Investments as at 30-November-2019							
Financial Institution	Type of Investment	Short Term Rating	Long Term Rating	Maturity Date	Portfolio Balance \$	As a % of the total Portfolio	Interest Rate %
CASH AT CALL:							
Westpac Banking Corporation	Corporate Investment Account	A1	AA	Daily	10,052,109	2.40%	1.10%
Bankwest	At Call Deposit	A1	AA	Daily	30,327,867	7.23%	1.25%
Commonwealth Bank of Australia	Business On-line Saver	A1	AA	Daily	24,000,000	5.72%	0.90%
Total Cash At Call					64,379,975	15.35%	
TERM DEPOSITS, FLOATING RATE NOTES & BONDS:							
ING	Term Deposit	A2	A	13-Dec-2019	5,000,000	1.19%	2.83%
National Australia Bank	Term Deposit	A1	AA	16-Dec-2019	10,000,000	2.38%	2.70%
Bankwest	Term Deposit	A1	AA	02-Jan-2020	10,000,000	2.38%	2.60%
National Australia Bank	Term Deposit	A1	AA	15-Jan-2020	10,000,000	2.38%	2.78%
Central Coast Credit Union	Term Deposit	Unrated	Unrated	15-Feb-2020	1,000,000	0.24%	2.75%
ING	Term Deposit	A2	A	26-Feb-2020	5,000,000	1.19%	2.89%
Australia New Zealand Banking Group	Term Deposit	A1	AA	02-Mar-2020	10,000,000	2.38%	2.50%
Westpac Banking Corporation	Floating Rate Note	A1	AA	05-Mar-2020	10,000,000	2.38%	BBSW + 0.77%
ING	Term Deposit	A2	A	12-Mar-2020	10,000,000	2.38%	2.55%
Westpac Banking Corporation	Term Deposit	A1	AA	17-Mar-2020	10,000,000	2.38%	3.10%
Australia New Zealand Banking Group	Term Deposit	A1	AA	18-Mar-2020	10,000,000	2.38%	2.55%
AMP limited	Term Deposit	A1	A	18-Mar-2020	5,000,000	1.19%	1.75%
Members Equity Bank	Floating Rate Note	A2	BBB	06-Apr-2020	10,000,000	2.38%	BBSW + 1.25%
National Australia Bank	Term Deposit	A1	AA	14-Apr-2020	10,000,000	2.38%	2.58%
SIRA	Term Deposit	A1	AA	02-May-2020	8,098,000	1.93%	2.40%
Westpac Banking Corporation	Term Deposit	A1	AA	07-May-2020	10,000,000	2.38%	2.65%
ING	Term Deposit	A2	A	21-May-2020	10,000,000	2.38%	2.70%
Rural Bank	Term Deposit	A2	BBB	03-Jun-2020	10,000,000	2.38%	1.94%
Macquarie Bank	Term Deposit	A1	A	17-Jun-2020	10,000,000	2.38%	1.85%
Suncorp-Metway Limited	Term Deposit	A1	A	17-Jun-2020	5,000,000	1.19%	1.65%
Macquarie Bank	Term Deposit	A1	A	13-Jul-2020	10,000,000	2.38%	1.85%
Macquarie Bank	Term Deposit	A1	A	07-Aug-2020	10,000,000	2.38%	1.55%
Bendigo and Adelaide Bank	Floating Rate Note	A2	BBB	18-Aug-2020	4,000,000	0.95%	BBSW +1.10%
Rabo Bank	Term Deposit	A1	AA	07-Sep-2020	5,000,000	1.19%	3.50%
National Australia Bank	Term Deposit	A1	AA	15-Sep-2020	10,000,000	2.38%	1.55%
Bendigo and Adelaide Bank	Term Deposit	A2	BBB	21-Sep-2020	10,000,000	2.38%	1.62%
National Australia Bank	Term Deposit	A1	AA	28-Sep-2020	10,000,000	2.38%	1.50%
National Australia Bank	Term Deposit	A1	AA	06-Oct-2020	10,000,000	2.38%	1.48%
National Australia Bank	Term Deposit	A1	AA	12-Oct-2020	10,000,000	2.38%	1.48%
Suncorp-Metway Limited	Floating Rate Note	A1	A	20-Oct-2020	4,500,000	1.07%	BBSW +1.25%
Suncorp-Metway Limited	Floating Rate Note	A1	A	20-Oct-2020	500,000	0.12%	BBSW +1.25%
National Australia Bank	Term Deposit	A1	AA	10-Dec-2020	5,000,000	1.19%	2.80%
Westpac Banking Corporation	Term Deposit	A1	AA	10-Dec-2020	10,000,000	2.38%	2.90%
Westpac Banking Corporation	Term Deposit	A1	AA	21-Jun-2021	10,000,000	2.38%	3.06%
Rabo Bank	Term Deposit	A1	AA	05-Jul-2021	10,000,000	2.38%	2.92%
Bank of Queensland	Term Deposit	A2	BBB	26-Aug-2021	10,000,000	2.38%	1.75%
Westpac Banking Corporation	Floating Rate Note	A1	AA	26-Nov-2021	5,000,000	1.19%	BBSW + 0.93%
Newcastle Permanent Building Society	Floating Rate Note	A2	BBB	24-Jan-2022	10,000,000	2.38%	BBSW + 1.65%
Rabo Bank	Term Deposit	A1	AA	12-Dec-2022	10,000,000	2.38%	3.18%
Westpac Banking Corporation	Floating Rate Note	A1	AA	27-Nov-2023	5,000,000	1.19%	BBSW + 0.93%
Bank of Queensland	Term Deposit	A2	BBB	26-Sep-2024	10,000,000	2.38%	2.00%
NSW Treasury Corporation	Bonds	A1	AA	20-Mar-2025	2,000,000	0.48%	1.25%
NSW Treasury Corporation	Bonds	A1	AAA	15-Nov-2028	15,000,000	3.58%	3.00%
Total Term Deposit & Bonds:					355,098,000	84.65%	

Central Coast Council Summary of Investments as at 30-November-2019							
Financial Institution	Type of Investment	Short Term Rating	Long Term Rating	Maturity Date	Portfolio Balance \$	As a % of the total Portfolio	Interest Rate %
TOTAL PORTFOLIO					419,477,975	100.00%	
Current					317,477,975	75.68%	
Non-Current					102,000,000	24.32%	
TOTAL PORTFOLIO					419,477,975	100.00%	

ESG Investments

SUMMARY OF RESTRICTIONS as at 30 November 2019

FUND	SOURCE	Principal Amount \$'000	
GENERAL FUND	Developer contributions	84,935	
	Developer contributions – bonus provisions	5,029	
	Developer Contributions – Sec 94A Levy	15,203	
	Developer contributions – VPA	2,631	
	Specific purpose unexpended grants	11,058	
	Self insurance claims	5,976	
	Stormwater Levy	797	
	Holiday Parks	10,290	
	Cemeteries	771	
	Coastal Open Space	6,336	
	Bio Banking	308	
	Crown Land Business Enterprises	757	
	Crown Land Patonga Camping Ground	810	
	Other External	411	
	Terrigal Tourism Special Rate Levy	1,501	
	Tourism Special Rate	2,838	
	Gosford CBD Special Rate Levy	520	
	Gosford Parking Station Special Rate Levy	1,350	
	TOTAL GENERAL FUND RESTRICTIONS		151,521
	WATER FUND	Developer contributions	39,244
Developer contributions – VPA		1,034	
Specific purpose unexpended grants		2,355	
Self insurance claims		798	
Other External		47	
TOTAL WATER FUND RESTRICTIONS			43,477
SEWER FUND	Developer contributions	22,002	
	Developer contributions – VPA	485	
	Self insurance claims	2,131	
	TOTAL SEWER FUND RESTRICTIONS		24,618
DRAINAGE FUND	Developer contributions	32,893	
	Developer contributions – VPA	1,344	
	Specific purpose unexpended grants	91	
	Other External	100	
	TOTAL DRAINAGE FUND RESTRICTIONS		34,428
DOMESTIC WASTE FUND	Specific purpose unexpended grants	1,362	
	Domestic Waste Management	71,133	
	TOTAL WASTE FUND RESTRICTIONS		72,495
TOTAL EXTERNALLY RESTRICTED FUNDS		326,540	
GENERAL FUND		105,252	
WATER FUND		873	
SEWER FUND		955	
DRAINAGE FUND		66	
DOMESTIC WASTE FUND		0	
INTERNALLY RESTRICTED FUNDS		107,146	



Item No: 4.6
Title: Investment Report for December 2019
Department: Finance

10 February 2020 Ordinary Council Meeting

Reference: F2004/06604 - D13751634
Author: Carlton Oldfield, Unit Manager, Financial Services
Executive: Craig Norman, Chief Financial Officer

Report Purpose

To present the monthly report on the investment portfolio as required in accordance with cl. 212 of the *Local Government (General) Regulation 2005*.

Summary

This report details Council's investments as at 31 December 2019.

Recommendation

That Council receive the Investment Report for December 2019.

Context

Council's investments are made in accordance with the Local Government Act 1993, Local Government (General) Regulation 2005, the investment policy adopted at the Ordinary Council Meeting on 28 October 2019, Ministerial Investment Order issued February 2011 and Division of Local Government (as it was then known) Investment Policy Guidelines published in May 2010.

Current Status

Council's current cash and investment portfolio totals \$406.31 million at 31 December 2019.

Source of Funds	Value (\$'000)
Investment Portfolio	\$394,500
Transactional accounts and cash in hand	\$11,812
Total	\$406,313

Council has a net outflow of \$25.56 million in December 2019, with a reduction in cash of \$0.58 million and \$24.98 million in Investments.

4.6 Investment Report for December 2019 (contd)

This investment report will focus on the investment portfolio of \$394.50 million. Investment of funds is restricted and thus are managed primarily through term deposit and floating rate note maturities and placements.

