



Central Coast Council  
Business Paper  
Ordinary Council Meeting  
**25 November 2019**





# 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.



# 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 25 November 2019 at 6.30 pm,  
for the transaction of the business listed below:**

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Gary Murphy

**Chief Executive Officer**

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

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25 November 2019 Ordinary Council Meeting

Trim Reference: F2019/00041-003 - D13706590

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)

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*(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

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25 November 2019 Ordinary Council Meeting

Trim Reference: F2019/00041-003 - D13706591

Author: Maggie Rowland, Councillor and Meeting Support Officer

Manager: Sarah Georgiou, Section Manager, Councillor Support

Executive: Dr Liz Develin, Director Governance

### **Summary**

Confirmation of minutes of the Ordinary Meeting of the Council held on 11 November 2019.

### **Recommendation**

***That Council confirm the minutes of the Ordinary Meeting of Council held on 11 November 2019.***

### **Attachments**

**1** MINUTES - Ordinary Meeting Meeting - 11 November 2019      D13711157



## Central Coast Council

### Minutes of the Ordinary Meeting of Council

Held in the Council Chamber  
49 Mann Street, Gosford  
on 11 November 2019

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#### **Present**

Mayor Lisa Matthews and Councillors Greg Best, Jillian Hogan, Kyle MacGregor, Doug Vincent, Troy Marquart, Chris Holstein, Bruce McLachlan, Jilly Pilon, Louise Greenaway, Jeff Sundstrom 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), Ricardo Martello (Executive Manager Innovation and Futures) and Craig Norman (Chief Finance Officer).

The Mayor, Lisa Matthews, declared the meeting open at 6.31pm 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.

The Mayor, Lisa Matthews made the following acknowledgements;

#### *Remembrance Day*

That noting today, 11 November is Remembrance Day a minutes silence was observed to commemorate and remember all Australians who have died as a result of war.

#### *Fire Emergency*

The current fire emergency currently being experienced was noted and thanks were extended to those career and volunteer fire fighters, including Council staff who have been on the front line in these fires.

#### *Presentation*

Councillor Holstein having attended the Central Coast Group Training Awards evening on behalf of Council presented an award he had accepted at that event on behalf of Council.

The reports are recorded in their correct agenda sequence.



**Apologies**

**Moved:** Councillor Best  
**Seconded:** Councillor Pilon

**Resolved**

**1065/19 That Council accept the apologies received from Councillors Burke, Gale Collins and Mehrstens.**

**For:**  
**Unanimous**

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**1.1 Disclosures of Interest**

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**Item 2.2 - DA/1284/2018 - Five Lot Subdivision and Construction of Five Dwellings (Small Lot Housing) - 38 Caravel Street & 27 Columbus Street, Hamlyn Terrace**

Councillor McLachlan declared a pecuniary interest in the matter on the basis that he knows an adjoining landowner as they are a former employee. Councillor McLachlan left the chamber at 7.10pm, returned at 7.38pm and did not participate in discussion or voting on this item.

**Item 2.4 - Planning Proposal - RPP Independent Proposal Review - Planning Proposal Authority Consideration - DLALC Planning Proposals Somersby & Kariong**

Councillor MacGregor declared a pecuniary interest in the matter on the basis that he is a Joint Regional Planning Panel delegate and may receive a fee for consideration of this item. Councillor MacGregor left the chamber at 7.45pm, returned at 8.02pm and did not participate in discussion or voting on this item.

Councillor Sundstrom declared a pecuniary interest in the matter on the basis that he is a Joint Regional Planning Panel delegate and may receive a fee for consideration of this item. Councillor Sundstrom left the chamber at 7.45pm, returned at 8.02pm and did not participate in discussion or voting on this item.

**Item 2.5 - Amended Planning Proposal Request - Glenworth Valley**

Councillor McLachlan declared a less than significant non pecuniary interest in the matter as he knows the owners. Councillor McLachlan chose to remain in the chamber and participate in discussion and voting as the conflict will not affect his judgement.

**Item 3.3 - Annual Report 2018-19**

Councillor Vincent declared a pecuniary interest in the matter on the basis that his employer is providing corporate sponsorship and community funding to local projects. Councillor Vincent left the chamber at 8.12pm, returned at 8.21pm and did not participate in discussion or voting on this item.

**Item 3.4 - Adoption of amendment to 2019-20 Fees and Charges - Level 3 Sportsfields**

Councillor Vincent declared a less than significant non pecuniary interest in the matter as he has family members that play sports on the Central Coast. Councillor Vincent chose to remain in the chamber as the conflict is a region wide fee adoption.

Councillor MacGregor declared a less than significant non pecuniary interest in the matter as he plays amateur/club sport and do not use the fields . Councillor MacGregor chose to remain in the chamber as the conflict is a region wide decision that he can manage.

**Item 3.7 - Community Support Grant Program - August 2019**

Councillor Hogan declared a less than significant non pecuniary interest in the matter as she knows some of the recipients of grants through her work and being a Councillor. Councillor Hogan chose to remain in the chamber and participate in discussion and voting as she will manage the conflict by being objective.

Councillor Greenaway declared a less than significant non pecuniary interest in the matter as she associates with community groups who may be a recipient of the grant. Councillor Greenaway chose to remain in the chamber and participate in discussion and voting as the conflict is minor and will not prevent her from participating in an unbiased way.

Councillor Sundstrom declared a less than significant non pecuniary interest in the matter as he participates in the activities of Copacabana Bush Care. Councillor Sundstrom chose to remain in the chamber and participate in discussion and voting as he will make all deliberations based on the merits of the matter.

**Item 6.2 - Deferred Item - Notice of Motion - Green Power Blackout**

Councillor Smith declared a less than significant non pecuniary interest in the matter as she knows one of the speakers from the public forum who has been involved in a project with Marine Discovery Centre. Councillor Smith chose to remain in the chamber and participate in discussion and voting as the conflict is minor and will not affect her deliberations.

**Moved: Councillor MacGregor**

**Seconded: Councillor Greenaway**

**Resolved**

**1066/19 That Council receive the report on Disclosure of Interest and note advice of disclosures.**

**For:**

**Unanimous**

**1.2 Confirmation of Minutes of Previous Meeting**

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**Moved:** Councillor Best  
**Seconded:** Councillor MacGregor

**Resolved**

**1067/19 That Council confirm the amended minutes of the Ordinary Meeting of Council held on 28 October 2019.**

**For:**  
**Unanimous**

**1.3 Notice of Intention to Deal with Matters in Confidential Session**

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

**Resolved**

**1068/19 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 Smith  
**Seconded:** Councillor MacGregor

**Resolved**

**1069/19 That Council adopt the following items en-mass and in accordance with the report recommendations:**

<b>Item 3.4 - Adoption of amendment to 2019-20 Fees and Charges - Level 3 Sportsfields</b>
<b>Item 3.6 - 2019-20 Heritage Grant Program Round 1</b>
<b>Item 3.7 - Community Support Grant Program - August 2019</b>
<b>Item 3.9 - Meeting Record of the Pedestrian Access and Mobility Advisory Committee held on 24 September 2019</b>
<b>Item 4.1 - Meeting Record of the Employment and Economic Development Committee held 11 September 2019</b>
<b>Item 4.2 - Meeting Record of Gosford CBD and Waterfront Advisory Committee held 18 September 2019</b>
<b>Item 4.3 - Response to Notice of Motion - Sculptures by the Sea</b>

<b>Item 4.5 - Grant Funding Update as at 30 September 2019</b>
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<b>Item 6.3 - Notice of Motion - Reclassification</b>
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**1070/19** That with the exception of the reports listed below, Council adopt the recommendations contained in the reports listed above:

<b>Item 2.1 - Deferred Item - Draft Tuggerah to Wyong Economic Corridor Strategy</b>
<b>Item 2.2 - DA/1284/2018 - Five Lot Subdivision and Construction of Five Dwellings (Small Lot Housing) - 38 Caravel Street &amp; 27 Columbus Street, Hamlyn Terrace</b>
<b>Item 2.3 - DA 55728/2018 - 54 Assisted Care Apartments &amp; Ancillary Maintenance/Staff building - 6 Tarragal Glen Avenue, Erina</b>
<b>Item 2.4 - Planning Proposal - RPP Independent Proposal Review - Planning Proposal Authority Consideration - DLALC Planning Proposals Somersby &amp; Kariong</b>
<b>Item 2.5 - Amended Planning Proposal Request - Glenworth Valley</b>
<b>Item 3.1 - Deferred Item - Draft 2018-19 Financial Reports for Central Coast Council and Central Coast Council Water Supply Authority</b>
<b>Item 3.2 - Fraud and Corruption Control Policy</b>
<b>Item 3.3 - Annual Report 2018-19</b>
<b>Item 3.5 - Response to Notice of Motion - Proposed Sale - 4 and 10 Warren Road, Warnervale</b>
<b>Item 3.8 Appointments to the Water Management Advisory Committee</b>
<b>Item 4.4 - Local Government Elections 2020</b>
<b>Item 6.1 - Deferred Item - Notice of Motion - Water Security Emergency</b>
<b>Item 6.2 - Deferred Item - Notice of Motion - Green Power Blackout</b>
<b>Item 6.4 - Notice of Motion - Advisory Committee Terms of Reference</b>
<b>Item 6.5 - Notice of Motion - Cat Curfew for the Central Coast</b>
<b>Item 6.6 - Notice of Motion - Redress Scheme</b>

**For:**

**Unanimous**

## **2.1 Deferred Item - Draft Tuggerah to Wyong Economic Corridor Strategy**

Moved: Councillor Smith

Seconded: Councillor MacGregor

1 That Council prepare a Transport Study for the Tuggerah to Wyong Economic Corridor to be undertaken in conjunction with the public exhibition of the draft Tuggerah to Wyong Economic Corridor Strategy.

2 That the Transport Report includes;

- capacity of the transport network,
- demand based on the proposed Strategy

- Measures of efficiency, sustainability and liveability
  - Consultation with key agencies and transport stakeholders
  - Known commitments for transport infrastructure and timeframes for delivery
  - Options for transport improvements (short, medium and long term) that will improve future measures of efficiency and liveability
- 3 An adjustment of the 2019/20 financial budget of \$50,000 be made for the Transport Study.
- 4 That Council remove the reference to the airport from the draft as it is not consistent with the intent of the previous resolution of Council.
- 5 That Council, for the purpose of community consultation, endorse the public exhibition of the amended draft Tuggerah to Wyong Economic Corridor Strategy (including Action 3.7) for a minimum period of 40 days.
- 6 That Council conduct two workshops (one day and one evening) that includes a presentation of the draft documents and an opportunity for comments.
- 7 Following exhibition of the draft Tuggerah to Wyong Economic Corridor Strategy, Council consider a further report on results of the community consultation and the Transport Study.

Amendment Moved: Councillor Holstein

Amendment Seconded: Councillor Best

- 1 That Council, for the purposes of community consultation, endorse the public exhibition of the draft Tuggerah to Wyong Economic Corridor Strategy for a minimum period of 28 days.
- 2 That following exhibition of the draft Tuggerah to Wyong Economic Corridor Strategy Council consider a further report on results of the community consultation.

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

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

The Amendment was put to the vote and declared LOST.

The motion was then put.

**Moved: Councillor Smith**  
**Seconded: Councillor MacGregor**

### **Resolved**

- 1071/19 That Council prepare a Transport Study for the Tuggerah to Wyong Economic Corridor to be undertaken in conjunction with the public exhibition of the draft Tuggerah to Wyong Economic Corridor Strategy.**

**1072/19 That the Transport Report includes;**

- **capacity of the transport network,**
- **demand based on the proposed Strategy**
- **Measures of efficiency, sustainability and liveability**
- **Consultation with key agencies and transport stakeholders**
- **Known commitments for transport infrastructure and timeframes for delivery**
- **Options for transport improvements (short, medium and long term) that will improve future measures of efficiency and liveability**

**1073/19 An adjustment of the 2019/20 financial budget of \$50,000 be made for the Transport Study.**

**1074/19 That Council remove the reference to the airport from the draft as it is not consistent with the intent of the previous resolution of Council.**

**1075/19 That Council, for the purpose of community consultation, endorse the public exhibition of the amended draft Tuggerah to Wyong Economic Corridor Strategy (including Action 3.7) for a minimum period of 40 days.**

**1076/19 That Council conduct two workshops (one day and one evening) that includes a presentation of the draft documents and an opportunity for comments.**

**1077/19 Following exhibition of the draft Tuggerah to Wyong Economic Corridor Strategy, Council consider a further report on results of the community consultation and the Transport Study.**

**For:**

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

**Against:**

**Councillors Best, Holstein, McLachlan, Pilon and Marquart**

**2.2 DA/1284/2018 - Five Lot Subdivision and Construction of Five Dwellings (Small Lot Housing) - 38 Caravel Street & 27 Columbus Street, Hamlyn Terrace**

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Councillor McLachlan declared a pecuniary interest in the matter on the basis that he knows an adjoining landowner as they are a former employee. Councillor McLachlan left the chamber at 7.10pm, returned at 7.38pm and did not participate in discussion or voting on this item.

**Moved: Councillor Smith**

**Seconded: Councillor Greenaway**

**Resolved**

**1078/19 That Council refuse the development application for the following reasons;**

- a It is inconsistent with the objectives of the R2 low density residential zone.**
- b That the minimum lot size for corner lots does not comply Part 4 - subdivision of Wyong Development Control Plan 2013 (66% variation).**
- c That the development is not in the public interest.**

**1079/19 That if the decision of the Council is appealed in the NSW Land and Environment Court that any mediation outcome comes back to Council for determination.**

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

**Against:**  
**Councillors Best, Holstein, Pilon and**  
**Marquart**

**2.3 DA 55728/2018 - 54 Assisted Care Apartments & Ancillary Maintenance/Staff building - 6 Tarragal Glen Avenue, Erina**

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**Moved: Councillor Greenaway**  
**Seconded: Councillor Sundstrom**

**Resolved**

**1080/19 That Council grant consent subject to the conditions detailed in the schedule attached to the report with the inclusion of the additional condition 1.3 below 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;**

**Additional Condition 1.3**

**Prior to the appointment of any certifying authority, to ensure adequate provision is made for the demolition of the existing hardstand car parking area located on the north western corner of Worthing Creek Reserve (directly south of the proposed development) and further, to ensure adequate rehabilitation of this portion of Worthing Creek Reserve is undertaken, a revised Demolition Plan and revised Landscape Plan is required to be submitted to Central Coast Council for approval prior to the issue of a Construction Certificate.**

**The Demolition Plan is to indicate the removal of all built elements associated with the hardstand car parking area.**

**The Landscape Plan must be prepared by a qualified Landscape Architect or Landscape Designer, clearly identifying the following:-**

- a **The scale to which they are drawn and the true north point;**
- b **The location of the site boundary lines;**
- c **The finished ground levels relative to Australian Height Datum (AHD);**
- d **Details of any park furniture proposed;**
- e **A planting schedule including:**
  - i **Botanical and common names of all proposed plant species;**
  - ii **Mature height and diameter of all proposed species; and**
  - iii **The pot size and number of all proposed species.'**

**1081/19 That Council advise those who made written submissions of its decision.**

**For:**

**Unanimous**

## **2.4 Planning Proposal - RPP Independent Proposal Review - Planning Proposal Authority Consideration - DLALC Planning Proposals Somersby & Kariong**

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Councillor MacGregor declared a pecuniary interest in the matter on the basis that he is a Joint Regional Planning Panel delegate and may receive a fee for consideration of this item. Councillor MacGregor left the chamber at 7.45pm, returned at 8.02pm and did not participate in discussion or voting on this item.

Councillor Sundstrom declared a pecuniary interest in the matter on the basis that he is a Joint Regional Planning Panel delegate and may receive a fee for consideration of this item. Councillor Sundstrom left the chamber at 7.45pm, returned at 8.02pm and did not participate in discussion or voting on this item.

**Moved: Mayor Matthews**

**Seconded: Councillor Pilon**

**Resolved**

**1082/19 That Council advise the Regional Planning Panel that it does not seek to accept the role of the Planning Proposal Authority for the Planning Proposal relating to Lot 481 DP118463 (250 Reeves Street) Somersby and, if requested, the Planning Proposal relating to Lot 512 DP727686 (148 Woy Woy Road) Kariong.**

**1083/19 That the Department of Planning, Industry and Environment (DPIE) be advised of the decision.**

**1084/19 That the Chief Executive Officer ensures that there is a Councillor briefing and a report to Council before a Council submission is finalised.**

**For:**

**Mayor Matthews, Councillors Hogan, McLachlan, Pilon and Marquart**

**Against:**

**Councillors Holstein, Smith, Vincent and Greenaway**



**Abstained: Councillor Best**

The motion was CARRIED on the casting vote of the Mayor.

## **2.5 Amended Planning Proposal Request - Glenworth Valley**

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Councillor McLachlan declared a less than significant non pecuniary interest in the matter as he knows the owners. Councillor McLachlan chose to remain in the chamber and participate in discussion and voting as the conflict will not affect his judgement.

**Moved: Councillor Smith**  
**Seconded: Councillor Sundstrom**

**Resolved**

**1085/19 That Council defer consideration of this item for a site inspection to be conducted and a briefing at the monthly planning workshop to be provided.**

<b>For:</b>	<b>Against:</b>
<b>Mayor Matthews, Councillors Holstein, Smith, Vincent, Sundstrom, Hogan, MacGregor, Greenaway, Pilon and Marquart</b>	<b>Councillors Best and McLachlan</b>

## **3.1 Deferred Item - Draft 2018-19 Financial Reports for Central Coast Council and Central Coast Council Water Supply Authority**

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**Moved: Councillor Best**  
**Seconded: Councillor MacGregor**

**Resolved**

**1086/19 That Council defer consideration of the Draft 2018-19 Financial Reports for Central Coast Council and Central Coast Council Water Supply Authority to the Ordinary Meeting to be held at a date to be determined prior to the 29 February 2020 and note that a report will be provided for Council's consideration in the Business Paper.**

<b>For:</b>	<b>Against:</b>
<b>Mayor Matthews, Councillors Best, Holstein, Smith, Sundstrom, MacGregor, Greenaway, McLachlan, Pilon and Marquart</b>	<b>Councillors Vincent and Hogan</b>

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**3.2 Fraud and Corruption Control Policy**

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**Moved: Councillor Smith**  
**Seconded: Councillor Hogan**

**Resolved**

**1087/19 That Council defer consideration of this item to the 25 November 2019 Ordinary Meeting to allow further minor amendments to wording within the Framework and the name of the Framework.**

<b>For:</b> <b>Mayor Matthews, Councillors Holstein, Smith, Vincent, Sundstrom, Hogan, MacGregor and Greenaway</b>	<b>Against:</b> <b>Councillors Best, McLachlan, Pilon and Marquart</b>
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**3.3 Annual Report 2018-19**

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Councillor Vincent declared a pecuniary interest in the matter on the basis that his employer is providing corporate sponsorship and community funding to local projects. Councillor Vincent left the chamber at 8.12pm, returned at 8.21pm and did not participate in discussion or voting on this item.

**Moved: Councillor Best**  
**Seconded: Councillor MacGregor**

**Resolved**

**1088/19 That Council adopt the Annual Report 2018-19.**

**1089/19 That Council authorise the Chief Executive Officer to make final editorial amendments to the Annual Report 2018-19 to ensure correctness and clarity with the inclusion of the Chief Executive Officer's Message, Mayor's Message and Financial Performance Summary following adoption of the audited financial statements.**

**1090/19 That Council upload the Annual Report 2018-19 on Council's website.**

**1091/19 That Council advise the Minister for Local Government of Council's URL link to access the Annual Report.**

**For:**  
**Unanimous**

### **3.4 Adoption of amendment to 2019-20 Fees and Charges - Level 3 Sportsfields**

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Councillor Vincent declared a less than significant non pecuniary interest in the matter as he has family members that play sports on the Central Coast. Councillor Vincent chose to remain in the chamber as the conflict is a region wide fee adoption.

Councillor MacGregor declared a less than significant non pecuniary interest in the matter as he plays amateur/club sport and do not use the fields . Councillor MacGregor chose to remain in the chamber as the conflict is a region wide decision that he can manage.

This item was resolved by the exception method.

**Moved:** Councillor Smith  
**Seconded:** Councillor MacGregor

**Resolved**

**1092/19 That Council note that the proposed fees for level 3 sportsfields, per day, per field in 2019-20 were publicly exhibited from 13 September 2019 to 11 October 2019 in accordance with ss.610F and 705 of the Local Government Act 1993.**

**1093/19 That Council further note that there were 5 submissions received during the public exhibition of the proposed fees for level 3 sportsfields for the 2019-20 financial year.**

**1094/19 That Council determine, pursuant to s.610F of the Local Government Act 1993, to approve the exhibited proposed fees for 2019-20.**

**For:**  
**Unanimous**

### **3.5 Response to Notice of Motion - Proposed Sale - 4 and 10 Warren Road, Warnervale**

---

**Moved:** Councillor Greenaway  
**Seconded:** Councillor Vincent

**Resolved**

**1095/19 That Council defer consideration of this item until the 25 November 2019 Ordinary Meeting to allow a meeting to be held with interested Councillors and to provide specific information as to how this land had previously been sold without biocertification issues being resolved.**

**For:** **Against:**

**Mayor Matthews, Holstein, Smith, Vincent,  
Sundstrom, Hogan, MacGregor and  
Greenaway**

**Councillors Best, McLachlan, Pilon and  
Marquart**

---

**3.6 2019-20 Heritage Grant Program Round 1**

---

This item was resolved by the exception method.

**Moved: Councillor Smith**  
**Seconded: Councillor MacGregor**

**Resolved**

**1096/19 That Council allocate \$64,437.75 from the 2019-20 grants budget to the projects as outlined in the following report and Attachment 1.**

**For:**  
**Unanimous**

---

**3.7 Community Support Grant Program - August 2019**

---

Councillor Hogan declared a less than significant non pecuniary interest in the matter as she knows some of the recipients of grants through her work and being a Councillor. Councillor Hogan chose to remain in the chamber and participate in discussion and voting as she will manage the conflict by being objective.

Councillor Greenaway declared a less than significant non pecuniary interest in the matter as she associates with community groups who may be a recipient of the grant. Councillor Greenaway chose to remain in the chamber and participate in discussion and voting as the conflict is minor and will not prevent her from participating in an unbiased way.

Councillor Sundstrom declared a less than significant non pecuniary interest in the matter as he participates in the activities of Copacabana Bush Care. Councillor Sundstrom chose to remain in the chamber and participate in discussion and voting as he will make all deliberations based on the merits of the matter.

This item was resolved by the exception method.

**Moved: Councillor Smith**  
**Seconded: Councillor MacGregor**

**Resolved**

**1097/19 That Council allocate \$84,038.77 from the 2019-20 grants budget to the community grant programs as outlined in the following report and Attachment 1.**

**1098/19 That Council decline applications for the reasons indicated in Attachment 2 the applicants be advised and where relevant, directed to alternate funding.**

**For:**

**Unanimous**

### **3.8 Appointments to the Water Management Advisory Committee**

Councillor Hogan left the chamber at 8.39pm during consideration of this item and as a result took no part in voting.

**Moved: Councillor Smith**

**Seconded: Councillor MacGregor**

**Resolved**

**1099/19 That Council appoint the following Councillors as representatives on the Central Coast Water Management Advisory Committee;**

- **Councillor Holstein**
- **Councillor Smith**
- **Councillor MacGregor**
- **Councillor Greenaway**

**1100/19 That Council endorse the recommendation included in the confidential attachment that is Attachment 2 to this report titled "Water Management Advisory Committee – Full EOI Applications and Convenor Recommendation".**

**1101/19 That Council resolve, pursuant to s10A(2)(a) of the Local Government Act 1993, that Attachment 2 to this report remain confidential as it contains personnel matters concerning particular individuals (other than councillors), and because consideration of the matter in open Council would be, on balance, contrary to the public interest as it may compromise the personal information of Central Coast community members.**

**For:**

**Mayor Matthews, Councillors Best, Holstein, Smith, Vincent, Sundstrom, MacGregor, Greenaway, McLachlan and Pilon**

**Against:**

**Councillor Marquart**

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**3.9 Meeting Record of the Pedestrian Access and Mobility Advisory Committee held on 24 September 2019**

---

This item was resolved by the exception method.

**Moved:** *Councillor Smith*  
**Seconded:** *Councillor MacGregor*

**Resolved**

**1102/19** *That Council receive the report on Meeting Record of the Pedestrian Access and Mobility Advisory Committee held on 24 September 2019 that is Attachment 1 to this report.*

**1103/19** *That the Terms of Reference be amended to provide that a Quorum for a meeting of the Pedestrian Access and Mobility Advisory Committee is half the Advisory Group Community Members plus two Councillor Members, noting that Terms of Reference for other Advisory Groups will be similarly reviewed.*

**For:**  
**Unanimous**

---

**4.1 Meeting Record of the Employment and Economic Development Committee held 11 September 2019**

---

This item was resolved by the exception method.

**Moved:** *Councillor Smith*  
**Seconded:** *Councillor MacGregor*

**Resolved**

**1104/19** *That Council receive the report on Meeting Record of the Employment and Economic Development Committee held 11 September 2019.*

**For:**  
**Unanimous**

---

**4.2 Meeting Record of Gosford CBD and Waterfront Advisory Committee held 18 September 2019**

---

This item was resolved by the exception method.

**Moved:** *Councillor Smith*  
**Seconded:** *Councillor MacGregor*

**Resolved**

**1105/19 That Council receive the report on Meeting Record of Gosford CBD and Waterfront Advisory Committee held 18 September 2019.**

**For:**  
**Unanimous**

#### **4.3 Response to Notice of Motion - Sculptures by the Sea**

---

This item was resolved by the exception method.

**Moved: Councillor Smith**  
**Seconded: Councillor MacGregor**

**Resolved**

**1106/19 That Council receive the report on Response to Notice of Motion - Sculptures by the Sea.**

**For:**  
**Unanimous**

#### **4.4 Local Government Elections 2020**

---

Councillor Hogan returned to the chamber at 9.04pm during consideration of this item.

**Moved: Councillor Holstein**  
**Seconded: Councillor MacGregor**

**Resolved**

**1107/19 That Council receive the report on Local Government Elections 2020, and note the additional memo issued to Councillors on Friday, 8 November 2019 regarding the Contract for the Administration of the Local Government Elections 2020.**

**1108/19 That Councillors take the opportunity at their annual workshop to discuss the aspect of potential questions for a poll or referendum.**

<b>For:</b>	<b>Against:</b>
<b>Mayor Matthews, Holstein, Smith,</b>	<b>Councillor Best, McLachlan and</b>
<b>Vincent, Sundstrom, Hogan, MacGregor,</b>	<b>Marquart</b>
<b>Greenaway and Pilon</b>	

The meeting was adjourned at 9.06pm and reconvened at 9.16pm.

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**4.5 Grant Funding Update as at 30 September 2019**

---

This item was resolved by the exception method.

**Moved:** Councillor Smith  
**Seconded:** Councillor MacGregor

**Resolved**

**1109/19 That Council receive the report on Grant Funding Update as at 30 September 2019.**

**1110/19 That Council resolve, pursuant to section 11(3) of the Local Government Act 1993, that Attachment 3 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**

---

**6.1 Deferred Item - Notice of Motion - Water Security Emergency**

---

**Moved:** Councillor Best  
**Seconded:** Councillor Pilon

- 1 *That with New South Wales now almost entirely in drought resulting in many sister Councils such as Armidale, Tamworth, Orange, Tenterfield, Cobar and Bathurst, facing 'zero day' (entirely running out of drinking water) in the next six months, Council move to an emergency footing around our remaining water supply.*
- 2 *That with the Central Coast facing scheduled Level 1 water restrictions and with less than four years water supply remaining (no rain), the Hunter going into restrictions on September 19th for the first time in 25 years and Sydney triggering water restrictions. This Council now takes a proactive stance and triggers our restrictions early commencing at Level 2 at 50% of Mangrove Creek Dam (MCD), thereby saving significant consumption.*
- 3 *That Council recognises (through the attached Restrictions Matrix) that simply moving to Level 2 restrictions still allows our Community to water gardens and wash vehicles whilst substantially extending our dam life, prior to run out.*
- 4 *That Council recognises the importance of civic leadership and the lessons learnt from the 2002-2007 drought when MCD reached 10.3%.*



- 5 That with MCD now at 53.84% Council uses the remaining time to 50% MCD to ramp up the Community awareness and education prior to any water restrictions triggering.
- 6 That Council notes the dire situation in the Hunter and their ramping up of preparations to construct their own Desalination Plant.
- 7 That Council notes as our water crisis is inextricably linked to Climate, and that Council's recently declared a 'Climate Emergency' the expansion of this emergency footing to include water is a fundamental progression.
- 8 That Council notes the construction of our approved Desalination Plant on Lakes Beach will take in the order of three years to construct at a cost of more than \$100 million.
- 9 That further Council notes in the event that our last option Desalination Plant is rejected, Council will need to identify (subject to no rain) a likely 'Zero Day' point for the Central Coast and what options will exist to then rail freight drinking water.
- 10 That Council request the Chief Executive Officer to provide a report on the current water infrastructure and exactly how many litres of drinking water we are losing per day.