Total net return on the portfolio for Council, in December was \$988K, comprising entirely of interest earnings. The total value of the Council's investment portfolio as at 31 December 2019 is outlined in Table 1 below.

Table 1 – Portfolio Movement

Description	2018-19	Sep-19 Qtr	Oct -19	Nov -19	Dec -19	FYTD
	Financial Year \$'000	2019/20 \$'000	2019/20 \$'000	2019/20 \$'000	2019/20 \$'000	2019/20 \$'000
Opening Balance	467,254	445,661	433,160	405,574	419,478	445,661
Movement for the period	-21,593	-12,501	-27,586	13,904	-24,977	-51,160
Closing Balance	445,661	433,160	405,574	419,478	394,500	394,500
Interest earnings	13,017	2,724	848	712	983	5,267

Council's investments are evaluated and monitored against a benchmark appropriate to the risk (Standard and Poor's BBB long term or above) and time horizon of the investment concerned. Council's investment portfolio includes rolling maturity dates to ensure that Council has sufficient funds at all times to meet its obligations. A summary of the term deposit and floating rate notes maturities are listed in Table 2 below.

Table 2 - Investment Maturities

Time Horizon	Percentage Holdings	Maturity on or before	Value \$'000
At Call	7.45%	Immediate	29,402
Investments			
0 - 3 months	21.80%	Mar-2020	86,000
4 - 6 months	23.60%	Jun-2020	93,098
7 - 12 months	25.10%	Dec-2020	99,000
1 - 2 years	8.87%	Dec-2021	35,000
2 - 3 years	5.07%	Dec-2022	20,000
3 - 4 years	1.27%	Dec-2023	5,000
4 - 5 years	6.84%	Dec-2024	27,000
Total Investments	92.55%		365,098
Total Portfolio	100.00%		394,500

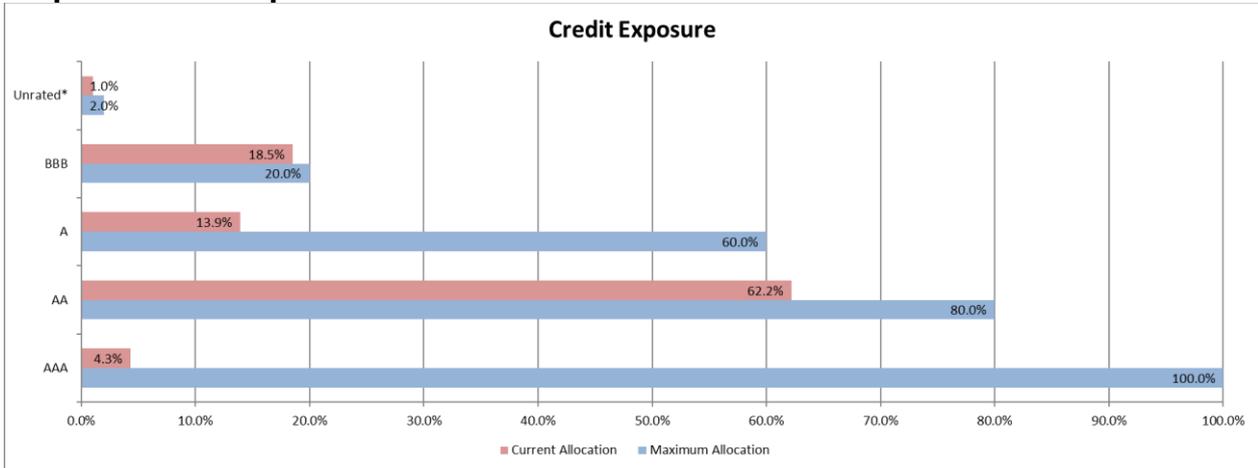
The investment portfolio is concentrated in AA above (66.52%), A (13.94%) and BBB (18.53%). The investments in AA are of a higher credit rating and BBB represented the best returns at the time of investment within Policy guidelines. Financial institutions issuing fixed income investments and bonds are considered investment grade (IG) if its Long-Term credit rating is BBB or higher by Standard and Poor (S&P).

4.6 Investment Report for December 2019 (contd)

Council monitors and manage the portfolio taking into consideration credit ratings of financial institutions, interest rates offered for the maturity dates required and counterparty exposure.

The current spread of investments is listed in Graph 1 and counterparty exposure is listed in Graph 2.

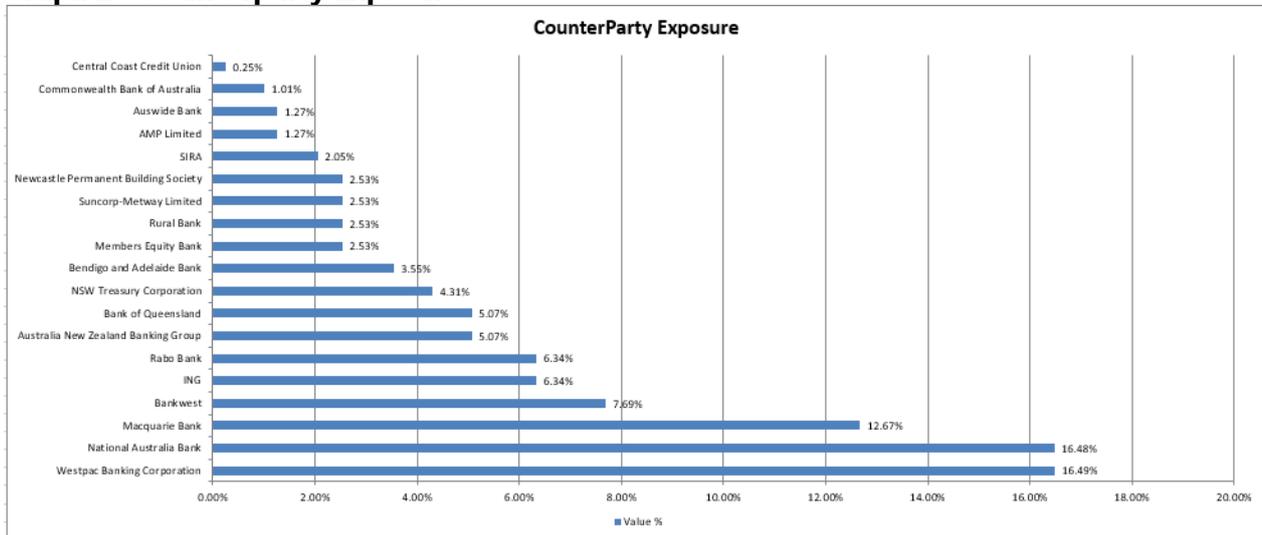
Graph 1 – Credit Exposure



* **AA:** Council has provided security for self-insurance by way of a term deposit invested in an ADI through State Insurance Regulatory Authority (formerly WorkCover NSW). This security has been included as part of the investment portfolio.

** **Unrated:** Unrated investment comprises of a term deposit with Central Coast Credit Union

Graph 2 - Counterparty Exposure



Environmental, Social and Green (ESG) Investments

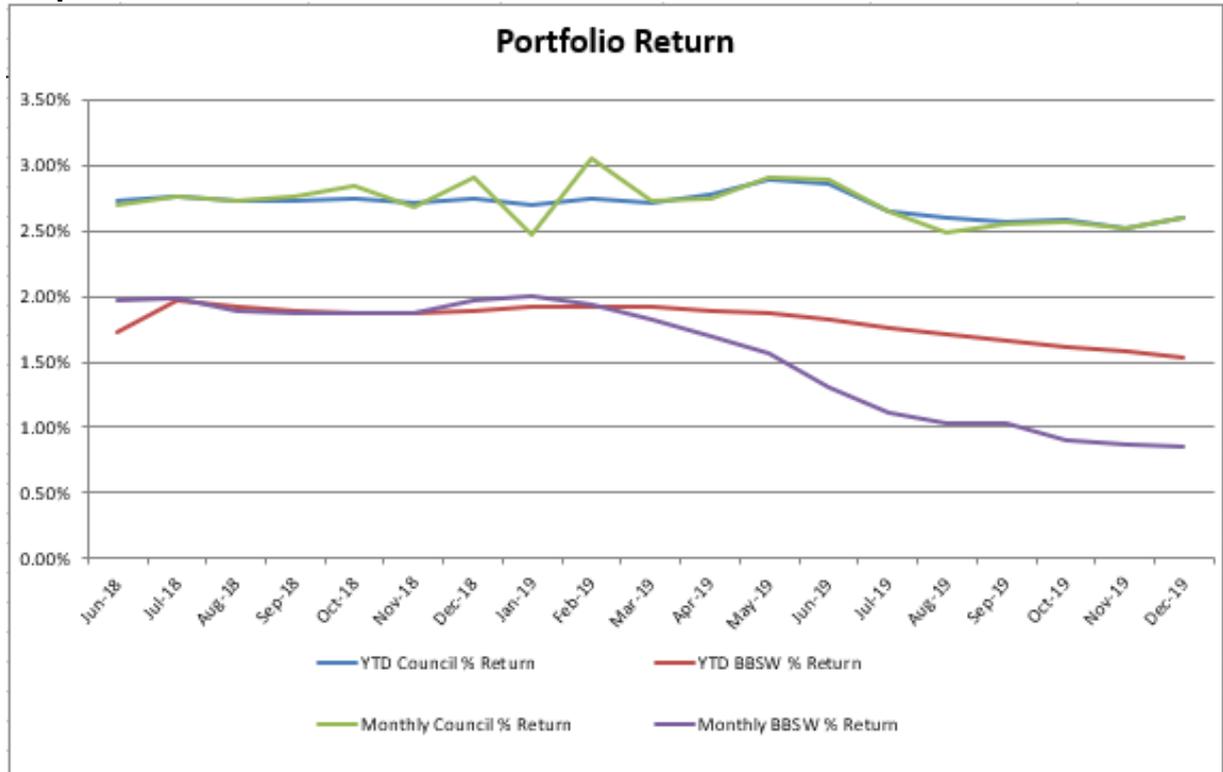
Council continues to look for 'ESG' investment opportunities subject to prevailing investment guidelines. A list of current ESG investments held is contained on the investment listing, highlight in green. For the month of December, there have been no new green investments undertaken.

Council currently holds 6.84% or \$27 million in ESG investments.

Portfolio Return

Interest rates on investments in the month, ranged from 1.25% to 3.50%, all of which exceeded the monthly Bank Bill Swap Rate (BBSW) benchmark of 0.85%. The annualised financial year to date return for December of 2.61% for Central Coast Council is favourable compared to benchmark bank bill swap (BBSW) *financial year to date* Calculated Bank Bill Index of 1.54% as shown in Graph 3 - Portfolio Returns.

Graph 3 – Portfolio Return



Council’s Portfolio by Source of Funds

Council is required to restrict funds received for specific purposes. Restricted funds consist of funds in the investment portfolio and in transactional accounts as follows:

Source of Funds	Value (\$'000)
Investment Portfolio	\$394,500
Transactional accounts and cash in hand	\$11,812
Total	\$406,313
Cash Restrictions	\$433,686

Link to Community Strategic Plan

Theme 4: Responsible

Goal G: Good governance and great partnerships

R-G4: Serve the community by providing great customer experience, value for money and quality services.

Attachments

- 1 Summary of Investments by Type at 31 December 2019 D13776313
- 2 Summary of Restrictions as at 30 November 2019 D13772296

Central Coast Council Summary of Investments as at 31-December-2019							
Financial Institution	Type of Investment	Short Term Rating	Long Term Rating	Maturity Date	Portfolio Balance \$	As a % of the total Portfolio	Interest Rate %
CASH AT CALL:							
Westpac Banking Corporation	Corporate Investment Account	A1	AA	Daily	5,055,631	1.28%	1.10%
Bankwest	At Call Deposit	A1	AA	Daily	20,346,848	5.16%	1.25%
Commonwealth Bank of Australia	Business On-line Saver	A1	AA	Daily	4,000,000	1.01%	0.90%
Total Cash At Call					29,402,479	7.45%	
TERM DEPOSITS, FLOATING RATE NOTES & BONDS:							
Bankwest	Term Deposit	A1	AA	02-Jan-2020	10,000,000	2.53%	2.60%
National Australia Bank	Term Deposit	A1	AA	15-Jan-2020	10,000,000	2.53%	2.78%
Central Coast Credit Union	Term Deposit	Unrated	Unrated	15-Feb-2020	1,000,000	0.25%	2.75%
ING	Term Deposit	A2	A	26-Feb-2020	5,000,000	1.27%	2.89%
Australia New Zealand Banking Group	Term Deposit	A1	AA	02-Mar-2020	10,000,000	2.53%	2.50%
Westpac Banking Corporation	Floating Rate Note	A1	AA	05-Mar-2020	10,000,000	2.53%	BBSW + 0.77%
ING	Term Deposit	A2	A	12-Mar-2020	10,000,000	2.53%	2.55%
Westpac Banking Corporation	Term Deposit	A1	AA	17-Mar-2020	10,000,000	2.53%	3.10%
Australia New Zealand Banking Group	Term Deposit	A1	AA	18-Mar-2020	10,000,000	2.53%	2.55%
AMP limited	Term Deposit	A1	A	18-Mar-2020	5,000,000	1.27%	1.75%
Members Equity Bank	Floating Rate Note	A2	BBB	06-Apr-2020	10,000,000	2.53%	BBSW + 1.25%
National Australia Bank	Term Deposit	A1	AA	14-Apr-2020	10,000,000	2.53%	2.58%
SIRA	Term Deposit	A1	AA	02-May-2020	8,098,000	2.05%	2.40%
Westpac Banking Corporation	Term Deposit	A1	AA	07-May-2020	10,000,000	2.53%	2.65%
ING	Term Deposit	A2	A	21-May-2020	10,000,000	2.53%	2.70%
Rural Bank	Term Deposit	A2	BBB	03-Jun-2020	10,000,000	2.53%	1.94%
Macquarie Bank	Term Deposit	A1	A	17-Jun-2020	10,000,000	2.53%	1.85%
Suncorp-Metway Limited	Term Deposit	A1	A	17-Jun-2020	5,000,000	1.27%	1.65%
Macquarie Bank	Term Deposit	A1	A	13-Jul-2020	10,000,000	2.53%	1.85%
Macquarie Bank	Term Deposit	A1	A	07-Aug-2020	10,000,000	2.53%	1.55%
Bendigo and Adelaide Bank	Floating Rate Note	A2	BBB	18-Aug-2020	4,000,000	1.01%	BBSW +1.10%
Rabo Bank	Term Deposit	A1	AA	07-Sep-2020	5,000,000	1.27%	3.50%
National Australia Bank	Term Deposit	A1	AA	15-Sep-2020	10,000,000	2.53%	1.55%
Bendigo and Adelaide Bank	Term Deposit	A2	BBB	21-Sep-2020	10,000,000	2.53%	1.62%
National Australia Bank	Term Deposit	A1	AA	28-Sep-2020	10,000,000	2.53%	1.50%
National Australia Bank	Term Deposit	A1	AA	06-Oct-2020	10,000,000	2.53%	1.48%
National Australia Bank	Term Deposit	A1	AA	12-Oct-2020	10,000,000	2.53%	1.48%
Suncorp-Metway Limited	Floating Rate Note	A1	A	20-Oct-2020	4,500,000	1.14%	BBSW +1.25%
Suncorp-Metway Limited	Floating Rate Note	A1	A	20-Oct-2020	500,000	0.13%	BBSW +1.25%
National Australia Bank	Term Deposit	A1	AA	10-Dec-2020	5,000,000	1.27%	2.80%
Westpac Banking Corporation	Term Deposit	A1	AA	10-Dec-2020	10,000,000	2.53%	2.90%
Westpac Banking Corporation	Term Deposit	A1	AA	21-Jun-2021	10,000,000	2.53%	3.06%
Rabo Bank	Term Deposit	A1	AA	05-Jul-2021	10,000,000	2.53%	2.92%
Bank of Queensland	Term Deposit	A2	BBB	26-Aug-2021	10,000,000	2.53%	1.75%
Westpac Banking Corporation	Floating Rate Note	A1	AA	26-Nov-2021	5,000,000	1.27%	BBSW + 0.93%
Newcastle Permanent Building Society	Floating Rate Note	A2	BBB	24-Jan-2022	10,000,000	2.53%	BBSW + 1.65%
Rabo Bank	Term Deposit	A1	AA	12-Dec-2022	10,000,000	2.53%	3.18%
Westpac Banking Corporation	Floating Rate Note	A1	AA	27-Nov-2023	5,000,000	1.27%	BBSW + 0.93%
Bank of Queensland	Term Deposit	A2	BBB	26-Sep-2024	10,000,000	2.53%	2.00%
NSW Treasury Corporation	Bonds	A1	AAA	20-Mar-2025	2,000,000	0.51%	1.25%
NSW Treasury Corporation	Bonds	A1	AAA	15-Nov-2028	15,000,000	3.80%	3.00%
Auswide Bank	Term Deposit	A3	BBB	04-Feb-2020	5,000,000	1.27%	1.70%
Macquarie Bank	Term Deposit	A1	A	11-May-2020	10,000,000	2.53%	1.55%
Macquarie Bank	Term Deposit	A1	A	27-Apr-2020	10,000,000	2.53%	1.60%
Total Term Deposit & Bonds:					365,098,000	92.55%	
TOTAL PORTFOLIO					394,500,479	100.00%	

Central Coast Council Summary of Investments as at 31-December-2019							
Financial Institution	Type of Investment	Short Term Rating	Long Term Rating	Maturity Date	Portfolio Balance \$	As a % of the total Portfolio	Interest Rate %
	Current				307,500,479	77.95%	
	Non-Current				87,000,000	22.05%	
TOTAL PORTFOLIO					394,500,479	100.00%	

Green Investments

27,000,000 6.84%

SUMMARY OF RESTRICTIONS as at 30 November 2019

FUND	SOURCE	Principal Amount \$'000
GENERAL FUND	Developer contributions	84,935
	Developer contributions – bonus provisions	5,029
	Developer Contributions – Sec 94A Levy	15,203
	Developer contributions – VPA	2,631
	Specific purpose unexpended grants	11,058
	Self insurance claims	5,976
	Stormwater Levy	797
	Holiday Parks	10,290
	Cemeteries	771
	Coastal Open Space	6,336
	Bio Banking	308
	Crown Land Business Enterprises	757
	Crown Land Patonga Camping Ground	810
	Other External	411
	Terrigal Tourism Special Rate Levy	1,501
	Tourism Special Rate	2,838
	Gosford CBD Special Rate Levy	520
	Gosford Parking Station Special Rate Levy	1,350
	TOTAL GENERAL FUND RESTRICTIONS	151,521
	WATER FUND	Developer contributions
Developer contributions – VPA		1,034
Specific purpose unexpended grants		2,355
Self insurance claims		798
Other External		47
TOTAL WATER FUND RESTRICTIONS		43,477
SEWER FUND	Developer contributions	22,002
	Developer contributions – VPA	485
	Self insurance claims	2,131
	TOTAL SEWER FUND RESTRICTIONS	24,618
DRAINAGE FUND	Developer contributions	32,893
	Developer contributions – VPA	1,344
	Specific purpose unexpended grants	91
	Other External	100
	TOTAL DRAINAGE FUND RESTRICTIONS	34,428
DOMESTIC WASTE FUND	Specific purpose unexpended grants	1,362
	Domestic Waste Management	71,133
	TOTAL WASTE FUND RESTRICTIONS	72,495
TOTAL EXTERNALLY RESTRICTED FUNDS		326,540
GENERAL FUND		105,252
WATER FUND		873
SEWER FUND		955
DRAINAGE FUND		66
DOMESTIC WASTE FUND		0
INTERNALLY RESTRICTED FUNDS		107,146



Item No: 5.1
Title: QON - Q216/18 - Subdivision of the Meadows Rd/Robina Parade, Springfield
Department: Environment and Planning

10 February 2020 Ordinary Council Meeting

Reference: F2019/00041-003 - D13753303
Author: Gary Hamer, Section Manager, Strategic Planning
Manager: Karen Tucker, Acting Unit Manager, Strategic Planning Unit
Executive: Scott Cox, Director Environment and Planning

5.1 QON - Q216/18 - Subdivision of the Meadows Rd/Robina Parade, Springfield

The following question was asked by Councillor Sundstrom at the Ordinary Meeting on 12 November 2018:

At the time of the subdivision of the Meadows Rd / Robina Parade Springfield development, was there a requirement for section 94 contributions? If so, how was the money spent? Do any funds remain?