For:  
Councillors Best, McLachlan, Pilon and  
Marquart

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

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

**Moved: Councillor Greenaway**  
**Seconded: Councillor Vincent**

### **Resolved**

- 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:**  
**Mayor Matthews, Councillors Holstein,**  
**Smith, Vincent, Sundstrom, Hogan,**  
**MacGregor and Greenaway**

**Against:**  
**Councillors Best, McLachlan, Pilon and**  
**Marquart**

**6.2 Deferred Item - Notice of Motion - Green Power Blackout**

---

Councillor Smith declared a less than significant non pecuniary interest in the matter as she knows one of the speakers from the public forum who has been involved in a project with Marine Discovery Centre. Councillor Smith chose to remain in the chamber and participate in discussion and voting as the conflict is minor and will not affect her deliberations.

*Moved:* Councillor Best  
*Seconded:* Councillor Marquart

- 1 *That Council notes the Community outrage at the 'growing' Solar Blackout now occurring across the Coast due to Council's Tree DCP that prohibits vegetation removal over residential Solar Panels.*
- 2 *That further Council notes that many thousands of responsible Central Coast Residents have been encouraged by this Council to invest millions in supporting Solar Green Energy.*
- 3 *That Council as a matter of urgency investigate and review our DCP / Policy Settings to reflect a more common sense approach around Vegetation Policy and Energy initiatives.*
- 4 *That Council request the General Manager to furnish a report to this end for Council's consideration.*

*For:*  
Councillors Best, McLachlan, Pilon and Marquart

*Against:*  
Mayor Matthews, Councillors Holstein, Smith, Sundstrom, Hogan, MacGregor and Greenaway

*Abstained:* Councillor Vincent

The motion was put to the vote and declared LOST.

**6.3 Notice of Motion - Reclassification**

---

This item was resolved by the exception method.

***Moved:* Councillor Smith**  
***Seconded:* Councillor MacGregor**

***Resolved***

- 1114/19 That Council request staff to provide a progress report and recommendations for the 9 December 2019 Ordinary Council meeting, in relation to resolution 874/18 relating to a proposal to reclassify the properties listed in that resolution from operational to community land.***

***For:***  
***Unanimous***

**6.4 Notice of Motion - Advisory Committee Terms of Reference**

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Moved: Councillor Smith  
Seconded: Councillor MacGregor

- 1 *That the Terms of Reference for Advisory Committees be amended to provide that a quorum for the conduct of a meeting is as follows:*
  - a *Half the non-Councillor representatives and two Councillors for those Groups with four or more Councillor representatives; and*
  - b *Half the non-Councillor representatives and one Councillor for those Groups with fewer than four Councillor representatives.*
- 2 *That the Terms of Reference for Advisory Committees be amended to provide that the Committees provide advice to both Council and staff noting that this change will not have a practical impact upon the way in which the Committees currently operate.*
- 3 *That staff prepare a Councillor Update with an estimate of the in-kind contribution of the Advisory Committee members (including Councillors), noting the expertise provided, the contribution of agency staff and including estimates of costs associated with attendance, travel and preparation time.*
- 4 *That Council resolve that the current Advisory Committees continue until the next term of Council has reviewed the Advisory Committees and appointments.*

Amendment Moved: Councillor Marquart  
Amendment Seconded: Councillor Best

- 1 *That the Terms of Reference for Advisory Committees be amended to provide that a quorum for the conduct of a meeting is as follows:*
  - a *Half the non-Councillor representatives and two Councillors for those Groups with four or more Councillor representatives; and*
  - b *Half the non-Councillor representatives and one Councillor for those Groups with fewer than four Councillor representatives.*
- 2 *That the Terms of Reference for Advisory Committees be amended to provide that the Committees provide advice to both Council and staff noting that this change will not have a practical impact upon the way in which the Committees currently operate.*
- 3 *That staff prepare a Councillor Update with an estimate of the in-kind contribution of the Advisory Committee members (including Councillors), noting the expertise provided, the contribution of agency staff and including estimates of costs associated with attendance, travel and preparation time.*
- 4 *That Council resolve that the current Advisory Committees continue until the next term of Council has reviewed the Advisory Committees and appointments.*

- 5 *That Council will confirm and publish the part B declarations of interest and selection criteria for each and every committee member subject to legal advice.*

*Amendment For:  
Councillors Best, McLachlan, Pilon and  
Marquart*

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

The Amendment was put to the vote and declared LOST.

The motion was then put.

**Moved: Councillor Smith**  
**Seconded: Councillor MacGregor**

**Resolved**

- 1115/19** *That the Terms of Reference for Advisory Committees be amended to provide that a quorum for the conduct of a meeting is as follows:*
- a Half the non-Councillor representatives and two Councillors for those Groups with four or more Councillor representatives; and*
  - b Half the non-Councillor representatives and one Councillor for those Groups with fewer than four Councillor representatives.*
- 1116/19** *That the Terms of Reference for Advisory Committees be amended to provide that the Committees provide advice to both Council and staff noting that this change will not have a practical impact upon the way in which the Committees currently operate.*
- 1117/19** *That staff prepare a Councillor Update with an estimate of the in-kind contribution of the Advisory Committee members (including Councillors), noting the expertise provided, the contribution of agency staff and including estimates of costs associated with attendance, travel and preparation time.*
- 1118/19** *That Council resolve that the current Advisory Committees continue until the next term of Council has reviewed the Advisory Committees and appointments.*

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

**Against:**  
**Councillors Best, McLachlan, Pilon and  
Marquart**

**6.5 Notice of Motion - Cat Curfew for the Central Coast**

Moved: Councillor MacGregor

Seconded: Councillor Hogan

- 1 That Council note that various councils across NSW and Australia are either lobbying the Government to amend current legislation to bring in a mandatory cat curfew or are introducing their own cat curfew policies.
- 2 That Central Coast Council consider options for the introduction of a cat curfew within the Central Coast LGA or similar council policy mechanisms in order to reduce the impact of roaming cats within our LGA.
- 3 That Council receive a report back on the potential implementation of a cat curfew or similar policy mechanisms within a reasonable timeframe i.e. six months from the date of this council meeting.
- 4 That Council refer the report to the Companion Animal Committee and report back to Council.

Amendment Moved: Councillor Best

Amendment Seconded: Councillor Pilon

That Council respectfully request the Companion Animal Committee to continue to deal with this matter and to report back to Council.

Amendment For:  
Councillors Best, McLachlan and Pilon

Amendment Against:  
Mayor Matthews, Councillors Smith, Vincen Sundstrom, Hogan, MacGregor, Greenaway and Marquart

Amendment Abstained: Councillor Holstein

The Amendment was put to the vote and declared LOST.

The motion was then put.

**Moved: Councillor MacGregor**

**Seconded: Councillor Hogan**

**Resolved**

**1119/19 That Council note that various councils across NSW and Australia are either lobbying the Government to amend current legislation to bring in a mandatory cat curfew or are introducing their own cat curfew policies.**

**1120/19 That Central Coast Council consider options for the introduction of a cat curfew within the Central Coast LGA or similar council policy mechanisms in order to reduce the impact of roaming cats within our LGA.**

**1121/19** *That Council receive a report back on the potential implementation of a cat curfew or similar policy mechanisms within a reasonable timeframe i.e. six months from the date of this council meeting.*

**1122/19** *That Council refer the report to the Companion Animal Committee and report back to Council.*

**For:**

**Unanimous**

**Procedural Motion – Extend Meeting**

**Moved:** *Mayor Matthews*

**Seconded:** *Councillor MacGregor*

**Resolved**

**1123/19** *That Council extend the meeting for a period of 10 minutes the time being 10.34pm.*

**For:**

**Unanimous**

**6.6 Notice of Motion - Redress Scheme**

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**Moved:** *Councillor Hogan*

**Seconded:** *Councillor Sundstrom*

**Resolved**

**1124/19** *That Council defer consideration of this item until the 25 November 2019 Ordinary Meeting.*

**For:**

**Unanimous**

**The Meeting** closed at 10.38pm.

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

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25 November 2019 Ordinary Council Meeting

Trim Reference: F2019/00041-003 - D13706592

## 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 receive the report and note that no matters have been tabled to deal with in a closed session.***

## Context

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,*

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

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- 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:** DA/288/2018 Section 8.2 Review of Determination  
- Proposed Short Term Rental Accommodation at  
18 Soldiers Point Drive, Norah Head  
**Department:** Environment and Planning

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25 November 2019 Ordinary Council Meeting

Trim Reference: DA/288/2018/A - D13695125  
Author: Janice Wheeler, Senior Development Planner  
Manager: Andrew Roach, Unit Manager, Development Assessment  
Executive: Scott Cox, Director Environment and Planning

### Summary

An application has been received under Section 8.2 of the *Environmental Planning and Assessment Act, 1979 (the Act)* for Council to review its decision on determination of Development Application Ref. DA/288/2018 for proposed Short Term Rental Accommodation at 18 Soldiers Point Drive, Norah Head. The Application was refused at the Ordinary Meeting of the Council on 29 January 2019. As the application was initially determined by the Council, the Act requires that the review must be determined by the Council.

The recommendation is consistent with that presented to Council when it considered the matter on 29 January 2019, that is, approval for an initial period of 12 months. The application has been examined having regard to the matters for consideration detailed in section 4.15 and section 8.2 of the Environmental Planning & Assessment Act 1979 and other statutory requirements with the issues requiring attention and consideration being addressed in the report.

<b>Applicant</b>	Michelle Thomas
<b>Owner</b>	Michelle Thomas
<b>Application No</b>	DA/288/2018
<b>Description of Land</b>	Lot 3 Section 3 DP758779, 18 Soldiers Point Drive, Norah Head
<b>Proposed Development</b>	Short Term Rental Accommodation
<b>Site Area</b>	701.9m <sup>2</sup>
<b>Zoning</b>	R2 Low Density Residential
<b>Existing Use</b>	Dwelling
<b>Employment Generation</b>	Yes
<b>Estimated Value</b>	N/A

**2.1 DA/288/2018 Section 8.2 Review of Determination - Proposed Short Term Rental Accommodation at 18 Soldiers Point Drive, Norah Head (contd)**

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**Recommendation**

- 1 That Council grant consent for the proposed short term rental accommodation for an initial period of 12 months, subject to the conditions detailed in the schedule attached to the report and having regard to the matters for consideration detailed in Section 8.2 of the Environmental Planning and Assessment Act 1979 and other relevant issues.**
- 2 That Council advise those who made written submissions of its decision.**

**Precis**

<b>Proposed Development</b>	Additional use of an existing dwelling for short term rental accommodation.
<b>Permissibility and Zoning</b>	The site is zoned <i>R2 Low Density Residential</i> under the provisions of <i>Wyong Local Environmental Plan 2013</i> (WLEP 2013). Clause 7.18 of the WLEP 2013 permits short term rental accommodation in the zone.
<b>Relevant Legislation</b>	<ul style="list-style-type: none"> <li>• <i>Environmental Planning &amp; Assessment Act 1979 – section 4.15 &amp; 8.2(1)(a)</i></li> <li>• <i>State Environmental Planning Policy (Coastal Management) 2018</i></li> <li>• <i>Wyong Local Environmental Plan 2013</i></li> </ul>
<b>Current Use</b>	Dwelling and swimming pool
<b>Integrated Development</b>	No
<b>Submissions</b>	The Section 8.2 application for review of determination has been notified. A total of eight written objections have been received. In addition, one petition with 136 signatures has been received objecting to the proposal

**Variations to Policies**

There are no variations proposed to any environmental planning instruments, Wyong Development Control plan or any other policy.

**2.1 DA/288/2018 Section 8.2 Review of Determination - Proposed Short Term Rental Accommodation at 18 Soldiers Point Drive, Norah Head (contd)**

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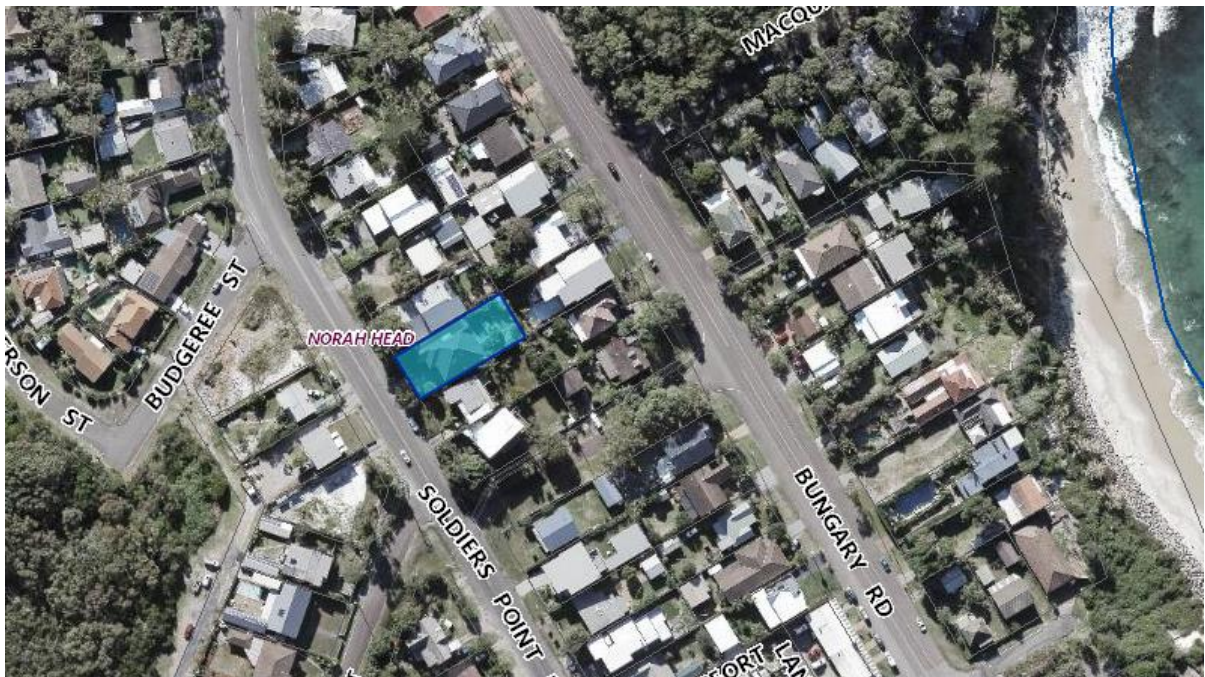
**The Site**

The subject site is commonly known as 18 Soldiers Point Drive, Norah Head (the site) and legally described as Lot 3 Section 3 DP 758779. The site is located on the eastern side of Soldiers Point Drive. It has a frontage of approximately 16.8 metres and an overall site area of 701.9m<sup>2</sup>. Vehicle access is provided via an existing driveway from Soldiers Point Drive.

The site has a rectangular shape and the land rises steeply from the road at the front, is relatively level across the centre and then falls gently towards the rear boundary.

The property has been developed with a two storey residential dwelling and swimming pool. The dwelling includes five bedrooms, three bathrooms, a double garage, open plan kitchen/dining/living area on the upper level with adjoining deck, and rumpus room with adjoining terrace on the ground floor. The swimming pool is located behind the dwelling in the backyard, adjacent to the rumpus room and terrace. There is a small adjoining section of turf and landscaping located around the periphery of the site, inside the side and rear boundaries.

The site is identified as bushfire prone land on Council's bushfire maps.



**Figure 1:** Aerial photo of the site and surrounds

2.1 DA/288/2018 Section 8.2 Review of Determination - Proposed Short Term Rental Accommodation at 18 Soldiers Point Drive, Norah Head (contd)

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**Figure 2:** Closer aerial photo of the site and surrounds



**Figure 3:** View of subject dwelling from Soldiers Point Drive



**Figure 4:** View of swimming and rear balcony/terrace areas



**Figure 5:** Screening vegetation inside the rear boundary of the site

2.1 DA/288/2018 Section 8.2 Review of Determination - Proposed Short Term Rental Accommodation at 18 Soldiers Point Drive, Norah Head (contd)



Figure 6: View taken from the upper deck looking south

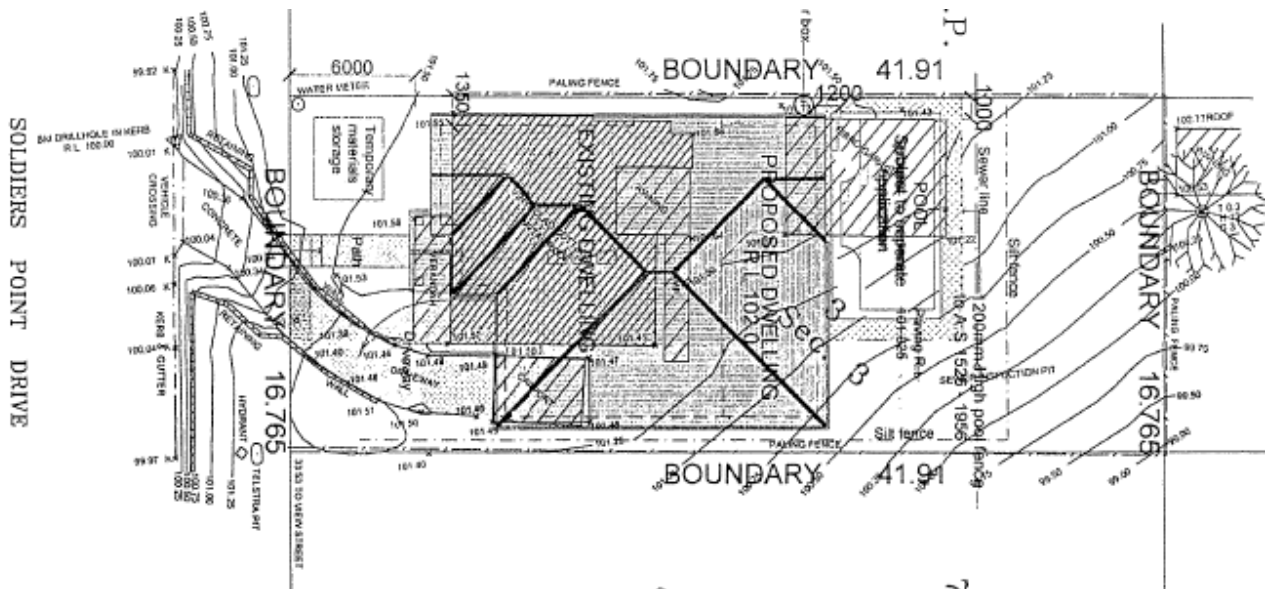


Figure 7: Site plan of the existing dwelling

**2.1 DA/288/2018 Section 8.2 Review of Determination - Proposed Short Term Rental Accommodation at 18 Soldiers Point Drive, Norah Head (contd)**

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**Current Application**

The matter was previously determined by way of refusal at the ordinary meeting of Council on 29 January 2019.

The applicant has submitted an application under Section 8.2(1)(a) of the *Environmental Planning & Assessment Act 1979* requesting Council to review its determination of the application. Given that the original application was determined by Council, the *Environmental Planning & Assessment Act 1979* requires that the review of determination must also be considered by Council.

Clause 8.2 states:

*'8.2 Determinations and decisions subject to review*

*(cf previous ss 82A (1), 82B (1))*

*(1) The following determinations or decisions of a consent authority under Part 4 are subject to review under this Division:*

*(a) the determination of an application for development consent by a council, by a local planning panel, by a Sydney district or regional planning panel or by any person acting as delegate of the Minister (other than the Independent Planning Commission or the Planning Secretary),'*

It should be noted that the current application for review of Council's determination includes the following changes to the application:

- a proposed limit of the number of days that the property operates under short term rental accommodation (proposed to be limited to 120 days per year); and
- an updated *Plan of Management* has been provided, which details how the proposed short term rental arrangement is to be managed.

In all other respects the development proposal remains unchanged and the previous planning report and assessment are still applicable and included in **Attachment 1**.

**Appeal in the Land & Environment Court of NSW**

In addition to this review of determination, the applicant has also lodged an appeal in the Land and Environment Court of NSW against Council's determination of the application. A Section 34 conference, in accordance with the *Land & Environment Court Act 1979* has been set down for 28 April 2019.

## 2.1 DA/288/2018 Section 8.2 Review of Determination - Proposed Short Term Rental Accommodation at 18 Soldiers Point Drive, Norah Head (contd)

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### History

Council considered the planning report on the proposed development at its Ordinary Meeting of 29 January 2019. At that time the Council resolved:

*That Council refuse the application for the following reasons:*

- 1 *The proposed development does not comply with the objectives of the zone as it will not maintain the residential amenity of the surrounding area.*
- 2 *The proposed development is not compatible with the adjacent low density residential development having regard for visual and acoustic privacy.*
- 3 *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.*

### Submissions

The Section 8.2 application was notified in accordance with *Chapter 1.2 - Notification of Development Proposals* under *Wyong Development Control Plan 2013* (WDCP).

Notification was undertaken from 27 June 2019 to 11 July 2019. A total of eight (8) individual submissions were received, in addition to a petition (also objecting to the proposal) containing 136 signatures. The objections request that Council adhere to its previous decision to refuse the proposal.

A summary of the issues for objection are:

- ***The property is zoned R2 Low Density Residential therefore the site should be used for residential purposes.***

*Comment*

Under the provisions of Clause 7.18 of the *Wyong Local Environmental Plan 2013* (WLEP 2013) short term rental accommodation is permissible in the R2 Low Density Residential zone.

- ***The proposal is not in keeping with the residential area and will alter the community and village environment***



2.1 DA/288/2018 Section 8.2 Review of Determination - Proposed Short Term Rental Accommodation at 18 Soldiers Point Drive, Norah Head (contd)

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*Comment*

Short term rental accommodation is a permissible use in the R2 low density residential zone. Whilst the use is different to that of a sole occupancy residential dwelling, it is considered that it can be compatible with the community and village environment where the operation of the use is managed effectively.

- ***The proposal fails to comply with the objective of the zone which seeks 'to provide for the housing needs of the community'***

*Comment*

The application proposes to use the existing dwelling for the purposes of both a dwelling and short term rental accommodation. The dwelling will continue to be the primary place of residence for the owner of the site and use of the property for short term rental accommodation will take place on an ad-hoc basis primarily in the holidays. In circumstances where stringent operating conditions exist, the proposed use of the dwelling for short term rental accommodation can maintain residential amenity and will not change the low density character of the area. This can be achieved by stringent operating conditions that are imposed through the recommended conditions of consent and the plan of management prepared by the operator.

- ***The proposal fails to comply with the objective of the zone which seeks 'to maintain and enhance the residential amenity and character of the surrounding area'. Specifically the amenity impacts relate to:***
  - ***The use has already been operating and has resulted in numerous impacts on the residential amenity of neighbours.***
  - ***Noise – constant use of the swimming pool, partying and groups on the balconies until very late hours and little or no regard for adjoining neighbours.***
  - ***Anti-social behaviour – e.g. swearing.***
  - ***Privacy impacts – neighbours in their own backyards are under observation by strangers, lack of sufficient screening, calling over fencing.***
  - ***Traffic and parking issues – not enough parking for guests, guests park on the street and residents are unable to use the street for their own parking.***
  - ***Safety and security issues – overlooking concerns.***
  - ***Lack of onsite management/supervision of guests – unsupervised and unregulated guests, there are no control measures in place and it has been left to neighbours to manage guest's behaviour.***
  - ***Intensification of amenity impacts beyond low density residential as a result of use as Short Term Rental Accommodation.***

**2.1 DA/288/2018 Section 8.2 Review of Determination - Proposed Short Term Rental Accommodation at 18 Soldiers Point Drive, Norah Head (contd)**

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*Comment*

All objections received are from landowners in the direct vicinity of the site. The objections relate to the management and use of the site for Short Term Rental Accommodation based upon previous unregulated management of the premises, that were not subject to development consent.

The impacts on neighbourhood amenity have been considered as part of the assessment of the application. It is acknowledged that short term rental accommodation has the potential to adversely impact neighbourhood amenity if it is not managed appropriately, or if there are siting or design issues that would make management ineffective. In this instance, it is considered that impacts upon adjoining properties can be appropriately managed. The Guest Rules and Plan of Management, along with the proposed Conditions of consent, will provide stringent operating conditions upon the use of the site for Short Term Rental Accommodation. Within these parameters it is considered that the amended application, including amended Plan of Management and limitation of the use to a maximum of 120 calendar days in any 12 month period is compatible with the objectives of the zone and a low density residential environment.

- ***Short term rental accommodation would de-value nearby properties because day and night noise would detract potential buyers and renters in the area***

*Comment*

There is no evidence to support this claim. However, impacts on neighbourhood amenity have been considered as part of the assessment of the application. It is acknowledged that short term rental accommodation has the potential to adversely impact neighbourhood amenity if it is not managed appropriately, or if there are siting or design issues that would make management ineffective. In this instance, it is considered that impacts upon adjoining properties can be appropriately managed.

- ***There is an adequate supply of rental accommodation on the coast in the form of holiday lettings, motels and caravan parks***

*Comment*

Short term rental accommodation is a permissible use in the R2 zone. The availability of alternative accommodation in the form of other defined land uses is not a relevant planning consideration for this 8.2 review application.

2.1 **DA/288/2018 Section 8.2 Review of Determination - Proposed Short Term Rental Accommodation at 18 Soldiers Point Drive, Norah Head (contd)**

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- ***There is no proposal for 'on site management' of guests behaviour***

*Comment*

The definition of Short term rental accommodation does not require on-site management. In the absence of on site management, operational restrictions will be imposed by condition of consent and through the Plan of Management. It is recommended that the operation of the use be subject to a twelve month review period, upon which amenity impacts and compliance with the operative restrictions can be reviewed to determine appropriate ongoing use for the purposes of Short term rental accommodation.

- ***The Plan of Management is not effective without onsite management***

*Comment*

It is agreed that on site management is an effective way of enforcing the operational conditions of the Plan of Management, however it is considered that the requirements of the plan of management can be achieved with offsite management where that management is pro-active and additionally where management is responsive in complaints handling. The conditions of consent stipulate the operation of the consent for a 12 month period only. This allows for the review of the effectiveness of off-site management having regard for the operational requirements of the Plan of Management. It is in the interest of the applicant to ensure the amenity of residential neighbours is maintained and that complaints do not occur, as this will form part of the 12 month review.

- ***Rentals will not be restricted to 120 days***

*Comment*

The amended application limits the Short term rental accommodation use of the site to 120 days. Such a limitation forms part of the description of the development and is intrinsically linked to development consent. The applicant will be required to keep a register of occupancy that is available for inspection by Council staff upon request.

- ***Applicant contact details are not available if we have noise concerns***

*Comment*

A condition of consent requires contact details to be provided on a sign at the street boundary of the property.

2.1 **DA/288/2018 Section 8.2 Review of Determination - Proposed Short Term Rental Accommodation at 18 Soldiers Point Drive, Norah Head (contd)**

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- ***Risk to health, safety and wellbeing***

*Comment*

The impacts on neighbourhood amenity have been considered as part of the assessment of the application. It is acknowledged that short term rental accommodation has the potential to adversely impact neighbourhood amenity if it is not managed appropriately, or if there are siting or design issues that would make management ineffective. In this instance, it is considered that impacts upon adjoining properties can be appropriately managed. The Guest Rules and Plan of Management, along with the proposed Conditions of consent, will provide stringent operating conditions upon the use of the site for Short Term Rental Accommodation. Within these parameters it is considered that the amended application, including amended Plan of Management and limitation of the use to a maximum of 120 calendar days in any 12 month period is compatible with the existing prevailing low density character of the area.

- ***Approval would set an undesirable precedent.***

*Comment*

Approval of the subject dwelling for short stay accommodation would not necessarily result in an increase in the lodgment of development applications for short term rental accommodation.

In the case of future applications for short term rental accommodation, each application is considered on its merit and circumstances. The application is not proposing a variation to any planning instrument or development control and it is considered that the matters for consideration under s. 4.15 of the EP&A Act can be satisfied.

- ***A conditional approval would be negated on change of ownership, but a new operator could not be denied. This is change of land use by stealth***

*Comment*

A development consent runs with the land. In this respect a different owner or operator could operate a short term rental accommodation on the site where an approval is granted. The use of the site for short term rental accommodation would be subject to the same operating requirements as those identified within this assessment and any consent granted.

- ***Operating without consent***

*Comment*

The historical operation of the site for the use of Short term rental accommodation has been subject to compliance action, and is a separate process from the development application

**2.1 DA/288/2018 Section 8.2 Review of Determination - Proposed Short Term Rental Accommodation at 18 Soldiers Point Drive, Norah Head (contd)**

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process. The proposed application is for future use of the site under strict operating conditions, in part to respond to earlier amenity concerns.