This question on notice was asked under the former Code of Meeting Practice.

The relevant subdivision at Meadows Rd/Robina Parade, Springfield is subject to Contribution Plan 23 A, B and C Springfield. The CP applies for any subdivision and any increase in residential development above a dwelling house. Contributions were applicable at the time of subdivision.

As at 30 September 2019, there were a total balance of \$868,856 over the three plans. Please note in relation to the Springfield Pond wetland, this was not work under the contribution plans.

In relation to the Contribution Plan for drainage, there were three projects as outlined below:

- 1 Drain construction (opposite dam outlet)
- 2 Drain Construction (East of Meadow Rd)
- 3 Drain Construction (Opposite Noorumba Rd)

The contributions register shows that these projects have been completed in 95/96, 98/99 & 99/2000 for items 1,2 & 3 respectively. There are no other works in the drainage contributions plan to be delivered.

**5.1 QON - Q216/18 - Subdivision of the Meadows Rd/Robina Parade,
Springfield (contd)**

It should be noted that Section 7.11 contributions cannot be used for maintenance of projects or works.

Attachments

Nil.



Item No: 6.1
Title: Questions with Notice
Department: Governance

10 February 2020 Ordinary Council Meeting

Trim Reference: F2019/00041-003 - D13777485
Author: Maggie Rowland, Councillor and Meeting Support Officer
Manager: Sarah Georgiou, Section Manager, Councillor Support
Executive: Dr Liz Develin, Director Governance

6.1 Questions with Notice

The following question was submitted by Councillor MacGregor:

Poisoning of Vegetation at Mazlin Reserve and Hockey Oval

Can Council investigate further reports by residents of poisoning of vegetation at Mazlin Reserve and the hockey oval?

Response provided by the Director, Environment and Planning:

This is a complex question requiring research and resources to provide an appropriate response.

As a result it is not possible to provide a response for this Council meeting and it is proposed to provide the response for inclusion in the Business Paper for the meeting of 24 February 2020.

The following question was submitted by Councillor Smith:

Council planning staff attending monthly meetings of the UDIA

On its website, the Urban Development Institute of Australia (UDIA) NSW describes itself as "the leading industry body representing the interests of the NSW property development sector."

At the Public Forum of the Council meeting held on 8 July, 2019, the Chair of the UDIA Central Coast indicated that Council sits in on their regular monthly meetings.

How many monthly meetings of the UDIA Central Coast have planning staff attended between June, 2017 and December, 2019 – and what other stakeholder group meetings have planning staff attended on a monthly basis during that

period (excluding Council Advisory Committees and external committees coordinated by government entities)?

Response provided by the Director, Environment and Planning:

This is a complex question requiring research and resources to provide an appropriate response.

As a result it is not possible to provide a response for this Council meeting and it is proposed to provide the response for inclusion in the Business Paper for the meeting of 24 February 2020.

The following question was submitted by Councillor Smith:

Correspondence to Minister for Planning, The Hon Rob Stokes re. Gosford submissions

At the Council meeting of 9 December, 2019, in relation to;

- ***The Kibbleplex/Lederer Group Proposal (SSD-9813 136-146-148 — Donnison Street, Gosford); and***
- ***The St Hilliers Property Proposal (SSD-10114 – 26-32 Mann Street – Old Gosford Primary School site).***
- ***The Central Coast Leagues Club Redevelopment – Concept Application, SSD 10374***

Council resolved that:

1235/19 That Council request that the Mayor, as a matter of urgency, write to the Minister for Planning, The Hon Rob Stokes:

- a) requesting that alternate timeframes and referral processes be established in consultation with Council, especially given the short timeframe for comment, the complexity/scale of the proposals, the wide range of disciplines that are required to be considered and in order to allow appropriate engagement with the Council and the community.***
- b) Formally objecting to the proposals based on the submissions prepared by Council staff.***

Can staff please advise when this correspondence was sent to the Minister and provide a copy of the letter, and any reply from the Minister, to Councillors.

6.1 Questions with Notice (contd)

Response provided by the Director, Environment and Planning:

Formal correspondence from Mayors Office to the Minister for Planning was signed and issued on 23 December 2019. Attached to that correspondence, for the information of the Minister, was a full copy of the Mayoral Minute. A copy of the Mayors letter is included as at Attachment to this agenda.

To date, no response has been received from the Ministers office, or his delegate.

Please note that, following issuing of the letter to the Minister, staff have also forwarded a copy of the Mayors correspondence to senior staff within the Department of Planning Industry & Environment, including executive departmental officers who oversee assessment of State Significant Development Applications.

The following question was submitted by Councillor MacGregor:

Federal Sports Grants

Did Central Coast Council apply for any Federal Sports Grants in the 12 months prior to the Federal Election, and if so, which grants were successful and which were unsuccessful?

Response provided by the Executive Manager, Innovation and Futures

This is answered in Attachment 1

Attachments

- 1 Question on Notice - Federal Sports Grants D13796458

Central Coast Council applied for the following sport and recreation grants from the Federal Government in the 12 months prior to the Federal Election on 18 May 2019.

Date	Program	Funding Body	Project Name	Project Description	Total Project Budget	Funding Requested	Status
29-Jan-19	Stronger Communities Program	Federal Government	Woy Woy Tennis Club Upgrade	The Woy Woy Tennis Club Upgrade includes the extension of the existing tennis building and upgrade of the existing toilets to provide accessible facilities. The upgrade will improve the accessibility, functionality and longevity of this well used community facility.	\$ 120,000	\$ 16,786	Funding Allocated
14-Sep-18	Community Sports Infrastructure Grant Program	Federal Government	Lemongrove Netball Precinct Redevelopment	Upgrade of amenities building provide an accessible facility that can be used by all members of the Club and encourage participation by others that were not previously able to participate due to the inability to access the building.	\$ 1,250,000	\$ 500,000	Unsuccessful
14-Sep-18	Community Sports Infrastructure Grant Program	Federal Government	Bateau Bay West Sports Precinct Redevelopment	The project is to encompass laser levelling, sub soil drainage, irrigation and floodlighting for the training field located at Sir Joseph Banks Oval, Bateau Bay.	\$ 150,000	\$ 150,000	Funding Allocated
14-Sep-18	Community Sports Infrastructure Grant Program	Federal Government	Edsacc Recreation Precinct Redevelopment	Design and construct a new amenities block, accessible pathways and associated infrastructure at EDSACC Oval, Bateau Bay for the recreational use of local sporting clubs and local community.	\$ 1,391,500	\$ 74,500	Unsuccessful
14-Sep-18	Community Sports	Federal Government	Heazlett Park Recreational	Construction of a new multipurpose amenities building including public toilets, male and female change rooms and storage room, playground upgrade	\$ 1,353,393	\$ 485,000	Funding Allocated

Date	Program	Funding Body	Project Name	Project Description	Total Project Budget	Funding Requested	Status
	Infrastructure Grant Program		Precinct Redevelopment	and upgraded access in and around the Heazlett Park Recreation Precinct including accessible pathways.			
14-Sep-18	Community Sports Infrastructure Grant Program	Federal Government	Kanwal Oval Upgrades	Upgrade the Irrigation system, drainage system and floodlights at Kanwal Oval	\$ 150,000	\$ 150,000	Unsuccessful
29-Mar-19	Community Development Grants Program	Federal Government	Pinyari Park, Kincumber	New equipment at Pinyari Park, Kincumber	\$ 80,000	\$ 80,000	Funding Allocated
29-Mar-19	Community Development Grants Program	Federal Government	Electronic scoreboard at Woy Woy Oval	Installation of an electronic scoreboard at Woy Woy Oval for Woy Woy Rugby Club and Woy Woy Rugby League	\$ 90,000	\$ 90,000	Funding Allocated
29-Mar-19	Community Development Grants Program	Federal Government	Rogers Park amenities upgrade	Upgrades of the amenities at Rogers Park Woy Woy	\$ 800,000	\$ 800,000	Funding Allocated
29-Mar-19	Community Development Grants Program	Federal Government	Peninsula Recreation Precinct	Upgrade of Skatepark, BMX Track and basketball area, access way and beach area, football (soccer) amenities building and community facility (including league, cricket and tennis building) and separate men's shed.	\$ 8,250,000	\$ 8,250,000	Funding Allocated



Item No: 7.1
Title: Notice of Motion - Liberty Swing at Mackenzie Reserve Budgewoi
Department: Councillor

10 February 2020 Ordinary Council Meeting

Reference: F2019/00041-003 - D13752067

Author: Doug Vincent, Councillor

Councillor Vincent has given notice that at the Ordinary Meeting to be held on 10 February 2020 he will move the following motion:

- 1 That Council kindly accept the donation of a Liberty Swing and accessories by Erina Square Shopping Centre, through Breakaway for the use of the general public and visitors in wheelchairs to the region within the Northern precinct at Mackenzie Regional Reserve Budgewoi, under Council's adopted inclusion plan and the state governments "Everyone Can Play" program.**
- 2 That Council allocate \$10,000 in the 2019/20 Capital Works Budget for the installation of the Liberty Swing.**

Councillors Note

Breakaway Inc. has for many years invited people with profound disabilities to the Central Coast for a holiday experience with the intent to develop two Accessible and Inclusive precincts (Umina and Northern Lakes region).