- ***The draft SEPP has no weight and is not a consideration***

*Comment*

In accordance with the provision of 4.15 of the *Environmental Planning and Assessment Act 1979* (EPA Act 1979), the provisions of any proposed instrument that is or has been the subject of public consultation under the EPA Act 1979 is a consideration for assessment. The proposed amendments to the *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* has been through a public consultation process.

- ***Public interest***

*Comment*

The public interest is best served by the consistent application of policy and the requirements of the relevant Environmental Planning Instruments, and by ensuring that any adverse effects on the surrounding area and the environment are minimised. The proposal has been assessed against the relevant environmental planning instruments. The approval of the development application, subject to stringent operating conditions, is considered to be in the public interest.

### **Submissions from Public Authorities**

The site is identified as bushfire prone land and under the *Rural Fires Act 1979* and the proposal is classified as a special fire protection purpose. The application was referred to the NSW Rural Fire Service who granted a Bushfire Safety Authority on 16 July 2019 which has been included as a condition of consent.

### **Internal Consultation**

No internal consultation was required.

### **Applicant's Response to Reasons for Refusal**

The following is a summary of the applicant's response to the reasons for refusal;

- 1 The proposed development does not comply with the objectives of the zone as it will not maintain the residential amenity of the surrounding area.***

2.1 **DA/288/2018 Section 8.2 Review of Determination - Proposed Short Term Rental Accommodation at 18 Soldiers Point Drive, Norah Head (contd)**

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***Applicant's submission:***

The proposal is subject to operating conditions that will ensure that the proposal maintains the amenity of the surrounding area.

***Planning comment:***

The application proposes to use the existing dwelling for the purposes of short term rental accommodation. The dwelling will continue to be the primary place of residence for the owner of the site and in this way it will continue to provide for the housing needs of a community member. In addition there is no new built development proposed and no change to the existing low density residential character of the area.

A key consideration with respect to the occupation of dwellings for short term rental accommodation is ensuring the use does not adversely impact on the residential amenity currently enjoyed by residents in surrounding properties. In consideration of this issue, two key elements arise:

- whether the proposal is sufficiently managed to address amenity concerns; and
- whether there are any design or siting issues that will make management ineffective.

To address the concerns raised by objectors the applicant has provided a management plan that details how nuisance issues such as noise will be addressed. The management plan is summarised as follows:

- The manager (owner of the site) will have the following obligations:
  - Vetting of guests through the booking process – this includes checking reviews, checking the ages of guests and confirming that there will be no hens/bucks gatherings or parties. If guests don't satisfy the criteria the booking is declined;
  - Checking guests in and ensuring they are aware of the terms and conditions and house rules;
  - Outlining the consequences of not complying with the terms and conditions and house rules;
  - Checking on the house to ensure that guest numbers are not excessive and that guests are behaving appropriately; and
  - Responding to complaints in a timely manner and taking effective action to remediate the problem.
- Providing a set of terms and conditions of stay which include the following requirements:
  - A security deposit of \$1000 is taken and returned within seven days of the date of the departure provided the terms and conditions are met;

**2.1 DA/288/2018 Section 8.2 Review of Determination - Proposed Short Term Rental Accommodation at 18 Soldiers Point Drive, Norah Head (contd)**

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- The number of guests do not exceed the number approved by Council and guests may invite no more than four visitors provided they do not stay overnight;
- Guests are to comply with the House Rules; respect the residential amenity and security of the property and neighbours; refrain from antisocial behaviour; and comply with the manager's instructions;
- Disrupting noise may result in termination of stay, loss of paid rent and loss of security deposit; and
- The House Rules form part of the terms and conditions.
- The House Rules include the following requirements:
  - Visitor numbers not to exceed four;
  - No functions or parties;
  - Guests are to park on the property only and no sleeping in caravans or trailers;
  - Use of the swimming pool is prohibited between 10pm and 8am;
  - Amplified external music turned off at 10pm and guests to move inside after 11.30pm and keep noise to a reasonable level.
- The terms and conditions are to be signed by the guests before a booking is accepted.

The management plan represents an appropriate and comprehensive approach to management of the use and, if implemented satisfactorily, is considered sufficient to address impacts on amenity. To further reduce the possibility of impacts on adjoining properties conditions addressing the following are recommended:

- The property shall have acoustic monitoring installed.
- The number of days that the dwelling is used for Short term rental accommodation is limited to 120 days in a calendar year.
- The number of guests is limited to eight; and
- the approval is limited to a period of 12 months.

Following satisfactory performance, and in the absence of any substantiated complaints over the 12 month approval period, Council may extend the development consent and review the guest numbers. Given the historical concerns, a time limited approval will provide the necessary evidence as to whether the site can be adequately managed and whether it can continue to operate after this period.

In regard to siting and design and to minimise the potential for any overlooking or privacy impacts, it has been recommended that a condition of consent be imposed which requires the installation of a privacy screen along the southern side of the upper deck. This will prevent any overlooking onto the adjoining dwellings.

Additionally, it is also recommended that to remove the possibility of any impacts on the existing on-street parking arrangement, parking for the occupants of the short term

**2.1 DA/288/2018 Section 8.2 Review of Determination - Proposed Short Term Rental Accommodation at 18 Soldiers Point Drive, Norah Head (contd)**

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rental accommodation should be provided within the boundaries of the site. The applicant has provided a dimensioned plan to demonstrate that five vehicles can be accommodated in front of the dwelling and on the driveway.

**2 *The proposed development is not compatible with the adjacent low density residential development having regard for visual and acoustic privacy.***

***Applicant's submission:***

*Visual privacy*

- There is no change to the existing built form and privacy impacts of short term rental accommodation are no different to the existing approved use of the property.
- At ground level there are no existing privacy impacts due to obscured glass, boundary fencing and screen landscaping. The external deck area is screened by timber slat privacy fencing.
- At first floor level bedroom windows have privacy shutters. Kitchen windows have obscure glass or privacy shutters. East facing window of the dining room is screened by landscaping. The south facing window of the lounge has a privacy shutter.
- The first floor balcony is screened by landscaping to the east and obscure glass balustrading to the south. The applicant agrees to the suggested privacy screening for the south side balcony contained in conditions of consent.
- The inclusion of additional balcony screening to the south side balcony will ensure the proposal will not result in any adverse privacy impacts for surrounding properties

*Acoustic privacy*

- The potential for acoustic impacts are similar to residential use of the property, being noise associated with talking, amplified music/TV, primarily from outdoor areas.
- Acoustic impacts are addressed by measures contained within the Plan of Management and House Rules, including a maximum of 8 guests, a maximum of 120 days per calendar year, and a 12 month review period. Additionally the following measures apply:
  - Limit on types of guests and vetting of guests
  - Time limits on certain areas of the property and certain



***Planning comment:***

It is considered that the proposal will not result in any new visual privacy impacts. However, in order to minimise the potential for any overlooking or privacy impacts, it has been recommended that a condition of consent be imposed which requires the installation of a privacy screen along the southern side of the upper deck. This will prevent any overlooking onto the adjoining dwellings.

Acoustic impacts are to be managed by a number of management strategies identified by the Plan of Management and House Rules. A summary is provided following:

- The manager (owner of the site) will have the following obligations:
  - Vetting of guests through the booking process – this includes checking reviews, checking the ages of guests and confirming that there will be no hens/bucks gatherings or parties. If guests don't satisfy the criteria the booking is declined;
  - Checking guests in and ensuring they are aware of the terms and conditions and house rules;
  - Outlining the consequences of not complying with the terms and conditions and house rules;
  - Checking on the house to ensure that guest numbers are not excessive and that guests are behaving appropriately; and
  - Responding to complaints in a timely manner and taking effective action to remediate the problem.
  
- Providing a set of terms and conditions of stay which include the following requirements:
  - A security deposit of \$1000 is taken and returned within seven days of the date of the departure provided the terms and conditions are met;
  - The number of guests do not exceed the number approved by Council and guests may invite no more than four visitors provided they do not stay overnight;
  - Guests are to comply with the House Rules; respect the residential amenity and security of the property and neighbours; refrain from antisocial behaviour; and comply with the manager's instructions;
  - Disrupting noise may result in termination of stay, loss of paid rent and loss of security deposit; and
  - The House Rules form part of the terms and conditions.
  
- The House Rules include the following requirements:
  - Visitor numbers not to exceed four;
  - No functions or parties;

**2.1 DA/288/2018 Section 8.2 Review of Determination - Proposed Short Term Rental Accommodation at 18 Soldiers Point Drive, Norah Head (contd)**

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- Guests are to park on the property only and no sleeping in caravans or trailers;
  - Use of the swimming pool is prohibited between 10pm and 8am;
  - Amplified external music turned off at 10pm and guests to move inside after 11.30pm and keep noise to a reasonable level.
- The terms and conditions are to be signed by the guests before a booking is accepted.

The management plan represents an appropriate and comprehensive approach to management of the use and, if implemented satisfactorily, is considered sufficient to address impacts on amenity. To further reduce the possibility of impacts on adjoining properties conditions addressing the following are recommended:

- The property shall have acoustic monitoring installed.
- The number of days that the dwelling is used for Short term rental accommodation is limited to 120 days in a calendar year.
- The number of guests is limited to eight; and
- the approval is limited to a period of 12 months.

Following satisfactory performance, and in the absence of any substantiated complaints over the 12 month approval period, Council may extend the development consent and review the guest numbers. Given the historical concerns, a time limited approval will provide the necessary evidence as to whether the site can be adequately managed and whether it can continue to operate after this period.

**3 *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.***

***Applicant's submission:***

The proposal is able to operate in a manner that will maintain residential amenity of the surrounding area, and therefore be consistent with the objectives of the zone, compatible with adjacent development, and approval would be in the public interest.

***Planning comment:***

The public interest is best served by the consistent application of policy and the requirements of the relevant Environmental Planning Instruments, and by ensuring that any adverse effects on the surrounding area and the environment are minimised. The proposal has been assessed against the relevant environmental planning instruments. The approval of the development application, subject to stringent operating conditions, is considered to be in the public interest.

**2.1 DA/288/2018 Section 8.2 Review of Determination - Proposed Short Term Rental Accommodation at 18 Soldiers Point Drive, Norah Head (contd)**

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**Conclusion:**

The Development Application has been assessed against the heads of consideration of s4.15 of the EP&A Act and all other relevant instruments and polices. On balance, the proposed development is considered reasonable and it is therefore recommended that Council review its determination and grant development consent to DA/288/2018, subject to the enclosed draft conditions. Note that the conditions permit for an initial 12 month consent, after which time Council can consider extending the approval.

This is consistent with the recommendation made to Council at its meeting of 29 January 2019. For the information of Councillors, a full copy of the original assessing officer's report from the ordinary meeting of the Council of 29 January 2019 is provided as an enclosure.

**Attachments**

- |          |  |           |
|----------|--|-----------|
| <b>1</b> | Original Assessing Officer's report to 29 October 2018 Council Meeting | D13266479 |
| <b>2</b> | Draft Conditions of Consent  | D13704097 |
| <b>3</b> | Plan of Management and House Rules                                     | D13582443 |
| <b>4</b> | Further Report to the Council Meeting of 29 January 2019               | D13410418 |

**Item No:** 2.5  
**Title:** DA/288/2018 - Proposed Short Term Rental Accommodation at 18 Soldiers Point Drive, Norah Head  
**Department:** Environment and Planning



29 October 2018 Ordinary Council Meeting

Trim Reference: DA/288/2018 - D13266479

Author: Jenny Tattam, Town Planner  
Manager: Emily Goodworth, Section Manager, Development Assessment  
Executive: Scott Cox, Director, Environment and Planning

### Summary

An application has been received for proposed Short Term Rental Accommodation. The application has been examined having regard to the matters for consideration detailed in section 4.15 of the *Environmental Planning and Assessment Act 1979* and other statutory requirements with the issues requiring attention and consideration being addressed in the report.

<b>Applicant</b>	Michelle Thomas
<b>Owner</b>	Michelle Thomas
<b>Application No</b>	DA/288/2018
<b>Description of Land</b>	Lot 3 Section 3 DP 758779, 18 Soldiers Point Drive, North Head
<b>Proposed Development</b>	Short Term Rental Accommodation
<b>Site Area</b>	701.9m <sup>2</sup>
<b>Zoning</b>	R2 Low Density Residential
<b>Existing Use</b>	Dwelling
<b>Employment Generation</b>	Yes
<b>Estimated Value</b>	N/A

### Recommendation

- 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.***

**Precis:**

<b>Proposed Development</b>	Additional use of an existing dwelling for short term rental accommodation.
<b>Permissibility and Zoning</b>	The site is zoned R2 Low Density Residential under the provisions of <i>Wyong Local Environmental Plan 2013</i> (WLEP 2013). Clause 7.18 of the WLEP 2013 permits short term rental accommodation in the zone.
<b>Relevant Legislation</b>	<ul style="list-style-type: none"> <li>• <i>Environmental Planning &amp; Assessment Act 1979 – section 4.15</i></li> <li>• <i>State Environmental Planning Policy (Coastal Management) 2018</i></li> <li>• <i>State Environmental Planning Policy 71- Coastal Protection</i></li> <li>• <i>Wyong Local Environmental Plan 2013</i></li> </ul>
<b>Current Use</b>	Dwelling and swimming pool
<b>Integrated Development</b>	No
<b>Submissions</b>	A total of five written objections and one petition with 230 signatures also in objection.
<b>Councillor Representation</b>	The application was requested to be determined by Council by Councillors Best and Pilon.

**Variations to relevant Planning Instruments/Plans/Policies**

There are no variations proposed to any environmental planning instruments, Wyong Development Control plan or any other policy.

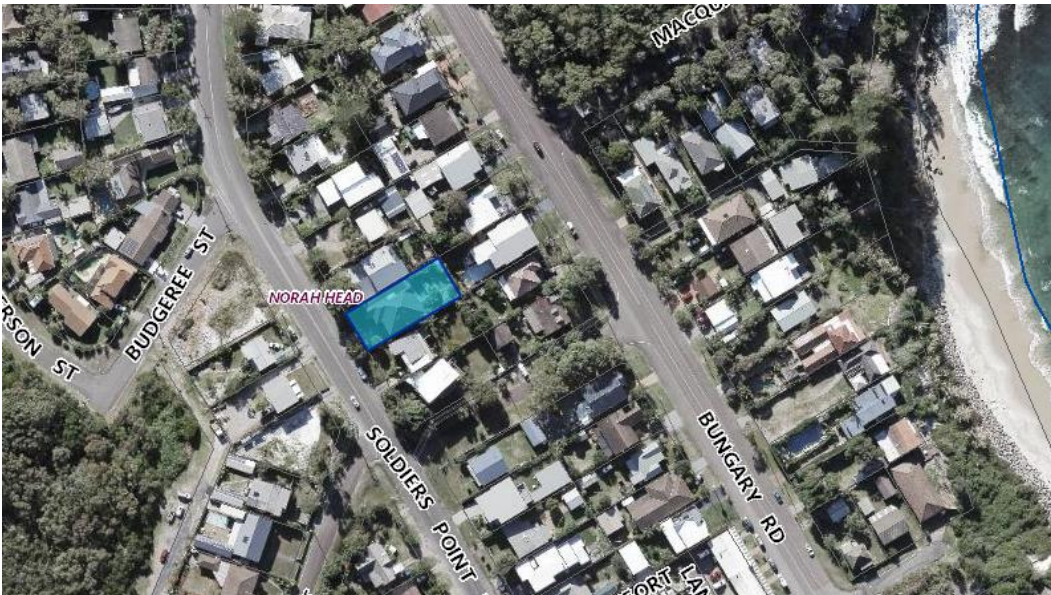
**The Site**

The subject site is commonly known as 18 Soldiers Point Drive, Norah Head (the site) and legally described as Lot 3 Section 3 DP 758779. The site is located on the eastern side of Soldiers Point Drive. It has a frontage of approximately 16.8 metres and an overall site area of 701.9m<sup>2</sup>. Vehicle access is provided via an existing driveway from Soldiers Point Drive.

The site has a rectangular shape and the land rises steeply from the road at the front, is relatively level across the centre and then falls gently towards the rear boundary.

The property has been developed with a two storey residential dwelling and swimming pool. The dwelling includes five bedrooms, three bathrooms, a double garage, open plan kitchen/dining/living area on the upper level with adjoining deck, and rumpus room with adjoining terrace on the ground floor. The swimming pool is located behind the dwelling in the backyard, adjacent to the rumpus room and terrace. There is a small adjoining section of turf and landscaping located around the periphery of the site, inside the side and rear boundaries.

The site is identified as bushfire prone land on Council's bushfire maps.



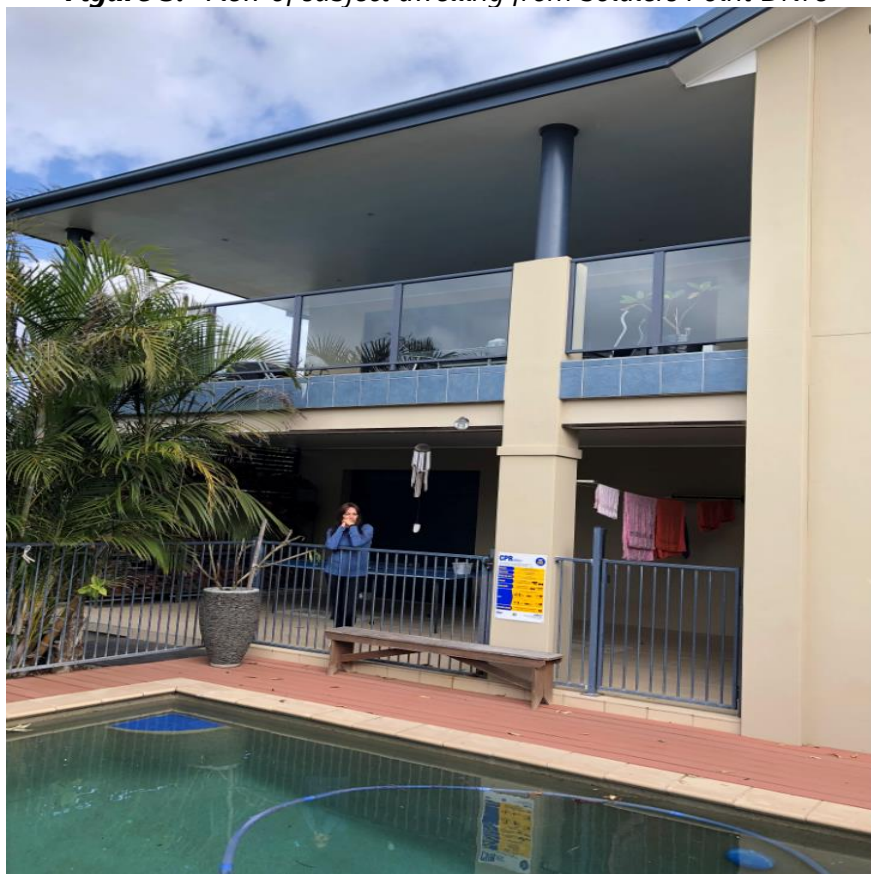
**Figure 1:** Aerial photo of the site and surrounds



**Figure 2:** Closer aerial photo of the site and surrounds



**Figure 3:** View of subject dwelling from Soldiers Point Drive



**Figure 4:** View of swimming and rear balcony/terrace areas

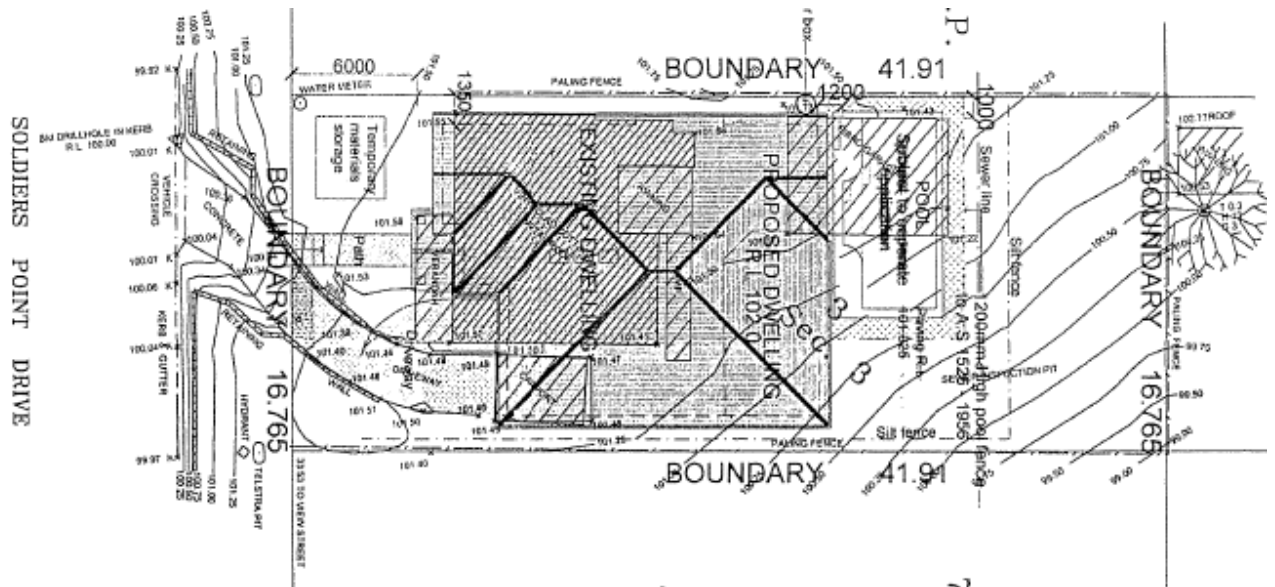


**Figure 5:** Screening vegetation inside the rear boundary of the site



**Figure 6:** View taken from the upper deck looking south





**Figure 7:** Site plan of the existing dwelling

### Surrounding Development

The site is located in an established residential area and is directly adjoined by residential dwellings to the north, south and east. Dwellings are also located to the west on the other side of Soldiers Point Drive.

Until recently the dwelling adjoining the rear boundary of the site, which is located at No. 53 Bungary Road, had been providing short term rental accommodation.

Cabbage Tree Bay is located approximately 200 metres to the west.

### The Proposed Development

Approval is sought for an additional use of the dwelling for the purposes of short term rental accommodation.

The existing dwelling is the primary place of residence for the owner and the purpose of the application is to enable the landowner to reside in the dwelling when they wish, and then rent the dwelling house for short term periods at other times – predominantly (but not limited to) holiday periods.

Specifically the proposal includes the following:

- Short term rental accommodation for a maximum of 10 guests;
- Onsite parking within the driveway for a maximum of five vehicles (the double garage is locked off and used for storage by the landowner);
- Short term bookings are arranged through Airbnb;
- The owner of the property is also the Manager of the short term rental accommodation;
- A Management Plan, Terms and Conditions and House Rules have been developed for the short term rental use.

## History

- Development consent (DA/3872/2002) for a 'dwelling, swimming pool and demolition of existing structure' was issued on 13 March 2003.
- In December 2017 the owner of the site commenced use of the property for short term rental accommodation on an ad-hoc basis.
- February 2018:
  - Council received correspondence from nearby landowners stating that they were concerned about the negative impacts of short term rental accommodation on their neighbourhood (mainly noise), with specific mention of 18 Soldiers Point Drive (the site) and another property in Norah Head. Council investigated the matter and confirmed that the use of both properties for short term rental accommodation was consistent with Schedule 2 of the Wyong Local Environmental Plan 2013 (WLEP 2013), and requested the landowners implement management controls to address noise concerns.
  - The owner of the site advised Council in writing that management controls had been implemented e.g. House Rules Notices regarding consideration of the amenity of adjoining neighbours including use of the pool and notification to guests that noise disturbance to neighbours after 10pm could result in their bond being withheld.
  - Additional complaints received. Council advised the use was no longer consistent with the criteria provided by Schedule 2 of WLEP 2013 and therefore was no longer exempt development.
- On 21 March 2018 a development application (the subject application) was lodged with Council to seek consent for the use of the existing dwelling for the purposes of short term rental accommodation.

### **s. 4.15 (1)(d) of the EP&A Act: Submissions**

#### **Public consultation**

The development application was exhibited for 14 days from 12 to 27 April 2018, in accordance with Chapter 1.2 Notification of Development Proposals of Wyong Development Control Plan 2013 (WDCP).

A total of four objections and a petition (also in objection) containing 230 signatures were received during the notification period. After the close of the notification period one further objection was received.

A summary of the issues raised in the submissions is detailed below:

*The property is zoned R2 Low Density Residential therefore the site should be used for residential purposes.*

Comment

Under the provisions of Wyong Local Environmental Plan 2013 (WLEP 2013) short term rental accommodation is permissible in the R2 Low Density Residential zone.

*The proposal fails to comply with the objective of the zone which seeks 'to provide for the housing needs of the community'.*

Comment

The application proposes to use the existing dwelling for the purposes of both a dwelling and short term rental accommodation. The dwelling will continue to be the primary place of residence for the owner of the site and use of the property for short term rental accommodation will take place on an ad-hoc basis primarily in the holidays. The proposed use of the dwelling for short term rental accommodation will continue to maintain the residential amenity and will not change the low density character of the area and this can be achieved by the recommended conditions of consent and the plan of management prepared by the operator.

*The proposal fails to comply with the coastal provisions of the WLEP 2013 which include 'to protect, enhance, maintain and restore coastal environments'.*

Comment

The objector is referring to previous clause 5.5 (development within the coastal zone) of the WLEP 2013 which was repealed when State Environmental Planning Policy (SEPP) (Coastal Management) 2018 commenced on 3 April 2018. The application is subject to an assessment under former SEPP 71 –Coastal Protection having regard for the savings and transitional provisions contained within clause 21(1) of SEPP (Coastal Management) 2018. The proposed development has been assessed against the matters for consideration outlined under clause 8 and Part 4 of SEPP 71 and found to be satisfactory. A compliance table is provided in Attachment 1.

*Short term rental accommodation would de-value nearby properties because day and night noise would detract potential buyers and renters in the area.*

Comment

There is no evidence to support this claim. However, impacts on neighbourhood amenity have been considered as part of the assessment of the application. It is acknowledged that short term rental accommodation has the potential to adversely impact neighbourhood amenity if it is not managed appropriately, or if there are siting or design issues that would make management ineffective. In this instance, it is considered that impacts upon adjoining properties can be appropriately managed. These two factors are discussed below under the zone objectives section of this report.

*There are no consistent requirements or regulations for short stay accommodation so the application should be refused until such time that there is.*

Comment

On 5 June 2018, the NSW government announced that there will be a new regulatory framework to govern the short term holiday letting industry. The framework will include new planning laws, an industry Code of Conduct and new provisions for strata scheme by-laws. However the new framework has not yet been implemented and until this time, applications for short term rental accommodation need to be assessed in accordance with the relevant legislation.

Under WLEP 2013 short term rental accommodation can be considered in any zone where it is associated with a dwelling that has a maximum of six bedrooms. Under clause 3.1 and Schedule 2, short term rental accommodation may be carried out as exempt development where certain criteria are met. If an application falls outside the criteria then a development application is required to be lodged and assessed.

Council cannot refuse an application based on limited planning controls relating to the land use. However, it must have regard for the relevant planning legislation which relates to the proposed development including the requirements of WLEP 2013 and the matters for consideration contained in Section 4.15 of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

*Approval would set an undesirable precedent. The proposal will 'incite an explosion of short stay rentals' and 'destroy the residential structure of the community'.*

Comment

Approval of the subject dwelling for short stay accommodation would not necessarily result in an increase in the lodgment of development applications for short term rental accommodation.

Even if Council were to receive an influx of applications requesting approval for short term rental accommodation, each application would need to be considered on their own merit and circumstances. The application is not proposing a variation to any planning instrument or development control and it is considered that the matters for consideration under s. 4.15 of the EP&A Act can be satisfied.

*The proposal fails to comply with the objective of the zone which seeks 'to maintain and enhance the residential amenity and character of the surrounding area'. Specifically the amenity impacts relate to:*

- *The use has already been operating and has resulted in numerous impacts on the residential amenity of neighbours.*
- *Noise – complaints have previously been lodged with Council, police and federal and state members, the guests are in holiday mode which means there is constant use of the*

*swimming pool, partying and groups on the balconies and little or no regard for adjoining neighbours.*

- *Anti-social behaviour – e.g. swearing.*
  - *Privacy impacts – neighbours in their own backyards are under observation by strangers, lack of sufficient screening.*
  - *Traffic and parking issues – guests reversing out of the driveway will cause accidents, not enough parking for guests, cars parked across driveways and blocking lines of sight, guests park on the street and residents are unable to use the street for their own parking.*
  - *Waste management – there is not sufficient garbage storage which may result in garbage being dumped elsewhere, garbage has been found in nearby streets and garbage has been thrown into neighbour's yards.*
- 
- *Safety and security issues – overlooking concerns, and one submitter commented that a police report had been lodged which outlines the criminal damage to their property caused by guests.*
  - *Lack of onsite management/supervision of guests – there is a constant turnover of unsupervised and unregulated guests, there are no control measures in place and it has been left to us neighbours to manage guest's behaviour.*

#### Applicant's response to submissions

The applicant argues that the objectors have not provided any information to substantiate their claims. Prior to commencing the short term rental accommodation, the applicant provided adjoining landowners with her contact phone number in the event any issues arose with guests who were staying at the premises.

The owner states that she has only ever been contacted by neighbours on two occasions – once in December in regard to a complaint about noisy guests partying in the pool at 11pm and the other regarding vandalism of an adjoining property. On both occasions the owner has advised they took immediate action and investigated the complaints with the guests.

#### Comment

Of the five objections that were received four were from landowners in the vicinity of the site. However it is noted that no landowners directly adjoining the site lodged an objection to the proposed short term rental accommodation. It is also noted that apart from one incident, the issues referred to by the objectors are general in nature, with no specific information (dates, times) provided. In one of the objections it did state that on 22 April 2018 the objector was woken at around 1am by loud noise at the site, and the police were contacted. The police were contacted by the assessing officer and have confirmed that they were contacted on that night, and that at the time they attended the site there was no evidence of noise originating from the site.

*Petition*

In regard to the petition Council contacted 10 signatories at random. Of the 10 surveyed three people stated they were aware of amenity impacts arising from short term rental accommodation, but not from the subject dwelling. One person reported no specific issues or concerns, four people were concerned about the concept of short term rental accommodation in their neighbourhood and two people had no recollection of signing the petition.

**Submissions from Public Authorities**

The site is identified as bushfire prone land and under the *Rural Fires Act 1979* and the proposal is classified as a special fire protection purpose. The application was referred to the NSW Rural Fire Service who granted a Bushfire Safety Authority on 3 September 2018 which has been included as a condition of consent.

**Internal Consultation**

No internal consultation was required.

**Ecologically Sustainable Principles**

The proposal has been assessed having regard to ecologically sustainable development principles and is considered to be consistent with the principles.

The proposed development is considered to incorporate satisfactory stormwater, drainage and erosion control and the retention of vegetation where possible and is unlikely to have any significant adverse impacts on the environment and will not decrease environmental quality for future generations. The proposal does not result in the disturbance of any endangered flora or fauna habitats and is unlikely to significantly affect fluvial environments.

**Climate Change**

The potential impacts of climate change on the proposed development have been considered by Council as part of its assessment of the application.

This assessment has included consideration of such matters as potential rise in sea level; potential for more intense and/or frequent extreme weather conditions including storm events, bushfires, drought, flood and coastal erosion; as well as how the proposed development may cope / combat / withstand these potential impacts.

**Assessment**

Having regard for the matters for consideration detailed in Section 4.15 of the *Environmental Planning and Assessment Act 1979* and other statutory requirements, Council's policies and Section 10.7 Certificate details, the assessment has identified the following key issues, which

are elaborated upon for Council's information. Any tables relating to plans or policies are provided as an attachment.

**Section 4.15 (1)(a)(i) of the EP&A Act: Provisions of Relevant Instruments/ Plans/ Policies**

*Wyong Local Environmental Plan 2013*

Zoning & Permissibility

The site is zoned R2 Low Density Residential under the provisions of WLEP 2013. Development for the purposes of short term rental accommodation is permissible by virtue of the provisions of clause 7.18 of WLEP 2013.

The relevant definitions under WLEP 2013 which are applicable to the proposal are:

***dwelling*** means a room or suite of rooms occupied or used or so constructed or adapted as to be capable of being occupied or used as a separate domicile.

***short-term rental accommodation*** means a dwelling that is commercially available for rent as short-term accommodation on a temporary basis, but does not include bed and breakfast accommodation.

Under clause 7.18 of the WLEP 2013, Council may grant development consent for short term accommodation in any zone where it is associated with a dwelling containing a maximum of six bedrooms. Clause 7.18 reads as follows:

**7.18 Short-term rental accommodation**

1. *The objective of this clause is to permit development for the temporary use of dwellings containing up to 6 bedrooms as short-term rental accommodation.*
2. *Despite any other provision of this Plan, development consent may be granted for the use of a dwelling containing up to 6 bedrooms as short-term rental accommodation.*

The proposal includes the use of a five bedroom dwelling for short-term rental accommodation which is therefore consistent with the above clause.

Under clause 2.3 the consent authority must have regard to the objectives for development in a zone when determining a development application. The objectives of the R2 Low Density Residential zone are as follows:

- *To provide for the housing needs of the community within a low density residential environment.*
- *To enable other land uses that provide facilities or services to meet the day to day needs of residents.*

- *To maintain and enhance the residential amenity and character of the surrounding area.*
- *To provide a residential character commensurate with a low density residential environment.*

The application proposes to use the existing dwelling for the purposes of short term rental accommodation. The dwelling will continue to be the primary place of residence for the owner of the site and in this way it will continue to provide for the housing needs of a community member. In addition there is no new built development proposed and no change to the existing low density residential character of the area.

A key consideration with respect to the occupation of dwellings for short term rental accommodation is ensuring the use does not adversely impact on the residential amenity currently enjoyed by residents in surrounding properties. In consideration of this issue, two key elements arise:

- whether the proposal is sufficiently managed to address amenity concerns; and
- whether there are any design or siting issues that will make management ineffective.

To address the concerns raised by objectors the applicant has provided a management plan that details how nuisance issues such as noise will be addressed. The management plan is summarised as follows:

- The manager (owner of the site) will have the following obligations:
  - Vetting of guests through the booking process – this includes checking reviews, checking the ages of guests and confirming that there will be no hens/bucks gatherings or parties. If guests don't satisfy the criteria the booking is declined;
  - Checking guests in and ensuring they are aware of the terms and conditions and house rules;
  - Outlining the consequences of not complying with the terms and conditions and house rules;
  - Checking on the house to ensure that guest numbers are not excessive and that guests are behaving appropriately; and
  - Responding to complaints in a timely manner and taking effective action to remediate the problem.
- Providing a set of terms and conditions of stay which include the following requirements:
  - A security deposit of \$1000 is taken and returned within seven days of the date of the departure provided the terms and conditions are met;
  - The number of guests do not exceed the number approved by Council and guests may invite no more than four visitors provided they do not stay overnight;
  - Guests are to comply with the House Rules; respect the residential amenity and security of the property and neighbours; refrain from antisocial behaviour; and comply with the manager's instructions;



- Disrupting noise may result in termination of stay, loss of paid rent and loss of security deposit; and
- The House Rules form part of the terms and conditions.
- The House Rules include the following requirements:
  - Visitor numbers not to exceed four;
  - No functions or parties;
  - Guests are to park on the property only and no sleeping in caravans or trailers;
  - Use of the swimming pool is prohibited between 10pm and 7am;
  - Amplified external music turned off at 10pm and guests to move inside after 11.30pm and keep noise to a reasonable level.
- The terms and conditions are to be signed by the guests before a booking is accepted.

The management plan represents an appropriate and comprehensive approach to management of the use and, if implemented satisfactorily, is considered sufficient to address impacts on amenity. To further reduce the possibility of impacts on adjoining properties two conditions are recommended:

- the number of guests is reduced from 10 to eight; and
- the approval is limited to a period of 12 months.

Following satisfactory performance, and in the absence of any substantiated complaints over the 12 month approval period, Council may extend the development consent and review the guest numbers. Given the historical concerns, a time limited approval will provide the necessary evidence as to whether the site can be adequately managed and whether it can continue to operate after this period.

In regard to siting and design and to minimise the potential for any overlooking or privacy impacts, it has been recommended that a condition of consent be imposed which requires the installation of a privacy screen along the southern side of the upper deck. This will prevent any overlooking onto the adjoining dwellings.

Additionally, it is also recommended that to remove the possibility of any impacts on the existing on-street parking arrangement, parking for the occupants of the short term rental accommodation should be provided within the boundaries of the site. The applicant has provided a dimensioned plan to demonstrate that five vehicles can be accommodated in front of the dwelling and on the driveway.

### Clause 3.1 Exempt Development

Clause 3.1 and Schedule 2 of WLEP 2013 permit short term rental accommodation as exempt development where certain criteria are met. Where a proposal does not meet the criteria, development consent is required for the use.

The criteria includes that *'there must not have been more than two written complaints to the Council concerning the activities taking place on the property from the occupiers of separate dwellings located within 40m of the subject dwelling within the preceding 12 months'*.

In February 2018 Council wrote to the landowner and advised that Council had received more than two formal complaints in relation to the use of the dwelling for short-term rental accommodation and therefore the use was no longer considered to be exempt development as prescribed by Schedule 2 of the WLEP 2013. As a result the applicant has lodged a development application for the short term rental accommodation use of the dwelling.

Clause 7.9 Essential Services

The proposed development currently has adequate arrangements for servicing in place and does not require any additional servicing for the additional use.

**State Environmental Planning Policies (SEPP)**

The following SEPP's are relevant to the proposed development:

State Environmental Planning Policy (Coastal Management) 2018

Clause 21(1) (savings and transitional provisions provisions) of this SEPP provides that:

*The former planning provisions continue to apply (and this Policy does not apply) to a development application lodged, but not finally determined, immediately before the commencement of this Policy in relation to land to which this Policy applies.*

The SEPP commenced on 3 April 2018 and the subject development application was lodged prior to this date on 21 March 2018. Accordingly the provisions of this SEPP do not apply and the application is required to be assessed against the requirements of SEPP 71 Coastal Protection.

State Environment Planning Policy No. 71 - Coastal Protection

State Environmental Planning Policy No 71 – Coastal Protection applies to the land. The site is located within the coastal protection zone. In accordance with clause 7, the proposal has been assessed within the context of the matters for consideration outlined under clause 8 and found to be satisfactory (as outlined in Attachment 1).

**s. 4.15(1)(a)(iii) of the EP&A Act: Provisions of any development control plan**

There are no specific chapters of Wyong Development Control Plan 2013 which relate to the proposed development.

**s. 4.15 (1)(b) of the EP&A Act: Likely impacts of the development:**

**a) Built Environment**

It is considered that the proposed measures to manage the use of the dwelling house for short term rental accommodation will result in minimal impact on the existing built environment.

**b) Access and Transport**

The public submissions have raised concern about guests reversing out of the driveway of the site. However, as the use relates to a dwelling, it is the standard arrangement for dwellings that vehicles may reverse onto a public road. To remove any potential impact upon the street a recommended condition of consent requires that on-site parking is provided for visitors on the existing driveway.

**c) Context and Setting**

It is generally recognised that short term rental accommodation is more appropriately located in areas of high tourism amenity and in close proximity to key tourism attractions such as the beach. The site is located within a coastal settlement and in close proximity to amenities and services. In addition the proposal is consistent with the existing character of the area as there is a mix of short term rental accommodation and residential dwellings. One of the main considerations is whether the proposal will impact on the amenity of adjoining residents. It is considered that with the appropriate management measures in place the proposed use of the dwelling for short term rental accommodation will have minimal impact on the amenity of the adjoining properties.

The proposed conditions of consent allow for measures and parameters to be in place to control the use of the dwelling for short term rental accommodation and limit the approval for a period of 12 months to ensure the proposed use is managed in an appropriate manner. Where substantiated complaints are received further approval may not be forthcoming.

**d) Natural Environment**

The proposal does not result in any impacts on the natural environment.

**s. 4.15(1)(c) of the EP&A Act: Suitability of the site for development**

The site is occupied by an existing dwelling and under the provisions of the WLEP 2013 short term rental accommodation can be considered where it is associated with a dwelling. The site is adjoined by residential dwellings which are occupied by permanent residents. Objectors have raised concern that the site is not suitable for the development because the short term rental accommodation use has resulted in adverse impacts on their residential amenity.

It is considered that the site is suitable for the proposed use if potential impacts are managed so as not to cause nuisance, and any siting/design issues are addressed. The applicant has provided a management plan, terms and conditions and house rules which details how the use will be managed, all of which have been included as conditions of consent. In addition it is recommended that privacy screening is installed to prevent any overlooking from the upper balcony, that parking is provided for occupants of the short term rental accommodation within the boundaries of the site and that conditions are added to restrict the number of occupants and the approval period.

It is considered that these measures and parameters should be sufficient to manage the short term rental accommodation use so as not to cause impacts on adjoining properties. However

in the event that substantiated complaints are received over the approval period, further approval may not be granted.

**s. 4.15(1)(e) of the EP&A Act: The Public Interest**

Short term rental accommodation has the potential to generate impacts on the community if not adequately managed. These impacts could be from noise, overlooking, anti-social behavior, lack of adequate waste management, traffic and parking issues and safety/security concerns. As previously discussed, if implemented and managed satisfactorily, the proposed management plan is considered sufficient to alleviate any impacts on amenity.

The proposed development will provide additional tourism opportunities in the locality which is considered to be in the public interest as visitors contribute to the local economy by supporting local businesses such as restaurants/cafes, shops and support businesses, and has the potential to result in an increase in local employment.

Short term rental accommodation is currently regulated by local government and in the absence of any specific planning policies that address short term rental accommodation the proposal complies with the requirements of the WLEP 2013.

**Other Matters for Consideration**

Contributions

Section 7.11 or s. 7.12 contributions do not apply to the development, nor do any water and sewer contributions apply.

Gosford Development Control Plan 2014 - Chapter 3.14 Short Term Rental Accommodation of Dwellings

Wyong Development Control Plan 2013 does not include any specific provisions in regard to short term rental accommodation however, Gosford Development Control Plan 2014 includes Chapter 3.14 Short Term Rental Accommodation of Dwellings. This Chapter provides guidelines for the assessment of applications as well as recommended conditions of consent.

Whilst not directly applicable to the subject site, the provisions of this chapter have been considered and used as a guide in the assessment of the current application. The proposed development is consistent with the requirements set out within Chapter 3.14.

**Conclusion**

Short term rental accommodation is a component of the short stay accommodation sector in New South Wales and an important aspect of the overall mix of tourism accommodation, particularly in popular tourist destinations in coastal areas like Norah Head.

Until now the use has operated as 'exempt' development. It relied upon an informal management arrangement and lack of regulatory control. The applicant has provided a management plan that details how the use will be managed, and conditions of consent are

recommended to ensure that the use of the site for the purposes of short term rental accommodation is adequately managed so as to ensure there is minimal impact on the amenity of the surrounding area. The application is recommended for approval subject to the conditions of consent.

**Reasons for the decision**

- The land use is permitted with consent in the R2 Low Density Residential zone under clause 7.18 of the WLEP 2013.
- The issues raised by objectors have been considered. It is considered that the applicant has provided sufficient information to demonstrate that the use will be managed to ensure there is minimal impact on the amenity of the surrounding area.
- Design and siting issues have been addressed through a requirement for privacy screening along the southern side of the upper deck.
- Conditions of consent provide regulatory control to ensure that the site will be managed effectively and a time limited consent has been recommended to allow a review of the operation of the use of the dwelling after 12 months of operation.
- The proposal has been considered against the objectives of the R2 Low Density Residential zone and has been found to be satisfactory.
- The site is considered to be suitable for the proposal. It is located within a coastal settlement and in close proximity to amenities and services. Furthermore the proposal is consistent with the existing character of the locality which includes a mix of residential and short term rental accommodation.
- The proposal will contribute to the mix of tourism accommodation provided in Norah Head.
- The Rural Fire Service has supported the application by issuing General Terms of approval on 3 September 2018.

**Attachments**

- |          |                             |           |
|----------|-----------------------------|-----------|
| <b>1</b> | Draft Conditions of Consent | D13194505 |
| <b>2</b> | SEPP 71 Compliance Table    | D13340073 |
| <b>3</b> | Plan of Management          | D13333436 |
| <b>4</b> | Development Plans           | D13345214 |

**Date:** 28 October 2019  
**Responsible Officer:** Janice Wheeler  
**Location:** 18 Soldiers Point Dr, NORAH HEAD NSW 2263  
 Lot 3 Sec 3 DP 758779  
**Owner:** Mrs M L Thomas  
**Applicant:** Mrs M Thomas  
**Date Of Application:** -  
**Application No:** DA/288/2018/A  
**Proposed Development:** Short Term Rental Accommodation to be used for a maximum of 120 calendar days per year within the existing dwelling  
**Land Area:** 701.90  
**Existing Use:** Dwelling

## 1. PARAMETERS OF THIS CONSENT

- 1.1. Implement the development substantially in accordance with the plans and supporting documents listed below as submitted by the applicant and to which is affixed a Council stamp "Development Consent" unless modified by any following condition.

**Architectural Plans by:** Design by Kath Ifield

Drawing	Description	Issue	Date
A01	Site Plan & Ground Floor Plan	A	Dec 2002
A02	First Floor Plan, East Elevation & Section	A	Dec 2002
2	West, South & North Elevations	A	Dec 2002

### Supporting Documentation

Document	Title	Date
1	Plan of Management	June 2019

- 1.2. Comply with the General Terms of Approval from the Authorities as listed below and attached as a schedule of this consent.

Government Agency / Department / Authority	Description	Ref No	Date
Rural Fire Service	Bushfire Safety Authority	D18/6842	16/07/2019

- 1.3. This Consent is for a 12 month period only and accordingly, must cease at the expiration of 12 months at the date of commencement of the approved activity. Council must be informed in writing of the date of commencement of the use, otherwise it will be determined the approved use was commenced at the determination date of this consent. Any extension of the approved use beyond 12 months will require the prior submission and approval of an application under Section 4.55 of the *Environmental Planning and Assessment Act 1979*. In considering any application for the extension of this consent, Council will have regard for the relevant matters under the *Environmental Planning and Assessment Act 1979* including any submissions received during the period.
- 1.4. This approval does not affect the entitlement to use the dwelling for permanent residential purposes.

## 2. PRIOR TO ISSUE OF ANY CONSTRUCTION CERTIFICATE

No Conditions

## 3. PRIOR TO COMMENCEMENT OF ANY WORKS

No Conditions

## 4. DURING WORKS

No Conditions

## 5. PRIOR TO COMMENCEMENT OF SHORT TERM RENTAL ACCOMMODATION USE

- 5.1. Privacy screening shall be installed along the southern side of the upper deck. Screening shall be permanently fixed, to a minimum of 1.6m high above finished floor level, at least 75% obscure and made of durable material to restrict overlooking into properties adjoining the southern boundary.
- 5.2. The 24 hour contact details of the Manager and the Owner of the Short Term Rental Accommodation shall be located on the site so as to be visible from the nearest street frontage. A sign limited to a maximum of 0.2 square metres and not exceeding 1.5 metres in height from ground level shall be erected at the property frontage and within the property.
- 5.3. Acoustic assessment and ongoing monitoring at the site shall be established as follows:
  - a. The applicant shall engage a qualified acoustic consultant to undertake a noise impact assessment for the activities associated with the use of the site for Short Term Rental Accommodation. The findings of the noise impact assessment must be provided to Council and shall be utilised for establishing a permanent hard

- wired acoustic measuring device situated on the property. The noise impact assessment shall include recommendations indicating the appropriate location of the noise measuring device, and the threshold for amenity impacts to neighbours.
- b. An acoustic measuring device must be installed prior to the commencement of the use for Short Term Rental Accommodation, and shall be maintained and calibrated before each booking commences on the property. The acoustic measuring device is to monitor and record any amenity exceedances and to notify the operator of the Short Term Rental Accommodation of all non conformances. The acoustic measuring device shall have a monitoring function and remote (offsite) notifications to the operator of the Short Term Rental Accommodation.
  - c. Where the device detects amenity exceedances between the hours of 10pm and 8am, the applicant shall record details of the breach within a register, shall advise occupants of the breach and shall direct occupants to cease excessive noise.
  - d. The data collected by the noise monitoring device shall be made available to an authorised officer of Central Coast Council within 24 hours of a written request.
- 5.4. The Plan of Management shall be amended as follows:
- a. Use of a noise monitoring device shall be stipulated.
  - b. A six monthly review of the Plan of Management shall be identified, that assesses the effectiveness of the management of the premises, any known incidents and any complaints.
  - c. A register of any amendment of the Plan of Management shall be incorporated.
  - d. The guest rules shall form part of the Plan of Management.
  - e. A copy of the Plan of Management shall be provided to Central Coast Council following any amendment.

## 8. ONGOING

- 8.1. The Short Term Rental Accommodation shall not be occupied by more than eight guests at any one time.
- 8.2. The 'House Rules' shall be provided to all guests and displayed within a prominent position within the dwelling.
- 8.3. The Emergency/Evacuation Plan shall be displayed in a conspicuous location within the dwelling.
- 8.4. Amplified music shall not be played outside of the Short Term Rental Accommodation between the hours of 10pm and 10am.
- 8.5. The swimming pool shall not be used by guests or visitors of the Short Term Rental Accommodation between the hours of 10pm and 8am.



- 8.6. A functioning noise monitoring device shall monitor noise at all times that the premises are used for Short Term Rental Accommodation.
- 8.6. All guest vehicles associated with the Short Term Rental Accommodation shall be parked within the boundaries of the site.
- 8.7. All requirements of the Plan of Management shall be implemented for the life of the development for Short Term Rental Accommodation.
- 8.8. A register shall be kept by the operator of the Short Term Rental Accommodation to record the occupancies and each respective period of stay in accordance with Condition of this consent. The register shall be made available with 24 hours of a request, when requested by an authorised officer of Central Coast Council.
- 8.9. The Short Term Rental Accommodation shall not operate for more than 120 calendar days in any 12 month period.

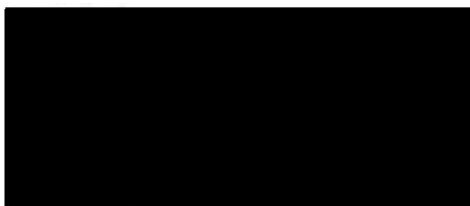


# PLAN OF MANAGEMENT

18 Soldiers Point Drive  
NORAH HEAD

June 2019

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### Owner Declaration

The Owner agrees to enforce the terms of this Plan of Management and acknowledges the Owner Obligations outlined at section 8.

Signed:



## 1. Introduction

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This Plan of Management (**PoM**) has been prepared for the short-term rental accommodation (**STRA**) located at 18 Soldiers Point Road, Norah Head. The need to ensure the safety and security of guests, local residents and the greater community in which the STRA resides is recognised. Safety, security and amenity issues have been considered carefully to ensure the STRA operates in a smooth, safe and enjoyable manner for all parties.

## 2. Purpose of Plan of Management

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The policies and procedures outlined in this PoM will help ensure the safe and respectful operation of the premises when used for STRA. The measures outlined within this PoM establish the actions to be taken to minimise any potential negative impacts on the amenity and neighbourhood.

All guests, as part of their stay, will be required to be familiar with this PoM and the House Rules. A copy of this PoM and the House Rules will be kept at the premises and made available to a Police Officer, or Council compliance officer on request. This PoM will be periodically reviewed and will be amended as necessary to respond to issues that may arise in the ongoing operation of the STRA at the premises.

## 3. Noise Management

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The Owner must use their best endeavours to ensure that guests behave in an appropriate manner whilst on the premises and do not disturb the neighbourhood, and, if necessary, a representative of the Owner will attend the premises within 30 minutes of the receipt of a noise-related complaint. Reports of all noise complaints will be documented in a register and kept by the Owner.

The following noise management measures are to be implemented:

- No parties, bucks/hens weekends or events;
- No overnight guests that exceed the maximum occupancy of 8 guests;
- No amplified music after 10pm at night;
- No use of the rear balcony after 11:30pm at night;
- Guests will be reminded to keep noise to a minimum after dark and to be respectful to neighbouring residents; and

The following light management mitigation measures are to be implemented during the use of the property for short-term accommodation:

- Lighting on the rear balcony will be cut off by an electrical timer on weeknights and Sunday night between 10pm and 6am and on Friday and Saturday night between 12am and 6am.

The Owner reserves the right to remove guests and withhold the bond if noise levels and behaviour breach these rules.

## 4. Waste Management

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Due to the nature of the use, guests are not expected to generate unreasonable amounts of waste. A number of bins are provided on the premises to accommodate the waste generated. Guests will be expected to follow the instructions regarding the separation of recyclable and non-recyclable waste provided by the Owner.

Guests staying overnight on a Thursday night are required to put the rubbish bins on the kerb for collection, and return them back to the premises on Friday morning following collection. The Owner will notify guests of which bins need to be put out (i.e. by lid colour).

## 5. Guest Behaviour

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The premises are located in a residential area in Norah Head, surrounded by other residential premises. All guests, as part of their stay, will be required to be familiar with this PoM and the House Rules, a copy of which will be provided prior to the stay and will be kept at the premises.

The Owner of the premises will adopt a **zero tolerance approach** to antisocial behaviour at the premises. All incidents will be reported to the NSW Police Local Area Command and Central Coast Council will be notified in the event of a serious incident.

The Owner reserves the right to remove guests if noise levels and behaviour breach these rules. If issues arise, the Owner will report the incident and follow the procedure outlined in section 6 below.

## 6. Complaint and Incident Register

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A register will be kept which identifies any incidents or complaints concerning the operation of the STRA.

Incidents can be reported 24 hours a day, 7 days a week to the Owner by telephoning them on 0405 447 338.

The Owner will take immediate steps to address any complaints and, if necessary, the Owner or a representative of the Owner can be present at the premises within 30 minutes of the receipt of a complaint. On request, a copy of the register will be made available to an authorised officer of Central Coast Council and or the Police.

The register, in the form included at Annexure A, will record:

- the date and time of the incident;
- nature of the incident;
- name and designation of the person reporting the incident and their contact details;
- actions taken (by whom and when);
- outcome and/or further action required (e.g. community consultation, meet with council, meet with local police, review management systems or issue resolved.)

The entries in the incident register will be used as a basis for review and amendment of this PoM, which will be undertaken on a regular basis.

The Owner will ensure that complaints are responded to with appropriate action including the removal of guests if deemed necessary.

## 7. Consultation

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The Owner is committed to ongoing consultation with adjoining property owners, NSW Police and Central Coast Council to foster a better understanding of relevant operation issues that may arise at the premises and is available to be contacted to discuss any potential issues that may arise.

## 8. Owner Obligations

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The Owner will ensure the premises are offered in a clean, safe and habitable state of repair, and the premises comply with the conditions of consent, as well as any relevant building, health and fire and safety regulations.

The Owner will act with integrity, professionalism, courtesy and consideration when dealing with guests, neighbours, and other community stakeholders, and will use their best endeavours to ensure that the STRA use of the premises comply with this PoM. The Owner will ensure all guests are familiar with and agree to abide by the House Rules and PoM, and that guests are aware of the consequences of non-compliance.

## Annexure A

## Complaint and Incident Register – 18 Soldiers Point Drive, Norah Head

Date and time received	
Name and designation of complainant (e.g. guest, neighbour, Council, police)	
Nature of complaint or incident	
Action taken (by whom and when)	
Outcome and/or further action required e.g. community consultation, meeting with Council, meeting with local police, review PoM or issue resolved)	
Date and time received	
Name and designation of complainant (e.g. guest, neighbour, Council, police)	
Nature of complaint or incident	
Action taken (by whom and when)	
Outcome and/or further action required e.g. community consultation, meeting with Council, meeting with local police, review PoM or issue resolved)	
Date and time received	
Name and designation of complainant (e.g. guest, neighbour, Council, police)	
Nature of complaint or incident	
Action taken (by whom and when)	
Outcome and/or further action required e.g. community consultation, meeting with Council, meeting with local police, review PoM or issue resolved)	

# HOUSE RULES – Short-term accommodation

18 Soldiers Point Drive

NORAH HEAD

June 2019

## THE AREA

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Michelle's home is located in Norah Head, New South Wales, Australia. A wonderful neighbourhood that is tightly held, this property is situated close enough to the beach, so you can come and go in very short time. The property is a 500 metre walk to Cabbage Tree Bay, if you walk via Bungary Road lane-way. Great for those little legs that struggle with distance.

Enjoy the surf club in summer on a Friday night & Sunday afternoon, ocean rockpool or the fantastic bush walk to the lighthouse.

Getting around is easy, only a couple of km's to Coles at Toukley or Budgewoi. Two (2) wonderful Golf Courses at Toukley and Magenta. Walking distance to local Restaurants, Cocktail Bar, Cafes and even a little retail therapy at Kroboca (Cnr Soldiers Point Drive and Mitchell Street - ladies) You can ride, bush walk or just chill out.