Part of these two precincts is to include in a regional park (playspace) equipment and access as per the E.C.P. guidelines "Can I get there, Can I Play and Can I stay".

Council has only one publicly accessible Liberty Swing at Freshwater Park in Long Jetty some twenty kilometers away. This proposed swing would become an asset for council as a drawcard to the north, as per events by Breakaway at Lakes Beach, disability fishing at Gwandalan, current proposals for Sailability, Disability kayaking and bushwalks in Lake Munmorah Conservation area for the region and easy access to the Disability Cabin in the Budgewoi Holiday Park.

Mackenzie Reserve is close to shops, it is relatively flat terrain, having good parking and internal pathways, accessible shelters and BBQ's, plus accessible toilet facilities. The regional park is regularly used by disability organisations on a daily basis.

Local Government NSW has estimated that the Inclusive Tourism market in Australia was worth up to \$8.9 billion over the first three months of 2017.

**7.1 Notice of Motion - Liberty Swing at Mackenzie Reserve Budgewoi
(contd)**

In light of the Central Coast's proximity to both Sydney and Newcastle and the increasing access to inclusive activities, we are well within the possibility of being an intricate part of that \$ 8.9 billion income, if we are serious about "Everyone Can Play" guidelines adopted by the Central Coast Council.

Attachments

Nil.



Item No: 7.2
Title: Notice of Motion - Ward's equitable expenditure and \$20 Million Dollar Loss
Department: Councillor

10 February 2020 Ordinary Council Meeting

Reference: F2019/00041-003 - D13792088
Author: Greg Best, Councillor
Bruce McLachlan, Councillor

Councillor Best has/have given notice that at the Ordinary Council Meeting to be held on 10 February 2020 he will move the following motion:

- 1 That further to the Council's recent 20/21 budget workshop Council now formally directs the Chief Executive Officer to deliver a draft 20/21 budget for Council's consideration that clearly demonstrates equitable expenditure across the five wards of this Council.***

- 2 That Council requests the Chief Executive Officer to update council on when the 2018/19 year end accounts will be tabled (now 6 months late) also the report should address the immerging concerns around the current 2019/2020 accounts that reveal a significant bottom line loss of some \$20M, that will likely escalate by year's end.***

Attachments

Nil.



Item No: 7.3
Title: Notice of Motion - Central Coast Council to Recognise the Work of Local Firefighters and Emergency Service Workers in Response to the Recent Bushfires
Department: Councillor

10 February 2020 Ordinary Council Meeting

Reference: F2004/07102 - D13795020
Author: Jillian Hogan, Councillor
Kyle MacGregor, Councillor

Councillor MacGregor has given notice that at the Ordinary Council Meeting to be held on 10 February 2020 he will move the following motion:

- 1 That Council formally thank the Rural Fire Services (RFS), Fire and Rescue New South Wales (NSW) and Emergency Services for their outstanding efforts in preventing loss of life, land, wildlife and properties during the recent bushfire emergency.**
- 2 That Council acknowledges and thanks staff from all directorates and their teams for their diligence and outstanding efforts in responding to the recent bushfires.**
- 3 That Council acknowledges that the impact on communities before, during and after a natural disaster is different depending on the type of disaster; storm, wind, flood, fire and the location. Therefore, a more coordinated 'localised' response is needed.**
- 4 That Council request the Chief Executive Officer to prepare a report outlining our roles and responsibilities before, during and after an event, in addition to identifying areas for improvement.**
- 5 That Council acknowledges that fire trails are essential for preventing loss and vital for firefighters to be able to access areas and contain fires safely and requests that the Chief Executive Officer to investigate the current staffing levels and the capacity to continue to build suitable fire trails to the level that is needed.**
- 6 That Council formally congratulate Viki Campbell, Superintendent of the Rural Fire Service for her appointment as Australia Day Ambassador for the Central Coast.**
- 7 On behalf of Council, our thoughts are with those who are suffering and our actions will reflect change and policy. I would also like to thank our broader community, residents and community groups who in the spirit of being Australian,**

7.3 Notice of Motion - Central Coast Council to Recognise the Work of Local Firefighters and Emergency Service Workers in Response to the Recent Bushfires (contd)

have come together to support and protect our people, our property, our wildlife and our landscape.

- 8** *That Council note the tragic loss of human life, wildlife, property and our natural environment over this bushfire season and the tireless and heroic efforts of the firefighters, emergency service workers and all those involved in responding to the recent bushfires not only across our LGA but NSW and our nation as a whole.*
- 9** *That Council formally express our appreciation and gratitude for the hard work and dedication of the many volunteers and workers who have so far responded to the recent bushfires.*
- 10** *That Council write to locally based RFS brigades and relevant parties to formally thank them on behalf of our local community.*
- 11** *That Council note that Shoalhaven LGA upon passing a similar motion resolved to hold a thank you event for volunteers and workers who were involved in responding to the Bushfires and that Council consider doing the same.*

Attachments

Nil.



Item No: 7.4
Title: Notice of Motion - Long Term Water Security
Department: Councillor

10 February 2020 Ordinary Council Meeting

Reference: F2019/00041-004 - D13793211

Author: Louise Greenaway, Councillor

Councillor Greenaway has given notice that at the Ordinary Council Meeting to be held on 10 February 2020 she will move the following motion:

- 1** *That Council continues to maintain its opposition to Wallarah 2, particularly in relation to the additional pressure it places on our water catchment.*
- 2** *That Council congratulates residents on maintaining reduced water consumption rates over many years which has resulted in higher storage levels in our dams than would have been the case.*
- 3** *That Council acknowledge the important role that the Water and Sewerage Department has in securing, treating and delivering water to over 320 000 connected customers as well as educating residents about water conservation, water wise rules and Water Restrictions.*
- 4** *That Council acknowledges the work of the Community Education Team and notes that it proposes to have some information activities to highlight World Water Day on 22 March.*
- 5** *That Council further acknowledge that the Water and Sewer Department is currently working on an Integrated Water Resource Plan that seeks to examine a range of options to further improve water security including the expansion of existing surface water schemes (dams/weirs), expanding water recycling and stormwater harvesting, expanding opportunities for the beneficial reuse of tertiary treated water, rainwater tank programs, expanding groundwater schemes, increased inter-regional transfers and desalination.*
- 6** *Council requests the CEO to provide a concise update (around 2 - 3 pages), on the status of the Integrated Water Resource Plan for the last OM of April 2020.*
- 7** *That Council requests the CEO to write to Water Services Association of Australia to initiate discussions around standardising water restrictions so that they are consistent in each council area regardless of whether that area is serviced by a council or by a water authority or water corporation.*

Councillors Note

Water Research Australia

[Potable Water Reuse - What can Australia learn from global experience?](#)

YouTube video; Prof Stewart Khan

"Sewage Science to save our cities"

<https://www.youtube.com/watch?v=zvnAbUa1fLw&feature=youtu.be>

Attachments

Nil



Item No: 7.5
Title: Notice of Motion - Council to seek independent expert advice on Critical Level 2 Water Restrictions
Department: Councillor

10 February 2020 Ordinary Council Meeting

Reference: F2019/00041-004 - D13794542
Author: Greg Best, Councillor
Bruce McLachlan, Councillor

Councillor Best has given notice that at the Ordinary Council Meeting to be held on 10 February 2020 he will move the following motion:

- 1 That further to Council recently resolving to proclaim a Central Coast Climate Emergency and both Sydney and Hunter Water 'precautionarily' going early to Level 2 in response to expert advice from State Water Minister Melinda Pavey, it is with this understanding that this Council now also seek the Minister's expert advice on our Region going to Level 2 now.**
- 2 That Council notes using the current trigger point matrix, Level 2 will not be introduced until approximately August 2020 by which time an extra 2 billion litres of valuable drinking water will unnecessarily have been consumed.**
- 3 That Council notes the recent introduction of Level 1 Water Restrictions achieves only limited water savings, as Level 1 and the current 'Water Wise Rules' are virtually identical. See Water Wise / Level 1 Comparison Matrix below.**
- 4 That further Council recognises the critical importance of conserving water supply for our some 350,000 Residents and Ratepayers and notes that this Region on current drawdown consumption has approximately three years supply, with devastating Level 5 likely being reached by mid 2021.**
- 5 That Council notes the greater our conservation efforts, the less likely we will need to construct the \$130 million Lakes Beach Desalination Plant.**
- 6 That Council soberingly understands the imperative around avoiding taking this Region to Level 5 Restrictions that are currently scheduled to be triggered in approximately 15 months time. These prohibitive restrictions will result in almost zero external water usage whatsoever, crippling our Nursery industry, Bowling Greens, Cricket pitches and sporting fields. Pools will be mothballed. Lawns and Gardens will most certainly be sacrificed. See Current Updated 2020 Water Restrictions Rules Levels 1-5 attached.**

7.5 Notice of Motion - Council to seek independent expert advice on Critical Level 2 Water Restrictions (contd)

Councillors Note

N.B. All figures, assumptions and approximations are made subject to no significant rain.

Councillors, I appreciate that our major parties do not often see eye to eye, however I appeal to you all now to come together around what is emerging to be one of the most critical issues we may face. This is not a squabble over a DA or how many trees to plant in a park or whether the Staff have got it right or wrong, this is about running this Region and it's 350,000 Residents and Ratepayers out of drinking water, not to mention their businesses. The Hunter and Sydney have both employed the precautionary principle and gone to Level 2.

With the recent introduction and fan fare of Level 1 we may well be able to be "seen" to be doing something. However, when one reviews the current Water Wise Rules and the Level 1 Water Restrictions, that are almost identical, the benefits in real terms are nothing more than a bandaid. Simply put we have to get serious on this issue.

The introduction of Level 2 now will still allow our Community to enjoy their gardens and their lawns, our kids to play on sporting fields and businesses to operate effectively. However what it doesn't allow us to do is to consume more than an extra 2 billion litres of water between now and August when Level 2 is scheduled to officially come in. These are simple steps that will and can make an enormous difference. I appreciate that there are differing views in our Chamber and that we are all the sum total of our experiences. It is with this understanding that having lived through the Millennial Drought, as a Councillor and former Mayor, I know all too well exactly where this situation may end. As outlined in the above Motion, 'the clock is running' within approximately 15 months with a continuation of the current weather patterns we will be hurtling towards Level 5.

Also, it has been pointed out to myself over the Christmas period that the Hunter and Sydney's Level 2 Water Restriction advertisements are regularly coming into our Media signal via tv, radio and print. With the Central Coast now on Level 1, the situation is going to become even more confusing. In my view the common sense approach here is to step into line with our neighbouring Council's and take this Water Crisis seriously.

Further I note there have been calls from various quarters of our Community to seek expert advice and I can not agree more hence this matter should be referred to the Minister.

Level 1 water restrictions

What can you do?

What can't you do?

Watering lawns and gardens	
 <ul style="list-style-type: none"> Water lawns and gardens with a hand-held hose fitted with a trigger nozzle or use drip irrigation systems: <ul style="list-style-type: none"> - any day of the week - before 10am and after 4pm to avoid the heat of the day - watering cans may be used to water at any time on any day. 	<ul style="list-style-type: none"> Use sprinklers at any time. Leave hoses or taps running unattended.
Hard surfaces	
 <ul style="list-style-type: none"> Wash external building surfaces, including windows, retaining walls, structures (e.g. pergolas) and outdoor furniture, provided a trigger nozzle or pressure cleaner is used. Spot clean for safety, health or emergency reasons with a hose fitted with trigger nozzle. 	<ul style="list-style-type: none"> Use a hose for general cleaning of hard surfaces such as paths, driveways and paved areas. Leave hoses and taps running unattended.
Washing vehicles, boats and buildings	
 <ul style="list-style-type: none"> Wash vehicles and boats with a bucket or hose fitted with a trigger nozzle or pressure cleaner. Flush boat motors with a hose fitted with a trigger nozzle. <p>Tip: Wash your car on your lawn and your grass will benefit.</p>	<ul style="list-style-type: none"> Wash vehicles, boats and buildings using a hose without a trigger nozzle.
Private pools and spas	
 <ul style="list-style-type: none"> Top up existing pools and spas from the town water supply. Fill up new pools and spas using the town water supply. 	<ul style="list-style-type: none"> Leave an unattended hose running in a pool or spa.
Internal use	
 <ul style="list-style-type: none"> Help water saving efforts by repairing internal leaks as quickly as possible, such as dripping taps or leaking toilets. <p>Tip: Fixing a leaking toilet can save you between 10 to 260 litres a day.</p>	

To estimate how much water you use, and for more water saving tips visit centralcoast.nsw.gov.au/lovewater

love water
use it wisely



Water Wise Rules

What can you do?

What can't you do?

Watering lawns and gardens	
 <ul style="list-style-type: none"> Watering including sprinklers and irrigation systems is permitted: <ul style="list-style-type: none"> - any day of the week - before 10am and after 4pm to avoid the heat of the day All hand-held hoses to have a trigger nozzle. 	<ul style="list-style-type: none"> Leave hoses or taps running unattended.
Hard surfaces	
 <ul style="list-style-type: none"> Wash external building surfaces, including windows, retaining walls, structures (e.g. pergolas) and outdoor furniture, provided a trigger nozzle or pressure cleaner is used. Spot clean for safety, health or emergency reasons with a hose fitted with trigger nozzle. 	<ul style="list-style-type: none"> Use a hose for general cleaning of hard surfaces such as paths, driveways and paved areas. Leave hoses and taps running unattended.
Washing vehicles, boats and buildings	
 <ul style="list-style-type: none"> Wash vehicles and boats with a bucket or hose fitted with a trigger nozzle or pressure cleaner. Flush boat motors with a hose fitted with a trigger nozzle. <p>Tip: Wash your car on your lawn and your grass will benefit.</p>	<ul style="list-style-type: none"> Wash vehicles, boats and buildings using a hose without a trigger nozzle.
Private pools and spas	
 <ul style="list-style-type: none"> Top up existing pools and spas from the town water supply. Fill up new pools and spas using the town water supply. 	<ul style="list-style-type: none"> Leave an unattended hose running in a pool or spa.
Internal use	
 <ul style="list-style-type: none"> Help water saving efforts by repairing internal leaks as quickly as possible, such as dripping taps or leaking toilets. <p>Tip: Fixing a leaking toilet can save you between 10 to 260 litres a day.</p>	

To estimate how much water you use, and for more water saving tips visit centralcoast.nsw.gov.au/lovewater

love water
use it wisely



Current Water Restriction Rules						
	Anticipated Water Wise Rules	Level 1	Level 2	Level 3	Level 4	Level 5
Target saving	4 %	8%	16%	24%	27%	30%
Lawns & Garden	<ul style="list-style-type: none"> Watering including with sprinklers and irrigation systems is permitted any day before 10am and after 4 pm to avoid heat of the day All hand held hoses to have a trigger nozzle 	<ul style="list-style-type: none"> No fixed hoses or sprinklers (including micro spray) Hand-held hoses (with a trigger nozzle) and drip irrigation systems can be used any day before 10am and after 4 pm to avoid heat of the day Watering cans may be used to water at any time on any day. 	<ul style="list-style-type: none"> No fixed hoses or sprinklers (including micro spray) Hand-held hoses (with a trigger nozzle) and drip irrigation systems can be used for 1 hour a day on three days of the week, between the hours of 6.00 am - 9.00 am and 4.00 pm - 7.00 pm (Odd numbered homes Mon, Wed & Sat, Even numbered homes Tues, Thur & Sun) Watering cans may be used to water at any time on any day. 	<ul style="list-style-type: none"> No fixed hoses or sprinklers (including micro spray) Hand-held hoses (with a trigger nozzle) and drip irrigation systems can be used for 1 hour a day on two days of the week, between the hours of 6.00 am - 9.00 am and 4.00 pm - 7.00 pm (Odd numbered homes Wed & Sat, Even numbered homes Thur & Sun) Watering cans may be used to water at any time on any day. 	<ul style="list-style-type: none"> No hoses or sprinklers (including micro spray) Watering cans may be used to water at any time on any day. 	<ul style="list-style-type: none"> All external use of town water banned
Vehicle / Boat Washing**	<ul style="list-style-type: none"> All road vehicles (including cars, trucks, caravans and cars in car yards) and boats and their trailers may be washed with a bucket or a hose provided a trigger nozzle or pressure cleaner is used Hose to flush boat engines is permitted 	<ul style="list-style-type: none"> All road vehicles (including cars, trucks, caravans and cars in car yards) and boats and their trailers may be washed with a bucket or a hose provided a trigger nozzle or pressure cleaner is used Hose to flush boat engines is permitted 	<ul style="list-style-type: none"> All road vehicles (including cars, trucks, caravans and cars in car yards) and boats and their trailers may be washed with a bucket or a hose provided a trigger nozzle or pressure cleaner is used Hose to flush boat engines is permitted 	<ul style="list-style-type: none"> All road vehicles (including cars, trucks, caravans and cars in car yards) and boats and their trailers may be washed with a bucket or a hose provided a trigger nozzle or pressure cleaner is used Hose to flush boat engines is permitted 	<ul style="list-style-type: none"> All road vehicles (including cars, trucks, caravans and cars in car yards) and boats may be washed with a bucket Boats trailers may be washed with a bucket or a hose provided a trigger nozzle or pressure cleaner is used (max 5 mins). Hose to flush boat engines (max 5 mins) 	<ul style="list-style-type: none"> All external use of town water banned. Vehicles windows can be cleaned using a bucket.
Hard Surfaces	<ul style="list-style-type: none"> No hosing of paths and driveways. 	<ul style="list-style-type: none"> No hosing of paths and driveways. 	<ul style="list-style-type: none"> No hosing of paths and driveways. 	<ul style="list-style-type: none"> No washing or wetting of any external surface is permitted, including paths, driveways, building surface, outside furniture or structures. 	<ul style="list-style-type: none"> No washing or wetting of any external surface is permitted, including paths, driveways, building surface, outside furniture or structures. 	<ul style="list-style-type: none"> All external use of town water banned
Private Pools	<ul style="list-style-type: none"> Topping up of existing pools using a hose from the town water supply is permitted, 	<ul style="list-style-type: none"> Topping up of existing pools using a hose from the town water supply is permitted, 	<ul style="list-style-type: none"> Emptying and refilling of existing pools using a hose from the town water supply is not permitted, Topping up of existing pools using a hose from the town water supply is permitted, Filling of new pools from the town water supply is permitted. 	<ul style="list-style-type: none"> Topping or refilling of existing pools using a hose from the town water supply is not permitted. A bucket may be used or supply other than the drinking water supply system, Filling of new pools from the town water supply is permitted. 	<ul style="list-style-type: none"> Topping or refilling of existing pools using a hose from the town water supply is not permitted. A bucket may be used or supply other than the drinking water supply system, Filling of new pools from the town water supply is not permitted. 	<ul style="list-style-type: none"> All external use of town water banned
Bowling Greens, Golf greens & Cricket Pitches	<ul style="list-style-type: none"> Watering including with sprinklers and irrigation systems is permitted any day before 10am and after 4 pm to avoid heat of the day All hand held hoses to have a trigger nozzle 	<ul style="list-style-type: none"> Fixed watering system up to 2hr per day 6.00 -8.00 am 6.00 -10.00 pm 	<ul style="list-style-type: none"> Fixed watering system up to 2hr per day 6.00 -8.00 am 6.00 -10.00 pm 	<ul style="list-style-type: none"> Watering systems for a total of 1 hour per day on Monday, Wednesday and Friday between the hours of 6.00 am - 8.00 am and 6.00 pm - 8.00 pm are permitted. 	<ul style="list-style-type: none"> Watering systems for a total of 1 hour per day on Monday, Wednesday and Friday between the hours of 6.00 am - 8.00 am and 6.00 pm - 8.00 pm are permitted. 	<ul style="list-style-type: none"> All external use of town water banned
Nurseries & Commercial Gardens	<ul style="list-style-type: none"> Watering including with sprinklers and irrigation systems is permitted any day before 10am and after 4 pm to avoid heat of the day All hand held hoses to have a trigger nozzle 	<ul style="list-style-type: none"> Fixed watering system up to 4hr per day -6.00 -8.00 am 6.00 -8.00 pm 	<ul style="list-style-type: none"> Fixed watering system up to 2hr per day 6.00 -8.00 am 6.00 -8.00 pm 	<ul style="list-style-type: none"> Watering systems for a total of 1 hour per day between the hours of 6.00 am - 8.00 am and 6.00 pm - 8.00 pm are permitted. 	<ul style="list-style-type: none"> Watering systems for a total of 1 hour per day between the hours of 6.00 am - 8.00 am and 6.00 pm - 8.00 pm are permitted. 	<ul style="list-style-type: none"> All external use of town water banned
Sporting Fields, School Ovals and Grassed Areas	<ul style="list-style-type: none"> Watering including with sprinklers and irrigation systems is permitted any day before 10am and after 4 pm to avoid heat of the day All hand held hoses to have a trigger nozzle 	<ul style="list-style-type: none"> Fixed water systems three times a week between 6.00 -10.00 pm 	<ul style="list-style-type: none"> Fixed water systems two times a week between 6.00 -10.00 pm 	<ul style="list-style-type: none"> All external use of town water banned. 	<ul style="list-style-type: none"> All external use of town water banned. 	<ul style="list-style-type: none"> All external use of town water banned.
Water Cartage from Town Water Supply	<ul style="list-style-type: none"> Permitted 	<ul style="list-style-type: none"> Permitted for domestic internal Use Only 	<ul style="list-style-type: none"> Permitted for domestic internal Use Only 	<ul style="list-style-type: none"> Permitted for domestic internal Use Only 	<ul style="list-style-type: none"> Permitted for domestic internal Use Only 	<ul style="list-style-type: none"> Permitted for domestic internal Use Only
Auto Flush urinals	<ul style="list-style-type: none"> Timer controlled operation is not permitted. 	<ul style="list-style-type: none"> Timer controlled operation is not permitted. 	<ul style="list-style-type: none"> Timer controlled operation is not permitted. 	<ul style="list-style-type: none"> Timer controlled operation is not permitted. 	<ul style="list-style-type: none"> Timer controlled operation is not permitted. 	<ul style="list-style-type: none"> Timer controlled operation is not permitted.
Public Beach showers, fish tables and boat ramp taps.	<ul style="list-style-type: none"> Permitted. 	<ul style="list-style-type: none"> Permitted. 	<ul style="list-style-type: none"> Permitted. 	<ul style="list-style-type: none"> Permitted. 	<ul style="list-style-type: none"> Not permitted. 	<ul style="list-style-type: none"> Not permitted.
Customers with an annual demand greater than 3,500KL and hotels, motels, resorts, caravan parks and public pools	<ul style="list-style-type: none"> Preparation and implementation of a Water Management Plan 	<ul style="list-style-type: none"> Preparation and implementation of an approved Water Management Plan 	<ul style="list-style-type: none"> Preparation and implementation of an approved Water Management Plan 	<ul style="list-style-type: none"> Preparation and implementation of a Water Management Plan is required to achieve a minimum of 24 % reduction on pre restriction (2001) water usage. 	<ul style="list-style-type: none"> Preparation and implementation of a Water Management Plan is required to achieve a minimum of 24 % reduction on pre restriction (2001) water usage. 	<ul style="list-style-type: none"> Preparation and implementation of a Water Management Plan is required to achieve a minimum of 24 % reduction on pre restriction (2001) water usage.
Voluntary residential target	<ul style="list-style-type: none"> 150 Litres per person per day. 	<ul style="list-style-type: none"> 150 Litres per person per day. 	<ul style="list-style-type: none"> 150 Litres per person per day. 	<ul style="list-style-type: none"> 150 Litres per person per day. 	<ul style="list-style-type: none"> 150 Litres per person per day. 	<ul style="list-style-type: none"> 140 Litres per person per day.