The property is about 1 1/2 hours from Sydney and 40 minutes from Newcastle

## THINGS TO CONSIDER

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*Please Note; Soldiers Beach House and Pool is set among private homes. This is a place for a quiet holiday and BBQ's with family and friends. To respect the environment there is an expectation that there are no parties and no pets in this home. Please be aware that you will be in a residential area. It is only fair that local residents are not disturbed by your guests.*

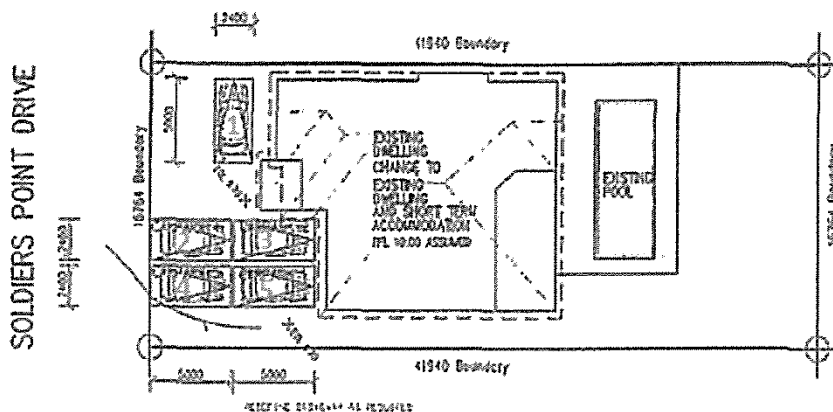
The property, including the pool, is regularly maintained outside of the times at which it is booked. However, in the event of an emergency fault to the pool, spa, electrical supply, plumbing matters or other facility, trade persons may need access to the property. This will be avoided unless absolutely necessary and time spent by such persons on the premises kept to a minimum. The owners cannot be held responsible for critical repair work and will not offer compensation for such emergency responses - particularly if requested by tenants in response to a problem they report.

## HOUSE RULES

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1. Guests and visitors must comply with all House Rules and instructions from the Owner. Guests must read a copy of the House Rules and Plan of Management (PoM) and agree to abide by them as a condition of their stay.
2. All guests and visitors are expected to behave in a manner which is conducive to the safety, comfort and convenience of others within the property and all surrounding properties.
3. In the event of an emergency relating to the property, please telephone the Owner, Michelle Thomas, on 0405 447 338.
4. Our immediate neighbours have office contact details, and excessive noise is prohibited and may result in termination of accommodation and loss of bond. Our neighbours are reasonable people who have the right to a peaceful night's sleep at all times. They will call me directly if they are disturbed by nuisance noise or offensive behaviour. Guests and visitors must not engage in anti-social behaviour and must minimise their impact upon the residential amenity of neighbours and local community in accordance with the PoM. Guests must notify the manager of any disputes or complaints from neighbours as soon as practicable.
5. Guests must not create noise which is offensive to neighbours, especially between 10.00pm and 8.00am and during arrival and departure at any time during the occupancy.
6. Amplified external music must be turned off at 10.00pm and all guests must move inside after 11.30pm.
7. Guests must report any problems or incidents promptly; and any complaints and/or disputes will proceed through a resolution procedure undertaken in accordance with the property Plan of Management. A copy of the PoM has been provided prior at the time of booking and is available at the premises.
8. The property is let for only the number of persons (guests) specified and agreed in email correspondence to a maximum of 8 people (2 adults per bedroom).
9. A maximum of four (4) visitors are permitted on the premises between the hours of 7.00am and 10.00pm. It is the responsibility of all guest to ensure all visitors are aware of the house rules and made to comply. All visitors must be declared and failure to declare visitors may result in additional charges for each night of your stay and forfeiture of your bond.
10. *When any visitor enters the premises, they shall be required to read the House Rules and PoM and agree to abide by them.*
11. The property is not a "party house" and any such activities, including hens and bucks parties, are strictly prohibited. Any gathering, celebration or entertainment permitted at the property must not conflict with residential amenity and must comply with all House Rules.
12. This is a NO-SMOKING residence. Smoking is not permitted anywhere indoors. A surcharge of \$350.00 for smoke removal will be charged if smoke is detected. If you wish to smoke, please do so outside in the designated area. Please be a courteous smoker if you must smoke outside only and ensure the wind does not blow it inside. DO NOT leave cigarette butts, dirty ashtrays or put butts in the gardens or planters or within the residence under any circumstances. A surcharge of \$150.00 will be incurred.

13. Pets are not allowed on the premises unless the Owner has expressly agreed prior to the stay.
14. A maximum number of five (5) vehicles are permitted onsite and parking space(s) are identified below. All guests must park onsite. If on-street parking is required for visitors parking, it must comply with parking regulations and be only in front of 18 Soldiers Point Drive. No guest trailers or caravans are permitted on site. Guests may be required to supply vehicle registration numbers



15. The Pool and Outside entertainment area need to be left clean with all rubbish removed and the BBQ cleaned. An extra charge will be incurred if extra cleaning required. The swimming pool and outside entertainment area must not be used between the hours of 10.00pm and 7.00am. **No glassware** is permitted in the pool.
16. Guests must dispose of all garbage and recycling in accordance with the usual practice within the allocated bins. The Owner will ensure appropriate signage is visible outlining how recyclables are to be separated from non-recyclable waste and any other waste management requirements.
17. It is a requirement that you leave the property in a clean condition, similar to that in which it was found. Your rental includes a general clean. Excess charges of \$300 for additional cleaning will apply if you leave a mess. You are responsible for the cost of stain removal for walls, carpets and upholstery, such as beer, wine, food, muddy feet, extreme sand or excess cleaning required for the kitchen.
18. ALL kitchen items must be put back where they belong, please make sure the dishwasher is unloaded and no dirty dishes left behind on your departure day. Please also make sure that ALL items you have washed up or taken out of the dishwasher are put away CLEAN or a surcharge of \$200 will be incurred. Please **DO NOT** rearrange kitchen items.
19. Please close and lock ALL windows and doors on your departure day or when you are absent from the property to maintain security and prevent rain and water damage.
20. The owners do not accept or take any responsibility for your guests' personal property. Please ensure you have taken out appropriate insurance coverage as required. Items left behind by guests can be sent to the primary guest's address provided on this guest registration form. A



handling fee of \$50 plus costs for shipping will be deposited from the credit card provided on the guest registration form.

- 21. Check out time is strictly enforced. Late check outs may be negotiated in advance where applicable. Breaches of this condition will result in an automatic charge of \$60 per hour or part thereof being charged to the registered primary guest credit card.
- 22. All damages, breakages, theft and losses are the guests' responsibility during their stay and if noted on inspection by our cleaners will be charged against your bond.
- 23. Any loss of keys or remote controls have to be reported to the management as soon as possible. A surcharge of \$300.00 will be incurred.
- 24. A security deposit of \$1000 is required and will be returned within seven (7) days of the date of departure provided the House Rules are all met.
- 25. Consequences of non-compliance with the House Rules include termination of occupancy, removal from the premises, loss of the security deposit and extra charges. For clarity, the House Rules are considered to be the Terms and Conditions of occupancy.

### Guest Declaration

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This declaration is to be signed to acknowledge the House Rules and Plan of Management have been read and understood.

\_\_\_\_\_  
Guest name (printed)

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date



**Item No:** 2.1  
**Title:** DA/288/2018 - Proposed Short Term Rental Accommodation at 18 Soldiers Point Drive, Norah Head  
**Department:** Environment and Planning

29 January 2019 Ordinary Council Meeting

Trim Reference: F2018/00020-06 - D13410418  
 Author: Jenny Tattam, Town Planner  
 Manager: Emily Goodworth, Section Manager, Development Assessment  
 Executive: Scott Cox, Director, Environment and Planning

## Summary

The purpose of this report is for Council to consider a supplementary report for Development Application 288/2018 for short term rental accommodation at No. 18 Soldiers Point Drive, Norah Head.

<b>Applicant</b>	Michelle Thomas
<b>Owner</b>	Michelle Thomas
<b>Application No</b>	DA/288/2018
<b>Description of Land</b>	Lot 3 Section 3 DP 758779, 18 Soldiers Point Drive, Norah Head
<b>Proposed Development</b>	Short Term Rental Accommodation
<b>Site Area</b>	701.9m <sup>2</sup>
<b>Zoning</b>	R2 Low Density Residential
<b>Existing Use</b>	Dwelling
<b>Employment Generation</b>	Yes
<b>Estimated Value</b>	N/A

## Recommendation

- 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.***

## ORDINARY COUNCIL MEETING OF 29 JANUARY 2019

**Moved:** Councillor MacGregor  
**Seconded:** Councillor Mehrtens

**12/19 That Council refuse the application for the following reasons:**

***i The proposed development does not comply with the objectives of the zone as it will not maintain the residential amenity of the surrounding area.***

***ii The proposed development is not compatible with the adjacent low density residential development having regard for visual and acoustic privacy.***

***iii 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***

**13/19 That Council advise those who made written submissions of its decision.**

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

**Against:**  
**Councillors Marquart and McLachlan**

## **Background**

Development Application 288/2018 seeks consent for short term rental accommodation at No. 18 Soldiers Point Drive, Norah Head. The Development Application was considered, but not determined, at an Ordinary Meeting of Council on 29 October 2018. At that meeting Council resolved the following:

***1112/18 That Council defer this item pending a site inspection for Councillors within the next month.***

In accordance with the resolution of Council, a site inspection was held on site on Friday 23 November 2018 at 2pm. The following Councillors were in attendance:

<b><i>In Attendance:</i></b>
<b><i>Councillors Greenaway and Sundstrom</i></b>

Also present at the site inspection were:

- The applicant and owner of the site (Michelle Thomas)
- Council staff:
  - Scott Cox, Director Environment and Planning
  - Salli Pendergast, Principal Development Planner
  - Jenny Tattam, Development Planner

The Councillors undertook an inspection of the property including inside the dwelling and the rear yard.

During the inspection there was general discussion with the applicant around the following points:

- The applicant confirmed that the property is her primary place of residence and that she moves out on a temporary basis when the property is used for short term rental accommodation. During these temporary periods the owner stays with family and/or friends.
- The applicant advised that she does not know why neighbours have objected to the proposal. She commented that neighbours have not provided any proof to substantiate their claims that the use has resulted in adverse amenity impacts. She has followed up all complaints with her guests.
- The property adjoining the rear boundary of the site was previously used for short term rental accommodation. However, due to pressure from neighbours the owner of the property has recently sold.
- The applicant said there was a strict vetting policy. 'Schoolie groups', hens/bucks or other parties are not permitted at the property.
- The applicant talked about the benefits of visitors and tourism to the local economy. She recommends local restaurants and facilities to guests.

During the inspection, staff showed the Councillors the location of the recommended privacy screening on the upper balcony.

As Councillors and staff were leaving the site, they were invited by a neighbouring landowner to visit the adjoining property to listen to neighbour's concerns. The Councillors and staff met with approximately 6-8 neighbours on the rear balcony of the dwelling at 20 Soldiers Point Drive. During this meeting the neighbours reiterated the concerns that had been raised through the submission process:

- That operation of the property for short term rental accommodation had adversely impacted their residential amenity primarily through noise.
- Other impacts they had experienced included anti-social behaviour (e.g. swearing), vandalism and privacy impacts.
- The neighbours stated that they don't believe short term rental accommodation is a suitable land use in a quiet residential area.
- One neighbour stated that they believe a more suitable land use would be a Bed & Breakfast where the owner of the property is present on the site during the times it is rented.

#### **Additional Written Public Submissions after the Ordinary Meeting (29 October 2018)**

After the Council meeting on 29 October 2018 Council received an additional five submissions. Two submissions were from the same property and one submission was from an objector that had previously lodged a submission during the original notification period (12-27 April 2018). The issues raised within these submissions are summarised below:

- *Use of the property for short term rental accommodation has and will adversely impact our residential amenity. These impacts have been (and will be) from noise, parties, overlooking, anti-social behaviour (e.g. swearing, screaming), use of the swimming pool at unusual hours, rubbish being thrown over the fence, vandalism, foul smelling bins and on-street parking congestion.*

#### Council Staff Comment

As a result of its past unregulated use neighbours have advised that the short term rental accommodation use of the site has impacted on neighbours through noise and guest behavior. These impacts are considered to be caused by a lack of management and regulatory control.

The applicant has provided a management plan, terms and conditions and house rules. The management plan includes vetting guests prior to booking, checking guests in and ensuring they are aware of the terms and conditions and house rules, outlining the consequences of not complying with the terms and conditions and house rules (which could include loss of security deposit), checking on the house during the period of stay, responding to complaints in a timely manner and taking effective action to remediate the problem.

It is considered that the submitted management plan represents a far more appropriate and comprehensive approach to management of the activity and, if implemented satisfactorily, is considered sufficient to address impacts on amenity.

In addition, the recommended conditions of consent include the following:

- the maximum number of guests is reduced from 10 to eight;
- privacy screening is installed on the upper balcony;
- amplified music shall not be played outside the dwelling between 10pm and 10am;
- use of the swimming pool is prohibited between 10pm and 8 am;
- all guest vehicles are to be parked within the boundaries of the site; and
- that any approval is limited to 12 months.

Given the historical concerns and amenity impacts of the use at the site, the time limited approval will provide evidence as to whether the short term rental accommodation can be adequately managed and whether it can continue to operate after this period.

- *Would like to see the owner of the property on-site to supervise guests.*

#### Council Staff Comment

The applicant has chosen to apply for short term rental accommodation which is defined under the *Wyong Local Environmental Plan 2013* (WLEP 2013) to mean:

**short-term rental accommodation** means a dwelling that is commercially available for rent as short-term accommodation on a temporary basis, but does not include bed and breakfast accommodation.

There is no requirement for the owner of the property to be on site.

It is considered that the proposed management plan, house rules and terms of conditions along with the recommended conditions of consent will be satisfactory to enable the property to operate as short term rental accommodation. In the event that issues arise the management plan includes a complaints handling procedure which will need to be enacted by the property manager. A condition of approval requires that the owner/managers contact details are clearly displayed at the front of the site.

- Approval of the application will create an adverse precedent leading to more short term rental accommodation in Norah Head which will have a negative impact on the community.

#### Council Staff Comment

Approval of the subject dwelling for short stay accommodation would not necessarily result in an increase in the lodgment of development applications for short term rental accommodation. It should be noted that many dwellings have the ability to carry out short term rental accommodation as exempt development, subject to compliance with the relevant criteria. Accordingly there may be many short term rental accommodation properties operating in the locality already.

#### **New State Government Planning Provisions**

The NSW government has prepared an Explanation of Intended Effect that details proposed amendments to *State Environmental Planning Policy (Exempt and Complying Development) 2008* to enable STRA to be carried out as exempt or complying development subject to meeting certain criteria. The Department of Planning and Environment have advised the new framework is expected to commence in 2019. Table 1 below provides the criteria in which STRA can be carried out.

<b>Pathway</b>	<b>Criteria</b>	<b>Period</b>
Exempt development	<ul style="list-style-type: none"> <li>• Host present on site overnight</li> </ul>	Year round
	<ul style="list-style-type: none"> <li>• Host not present, and</li> <li>• Property is not on bushfire prone land</li> </ul>	365 days per year * Councils will be able to set the number of days from 180 days to 365 days.
Complying development	<ul style="list-style-type: none"> <li>• Property is on bushfire prone land (&lt;BAL29), and</li> <li>• Host not present</li> </ul>	365 days per year * Councils will be able to set the number of days from 180 days to 365 days.

The complying development provisions allow STRA for up to 365 days a year when the property is on bushfire prone land and the host is not present. The proposed development could be carried out as Complying Development subject to meeting the provisions of the SEPP.

**Conclusion**

Short term rental accommodation is a component of the short stay accommodation sector in New South Wales and an important aspect of the overall mix of tourism accommodation, particularly in popular tourist destinations in coastal areas like Norah Head.

The use previously relied upon an informal management arrangement and lack of regulatory control. The applicant has provided a management plan that details how the use will be managed, and conditions of consent are recommended to ensure that the use of the site for the purposes of short term rental accommodation will be adequately managed so as to ensure there is minimal impact on the amenity of the surrounding area. The application is recommended for approval subject to the conditions of consent.

**Attachments**

<b>1</b> Original Council Report including attachments	Provided under separate cover	D13413460
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**Item No:** 2.2  
**Title:** Supplementary Report DA/54622/2018 Multi Dwelling Housing (3 units) & Demolition of Existing Structures on LOT: 10 DP: 10455, 4 Clifford Street Umina Beach  
**Department:** Environment and Planning

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25 November 2019 Ordinary Council Meeting

Trim Reference: F2019/00583 - D13718884  
Author: Karen Hanratty, Senior Development Planner  
Manager: Andrew Roach, Unit Manager, Development Assessment  
Executive: Scott Cox, Director Environment and Planning

### Summary

An application has been received for demolition of existing structures and construction of a multi-dwelling housing development (3 units) on Lot 10 DP 10466, No. 4 Clifford Street, Umina Beach.

The development application is required to be reported to Council as the variation to a development standard being sought is greater than 10%.

The development application was referred to Council for consideration on 8 October 2019, where Council resolved as follows:

*936/19 That Council request the Chief Executive Officer defer this matter pending a site visit.*

On 4 November 2019 a site visit was undertaken. Councillor Sundstrom and Councillor Holstein attended the site visit, along with relevant Council officers. No additional matters were raised at the site inspection.

Accordingly, the development application is recommended for approval in accordance with the original report (refer Attachment 1). The matter is now reported back to Council for determination.

### Recommendation

- 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.**



**2.2 Supplementary Report DA/54622/2018 Multi Dwelling Housing (3 units)  
& Demolition of Existing Structures on LOT: 10 DP: 10455, 4 Clifford  
Street Umina Beach (contd)**

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**Attachments**

- |          |  |           |
|----------|--|-----------|
| <b>1</b> | Original Report - DA/54622/2018 Multi Dwelling Housing (3 units) & Demolition of Existing Structures on LOT: 10 DP: 10466, 4 Clifford Street Umina Beach | D13495205 |
| <b>2</b> | Draft Conditions of Consent  | D13645599 |
| <b>3</b> | Development Plans  | D13713223 |
| <b>4</b> | Gosford DCP Compliance Table   | D13645585 |



**Item No:** 2.1  
**Title:** DA/54622/2018 Multi Dwelling Housing (3 units) &  
Demolition of Existing Structures on LOT: 10 DP:  
10466, 4 Clifford Street UMINA BEACH  
**Department:** Environment and Planning

8 October 2019 Ordinary Council Meeting

Trim Reference: F2019/00583 - D13495205  
 Author: Karen Hanratty, Senior Development Planner  
 Manager: Andrew Roach, Unit Manager, Development Assessment  
 Executive: Scott Cox, Director Environment and Planning

## Summary

An application has been received for demolition of existing structures and construction of a multi-dwelling housing development (3 units) on Lot 10 DP 10466, No. 4 Clifford Street, Umina Beach.

The development application is required to be reported to Council as the variation to a development standard being sought is greater than 10%.

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

<b>Applicant</b>	D J Murray
<b>Owner</b>	D J Murray
<b>Application No</b>	54622/2018
<b>Description of Land</b>	LOT: 10 DP: 10466, 4 Clifford Street UMINA BEACH
<b>Proposed Development</b>	Multi Dwelling Housing (3 units) & Demolition of Existing Structures
<b>Site Area</b>	670.3m <sup>2</sup>
<b>Zoning</b>	R1 General Residential
<b>Existing Use</b>	Dwelling House
<b>Employment Generation</b>	No
<b>Estimated Value</b>	\$975,000.00

## Recommendation

- 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.****Precis:**

<b>Proposed Development</b>	Multi Dwelling Housing (3 units) & Demolition of Existing Structures.
<b>Permissibility and Zoning</b>	The proposed development is defined as 'Multi Dwelling Housing' which is permissible in the zone with consent of Council.
<b>Relevant Legislation</b>	<ul style="list-style-type: none"> <li>• <i>Environmental Planning &amp; Assessment Act 1979</i> – Section 4.15 (EP&amp;A Act)</li> <li>• <i>Roads Act 1997</i> (Roads Act)</li> <li>• <i>Water Management Act 2000</i> (WM Act)</li> <li>• <i>State Environmental Planning Policy No. 55 – Remediation of Land</i> (SEPP 55)</li> <li>• <i>State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004</i> (SEPP BASIX)</li> <li>• <i>Draft Central Coast Local Environmental Plan</i> (draft CCLEP)</li> <li>• <i>Gosford Local Environmental Plan 2014</i> (GLEP 2014)</li> <li>• <i>Gosford Development Control Plan 2013</i> (GDGP 2013)</li> </ul>
<b>Current Use</b>	Dwelling House
<b>Integrated Development</b>	No
<b>Submissions</b>	Three submissions received during the notification period.

**Variations to Policies**

<b>Policy</b>	<b>Clause / Description</b>	<b>Departure Basis</b>
<b>Gosford Local Environmental Plan 2014</b>	Clause 4.1B(2) Minimum Lot sizes for attached dwellings, dual occupancies, multi dwelling housing and residential flat buildings	The site area required for multi dwelling housing development is 750m <sup>2</sup> . The site area is 670.3m <sup>2</sup> resulting in a 79.2m <sup>2</sup> non-compliance with the development standard (a variation of 10.6%).

Policy	Clause / Description	Departure Basis
<b>Gosford Development Control Plan 2013 Chapter 3.3 Multi Dwelling Housing</b>	Clause 3.3.3.1.2d(i) Maximum floor height lowest occupied storey	The maximum floor height for the lowest occupied storey is 1m. As a result of site topography (the site falls away from the road), a small portion of the floor height of Unit 3 at the southeast corner of the building is 1.3m; a variation of 30%.
	Clause 3.3.3.1.3a Minimum ceiling height for habitable rooms	The ceiling height required for a building of two storeys is 2.7m. The ceiling height on the upper level is 2.55m. The ceiling height is 15cm less than required; a variation of 5.6%.
	Clause 3.3.3.2a Minimum deep soil setback	Deep soil boundary setbacks: <ul style="list-style-type: none"> <li>• Side boundary required 2m. Proposed setback is variable from 1.0m to 1.57m; a maximum variation of 50%</li> <li>• Rear boundary required 6m. Proposed setback is variable from 1.536m – 3.044m; a maximum variation of 74%</li> <li>• Front boundary required 6m. Proposed setback 5.247m; a variation of 12.55%.</li> </ul>
	Clause 3.3.3.2b Setbacks to exterior walls	Setbacks from site boundaries to exterior walls: <ul style="list-style-type: none"> <li>• Side setback required - average 4m, min 3.5m:               <ul style="list-style-type: none"> <li>○ East side setback is variable for                   <ul style="list-style-type: none"> <li>- Ground level 1.0m – 2.31m; a maximum variation of 70%</li> <li>- Upper level 2.31m – 4.0m; a maximum variation of 34%</li> </ul> </li> <li>○ West side setback proposed for ground level is variable from 1.5m – 4.08m; a maximum variation of 57% for a length of 6.8m</li> </ul> </li> <li>• Rear setback required 6m.               <ul style="list-style-type: none"> <li>○ Ground level setback is variable from 1.5m – 2.95m; a maximum variation of 75%</li> <li>○ Upper level setback is 5.834m (minor variation of 2.8%) except for a portion of the rear unit which has a setback of 2.95m however this occupies only 15% of the site width</li> </ul> </li> <li>• Front setback required 6m.               <ul style="list-style-type: none"> <li>○ Ground level 5.247m; a variation of 12.55% for a length of 4.08m.</li> </ul> </li> </ul>

Policy	Clause / Description	Departure Basis
	Clause 3.3.3.4.2 Articulation	Courtyards to be planted with 1 large canopy tree. No canopy tree is proposed to Unit 2 courtyard – variation 100%.
	Clause 3.3.3.5.5 Private Open Space (POS)	Dwellings with ground floor entry require minimum private open space (POS) of 50m <sup>2</sup> . Unit 2 proposes POS comprising – ground level 15.7m <sup>2</sup> + upper level terrace 28.44m <sup>2</sup> = 44.14m <sup>2</sup> ; a variation of 11.72%

**The Site**

The site is located on the southern side of Clifford Street approximately 15m west of the intersection of Springwood Street as shown in Figure 1.



**Figure 1 – Aerial photograph and location plan of subject site (outlined in blue)**

The site has an area of 670.3m<sup>2</sup> with a 15.24m frontage to Clifford Street. The topography of the land is relatively flat with a slight slope toward the rear (southern) boundary. The site contains a modest single-storey dwelling house, detached garage and laundry, generally in a dilapidated condition and currently vacant. Minimal vegetation occurs over the site, limited to the remnants of domestic landscaping. A Council 150mm sewer main is located traverses the site along the rear boundary.

Whilst the frontage of the subject land does not have kerb and gutter, some portions of Clifford Street do have kerb and gutter and concrete footpath, including the adjoining site to the west. A photograph of the site from the street is shown in Figure 2.



**Figure 2 – View of the site from Clifford Street**

### **Surrounding Development**

Land in the vicinity is generally comprised of mostly single-storey residential development, including single dwellings, and dual occupancy developments. A single-storey dual occupancy is located to the immediate west of the site (6 and 6A Clifford Street) with a single-storey dwelling on the corner allotment to the east (2 Clifford Street), refer Figure 3.

The property to the south (to the rear of the site) is a single storey villa with access fronting Springwood Street, refer Figure 4. This villa is part of a larger strata development of 10 villas that also has a frontage to West Street, Umina Beach.

The subject land does not currently have kerb and gutter nor footpath. However, the site to the immediate west has kerb and gutter and Council has recently completed kerb and gutter with footpath infrastructure in Springwood Street, with this infrastructure extending into Clifford Street to the approximately alignment of the eastern boundary of the subject land.



**Figure 3 – Single storey residential dwellings adjoining the site**



**Figure 4 – Single storey residential dwelling located to the rear of the site with frontage to Springwood Street**

### **The Proposed Development**

Development Application No. 54622/2018 seeks approval for the demolition of the existing dwelling and ancillary structures and construction of a two-storey multi-dwelling housing development comprising three units,

Specifically, the proposed development comprises:

- Unit 1
  - Floor area of 109.58m<sup>2</sup> and 3 bedrooms
  - Ground Level - double garage with storage and laundry, one bedroom with ensuite, combined living/kitchen area with direct access to covered paved area and courtyard,
  - Upper Floor – two bedrooms and bathroom
- Unit 2
  - Floor area of 100.12m<sup>2</sup> and 2 bedrooms
  - Ground Level – single garage with storage, one bedroom with ensuite and separate laundry, courtyard area
  - Upper Floor – one bedroom and ensuite, bathroom, combined living/kitchen area with direct access to a large terrace with pergola



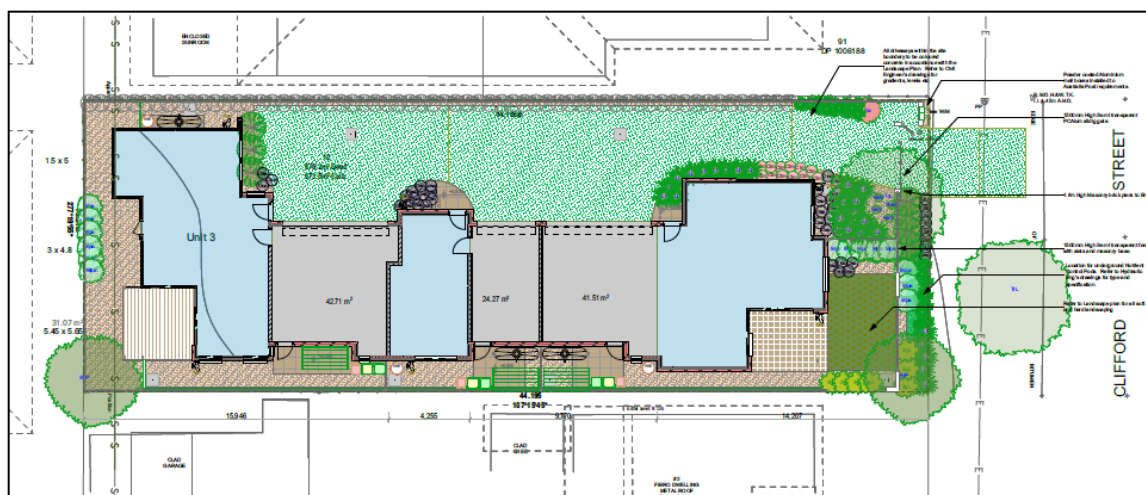
- Unit 3
  - Floor area of 108.51m<sup>2</sup> and 3 bedrooms
  - Ground Level - double garage with storage and laundry, one bedroom with ensuite, combined living/kitchen area with direct access to a covered deck and courtyard,
  - Upper Floor – two bedrooms and bathroom
- Landscaping of external areas and construction of a driveway (coloured concrete).
- The development is to be constructed of brick, rendered masonry and weatherboard cladding with colourbond steel roofing.

Following lodgement of the application, the plans have been amended in order to address matters raised during the initial assessment and in public submissions.

The amendments are as follows:

- Additional privacy measures to address privacy concerns from overlooking raised in submission:
  - Unit 3 - add privacy screen to the rear deck (southern elevation), and
  - Unit 2 – on the upper level the eastern wall is extended and height increase of solid balustrade to the terrace,
- Modification to roof over living area of Unit 3 to improve solar access to that space as requested by Council.