Item No: 7.6
Title: Notice of Motion - Black summer fuel load reduction initiatives
Department: Councillor

10 February 2020 Ordinary Council Meeting

Reference: F2019/00041-004 - D13794730
Author: Greg Best, Councillor
Troy Marquart, Councillor

Councillors Best and Marquart have given notice that at the Ordinary Council Meeting to be held on 10 February 2020 they will move the following motion:

- 1** *That it is noted and supported that various other Motions on the current Council Agenda reflect Council's acknowledgement around these extraordinary events whilst this Motion seeks to deal with prevention.*
- 2** *That Council recognises the catastrophic extent of the recent Australia wide bushfires that burned millions of hectares, millions of animals, with the loss of more than 2,500 properties and resulting in the death of more than 20 individuals, and Council is committed to carrying out all necessary mitigation and Vegetation Policy reviews to spare this Region from a similar fate.*
- 3** *That Council notes our Region is now still extremely vulnerable to the potential of major wild fires particularly due to ground fuel loads and that Council's Vegetation Policies have contributed to this build up.*
- 4** *That Council applauds Staff's initiative to provide free vegetation waste tipping arrangements for those west of the M1 Motorway and seeks advice around expanding the Program to include those particularly at the Urban / Forest interface.*
- 5** *That Council notes with concern that many of our well intended Vegetation Corridors along with Council's 'Urban Forest' approach may now need to be significantly reconsidered if we are to protect homes and indeed whole suburbs.*
- 6** *That Council now request the CEO to provide a Report on Local Fuel Load Reduction Options in preparation for submissions to the Federal Government's Fuel Load Reduction initiative.*

Councillors Note

Councillors, As I have often said, 'Hands up those who hate tree?' I thought so!

Obviously nobody hates trees. However when those among us who wish to turn our Residential Areas into Urban Forests, running green corridors through suburbs as fire wicks need now in the wake of these catastrophic fires to rethink their mantra.

In my view, the fuel loads that this Council has generated through its Vegetation Policy settings will with the right weather conditions create a conflagration. We were extremely fortunate on New Years Eve not to lose more homes as the fires lapped back fences. The old thinking of a lane buffer down the back of these properties will no longer be sufficient to defend them. Indeed our entire Vegetation Policy I believe, must be reviewed.

The number of people approaching me utterly frustrated at what is often an inappropriate planting of trees that are digging up driveways, smashing up footpaths, filling gutters and cracking pools must be heard. The loss of wildlife in the recent fires has also been devastating and again, whilst well intended, our green corridors through residential areas are not only a significant threat to life and property, all ground dwelling animals are extremely vulnerable to entrapment and incineration during any fire.

I do not advocate clearing large swages of our scenic Central Coast. However what I believe the Community is calling for is a more common sense approach to plantings, particularly when you appreciate the vast majority of our corridors and urban bush interface are nowhere near mature trees.

I find it also fascinating that we seem to have such an extraordinarily and in my opinion overzealous, approach to trees in people's backyards yet when I drive through our western forests, I see practices that more than concern me yet this Council in its entire term has never raised these vegetation issues. I appreciate I have repeatedly raised concerns on behalf of our Community around Council's Vegetation and Fuel Load Policies.

The most recent pile burn debacle is an excellent example of poor management that has now resulted in the extraordinary fuel load build up being left behind after last Winter. This adhoc and knee-jerk approach that was taken during the consideration of this Policy must end. We need to engage the whole Community not just the noisy minority if we are to craft a Policy that truly reflects the needs of our broader Community.

Attachments

Nil.



Item No: 7.7
Title: Notice of Motion - Process for developing Council Strategies and Policies
Department: Councillor

10 February 2020 Ordinary Council Meeting

Reference: F2019/00041-004 - D13794875

Author: Jane Smith, Councillor

Councillor Smith has given notice that at the Ordinary Council Meeting to be held on 10 February 2020 she will move the following motion:

- 1 That Council request the Chief Executive Officer provide a quarterly report on proposed Strategy or Strategic Policy documents to be developed, before those processes are commenced**
- 2 That Council request the Chief Executive Officer develop a draft process for the development of Strategies and Strategic Policies. That process should include, but not be limited to:**
 - a) Establishing key principles underpinning the Policy / Strategy**
 - b) Consideration of the significance of the Policy / Strategy in terms of intended outcome**
 - c) Process and timeframes consistent with the significance of the Policy / Strategy**
 - d) Process for consultation with stakeholders and the broader community**
 - e) Whether a Councillor Committee is established for the process**
 - f) Whether public hearings and submissions are part of the process**
 - g) The role of Council staff and Councillors in the process, and the key decision points**
- 3 That Council request the Chief Executive Officer allocate time at a Councillor briefing in February to discuss key elements of how Strategy / Policy development can be improved**
- 4 That Council request the Chief Executive Officer provide a report on a draft process at the first meeting in April, 2020**

Background:

In the last two years, Council has developed, or is in the process of developing, a number of significant strategies for the Central Coast region including:

7.7 Notice of Motion - Process for developing Council Strategies and Policies (contd)

- Affordable Housing Strategy
- Tourism Opportunity Plan
- Economic Development Strategy (in draft form)
- Biodiversity Strategy (in draft form)

Under the Local Government Act 1993, Councillors comprise the governing body of the Council. The role of the governing body includes:

223 (e) to develop and endorse the community strategic plan, delivery program and other strategic plans, programs, strategies and policies of the council,

The approach across the organisation has been inconsistent in developing these key strategies and policies, especially in regard to aspects such as:

- Establishing underlying principles to guide the relevant Strategy
- Process around consultation with stakeholders and the broader community
- Transparency and accountability of the process
- Role of Councillors in the process of developing the Strategy

This motion aims to ensure that there is an agreed process around key strategies that is transparent and accountable.