The site/landscape plan, east and west elevations and front façade perspectives of the proposed development are shown in Figures 5, 6, 7, and 8 below:



**Figure 5 – Site/Landscape Plan**

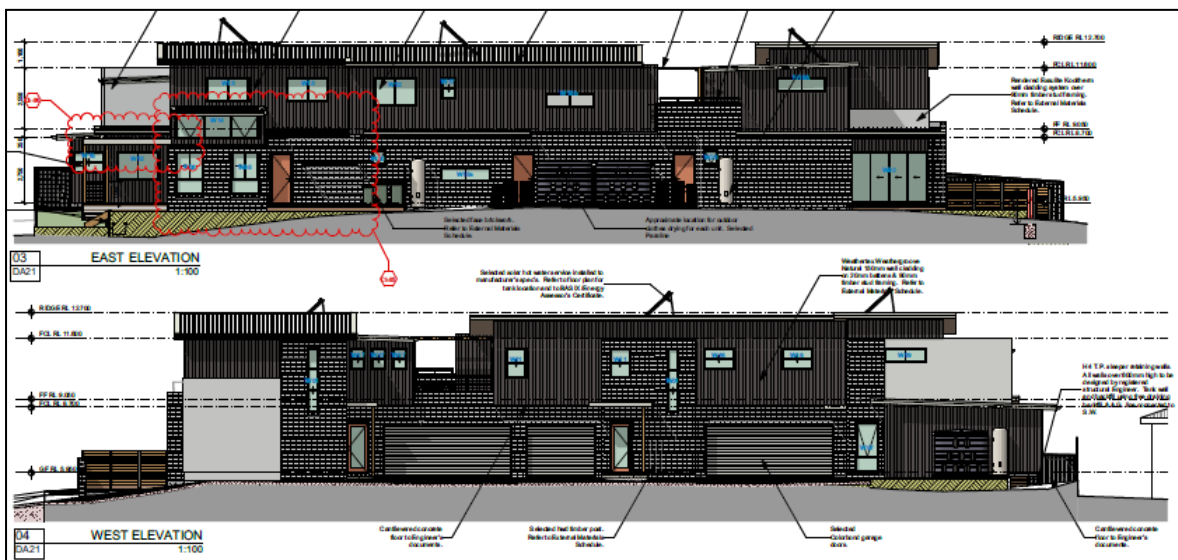


Figure 6 – East & West Elevations



Figure 7 – North West Front Façade Perspective



**Figure 8 – North East Front Façade Perspective**

## Submissions

In accordance with Gosford Development Control Plan 2013 (GDGP 2013), Chapter 7.3 Notification of Development Proposals, the application was publicly exhibited for a period of 21 days from 28 June 2018 to 19 July 2018. During this period three submissions were received. The submissions were made by the adjoining owners to the subject site. One submission was made on behalf of both owners of the dual occupancy development to the west of the site.

Note that amended plans were submitted responding to the issues raised in submissions as well as matters raised during Council officers' initial assessment. These amended plans included relatively minor amendments (additional privacy measures and alterations to achieve better solar access). Given the minor nature of alterations, the amended plans were not re-notified – in accordance with Section 7.3.2.10 (c) of the *Gosford Development Control Plan 2013*, applications which have been amended do not require re-notification where 'the amendments are minor, or will result in no additional impacts'.

The general issues raised in relation to the proposal are included below.

- **Consistency with planning controls of Gosford Local Environmental Plan 2014 in relation to building height and floor space ratio.**

### Comment

The proposal complies with the building height and floor space ratio development controls of the *Gosford Local Environmental Plan 2014* (GLEP 2014). The maximum building height

permissible on the site is 8.5m and the proposal complies with the development standard with a height of 7.26m. The proposal complies with the floor space ratio development standard of 0.5:1 with a floor space ratio of 0.475:1.

- **Consistency with planning controls of Gosford Development Control Plan 2013 in relation to open space and garden areas.**

*Comment*

The proposal has a number of non-compliances with the development controls of Chapter 3.3 Multi Dwelling Housing & Residential Flat Buildings of GDCP 2013 as follows:

- The proposal does not comply with side and rear boundary setbacks for deep soil planting and setbacks to exterior walls for the ground level and the upper level on the eastern boundary. At the rear (southern) boundary there is only a minor variation to the rear setback for the upper level and at the western boundary the upper level exterior wall setback complies.
- No canopy tree is provided to the courtyard of Unit 2. However, a canopy tree is provided to the courtyards of Unit 1 and Unit 3.
- The development provides the required open space and garden areas for Unit 1 and Unit 3. Unit 2 is non-compliant for open space at ground level however provides an upper level terrace with direct access to its living area that obtains good solar access. While Unit 2 is non-compliant for numerical requirements for private open space the proposal meets the objectives of the controls as it provides well designed and landscaped open spaces for each dwelling.

In addition to the above, the proposal has a minor exceedance of the maximum floor height for the ground level at the southeast corner of the building as a result of site topography. The other non-compliance is the ceiling height of the upper level which, at 2.55m, is 15cm below the required ceiling height of 2.7m.

Overall the proposed development meets the objectives for multi dwelling housing of GDCP 2013 and is supported. The development provides improved urban design, architectural and landscape quality. The proposed development meets the objectives of the R1 General Residential zone and is consistent with the desired character and scenic quality of the area and is not considered to have a detrimental impact on the existing privacy and amenity of adjoining residential development.

- **Character, Bulk and Scale**

*Comment*

The submissions raise concern that the *"bulk and scale of second storey is inconsistent with the character of the neighbourhood. The majority of the residences in Clifford Street (being a dead-*

end street) are single storey; either single dwellings or two single level villas. Three "townhouses" on a single block is not consistent with the character of the neighbourhood.

The subject site is within the area covered by *Umina Character Statement Umina 3: Sandplain Medium Density*. The proposed development is considered consistent with the desired character of the area as follows:

- The locality is predominantly older single houses and single storey villa units. It is acknowledged that the proposal is two-storeys, however height controls for the area permit two storey buildings. The existing building at 20 Clifford Street is two storeys and it is expected that future developments are likely to be constructed to this height.
- A well designed two storey building can be preferable to a single storey one because it can achieve a similar density with a smaller building footprint therefore allowing a larger area for open space and landscaping. The siting of the building together with the surrounding garden area is consistent with the predominant pattern of buildings in the neighbourhood and achieves similar density to surrounding developments. The facades of the proposal are similar in length to adjoining buildings, although taller. The building has a front setback that is consistent with adjoining development and will provide a landscaped front setback.
- The proposed setbacks and building design allow for good solar access to be provided to each unit in the development and also maintains reasonable levels of sunlight, privacy and amenity for neighbouring dwellings plus their private open spaces.

The bulk and scale of the building is minimised by the following design features:

- The proposed development is a single building however is visually divided by using articulated skillion roofed elements to break up the scale of the building. In addition, single-storey verandahs are used to further disguise the scale.
- The street front unit (Unit 1) is wider than Unit 2 to screen the driveway and garages from the street.
- The proposal is highly articulated and uses variations in materials to create a design and appearance consistent with the character of the area.

In this regard, no objection is raised to the proposal. The proposed development is consistent with the character of the area and is of reasonable bulk and scale.

- **Overshadowing**

*Comment*

Shadow diagrams have been submitted with the application which shows shadowing in mid-winter. Refer to Attachment B, Architectural Plans, Drawing 16592-DA13. The application complies with height controls of maximum building height 8.5m proposing a building height of 7.26m and it is considered that some increase in overshadowing from a building of complying height is reasonable.

*Impact on adjoining property to the west - Nos. 6 & 6A Clifford Street Umina Beach*

Adjoining the site to the west is a torrens title single storey dual occupancy development (No. 6 and No. 6A Clifford Street). The submission states "*that the two storey building and proposed tree planting on the western boundary will stop light and sunshine to the premises to the west of the site*".

The shadow diagrams supporting the subject development application indicate that increased overshadowing of the site to the west will occur between 9am and noon but this site will have unobstructed solar access between noon and 3pm. This site will retain the minimum amount of sunlight of 3 hours per day in mid-winter. Solar access is obviously significantly greater at other times of the year.

The application complies with height controls, and the western elevation of the upper level of the proposed development complies with side boundary setbacks for multi dwelling housing developments. The setback of the upper level is variable from 4.08m to 5.72m and significantly articulated.

The application proposes landscaping on the western boundary comprising tall narrow plant species to satisfy the objectives and controls for landscaping for multi dwelling housing developments. The landscaping will provide a visual and acoustic buffer to the adjoining development and allow filtered sunlight.

New boundary fencing will be erected for the development, refer **Condition 5.9**. The boundary fence will be 1.8m high and it will cast a shadow on the adjoining development, although this is no different to existing boundary fencing nor any other similar fencing used in residential areas.

*Impact on adjoining property to the east - No 2 Clifford Street Umina Beach*

Adjoining the site to the east is a single storey dwelling and garage, No. 2 Clifford Street, Umina Beach, refer Figure 9. The submission states that "*the new development blocks out sun in winter to the premises to the east of the site*".

The shadow diagrams supporting the subject development application indicate increased overshadowing of the site to the east during the afternoon however this site faces

Springwood Street and has unobstructed solar access from 9am until approximately 1pm as shown in Figure 9. This site will retain the minimum amount of sunlight of 3 hours per day.



**Figure 9 – View of No. 2 Clifford Street from Springwood Street**

No objection is made in this instance to the overshadowing impact by the proposed development on the adjoining property to the west and east which as demonstrated above will receive adequate solar access.

- **Privacy and Overlooking**

*Comment*

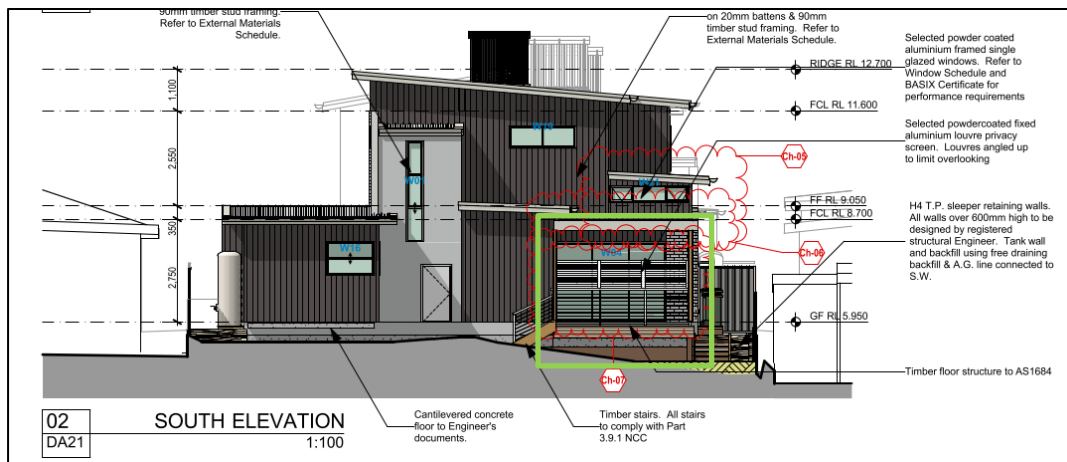
All submissions raised concerns regarding privacy and overlooking.

**Impact on adjoining property to the south – No. 151 Springwood Street Umina Beach**

The submission requests "*height of the rear fence is extended to ensure privacy as the proposed building is two storeys*".

Privacy to the southern residence at the rear of the site is addressed by a combination of privacy measures. In addition to the provision of a 1.8m high boundary fence along the side and rear boundaries, a privacy screen is proposed to the southern elevation of the deck of Unit 3 to mitigate overlooking. Further privacy measures are addressed through landscaping of the private open space incorporating a canopy tree capable of a mature height of 6m

including appropriately located hedge screening capable of a mature height of 3m as shown on the Site and Landscape Plan, refer Figure 5.  
The privacy screen is shown below in Figure 10.



**Figure 10 – Southern Elevation of Unit 3 - Location of privacy screen outlined in green**

### **Impact on adjoining property to the west - Nos. 6 & 6A Clifford Street Umina Beach**

The submission states that overlooking from the proposed second storey will look directly into each home; this being to the front villa's main bedroom, kitchen and dining room and the back-villa's kitchen, dining and entertainment room.

The building incorporates design features to minimise overlooking impacts. As shown in Figure 11, the building elevations are highly articulated and windows on the western elevation are minimal.

The windows are generally small in dimension and associated with bathrooms and stairwells other than two windows to the living area of Unit 2. The size, location and separation distance of these windows provide limited viewing opportunities. In addition, the upper level of western elevation is compliant with the setback controls to the side boundary, proposing a 5.72m setback. Privacy is also achieved through the articulation of the façade and landscaping proposed on the western boundary.

The terrace of Unit 2 is located adjacent to the bathroom and garage of the front residence of the adjoining dual occupancy. The terrace is setback 6.3m from the side boundary, a greater setback than that of the adjoining façades of Unit 1 and Unit 2. In addition, the combination of the solid and open balustrade will provide a visual barrier when seated on the terrace.





**Figure 11 – Western Elevation Perspective**

The main bedroom window of the front residence of the dual occupancy is setback further from the boundary to that of the bathroom area which will aid in blocking the line of sight and is unlikely to be adversely impacted from overlooking from the terrace. A service area, including the location of the rainwater tanks, is located within the side setback area of the front residence on the eastern boundary. The main courtyard area for the front residence is located within the front setback of the property to the northeast. New landscaping on the subject site and existing landscaping on the adjoining site will provide a visual buffer to the courtyard.

For these reasons no objection is raised to the design of the proposed development and the proposal is not considered to have adverse impact from overlooking on the front residence.

Similarly, the proposal is not considered to have adverse impact on privacy and overlooking to the adjoining rear residence due to building articulation, use of rooms (bathrooms and stairwells) on the western elevation of the proposal and size and placement of windows to these rooms of Unit 2 and Unit 3.

#### ***Impact on adjoining property to the east - No 2 Clifford Street Umina Beach***

Since lodgement, the application has been amended. The amendments were not re-notified to adjoining properties as the amendments improve the proposal and address the issues raised in the submission from the property to the east.

The terrace will overlook the roof of the adjoining building to the east. Notwithstanding this, amendments provide additional privacy measures to address overlooking from the terrace of Unit 2; the eastern wall of Unit 2 is extended across the terrace edge, the height of the solid balustrade is increased, incorporating a garden and viewing setback to reduce downward looking to the residence to the east, refer Figure 12.



**Figure 12 – Eastern Elevation Perspective – Upper Level Rear Unit 1, Unit 2 Living and Terrace**

The bedrooms of each unit are located on the eastern elevation of the proposed development; privacy impacts from low usage rooms, are not as significant as from living areas. Although the eastern walls of the upper level of Unit 1 and Unit 2 do not comply with the setback controls in GDCP 2013, the location and size of windows, together with the building articulation and roof design provide limited viewing opportunities and no direct overlooking of the adjoining property is considered to occur.

In addition, Unit 3 of the proposed development is located adjacent the garage of the adjoining property. The setback of the upper level of Unit 3 to the eastern property complies with the setback controls in GDCP 2013, refer Figure 13.



**Figure 13 – Eastern Elevation Perspective – Unit 3**

No objection is raised to the design of the proposed development and the proposal is not considered to have adverse impact from overlooking on the private open space and the dwelling to the east.

- ***Will the development be rented out, if so by whom?***

*Comment*

The proposal may be retained in one ownership or be subdivided into strata lots where each unit may be in separate ownership. The units may be occupied by the owner of the property or occupied by tenants.

### **Submissions from Public Authorities**

The proposal did not require notification to any external agencies or public authorities.

### **Internal Consultation**

The development application was referred to the following internal officers for comment:

- *Architect*

The proposal has been assessed by Council's Architect who has reviewed the submitted report and plans. There is no objection to the application on architectural grounds.

- *Engineering*

The proposal has been assessed by Council's Development Engineer who has reviewed the amended reports and plans. Clifford Street is a bitumen sealed road without kerb and gutter in the frontage of the site. However, kerb and gutter exists for the property to the west of the subject site and Council has recently undertaken kerb and gutter with footpath infrastructure along the western side of Springwood Street, which extends into Clifford Street to appropriately the alignment of the eastern boundary of the subject land. As such, half road construction including kerb and gutter, concrete footpath and drainage is required in the full frontage of the site. Consideration has been given to adequate vehicle manoeuvring to the garage of Unit 3 (a maximum of three manoeuvres can be maintained). The proposed development is considered satisfactory in engineering terms, subject to conditions.

- *Water & Sewer*

The proposal has been assessed by Council's Water & Sewer Officer. Water and sewer services are available to the land. The proposed development is subject to Water & Sewer Contributions.

A Council 150mm sewer main is located along the rear boundary of the development site. The proposal impacts Council's 150mm sewer main and will be required to comply with Council's Guidelines for Building Over or Near Council Water and Sewer Main. The proposal will be required to be pierced to the sewer zone of influence and Council's main will be required to be concrete encased. The sewer junction connection location is required to be provided a minimum 1.0m radial clearance. Relocation of the junction may be required. A section 307 Certificate of Compliance is required. Refer to **Conditions 2.5 & 2.6**.

### **Ecologically Sustainable Principles:**

The proposal has been assessed having regard to ecologically sustainable development principles and is considered to be consistent with the principles.

The proposed development is considered to incorporate satisfactory stormwater, drainage and erosion control and is unlikely to have any significant adverse impacts on the environment and will not decrease environmental quality for future generations. The proposal does not result in the disturbance of any endangered flora or fauna habitats and is unlikely to significantly affect fluvial environments.

### **Climate Change**

The potential impacts of climate change on the proposed development have been considered by Council as part of its assessment of the application.

This assessment has included consideration of such matters as potential rise in sea level; potential for more intense and/or frequent extreme weather conditions including storm events, bushfires, drought, flood and coastal erosion; as well as how the proposed

development may cope, combat, withstand these potential impacts. The proposed development is considered satisfactory in relation to climate change.

**Assessment:**

Having regard for the matters for consideration detailed in section 4.15 of the Environmental Planning and Assessment Act 1979 and other statutory requirements, Council's policies and section 10.7 certificate details, the assessment has identified the following key issues, which are elaborated upon for Council's information. Any tables relating to plans or policies are provided as an attachment.

**Provisions of any environmental planning instruments/Plans/Policies:***Draft Central Coast Local Environmental Plan*

The application has been assessed under the provisions of the draft *Central Coast Local Environment Plan* (draft CCLEP) publicly exhibited from 6 December 2018 to 28 February 2019 with respect to zoning, development standards and special provisions.

Under the draft CCLEP the subject land retains its R1 General Residential zoning as well as the existing 8.5m maximum building height. Multi dwelling housing developments remain a permitted use with consent in the R1 General Residential zone. The floor space ratio control remains the same for the site.

The proposed development is considered consistent with the draft *Central Coast Local Environment Plan*.

*State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004*

The application is supported by a BASIX certificate which confirms the proposal will meet the NSW government's requirements for sustainability, if built in accordance with the commitments in the certificate. The proposal is considered to be consistent with the requirements of *State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004*.

*State Environmental Planning Policy No 55 – Remediation of Land*

*State Environmental Planning Policy No 55 – Remediation of Land* (SEPP 55) applies to all development and requires consideration and management of site contamination issues as part of the development assessment process. The current use of the site is for domestic residential purposes, and there are no known previous uses that would lead to the site being contaminated or unsuitable for the proposed use.

*Gosford Local Environmental Plan 2014**Zoning and Permissibility*

The subject site is zoned R1 General Residential under *Gosford Local Environmental Plan 2014* (GLEP 2014) as shown in Figure 14 (blue outline indicates subject site).



**Figure 14 – Zoning Map**

Development for the purpose of multi dwelling housing is permissible in the R1 General Residential zone.

In the GLEP 2014, **Multi dwelling housing** means 3 or more dwellings (whether attached or detached) on one lot of land, each with access at ground level, but does not include a residential flat building.

Consideration of the proposal has been provided regarding the objectives of the control contained within clause 2.3(2) of GLEP 2014.

- *To provide for the housing needs of the community.*

The proposal provides additional housing that will meet strong local demand for young families and older people in close proximity to the Umina Beach town centre through the provision of high-quality medium density residential development.

- *To provide for a variety of housing types and densities.*

The proposal provides additional housing for the local community and will increase housing choice in the area.

- *To enable other land uses that provide facilities or services to meet the day to day needs of residents.*

This objective is not applicable to the proposal.

- *To ensure that development is compatible with the desired future character of the zone.*

The development is consistent with the desired future character of the area. The proposal will have a positive contribution to the streetscape and provides an appropriate transition in built form and land use intensity to that which currently exists in the form of single storey developments.

- *To promote best practice in the design of multi dwelling housing and other similar types of development.*

The siting of the building together with the surrounding garden area is consistent with the predominant pattern of buildings in the neighbourhood.

The design provides a quality residential development and responds to the site, provides housing with a high degree of accessibility and does not have adverse impact on the amenity of adjoining residential development.

- *To ensure that non-residential uses do not adversely affect residential amenity or place demands on services beyond the level reasonably required for multi dwelling housing or other similar types of development.*

This objective is not applicable to the proposal.

In this instance, it is considered that the proposal is consistent with the stated objectives of the R1 General Residential zone.

#### *Development Standards*

An assessment of the proposed development against the relevant planning controls is detailed below.

<b>Development Standard</b>	<b>Required</b>	<b>Proposed</b>	<b>Variation %</b>	<b>Compliance with Control</b>	<b>Compliance with Objective</b>
4.1B Minimum lot sizes for attached dwellings, dual occupancies, multi dwelling housing and residential flat buildings	750m <sup>2</sup>	670.3m <sup>2</sup>	10.6%	No	Yes – Clause 4.6 Exception to Development Standard has been lodged and considered satisfactory
4.3 Height of buildings	8.5m	7.26m	-	Yes	Yes

Development Standard	Required	Proposed	Variation %	Compliance with Control	Compliance with Objective
4.4 Floor space ratio	Exemption Clause 4.4 (2A) (c) is 0.5:1	0.475:1	-	Yes	Yes

**Figure 15 – GLEP 2014 Development Standards**

#### *4.1B Minimum lot sizes for attached dwellings, dual occupancies, multi dwelling housing and residential flat buildings*

The proposal does not comply with the minimum lot size development standard of 750m<sup>2</sup> for multi dwelling housing developments stipulated in clause 4.1B of GLEP 2014. The area of the site is 670.3m<sup>2</sup> (by Deed). This results in variation of 79.7m<sup>2</sup> or 10.6% to the development standard.

A written request under clause 4.6 of GLEP 2014 to vary the development standard has been submitted by the Applicant and is dealt with later in this report. The Applicant's submission demonstrates the proposed development is of a satisfactory density and scale and does not have adverse impact on adjoining development. The Applicant's objection is well founded as the proposal is considered to achieve the objectives of the standard and the development is recommended for support.

#### *4.3 – Height of Buildings*

Clause 4.3(2) of GLEP 2014 provides that the height of a building on any land will not to exceed the maximum height shown for the land on the Height of Buildings Map. The maximum height shown on the relevant map is 8.5m. The GLEP 2014 defines this as the height above existing ground level.

The proposed development complies with the development standard with a building height of 7.26m as indicated on the Section Plan, Section A, Sheet 16592-DA40 Rev 10 dated 21 February 2019.

#### *4.4 Floor Space Ratio*

Clause 4.4(2) Floor Space Ratio of GLEP 2014 provides the maximum floor space ratio for a building on any land. The maximum floor space ratio (FSR) shown on the relevant map is 0.7:1. Subclause 4.4(2A)(c) specifies exceptions to building on land in Zone R1 General Residential if on-site car parking is not located in a basement. In this instance, on-site car parking is not located within a basement. In accordance with subclause 4.4(2A)(c) the FSR is 0.5:1.



The proposal has a floor area of 318.21m<sup>2</sup> and a site area of 670.3m<sup>2</sup>. The proposal has an FSR of 0.475:1 and complies with the FSR provisions of GLEP 2014.

#### 4.6 Exception to Development Standards

Clause 4.6 of GLEP 2014 provides Council the ability to grant consent to a development application where the variation to a development standard can be adequately justified and where the objectives of clause 4.6 are satisfied, being:

- (a) to provide an appropriate degree of flexibility in applying certain development standards to particular development,
- (b) to achieve better outcomes for and from development by allowing flexibility in particular circumstances.

In accordance with clause 4.6(3) the Applicant has submitted a written request seeking variation to the minimum lot size development standard of 750m<sup>2</sup> for multi dwelling housing contained within clause 4.1B(2) minimum lot sizes for attached dwellings, dual occupancies, multi dwelling housing and residential flat buildings of GLEP 2014. The area of the site is 670.3m<sup>2</sup> (by Deed); a variation of 79.7m<sup>2</sup> or 10.6% to the development standard.

The Applicant's written request to vary the development standard is summarised as follows:

- *The proposal is consistent with the objectives of the development standard and the zone notwithstanding the variation sought to the minimum lot size for multi dwelling housing developments.*
  - *it represents a reasonable variation to the established residential lot sizes for buildings as anticipated under Part 4 – Principal Development Standards of the Gosford Local Environmental Plan 2014;*
  - *demonstrates a high quality urban form;*
  - *provides an appropriate transition in built form and land use intensity to that which currently exists in the form of single storey residential flat buildings to the north and west;*
  - *does not adversely impact on any view corridors and complements the natural level topography of the area; and*
  - *does not impact on public open space from excessive overshadowing and continues to allow views to identify natural topographical features (ie: Brisbane Water National Park ridgeline to the west)*
- *The development standard is unreasonable and unnecessary and the request seeks flexibility in applying the standard because of the limited environmental impacts.*
  - *The proposal provides an appropriate correlation between the size of a site and the extent of any development on that site in line with the anticipated outcomes of the Central Coast Regional Plan;*

- *The proposal facilitates design excellence by ensuring the extent of floor space in building envelopes leaves generous space for the articulation and modulation of design.*
- *The proposal will ensure that the development is commercially viable and of a higher standard of residential yield through high quality building design that offsets and improves on the current built form compared to that which would otherwise be provided should strict adherence to the standard be applied. The proposal is an efficient use of the land which delivers social, economic and environmental benefits to the community.*
- *The variation will not adversely affect the amenity of the immediate locality.*
- *The subject site has particular circumstances in relation to:*
  - *Its prominent location near the corner of Clifford Street and Springwood Street which is one of several arterial road gateways to the Umina Beach town centre.*
  - *Surrounding design standards and limited consolidation opportunities which has triggered the specific design response and variation to the minimum lot size. Medium density development occurs immediately to the west of the site with a single storey dwelling immediately to the east on the corner of Springwood Street limiting consolidation opportunities.*
- *The proposal is in the public interest as it is generally consistent with both the objectives of the standard and for development within the zone.*

In accordance with clause 4.6(4), development consent must not grant consent for a development that contravenes a development standard unless:

1. The consent authority is satisfied that the Applicant's written request has adequately addressed the matters required to be demonstrated in clause 4.6(3).

Comment:

The clause 4.6 submitted by the Applicant has addressed how strict compliance with the development standards is unreasonable or unnecessary and how there are sufficient environmental planning grounds to justify the contravention. Council is satisfied that the matters required to be demonstrated in subclause 4.6(3) have been adequately addressed for the variation to the minimum lot size for multi dwelling housing development standard.

2. The consent authority is satisfied that the proposed development will be in the public interest because it is consistent with the objectives of the particular standard and the objectives for development within the zone in which the development is proposed to be carried out.

Comment:

The objective of the clause is to achieve planned residential density in certain zones. This is achieved by controlling building density and bulk in relation to site area in order to achieve the desired future character of the area.

The proposal is consistent with objectives in GLEP 2014 as follows:

- The proposal is a well-designed building that reflects the topography of the site. Notwithstanding the size of the lot is below the development standard, the development achieves similar density to surrounding development with a small building footprint allowing a larger area of open space and landscaping.
- The proposed building design maintains a similar building envelop to that which would be achieved by meeting the current standard and improves the design standards of adjacent residential development. The proposed two storey development has a building height of 7.26m, well below the height limit of 8.5m and has a floor space ratio of 0.475:1 below the maximum floor space ratio of 0.5:1.
- The proposed development is of a satisfactory density and scale and does not have adverse impact on the amenity of the adjoining residents by overshadowing or overlooking. The design of the development provides for articulation, different materials selection, natural ventilation, acoustic and visual privacy from the neighbours. The proposed building faces north with good access to sunlight and will provide a minimum of 3 hours sunlight to adjoining development in accordance with the development controls.

The proposed development is consistent with the objectives for the R1 General Residential zone as follows:

- The proposal provides additional housing for the local community and will increase housing choice in the area.
- The development is consistent with the future character of the area.
- The development proposes leafy gardens and privacy screening to achieve desired future character of the zone.
- The siting of the building together with the surrounding garden area is consistent with the predominant pattern of buildings in the neighbourhood.
- The design provides a quality residential development and responds to the site, provides housing with a high degree of accessibility and does not have adverse impact on the amenity of adjoining residential development.
- The proposal will have a positive contribution to the streetscape and provides an appropriate transition in built form and land use intensity to that which currently exists in the form of single storey medium density housing to the north and west.

The assessment of the proposal against the objective of the development standard and the R1 General Residential zone confirms that the proposal complies with these objectives.

3. The concurrence of the Secretary has been obtained.

Comment:

Planning Circular PS 18-003 issued 21 February 2018 states that Council may assume the concurrence of the Secretary of the NSW Department of Planning and Environment when considering exceptions to development standards under clause 4.6. The Council is therefore empowered to determine the application.

Council is satisfied that the Applicant has demonstrated compliance with the development standard and the zone objectives such that the proposal is in the public interest.

This assessment has been carried out having regard to the relevant principles identified in the following case law:

1. *Wehbe v Pittwater Council [2007] NSWLEC 827*
2. *Four2Five Pty Ltd v Ashfield Council [2015] NSWLEC 1009*
3. *Four2Five Pty Ltd v Ashfield Council [2015] NSWLEC 90*
4. *Four2Five Pty Ltd v Ashfield Council [2015] NSWCA 248*

This assessment concludes that the clause 4.6 variation of GLEP 2014 provided having regard to clause 4.1B of GLEP 2014 is well founded and worthy of support.

#### *7.1 Acid sulfate soils*

This land has been identified as being affected by the Acid Sulfate Soils Map and the matters contained in clause 7.1 of GLEP 2014 have been considered. The site contains Class 4 Acid Sulfate Soils.

Class 4 Acid Sulfate Soils specifies:

- Works more than 2 metres below the natural ground surface.
- Works by which the water table is likely to be lowered more than 2 metres below the natural ground surface.

In this instance, the proposal works are not considered to impact on Acid Sulfate Soils.

#### **Provisions of any Development Control Plan**

##### *Gosford Development Control Plan 2013*

An assessment of the proposed development against the relevant chapters of Gosford Development Control Plan 2013 (GDGP 2013) is provided below.

#### *2.1 Character*

The subject site is within the Umina Character Statement Umina 3: Sandplain Medium Density.

The proposal is considered to meet the desired character objectives as follows:

- *Surround each multi-unit development with leafy gardens that conserve existing visually-prominent trees, particularly along back fences and street frontages or verges, as well as providing space for new shady trees and shrubs planted as backdrops to new buildings. Maintain the informal qualities of existing wide grassy street verges and conserve existing shady street trees. Plant a combination of trees and shrubs around courtyards as well as along all property boundaries, and use hedges or fences that are low or see-through rather than tall and opaque in order to complement the informal character of existing garden frontages.*

*Comment*

Landscaping is similar in area to adjoining multi-unit dwellings and includes some larger species on the southern corners of the site to disguise the scale and provide some visual separation between sites. The proposal indicates mulched garden beds along the southern and eastern boundaries. Additional tall narrow planting is located on the western boundary to provide screening to the adjoining site as well as landscaping on the eastern side of the driveway to enhance unit entries. The proposal includes street tree planting, refer to **Condition 5.7**.

The front fence is stated as 1.5m high and semi-transparent and is considered satisfactory however no details are provided. A condition of consent is imposed to amend the architectural plans for front fence details, refer to **Condition 2.3**.

- *Ensure that new multi-unit developments complement the siting, form and scale of surviving traditional bungalows on nearby properties. Maintain street setbacks that are similar to surrounding properties, and minimise the extent of hard-paved surfaces. Avoid the appearance of long and continuous buildings facing any front or side boundary. Step the shape and height of all visible facades, provide at least one wide landscaped setback that varies in width, and line driveways with avenues of trees and shrubs.*

*Comment*

The locality is predominantly older single houses and single storey villa units. The proposed development is two storeys however height controls permit two storey buildings and it is expected that future developments are likely to be constructed to this height.

The proposed development is of similar density to adjoining development with a smaller building footprint allowing areas for open space and landscaping. The proposal provides reasonable setbacks and building separation for a two storey development enhanced by the building fenestration and level of articulation including landscaping along the driveway.

The application has a similar setback to adjoining buildings. There is a minor encroachment to the front boundary by the ground floor living room of Unit 1 however this is considered to add articulation to the façade and is compensated by the verandah which has a 10m setback.

- *Reflect the modest scale of traditional mid-Twentieth Century bungalows, for example by dividing new developments into individual dwelling pavilions with a varied form or orientation, separated by verandahs or parking structures and landscaped courtyards.*

*Comment*

The application, though a single building is visually divided by using articulated skillion roofed elements to break up the scale of the building and uses single storey verandahs to further disguise the scale. The street front unit (Unit 1) is wider than Unit 2 to screen the driveway and garages from the street.

- *Any facades that are taller or longer than neighbouring buildings should be screened by a combination of extra setbacks and balconies or verandahs. Roofs should be gently-pitched to minimise the height of ridges, and flanked by wide eaves that disguise the scale and bulk of exterior walls. Parking is preferable in open carports or part-basements, rather than in wide garages that would accentuate building bulk or dominate visible facades.*

*Comment*

The proposed facades are similar in length to adjoining buildings although taller. It addresses this issue on the east where it adjoins a single residence by being setback from 1.5m to 2.3m at ground level to provide a service area with the upper level being setback between 2.3m and 4.0m.

It also uses variations in materials to further disguise the scale of the building. It is acknowledged that this does not comply with current controls but is significantly larger than adjoining sites and is considered acceptable in this instance.

The proposal maintains reasonable levels of sunlight, privacy and amenity for neighbouring dwellings plus their private open spaces.

The south setback varies from 1.5m to 5.8m on the ground floor and is 5.8m on the upper floor except for the staircase being 3.0m however this occupies only 15% of the site width. The adjoining site to the south has a uniform 2.4m setback.

- *In order to complement the scale and design character of traditional bungalows, a "light-weight appearance" is preferable for all visible facades, incorporating walls of windows that are shaded by framed balconies or verandahs plus exterior sunscreens, painted finishes and some sheet or board cladding rather than extensive plain masonry. Where facades face a street, a laneway or a driveway, provide a traditional "street address" with visible verandahs, living rooms and front doors.*

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*Comment*

The application proposes a mixture of face brick with board cladding and feature areas of render to disguise scale and add visual interest. The use of wide eaves, verandahs and cantilevered sections of the upper floor create shaded areas to further disguise scale.

The application provides a street address by the street front unit (Unit 1) by locating the large living room window, front door and front verandah facing the street.

- *Screen driveways, terraces, courtyards and balconies to protect the privacy and amenity of neighbouring dwellings.*

*Comment*

Landscaping is proposed along the western boundary of the driveway to improve amenity to the neighbouring property. The upper level terrace is setback approximately 6m on the west, a greater setback than that of the adjoining facades of Unit 1 and Unit 2. Additional screening to the terrace on the east incorporating increased height of the solid balustrade with a garden and viewing setback will improve privacy, however, the terrace generally overlooks the roof of the adjoining building.

Overall it is considered that although the development is non-compliant with the minimum site area and some setback controls, the proposal largely achieves the objectives of the development controls and is consistent with the desired character of GDCP 2013.

*2.2 Scenic Quality*

The subject site is located within the Peninsula Geographic Unit and encompasses the Woy Woy/ Umina Landscape Unit of Chapter 2.2 Scenic Quality of GDCP 2013.

The development includes a density of residential development envisaged for the area. It is considered the transition between neighbouring development and the proposed development is acceptable. The use of landscaping enhances the scenic quality of the area.

Overall the development does not propose a bulk and scale that will adversely affect the scenic quality of the area. It is considered the physical constraints of the site have been adequately addressed.

The proposal is consistent with the stated objectives of GDCP 2013 Chapter 2.2 Scenic Quality.

*3.3 Multi Dwelling Housing & Residential Flat Buildings*

An assessment of the proposed development in relation to Chapter 3.3 Multi Dwelling Housing & Residential Flat Buildings is provided in a Compliance Table under Attachment 3.

Despite resulting in several variations with the requirements of the development controls it is concluded the development is appropriate in the locale as follows:

3.3.3.1.2 Maximum Height Controls

The proposed development complies with the building height controls and has a building height of 7.26m. In addition to the controls for building height and number of storeys, further height requirements provide limits on overall building height by limiting the maximum floor height of the lowest occupied storey to 1m for all rooms and areas that are enclosed by exterior walls.

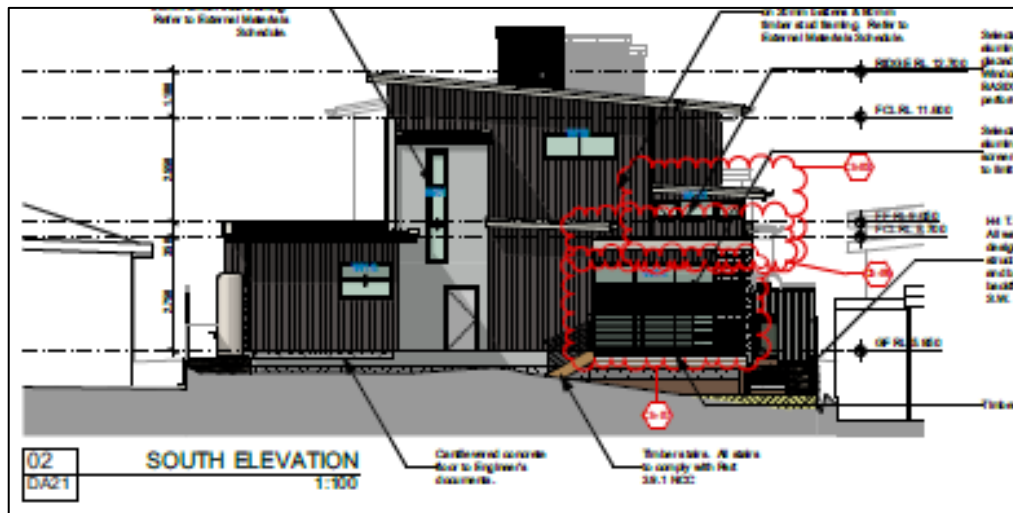
The proposal complies with the 1m height limit except for a portion of Unit 3 at the southeast portion of the site incorporating a small area of the living and kitchen area where the floor level is variable to a maximum of 1.3m above existing ground level. The non-compliance results from the variable existing ground level at this portion of the site. The non-compliance is minor however results in the rear deck within the private open space of Unit 3 located above ground level, refer Figure 16.



Figure 16 – Eastern Elevation of Unit 3

To mitigate any privacy impacts from overlooking to the adjoining southern residence, a privacy screen is proposed to the deck as shown below in Figure 17, as well as appropriately located vegetation screening along the rear boundary as shown on the Landscape Plan. It is not anticipated that there will be any impact on amenity to the adjoining eastern property as the deck is adjacent a garage and side boundary fencing will be erected.





**Figure 17 – Southern Elevation of Unit 3**

Despite the non-compliance the building otherwise complies with required wall heights and the overall building height of 8.5m on the land. The proposal complies with the objectives of the height controls in the GDCP 2013.

### 3.3.3.1.3 Development Controls

A minimum ceiling height of 2.7m is required for all habitable rooms in a two storey building. The proposed development complies with the controls for the ground floor. The ceiling height of the upper floor is 2.55m and does not comply resulting in a variation of 0.15m or 5.6%.

The reduced ceiling height to the upper floor ensures the building height is minimised and together with the skillion roof design and building articulation reduces the extent of overshadowing to adjoining neighbours. The proposal does not impact on the amenity of future occupants notwithstanding the reduced ceiling heights. The variation is minor and is supported.

### 3.3.3.2 Setbacks

The controls provide for deep soil planting and external wall setbacks to limit the intensity of new developments which complement the Floor Space Ratio (FSR) controls in GLEP 2014, to reflect the predominant pattern and character of surrounding areas, to conserve scenic quality and to provide reasonable amenity for existing and proposed dwellings. The extents of the variations to deep soil planting and external wall setbacks are detailed in the Compliance Table at Attachment C.

The ground level setbacks of the proposal do not comply with the deep soil and external wall setback requirements. The setback non-compliances are variable as the building is highly articulated and are satisfactory for the following reasons:

- The front setback has a minor non-compliance with a setback of 5.247m for a length of 4m otherwise the development complies with the required setback of 6m to the site boundary. The minor encroachment is considered to add articulation to the façade. Extensive landscaping is proposed within the front setback to further enhance the streetscape presentation.
- The rear setback is of sufficient width to provide an area for planting of adequate height adjacent the courtyard of the adjoining site.
- The side setbacks on the eastern boundary provide sufficient width to locate service courtyards for garbage bin storage, clothes drying areas and locate rainwater tanks, although landscaping is minimal along the eastern boundary.
- The external wall side setbacks on the western boundary comply with a variation for a length of 10m at the rear (Unit 3) with a setback of 1.5m, being non-complying.
- Allowable encroachments into deep soil setbacks are permitted for large paved areas such as driveways on the western boundary where there is sufficient area for planting along the driveway.
- The development provides 25% of the site area as deep soil for on-site stormwater infiltration.

The setbacks of the upper level of the building are satisfactory for the following reasons:

- The eastern boundary setbacks to Unit 1 and Unit 2 do not comply with a minimum setback of 2.3m. The non-compliance does not result in adverse shadow or privacy impacts to the adjoining property. Privacy impacts are mitigated by size and placement of windows and screening to the upper level terrace of Unit 2 on the eastern elevation of the building.
- The eastern boundary setbacks to Unit 3 comply with a minimum setback of 4.0m.
- The western boundary setbacks comply with a minimum setback of 4.0m.
- The front boundary setbacks comply with a minimum setback of 6m.
- The southern boundary setbacks comply with minor variation
- Upper level setback at the southern boundary is 5.834m (minor variation) except for a portion of the rear unit which has a setback of 2.95m however this occupies only 15% of the site width.

Despite the variations to the required setback provisions the proposed level of landscaping is considered satisfactory, and the proposal will provide reasonable setbacks and building separation for a two storey development enhanced by the building fenestration and level of articulation. The proposal is consistent with the setbacks of buildings on adjoining and adjacent lots, although these are single storey developments. The proposed variations are not considered to adversely impact the amount of sunlight to existing and future dwellings surrounding the site.

The proposal is consistent with the desired character of the area and complies with the required height of buildings and floor space ratio development standards in the GLEP 2014.

Notwithstanding the non-compliance with setbacks, no objection is made given the limited amenity implications associated with these encroachments. It is considered the proposal complies with the setback objectives of the control.

#### 3.3.3.3 Car Parking

Car Parking requirements for multi dwelling housing developments are stated within Chapter 7.1 Car Parking of GDCP 2013 as follows:

- **Resident parking** is required at the rate of 1.5 spaces per unit. The proposed development requires 4.5 spaces. The proposal provides 5 car spaces for residents and complies with the control.
- **Visitor parking** may be provided on the existing street where the development contains less than 4 units or unrestricted on-street parking is safely available within 60m of the development. No visitor parking is required or provided in this instance in accordance with car parking requirements as the proposed development is less than 4 units.

In addition, car parking is to be designed and located to integrate within the building design and not impact on streetscape or desired neighbourhood character:

- Council's Development Engineer has examined the submitted Halcrow & Associates turning path diagrams. Council raised concern regarding access/egress to the proposed garage within Unit 3. Council is satisfied the submitted turning paths are consistent with current engineering practice and the proposal is supported.
- The garages are not located in the front setback and are separated by the habitable spaces of each unit and therefore do not create a continuous row of enclosed garages on any building elevation.
- Compliant car parking spaces and safe traffic/vehicle movement is achieved. All vehicles can enter and leave the site in a forward direction.

The proposal complies with the requirements and objectives of the controls.

#### 3.3.3.4 Articulation

The controls ensure the size and bulk of new developments are compatible with surrounding development, prevents monotonous exterior walls and limits the height and length of new facades, and minimises impacts on scenic quality and character of surrounding areas.

Clause 3.3.3.4.2 provides controls for maximum dimensions of buildings. A building may exceed elevations longer than 25m - 35m. The building is 35.132m in length however has sufficient building articulation incorporating courtyard areas and landscaping to reduce bulk and scale of the development.

- The height of exterior walls is reduced with upper level set back from ground level.
- Varied skillion roof forms pitched in alternate directions.
- Unit 1 and Unit 3 courtyards are planted with a canopy tree capable of a mature height of 6m orientated to the front and rear of the building.
- The proposal complies with the requirements with the exception of the courtyard of Unit 2; dimensions are less than 6 x 6m and no canopy tree is proposed.

The building setback along the eastern boundary has been designed to provide service courtyards for all units at ground level and provides separate landscaped private open space areas. The design of Unit 2 with living space on the upper floor provides private open space in the form of a terrace adjoining the living spaces. The terrace includes landscaped areas.

Despite the non-compliance the variation is supported. The proposal meets the objectives of the control. Sufficient detailing has been applied to the building to prevent monotonous appearance. In addition, building length can impact on cross ventilation, and all units provide minimum of 2 aspects for natural ventilation on both levels. The development does not compromise the scenic quality, streetscape and character of the surrounding area.

Clause 3.3.3.4.4 requires the unarticulated length of any wall should not exceed 8m. The side elevations of the upper level of Unit 2 are greater than 8m. Notwithstanding this, articulation is provided to the elevations using changes in building materials and fenestration, together with building lines and setbacks to break up the side elevations of the building. Therefore, satisfactory articulation is achieved in accordance with the control.

#### *3.3.3.5.2 Sunlight and Overshadowing*

Shadow diagrams have been provided that establish compliance both for the proposal and adjoining development with respect to sunlight and overshadowing:

- All units in the development meet the criteria for a minimum of three hours solar access to the living areas and private open space areas of the units. This is achieved through minor amendments to roof of Unit 3 on the eastern elevation by raising the roof of the living area and providing highlight windows. Figure 18 below indicates solar access to Unit 3 at June 21, 12pm.



**Figure 18 – solar access to Unit 3 at June 21, 12pm  
– raised roof over living area highlighted in red**

- Minimum 3 hours per day of sunlight is retained to existing neighbours. Shadow diagrams have been submitted with the application that shows shadowing in mid-winter. Refer to Attachment B, Architectural Plans, Drawing 16592-DA13.
- Submissions have expressed concern about overshadowing of adjoining sites. The application complies with height controls and it is considered that some increase in overshadowing from a building of complying height is reasonable. The extent of impact to adjoining properties is provided below with further detail in the report under 'Submissions':
  - **No. 2 Clifford Street** – It is acknowledged that there will be increased overshadowing of the site to the east during the afternoon however this site faces Springwood Street and has unobstructed solar access from 9am until approximately 1pm.
  - **Nos. 6 & 6A Clifford Street** - It will also result in increased overshadowing of the site to the west between 9am and noon but this site will have unobstructed solar access between noon and 3pm. The upper level is also setback on the west approximately 5m.
  - **No. 151 Springwood Street** - The most severe impact will be the unit directly to the south however most of the upper level is set back 5.834m from the southern boundary and complies with height and setback controls with only the staircase or 13% of the site width being non-complying. It is also noted that the adjoining unit to the south is currently shaded by trees and the private open space has been roofed.

### 3.3.3.5.3 Site Planning

Site planning provisions require reasonable privacy for both existing and proposed dwellings to be orientated towards front or rear setbacks or major open space areas. In addition, privacy separation for two storey buildings should be at least 9m between adjacent dwellings. However, reduced separation can be considered acceptable where screening would block lines of sight between adjacent dwellings, between the windows of any living, dining or family room and/or the outer edge of a principal private open space.

The development proposes less than 9m separation distance to residential development to the east, west and south. The reduced separation of dwellings is acceptable in this instance and the proposed development is consistent with the controls and objectives and provides reasonable privacy for existing and proposed dwellings as follows:

- The proposal orients the units, decks, verandahs and living areas to the front and rear of the development, facing the northeast (Unit 1) and southeast (Unit 3). Primary orientation is directly to the living rooms providing contiguous access between the respective spaces.
- The living area to Unit 2 being on the upper level of the development is centrally located and has access to the upper level terrace. The terrace is setback approximately 6m on the west and generally overlooks the roof of the adjoining building to the east.
- The design of the development ensures line-of-sight privacy is maintained through highlight windows, 1.8m high boundary fencing and to the east, courtyard screening.
- Internally, the development has been designed to provide privacy for units. The dwellings are protected from intrusive noise and overlooking by locating bedroom windows away from common areas such as driveways, lobbies, access-hallways and access-balconies.

### 3.3.3.5.5 Private Open Space

The controls require all dwellings with a private entrance at ground level at least 50m<sup>2</sup> of private open space as landscaped garden courtyards or terraces, incorporating an area of at least 5m x 5m and a minimum dimension of 3.5m.

The proposal provides private open space areas as follows:

- Unit 1 has 75m<sup>2</sup> of private open space at ground level and includes the following features – an area a minimum width 5m x 5m with 1 canopy tree and an adjoining service area on the eastern boundary.
- Unit 2 has a total of 44.14m<sup>2</sup> of private open space; this is provided by 15.70m<sup>2</sup> at ground level and includes a service area on the eastern boundary plus a terrace on upper level 28.44m<sup>2</sup> in area.

The private open space area of Unit 2 does not comply with the numerical controls resulting in a variation of 11.7%. While Unit 2 has a private entrance at ground level, the living areas are located on the upper level adjoining the terrace area. Unit 2 is a two-bedroom dwelling; the controls in the GDCP 2013 for above ground units only requires 12m<sup>2</sup> of private open space as a terrace or balcony. The proposal provides an area that exceeds this including a service area for garbage bin storage and clothes drying. The terrace space provides features required for private open spaces as follows:

- The terrace has a sunny location immediately next to the dwelling's living area and is designed as an outdoor room with an area 2.5m x 2.5m suitable for an outdoor table,
  - Screening for privacy,
  - Protection from summer sun in the form of a pergola,
  - A garden area designed and located on the terrace area to reduce overlooking to the adjoining eastern residence.
- Unit 3 has 82.28m<sup>2</sup> of private open space at ground level and includes the following features - an area a minimum width 5m x 5m with 2 canopy trees and an adjoining service area on the eastern boundary.

Despite the numerical non-compliance for the private open space of Unit 2 the proposal is supported and provides well designed open spaces for each dwelling.

#### *3.3.4.1 Housing Choice*

The purpose of housing choice and adaptability is to promote the Council's adopted strategies regarding population and residential development by encouraging a range of dwelling types. No more than one third of the dwellings in any development should be the same type.

Each unit in the development has a different layout and the proposal provides a variety of different dwelling types.

#### *3.3.4.2 Residential Address*

A "traditional address" is required for all new dwellings that face any street or public, or communal areas within a development. A traditional address is achieved where sightlines are available from regularly occupied rooms and open spaces within each dwelling towards driveway, walkways and public spaces.

Unit 1 provides a traditional street address for the development with windows, living area and patio facing the street. All units have a private entrance at ground level with direct access to the common driveway and garages are not located on the street frontage.

Clause 3.3.4.2.6 requires fences next to any street and driveway to not restrict the desired sight lines. The front fence is stated as 1.5m high and semi-transparent and is considered

satisfactory however no details are provided. A condition of consent is imposed to amend the architectural plans for front fence details, **Condition 2.3**.

#### 3.3.4.4 Landscaped Areas

The controls require landscaping to disguise visual impact of new buildings and site infrastructure. The Landscape Plan by Howard Leslie & Associates, drawing 16592-DA12 Rev 10 dated 21 February 2019, refer Figure 5 in the report, provides perimeter planting, landscaped courtyard and terrace areas for the development as follows:

- Medium sized trees proposed within courtyards of Unit 1 and Unit 3 are considered satisfactory with potential for a mature height of 6m.
- No canopy tree is proposed to Unit 2 courtyard however landscaping is proposed to upper level terrace and will soften the built form.
- Minimal landscaping is proposed along the eastern boundary. This is supported in this instance to provide service areas and a sunny location for clothes drying.
- Overall the proposal provides a satisfactory level of landscaping. Landscaping is provided alongside boundary of the driveway and 1 canopy tree at the rear of the site. The streetscape will be enhanced providing 2 canopy trees at the site frontage including street tree planting.
- The visual impact of the building and privacy to the development and surrounding residences is achieved by the proposed landscape design.

The proposed landscaping is considered to enhance the existing landscape character of the established gardens of adjoining and adjacent developments and promotes satisfactory levels of amenity to future occupants.

#### 6.3 Erosion Sedimentation Control

Appropriate siltation control is conditioned.

#### 6.6 Preservation of Trees or Vegetation

The proposal requires removal of small ornamental trees and shrubs. The property does not contain significant trees. A Landscape Plan has been provided and proposes significant courtyard planting including street tree planting.

The proposal meets the aims and objectives of Chapter 6.6. The proposal has considered trees and vegetation in planning, designing and constructing the development and is considered to enhance the environmental amenity of future occupants and existing adjoining residential development.

#### 6.7 Water Cycle Management

A concept stormwater management plan has been provided, detailing the water cycle management requirements for the proposed development. These details have been reviewed



by Council's Development Engineer and are considered satisfactory. Stormwater from the proposed development will be managed on site and discharged to Clifford Street. Onsite stormwater detention, stormwater quality and onsite stormwater retention and reuse on site will all be implemented.

The proposal is consistent with Chapter 6.7 Water Cycle Management. Appropriate conditions have been recommended by Council's Development Engineer.

#### *7.1 Car Parking*

The proposal complies with the car parking objectives and requirements for multi dwelling housing developments as stated in Chapter 7.1 Car Parking of GDCP 2013.

Car parking and safe traffic/vehicle movement is addressed under Chapter 3.3 Multi Dwelling Housing and Residential Flat Building, Clause 3.3.3.3 Car Parking of GDCP 2013.

#### *7.2 Waste Management*

A Waste Management Plan, prepared by Matthew Wales, dated 30 May 2018 has been provided and deemed appropriate for the scale of the proposal. Garbage bins are to be stored within private courtyards and screened from the internal courtyards and from the street. Appropriate conditions are applied.

### **Likely Impacts of the Development:**

#### *Built Environment*

The subject site is zoned R1 General Residential under GLEP 2014 and adjoins residential developments to the east, west and south site boundary comprising single dwellings, and single storey dual occupancy and multi dwelling housing developments.

The proposed built form is considered acceptable in the context of the site.

There will be minimal amenity impacts as a result of the variation to clause 4.1B Minimum lot size for multi dwelling housing under GLEP 2014 that would warrant further modification of the development application.

A thorough assessment of the impacts of the proposed development on the built environment has been undertaken in terms of the GLEP 2014 and GDCP 2013 compliance. The potential impacts are considered reasonable.

#### *Access and Transport*

A thorough assessment of the impacts of the proposed development has been undertaken in relation to access and traffic:

- The proposal does not present any unsatisfactory traffic capacity, safety or environmental related implications.
- The proposal provides the required on-site car parking spaces for the three multi-dwelling housing development. All vehicles can enter and leave the proposed development/site in a forward direction.
- The site is located close to public transport with bus stops located in Springwood Street approximately 60m distance north of Clifford Street and approximately 100m distance south of Clifford Street.
- A construction management plan, traffic and pedestrian management plan will be prepared and provided to the certifying authority. Refer to **Condition 2.11**.

### *Context and Setting*

The locality is predominantly older single houses and single storey villa units. The zoning permits medium density housing.

The proposed development is two storeys however height controls permit two storey buildings and it is expected that future developments are likely to be constructed to this height. The development is consistent with the future character of the area, will not impact on scenic quality of the area or impact on views from adjoining development west to ridgelines of the Brisbane Water National Park.

The proposal is a well-designed, significantly articulated two storey building and it has a similar density with a smaller building footprint that achieves a larger area for open space and landscaping compared to a single storey multi-unit development.

The proposal will have a positive contribution to the streetscape and provides an appropriate transition in built form and land use intensity to that which currently exists in the form of single storey multi-unit developments to the north and west.

### *Natural Environment*

The proposal is satisfactory in relation to impacts on the natural environment as identified throughout this report. There will be no significant impact upon the natural environment as a result of the proposal.

### *Economic Impacts*

The proposed development will contribute to the supply of housing needs in the locality and is satisfactory from an economic perspective.

### *Social Impacts*

No social impacts are considered to arise from the approval of this residential development. The proposal will create a better environment by substantially improving the affordability, liveability and amenity of the locality through the provision of improved high-quality medium density residential development.

**Suitability of the Site for the Development:**

A review of Council's records has identified the following constraints:

- Acid Sulfate Soils – The subject site is identified as containing Class 4 Acid Sulfate Soils. In this instance, the proposal works are not considered to impact on Acid Sulfate Soils.

The site is not subject to flooding or bushfire constraints. Previous and proposed use of the site is for a residential purpose.

As such the site is considered suitable for this type of development subject to conditions of consent relating to fill requirements, works in the road reserve, internal engineering works and the provision of landscaping.

**Any Submission made in Accordance with this Act or Regulations:**

Submissions received in relation to the proposal have been considered within this report and are outlined above.

**The Public Interest: (s4.15(1)(e))**

The approval of the application is considered to be in the public interest.

The proposal provides additional housing that will meet local demand in close proximity to the Umina Beach town centre through the provision of improved of high-quality medium density residential development.

The proposal is consistent with the desired future character of the area, will have a positive contribution to the streetscape and is not considered to have adverse impact on the amenity of adjoining properties.