Central Coast Council is the 3rd largest Council in NSW and 6th largest in Australia (by population). In some instances, depending on the significance of the Strategy / Policy in terms of intended outcome and reach, it may be appropriate or beneficial to establish a Committee process similar to that for the NSW Governmentⁱ or Australian governmentⁱⁱ.

For the NSW Parliament, it is noted that:

Parliamentary committees are groups of members ... appointed to assist the Parliament in the performance of its functions. Committees can be appointed by either or both Houses to examine issues in more detail than is possible if the matter were considered in the House. Committees increase public awareness and debate on issues under consideration They benefit the community by ... facilitating more informed policy-making and ensuring greater government accountability.

Committees can call for written submissions, conduct hearings where witnesses give evidence and seek advice from experts. They provide a forum for the public to have their say on issues Committees report their findings and recommendations for government action..

www.parliament.nsw.gov.au/committees/Pages/about-committees.aspx

[www.aph.gov.au/About Parliament/House of Representatives/Powers practice and procedure/00 - Infosheets](http://www.aph.gov.au/About_Parliament/House_of_Representatives/Powers_practice_and_procedure/00_-_Infosheets)



Item No: 7.8
Title: Notice of Motion - Breakwall - Dredging - Now - Flood Risk Rising - Co Author Cr Bruce McLachlan and Cr Greg Best
Department: Councillor

10 February 2020 Ordinary Council Meeting

Reference: F2019/00041-004 - D13795283
Author: Bruce McLachlan, Councillor
Greg Best, Councillor
Jilly Pilon, Councillor

Councillors McLachlan, Best and Pilon have given notice that at the Ordinary Council Meeting to be held on 10 February 2020 they will move the following motion:

- 1 ***That Council acknowledge the ongoing resident dissatisfaction of the deteriorating condition of Tuggerah Lakes system and The Entrance Channel, and the public outcry for a permanent solution.***
- 2 ***That Council acknowledge this issue has been long running, over many decades, and the as a new Super Council, we now have the size and capacity to lobby the State Government for change.***
- 3 ***That Council now allocate sufficient funds in the 2020 budget to commence preliminary Break wall designs, with a view to submitting a proposal to the Minister.***
- 4 ***Further Council also allocate suitable funding to commence a major 2020 Channel dredging program, and apply for relevant NSW State Government funding assistance.***
- 5 ***That Council recognises with the Entrance Channel now severely silted up, our Lakes System is very vulnerable to a repeat of the devastating multi-million dollar floods of June 2007, that destroy many homes.***
- 6 ***That any design brief for a permanent sea opening take into consideration enhancement of the existing surf break, and consideration of a permanent sand by pass system, to create a Super bank surf break, similar to Greenmount / Kirra Queensland.***

Background

The number one resident issue complaint received by Councillors is the frustration and lack of action on gaining a permanent opening to Tuggerah Lakes, over many decades, and the time for talk is over.

Flood Risk - There is now heightened resident concerns that the clogged estuary would lead to widespread flooding, in the event of a serious weather incident, as seen in June 2007, and a free flowing Channel entrance is vital in minimising property damage and duration of flood events.

Council is now preparing the 2020 budget, and as a major Regional Council, 2nd largest in NSW, we can resolve to take a leadership stance, and be proactive on resolving the issue, and actively lobby the State Government.

The Entrance tourism market is declining, particularly boating, and some serious changes are required in Public perception of the Town, water quality and tourism amenity.

The local economy of The Entrance requires assistance, has lost its tradition tourism market, and has become increasingly welfare based, and this lack of disposable incomes restricts business growth and in turn local employment opportunities.

A major change to local demographics and economic activity is required, and can be delivered by increasing resident and tourism amenity on our waterways.

We have not seen any new waterfront amenity for boating in decades, despite other competing Regions moving forward in their boating and tourism amenity.

Boating navigation has been severely restricted by siltation, and a permanent navigable sea opening would provide an instant boost to the economy in boating tourism, and may even provide possibility to consider Fast Ferry services to Sydney.

Break wall systems can greatly enhance an existing surf break with the correct design, with Tweed / Gold Coast Councils receiving major economic boost from the creation of the Super bank surf break, as a result of a sand bypass system to the Tweed River.

A permanent sea opening and a world class surf break would bring an immediate changed demographic to The Entrance Township, and would be a drawcard attraction for the Central Coast.

Surfing is an international sport with surfers widely travelling the world and a major surf break would be an attraction to visiting overseas backpacker and youth market, as well as retiring surfers. and add local amenity to Central Coast based surfers.

The Entrance Ward actually produces the most Council rates payable, and Central Coast Council cannot continue to be focussed on Terrigal and Gosford CBD issues.

7.8 Notice of Motion - Breakwall - Dredging - Now - Flood Risk Rising - Co Author Cr Bruce McLachlan and Cr Greg Best (contd)

The Entrance now needs Council assistance, our northern Lakes need assistance, and this resolution would bring about positive changes of amenity for locals, and visitors alike. Council finally resolved to dredge Ettalong Channel, and may have funds left over that could be re allocated to The Entrance Channel.

There is no reason why we cannot move forward, other Regions have undertaken Lakes and Estuary Revitalisation Plans, including in recent times, Lake Illawarra NSW, and Mandurah Cut WA, that both faced similar issues of water quality and excessive weed growth.

If Central Coast Council can allocate 100k, for a report to allow trimming the height of dangerous trees in an Landing flightpath, or propose a 200 million PAC, surely we can allocate design funds towards resolving the No 1 resident concern in the Northern Wards.







Attachments

Nil.



Item No: 8.1
Title: Rescission Motion - DA/171/2019 - Proposed Secondary Dwelling - 292 Palmdale Road, Palmdale
Department: Councillor

10 February 2020 Ordinary Council Meeting

Trim Reference: DA/171/2019 - D13749366
Author: Louise Greenaway, Councillor
Jillian Hogan, Councillor
Kyle MacGregor, Councillor

Council, at the Ordinary Meeting held on 9 December 2019 gave consideration to a report regarding DA 171/2019 – Proposed Secondary Dwelling 292 Palmdale Rd Palmdale.

At that meeting, Council resolved as follows:

1242/19 That Council grant consent subject to the conditions detailed in the schedule attached to the report and having regard to the matters for consideration detailed in Section 4.15 of the Environmental Planning and Assessment Act 1979 and other relevant issues.

1243/19 That Council advise those who made written submissions of its decision.

A Rescission Motion has been received from Councillors Greenaway, Hogan and MacGregor to be moved at the Ordinary Council Meeting of Council to be held on Monday, 10 February 2020, as follows:

MOVE that the following resolution carried at the Ordinary Meeting of Council held on 9 December 2019 be rescinded:

1242/19 That Council grant consent subject to the conditions detailed in the schedule attached to the report and having regard to the matters for consideration detailed in Section 4.15 of the Environmental Planning and Assessment Act 1979 and other relevant issues.

1243/19 That Council advise those who made written submissions of its decision.

Should the above Rescission Motion be carried, further notice is given that Councillors Greenaway, Hogan and MacGregor will move the following motion:

MOVE

1 That Council refuse DA/171/2019 on the following grounds;

8.1 Rescission Motion - DA/171/2019 - Proposed Secondary Dwelling - 292 Palmdale Road, Palmdale (contd)

- *The application does not comply with the Water Management Act 2000 and the Water Management Regulations 2018 in that development activities are located within waterfront land in that:*
 - *the Asset Protection Zone is located within the bank of a fourth order stream. Such land use is prohibited in the bed or bank of a stream; and*
 - *the dwelling is located between 6 and 15 metres from the top of bank of a fourth order stream. The required distance from the top of bank is 40 metres for a fourth order stream.*
- *The application does not comply with the Environmental Planning and Assessment Act 1979 in that it does not recognise or adequately assess the potential direct and indirect impacts on the natural environment.*
- *The application does not comply with the Biodiversity Conservation Act 2016 and the Biodiversity Conservation Regulation 2017 in that:*
 - *the Asset Protection Zone is located within the mapped Biodiversity Values layer and thus the Biodiversity Offsets Scheme is triggered, requiring the preparation of a Biodiversity Development Assessment Report in accordance with the Biodiversity Assessment Method 2017. No such assessments have been provided;*
 - *the flora assessment provided as supporting documentation does not comply with the biodiversity assessment requirements as it does not adequately consider fauna, fails to recognise native vegetation as anything other than trees, does not demonstrate how biodiversity impacts have been avoided, and does not properly assess the full range of direct and potential indirect impacts such as failure of the effluent disposal area.*
- *The application does not comply with WDCP 2013 in that:*
 - *the proposed effluent disposal areas are located within 9 and 22 metres from the top of bank of the watercourse, while the control calls for a distance of 100 metres. The variation of 91 metres or 91% is deemed a high risk on-site system; and*
 - *the required side setbacks for an effluent disposal area are not observed. The proposed 1.5 metre setback has the potential to significantly impact on the neighbour's amenity.*
- *The application is not in the public interest in that:*

8.1 Rescission Motion - DA/171/2019 - Proposed Secondary Dwelling - 292 Palmdale Road, Palmdale (contd)

- *it will create an expectation that similar non-compliance with Council's planning controls is acceptable; and*
 - *there is an unacceptable potential for impacts to important and sensitive environments.*
- 2 *That Council request that any proposed outcome as a result of any mediation process be referred to Council for approval.*

Attachments

Nil.