**Other Matters for Consideration:***Crime Prevention through Environmental Design (CEPTED)*

The proposed development is designed to incorporate security measures to minimise the opportunity for crime through natural surveillance, provision and suitable placement of landscaping, adequate lighting of surrounds and directional signage.

A condition of consent is recommended to apply CEPTED principles. Refer to **Condition 5.11**.

*Construction Management*

A Construction Environmental Management Plan (CEMP), including a Traffic Management Plan (CTMP), Vehicle Movement Plan and Traffic Control Plan will be prepared and submitted to the certifying authority which will detail environmental management, waste and stockpile management, erosion and sediment control plan, traffic management. Council is not required to approve these plans. Refer to **Condition 2.11**.

*Development Contributions*

The subject site is located within Development Contribution Plan CP 31 Peninsula where multi dwelling housing developments are subject to section 7.11 contributions. The applicable contribution amount was calculated and imposed as a standard condition of consent for three medium sized units and credit for the existing dwelling.

The contribution is required to be paid prior to the issue of any Construction Certificate. Refer to **Condition 2.4**.

*Water and Sewer Contributions*

Water and sewer is available to the land. The payment of water and sewer contributions is applicable and imposed by the Water Authority. The proponent must obtain a section 307 certificate for the development of the land. Refer to **Condition 2.5**.

**Conclusion**

This application has been assessed under the heads of consideration of section 4.15 of the *Environmental Planning and Assessment Act 1979* and all relevant instruments and policies. The potential constraints of the site have been assessed and it is considered that the site is suitable for the proposed development. Subject to the imposition of appropriate conditions, the proposed development is not expected to have any adverse social or economic impact. It is considered that the proposed development will complement the locality and meet the desired future character of the area.

Accordingly, it is recommended that Council grant development consent approval to DA54622/2018.

**Attachments**

<b>1</b>	Draft Conditions DA54622 H4 Clifford Street Umina Beach	Not included	D13645599
<b>2</b>	Architectural Plans DA54622 H4 Clifford Street Umina Beach	Not Included	D13713223
<b>3</b>	GDCP 2013 Compliance Table DA54622 H4 Clifford Street Umina Beach	Not included	D13645585

DA54622/2018 - Multi Dwelling Housing (3 units) & Demolition of Existing Structures  
Description of Land - LOT: 10 DP: 10466, 4 Clifford Street UMINA BEACH

## Draft Conditions of consent

### 1. PARAMETERS OF THIS CONSENT

#### 1.1. Approved Plans and Supporting Documents

Implement the development substantially in accordance with the plans and supporting documents listed below as submitted by the applicant and to which is affixed a Council stamp "Development Consent" unless modified by any following condition.

#### Architectural Plans by: Howard Leslie & Associates

Drawing	Description	Issue	Date
16592-DA00	Cover Sheet	10	21/02/2019
16592-DA01	General Notes	10	21/02/2019
16592-DA10	Site Pre-Construction works	10	21/02/2019
16592-DA11	Site Plan	10	21/02/2019
16592-DA13	Shadow Diagrams	10	21/02/2019
16592-DA12	Landscape Plan	10	21/02/2019
16592-DA21	Plans – Ground Floor Plan, Upper Floor Plan, Roof Plan	10	21/02/2019
16592-DA40	Building Elevations & Sections	10	21/02/2019
16592-DA60	Door & Window Schedules	10	21/02/2019
16592-DA61	External Materials Schedule	10	21/02/2019
16592-DA70	External Views	10	21/02/2019

#### Engineering Plans by: Halcrow & Associates

Drawing	Description	Sheet	Issue	Date
17.03.020	Concept Stormwater Management Plan	DA1 of 3	C	10/01/2018
17.03.020	Erosion Control Plan & Details	DA2 of 3	C	10/01/2018
17.03.020	Turning Circle Plan	DA3 of 3	C	10/01/2018

#### Supporting Documentation

Document	Prepared by	Date
BASIX Certificate No. 891968M-03	Building Sustainability Assessments	22 June 2018
Waste Management Plan Issue A	Matthew Wales	30 May 2018
Water Cycle Management Plan Ref: 1703020	Halcrow & Associates	26 October 2017

1.2. Carry out all building works in accordance with the Building Code of Australia.

- 1.3. Comply with all commitments listed in BASIX Certificate as required under clause 97A of the *Environment Planning and Assessment Regulation 2000*.

## 2. PRIOR TO ISSUE OF ANY CONSTRUCTION CERTIFICATE

- 2.1. All conditions under this section must be met prior to the issue of any Construction Certificate.
- 2.2. No activity is to be carried out on-site until the Construction Certificate has been issued, other than:
- Site investigation for the preparation of the construction, and / or
  - Implementation of environmental protection measures, such as erosion control and the like that are required by this consent
  - Demolition
- 2.3. Submit amendments to the approved plans to the Accredited Certifier pursuant to clause 139 of the *Environmental Planning and Assessment Regulation 2000* that must detail:
- Details of the front courtyard fencing as follows:
    - Maximum height of 1.5m
    - Must not restrict the desired sight-lines in accordance with Figure 3.3 Minimum Sigh Lines for Pedestrian Safety of AS2890.12004 Offstreet Car Parking
    - Be semi-transparent that allows "filtered" views:
    - If comprising solid fencing taller than 1.2m: at least one third of the surface area should be "open" materials such as spaced pickets or palings or battens, or lattice.
- 2.4. Pay to Council a total contribution amount of **\$24,386.00** that may require adjustment at the time of payment, in accordance with the relevant Council Contribution Plans No. 31A, 31B, 31C & 31D - Peninsula.

Roadwork - Capital	B	(Key No 789)	\$1,174.00
Open Space - Land	C	(Key No 791)	\$3,920.00
Open Space - Embellishment	C	(Key No 790)	\$10,722.00
Community Facilities - Land	D	(Key No 793)	\$192.00
Community Facilities - Capital	D	(Key No 792)	\$3,008.00
Drainage - Land	A	(Key No 787)	\$1,098.00
Drainage - Capital	A	(Key No 788)	\$4,272.00
TOTAL AMOUNT			\$24,386.00

The total amount must be indexed each quarter in accordance with the Consumer Price Index (All Groups Index) for Sydney issued by the Australian Statistician as outlined in the contributions plan.

Contact Council's Contributions Planner on Tel 1300 463 954 for an up-to-date contribution payment amount.

Any Construction Certificate must not be issued until the developer has provided the Accredited Certifier with a copy of a receipt issued by Council that verifies that the contributions have been paid. A copy of this receipt must accompany the documents submitted by the certifying authority to Council under Clause 104/Clause 160(2) of the *Environmental Planning and Assessment Regulation 2000*.

A copy of the Contribution Plan may be inspected at the office of Central Coast Council, 49 Mann Street Gosford or on Council's website: [Development Contributions - former Gosford LGA](#)

- 2.5. Submit an application to Council under Section 305 of the *Water Management Act 2000* to obtain a Section 307 Certificate of Compliance. The *Application for a 307 Certificate under Section 305 Water Management Act 2000* form can be found on Council's website [www.centralcoast.nsw.gov.au](http://www.centralcoast.nsw.gov.au). Early application is recommended.

A Section 307 Certificate must be obtained prior to the issue of any Construction Certificate.

- 2.6. Submit engineering details prepared and certified by a practising structural engineer that comply with *Council's Building Over or Adjacent To Sewer and Water Main Guidelines* to the satisfaction of Council. Engineering details must be submitted to Council's Water Assessment Team for approval. Plan assessment fees apply.
- 2.7. Submit an application to Council under section 138 of the *Roads Act 1993* for the approval of required works to be carried out within the road reserve.

Submit to Council Engineering plans for the required works within a public road that have been designed by a suitably qualified professional in accordance with Council's Civil Design Guide, Construction Specifications and Standard Drawings and Chapter 6.3 - Erosion Sedimentation Control of the Gosford Development Control Plan 2013. The Engineering plans must be included with the Roads Act application for approval by Council.

Design the required works as follows:

- a) half width road including kerb and guttering, subsoil drainage, footpath formation, drainage and road pavement across the full frontage of the site in Clifford Street.
- b) footway formation with a minimum width of 2.0m graded at +2% from the top of kerb to the property boundary, across the full frontage of the site in Clifford Street.
- c) 1.2m wide reinforced (SL72 steel fabric, 100mm thick) concrete footpath in an approved location across the full frontage of the site in Clifford Street.
- d) heavy-duty vehicle crossing that has a width of 3.60m and constructed with 200mm thick concrete reinforced with 1 layer of SL72 steel fabric top and bottom.
- e) all redundant dish crossings and / or damaged kerb and gutter must be removed and replaced with new kerb and gutter.

- f) Provide table drain from the end of the proposed kerb & gutter to the existing letter box pit.

The Roads Act application must be approved by Council prior to commencing works in the road reserve.

- 2.8. Submit a dilapidation report to Council with the Roads Act application and / or Construction Certificate application. The report must document and provide photographs that clearly depict any existing damage to the road, kerb, gutter, footpath, driveways, street trees, street signs or any other Council assets in the vicinity of the development. The dilapidation report may be updated with the approval of the Principal Certifying Authority prior to the commencement of works.
- 2.9. Submit design details of the following engineering works within private property:
  - a) driveways / ramps and car parking areas must be designed according to the requirements of Australian Standard AS 2890: Parking Facilities for the geometric designs, and industry Standards for pavement designs
  - b) a stormwater detention system must be designed in accordance with Chapter 6.7 - *Water Cycle Management* of the Gosford Development Control Plan 2013 and Council's *Civil Design Guide, Construction Specifications and Standard Drawings*. The stormwater detention system must limit post development flows from the proposed development to less than or equal to predevelopment flows for all storms up to and including the 1% Annual Exceedance Probability (AEP) storm event. A runoff routing method must be used. An on-site stormwater detention report including an operation and maintenance plan must accompany the design. On-site stormwater detention is not permitted within private courtyards, drainage easements, and / or secondary flow paths
  - c) nutrient/pollution control measures must be designed in accordance with Chapter 6.7 - *Water Cycle Management* of the Gosford Development Control Plan. A nutrient / pollution control report including an operation and maintenance plan must accompany the design
  - d) on-site stormwater retention measures must be designed in accordance with Chapter 6.7 - *Water Cycle Management* of the Gosford Development Control Plan 2013. A report detailing the method of stormwater harvesting, sizing of retention tanks for re-use on the site and an operation and maintenance plan must accompany the design
  - e) piping of all stormwater from impervious areas within the site via an on-site stormwater detention structure to Council's drainage system
  - f) extent of sight triangles at access driveway exits to be clear of obstructions to visibility in accordance with Figure 3.3 Minimum Sight Lines for Pedestrian Safety of AS2890.1:2004 Offstreet Car Parking.

These design details and any associated reports must be included in the Construction Certificate.



- 2.10. Submit a pavement investigation and report prepared by a practising Geotechnical Engineer for the road works. This report must be submitted with the Construction Certificate application or application for work under the Roads Act 1993.

The pavement depths must be determined in accordance with Council's specifications and the following traffic loadings:

Name of Street	Traffic Loading (ESAs)
Clifford Street	2000000

- 2.11. Submit to the Principal Certifying Authority a Construction Environmental Management Plan (CEMP), including a Traffic Management Plan (CTMP), Vehicle Movement Plan and Traffic Control Plan. The CEMP shall be prepared with the intention of causing minimal impact on the environment and operation of the road network during construction of the development. The Construction Environmental Management Plan is to provide for:

- Emergency response plan (pollution incident)
- Waste and stockpiling management plan
- Erosion and sediment control plan
- Delivery and storage of materials
- Worker's parking and amenities
- Hours of construction
- Noise and dust mitigation
- Process of handling complaints
- Crane permits (crane location plan)
- Describe the volume and type of traffic generated by the works including designed routes
- Include measures to maintain the safe and efficient operation of the surrounding road network.
- The Traffic Control Plan shall be prepared and implemented by a suitably qualified RMS accredited person to ensure safe legal and practical ingress and egress of vehicles to and from the site.

Any proposed Construction zones within Councils Road Reserves. Note: The "Construction Zones" require separate application and approval from Council.

### 3. PRIOR TO COMMENCEMENT OF ANY WORKS

- 3.1. All conditions under this section must be met prior to the commencement of any works.
- 3.2. No activity is to be carried out on-site until the Construction Certificate has been issued, other than;
- a) Site investigation for the preparation of the construction, and / or
  - b) Implementation of environmental protection measures, such as erosion control and the like that are required by this consent
  - c) Demolition approved by this consent.

- 3.3. Appoint a Principal Certifying Authority for the building work:
- a) The Principal Certifying Authority (if not Council) is to notify Council of their appointment and notify the person having the benefit of the development consent of any critical stage inspections and other inspections that are to be carried out in respect of the building work no later than two (2) days before the building work commences.
  - b) Submit to Council a *Notice of Commencement of Building Works* or *Notice of Commencement of Subdivision Works* form giving at least two (2) days' notice of the intention to commence building or subdivision work. The forms can be found on Council's website [www.centralcoast.nsw.gov.au](http://www.centralcoast.nsw.gov.au)
- 3.4. Erect a sign in a prominent position on any work site on which building, subdivision or demolition work is being carried out. The sign must indicate:
- a) The name, address and telephone number of the principal certifying authority for the work; and
  - b) The name of the principal contractor and a telephone number at which that person can be contacted outside of working hours; and
  - c) That unauthorised entry to the work site is prohibited.
  - d) Remove the sign when the work has been completed.
- 3.5. Submit both a Plumbing and Drainage Inspection Application, with the relevant fee, and a Plumbing and Drainage Notice of Work in accordance with the *Plumbing and Drainage Act 2011* (to be provided by licensed plumber). These documents can be found on Council's website at: [www.centralcoast.nsw.gov.au](http://www.centralcoast.nsw.gov.au).
- Contact Council prior to submitting these forms to confirm the relevant fees.
- 3.6. Provide and maintain a garbage receptacle at the work site until the works are completed. The garbage receptacle must have a tight fitting lid and be suitable for food scraps and papers.
- 3.7. Install run-off and erosion controls to prevent soil erosion, water pollution or the discharge of loose sediment on the surrounding land by:
- erecting a silt fence and providing any other necessary sediment control measures that will prevent debris escaping into drainage systems, waterways or adjoining properties, and
  - diverting uncontaminated run-off around cleared or disturbed areas, and
  - preventing the tracking of sediment by vehicles onto roads, and
  - stockpiling top soil, excavated materials, construction and landscaping supplies and debris within the lot.
- 3.8. Notify the intention to commence works by giving written notice to the owner of the adjoining property affected by the proposed excavation and/or structural protective works. The required notice must be accompanied by details of the proposed work at least seven (7) days prior to the commencement of proposed excavation and/or structural protection works.

- 3.9. Disconnect, seal and make safe all existing site services prior to the commencement of any demolition on the site. Sewer and water services must be disconnected by a licensed plumber and drainer with a Start Work Docket submitted to Council's Plumbing and Drainage Inspector as the Water and Sewer Authority.
- 3.10. Erect a temporary hoarding or temporary construction site fence between the work site and adjoining lands before the works begin and must be kept in place until after the completion of the works, if the works:
- could cause a danger, obstruction or inconvenience to pedestrian or vehicular traffic, or
  - could cause damage to adjoining lands by falling objects, or
  - involve the enclosure of a public place or part of a public place.

**Note 1:** A structure on public land or on or over a public road requires the prior approval of the relevant authority under the *Local Government Act 1993* or the *Roads Act 1993*, respectively.

**Note 2:** The *Work Health and Safety Act 2011* and *Work Health and Safety Regulation 2011* contain provisions relating to scaffolds, hoardings and other temporary structures.

- 3.11. Provide or make available toilet facilities at the work site before works begin and maintain the facilities until the works are completed at a ratio of one toilet plus one additional toilet for every twenty (20) persons employed at the site.

Each toilet must:

- be a standard flushing toilet connected to a public sewer, or
  - have an on-site effluent disposal system approved under the *Local Government Act 1993*, or
  - be a temporary chemical closet approved under the *Local Government Act 1993*.
- 3.12. Undertake any demolition involving asbestos in accordance with the *Work Health and Safety Act 2011*.

The person having the benefit of this consent must ensure that the removal of:

- more than 10m<sup>2</sup> of non-friable asbestos or asbestos containing material is carried out by a licensed non-friable (Class B) or a friable (Class A) asbestos removalist, and
- friable asbestos of any quantity is removed by a licensed removalist with a friable (Class A) asbestos removal licence.

The licensed asbestos removalist must give notice to the regulator before work commences in accordance with Clause 466 of the *Work Health and Safety Regulation 2011*.

## 4. DURING WORKS

- 4.1. All conditions under this section must be met during works.
- 4.2. Carry out construction or demolition works during the construction phase of the development only between the hours as follows:
- 7:00am and 5:00pm Monday to Saturday
- No construction or demolition works associated with the development are permitted to be carried out at any time on a Sunday or a public holiday.
- 4.3. During the construction phase of the development, if any Aboriginal object (including evidence of habitation or remains) is discovered during the course of the work:
- a) All excavation or disturbance of the area must stop immediately in that area, and
  - b) The Office of Environment & Heritage must be advised of the discovery in accordance with section 89A of the *National Parks and Wildlife Act 1974*.
- Note:** If an Aboriginal object is discovered, an Aboriginal heritage impact permit may be required under the *National Parks and Wildlife Act 1974*.
- 4.4. Implement and maintain all erosion and sediment control measures at or above design capacity for the duration of the construction works and until such time as all ground disturbed by the works has been stabilised and rehabilitated so that it no longer acts as a source of sediment.
- 4.5. Keep a copy of the stamped approved plans on-site for the duration of site works and make the plans available upon request to either the Principal Certifying Authority or an officer of Council.
- 4.6. Notify Council when plumbing and drainage work will be ready for inspection(s) and make the work accessible for inspection in accordance with the *Plumbing and Drainage Act 2011*.
- 4.7. Place all building materials, plant and equipment on the site of the development during the construction phase of the development so as to ensure that pedestrian and vehicular access within adjoining public roads, footpaths and reserve areas, is not restricted and to prevent damage to public infrastructure. Further, no construction work is permitted to be carried out within the road reserve unless the works are associated with a separate approval issued under the provisions of the *Roads Act 1993*.
- 4.8. Demolish all buildings and/or building components in a safe and systematic manner in accordance with Australian Standard AS 2601-2001: *The demolition of structures*. Waste materials must be disposed of at a waste management facility.

- 4.9. No fill other than that as indicated within the approved plans is permitted to be placed upon the site.
- 4.10. Re-use, recycle or dispose of all building materials during the demolition and construction phase of the development in accordance with the Waste Management Plan signed by M Wales, dated 30 May 2018.

## 5. PRIOR TO ISSUE OF ANY OCCUPATION CERTIFICATE

- 5.1. All conditions under this section must be met prior to the issue of any Occupation Certificate.
- 5.2. Prior to the occupation or use of the building/structure, an application for an Occupation Certificate for the development must be submitted to and approved by the Principal Certifying Authority. The Occupation Certificate application is to satisfy all of the requirements of the *Environmental Planning and Assessment Regulation 2000*.
- 5.3. Submit a Certificate of Compliance for all plumbing and drainage work and a Sewer Service Diagram showing sanitary drainage work (to be provided by licensed plumber) in accordance with the *Plumbing and Drainage Act 2011*.
- 5.4. Complete the landscaping works in accordance with the Landscape Plan by Howard Leslie & Associates, Drawing 16592-12, dated 21 February 2019.
- 5.5. Provide the Principal Certifying Authority with written certification from a qualified landscape designer certifying that landscaping has been implemented in accordance with the approved landscape plan as amended by any conditions of this consent.
- 5.6. Revegetate and stabilise all areas disturbed by construction activities associated with the development so as to prevent erosion and dust nuisance occurring.
- 5.7. Plant street trees on the road reserve. Provide a minimum of one (1) advanced specimen (minimum 25 litre pot size). Street tree(s) are to be evenly located and adequately staked / protected to prevent vandalism. Street tree(s) must be native tree species capable of achieving a minimum height of 10m.

Do not locate trees within an authority's underground service easement nor be closer than:

- a) 12m from an intersection, or
  - b) 3m from a driveway or access way, or
  - c) 3m from a power pole.
- 5.8. Provide mail receptacles appropriately numbered for each dwelling unit in the development, as well as for the managing body, in consultation with Australia Post.
  - 5.9. Erect a 1.8 metre high fence along the length of the side and rear boundaries behind the building line.

- 5.10. Provide fold-away clothes lines for clothes drying purposes that must not extend above courtyard fencing.
- 5.11. Implement the following Crime Prevention through Environmental Design (CPTED) principles and strategies to minimise the opportunity for crime:
- a) provide adequate lighting to common areas as required under Australian Standard AS 1158: *Lighting for roads and public spaces*,
  - b) design of landscaping, adjacent to mailboxes and footpaths, must not provide concealment opportunities for criminal activity,
  - c) design the development to avoid foot holes or natural ladders so as to minimise unlawful access to the premises,
  - d) provide signage within the development to identify all facilities, entry / exit points and direct movement within the development.
- 5.12. Complete works within the road reserve in accordance with the approval under the *Roads Act 1993*. The works must be completed in accordance with Council's *Civil Design Guide, Construction Specifications and Standard Drawings* and Chapter 6.3 - *Erosion Sedimentation Control* of the Gosford Development Control Plan 2013. Documentary evidence for the acceptance of such works must be obtained from the Roads Authority.
- 5.13. Rectify to the satisfaction of the Council any damage not shown in the dilapidation report submitted to Council before site works had commenced. Any damage will be assumed to have been caused as a result of the site works undertaken and must be rectified at the developer's expense.
- 5.14. Complete the internal engineering works within private property in accordance with the plans and details approved with the construction certificate.
- 5.15. Amend the Deposited Plan (DP) to:
- include an Instrument under the *Conveyancing Act 1919* for the following restrictive covenants; with Council having the benefit of these covenants and having sole authority to release and modify. Wherever possible, the extent of land affected by these covenants must be defined by bearings and distances shown on the plan
    - a) create a Restriction as to use of land over all lots containing an on-site stormwater detention system and / or a nutrient / pollution facility restricting any alteration to such facility or the erection of any structure over the facility or the placement of any obstruction over the facility
- And,
- include an instrument under the *Conveyancing Act 1919* for the following positive covenants; with Council having the benefit of these covenants and having sole authority to release and modify. Contact Council for wording of the covenant(s)
    - a) to ensure on any lot containing on-site stormwater detention system and / or a nutrient / pollution facility that:
      - (i) the facility will remain in place and fully operational
      - (ii) the facility is maintained in accordance with the operational and maintenance plan so that it operates in a safe and efficient manner

- (iii) Council's officers are permitted to enter the land to inspect and repair the facility at the owners cost
- (iv) Council is indemnified against all claims of compensation caused by the facility

Submit to the Principal Certifying Authority copies of registered title documents showing the restrictive and positive covenants.

## **6. ONGOING OPERATION**

- 6.1. Maintain all perimeter fencing for the life of the development.
- 6.2. Maintain the site landscaping for the life of the development.
- 6.3. Operate and maintain all external lighting so as not to impact on any adjoining property.
- 6.4. Store all waste generated on the premises in a manner so that it does not pollute the environment.
- 6.5. Transport all waste generated on the premises to a facility which is licensed to receive that material.
- 6.6. No obstructions to the wheel out of the waste bins are permitted including grills, speed humps, barrier kerbs, etc.
- 6.7. Comply with all commitments as detailed in the Waste Management Plan signed by M Wales, dated 30 May 2018.
- 6.8. Locate the approved waste storage bins as indicated on Project 16592-Drawing No. DA11, Issue 10, dated 21/02/2019 by Howard Leslie & Associates.
- 6.9. Do not place or store waste material, waste product or waste packaging outside the approved waste storage area.
- 6.10. Place the mobile garbage/recycling/green waste containers at a suitable location at the kerbside no earlier than the evening prior to the collection day and return to the approved waste bin storage enclosure/area as soon as possible after service, no later than the evening on collection day. The residents, caretaker, owner, Owners Corporation are responsible for the placement and return of the mobile waste containers.
- 6.11. Maintain the nutrient / pollution control facilities in accordance with the operation and maintenance plan.

## **7. PENALTIES**

Failure to comply with this development consent and any condition of this consent may be a criminal offence. Failure to comply with other environmental laws may also be a criminal offence.

Where there is any breach Council may without any further warning:

- Issue Penalty Infringement Notices (On-the-spot fines);
- Issue notices and orders;
- Prosecute any person breaching this consent, and/or
- Seek injunctions/orders before the courts to retain and remedy any breach.

### **Warnings as to Potential Maximum Penalties**

Maximum Penalties under NSW Environmental Laws include fines up to \$1.1 Million and/or custodial sentences for serious offences.

## **ADVISORY NOTES**

- The inspection fee for works associated with approvals under the *Roads Act 1993* is calculated in accordance with Council's current fees and charges policy.
- Payment of a maintenance bond may be required for civil engineering works associated with this development. This fee is calculated in accordance with Council's fees and charges.
- Discharge of sediment from a site may be determined to be a pollution event under provisions of the *Protection of the Environment Operations Act 1997*. Enforcement action may commence where sediment movement produces a pollution event.
- The following public authorities may have separate requirements in the following aspects:
  - a) Australia Post for the positioning and dimensions of mail boxes in new commercial and residential developments
  - b) Jemena Asset Management for any change or alteration to the gas line infrastructure
  - c) Ausgrid for any change or alteration to electricity infrastructure or encroachment within transmission line easements
  - d) Telstra, Optus or other telecommunication carriers for access to their telecommunications infrastructure
  - e) Central Coast Council in respect to the location of water, sewerage and drainage services.
- Carry out all work under this Consent in accordance with SafeWork NSW requirements including the *Workplace Health and Safety Act 2011 No 10* and subordinate regulations, codes of practice and guidelines that control and regulate the development industry.
- Dial Before You Dig  
Underground assets may exist in the area that is subject to your application. In the interests of health and safety and in order to protect damage to third party assets please contact Dial Before You Dig at [www.1100.com.au](http://www.1100.com.au) or telephone on 1100 before excavating or erecting structures. (This is the law in NSW). If alterations are required to the configuration, size, form or design of the development upon contacting the Dial Before You Dig service, an amendment to the development consent (or a new development application) may be necessary. Individuals owe asset owners a duty of care that must be



observed when working in the vicinity of plant or assets. It is the individual's responsibility to anticipate and request the nominal location of plant or assets on the relevant property via contacting the Dial Before You Dig service in advance of any construction or planning activities.

- Telecommunications Act 1997 (Commonwealth)

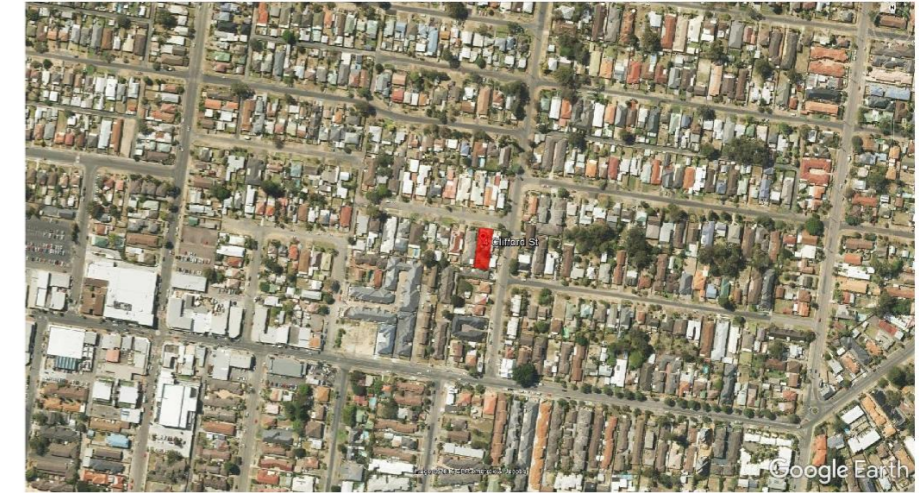
Telstra (and its authorised contractors) are the only companies that are permitted to conduct works on Telstra's network and assets. Any person interfering with a facility or installation owned by Telstra is committing an offence under the *Criminal Code Act 1995 (Cth)* and is liable for prosecution. Furthermore, damage to Telstra's infrastructure may result in interruption to the provision of essential services and significant costs. If you are aware of any works or proposed works which may affect or impact on Telstra's assets in any way, you are required to contact: Telstra's Network Integrity Team on phone number 1800 810 443.

Sheet Index - COUNCIL SUBMISSION DA

No.	Sheet Name	Rev	Issued	Published	Remark
	TRANSMITTAL LETTER		<input type="checkbox"/>	<input type="checkbox"/>	
DA00	DRAWING LISTS & SYMBOLS	10	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	
DA01	GENERAL NOTES 1	10	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	
DA10	SITE PRE-CONSTRUCTION WO...	10	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	
DA11	SITE PLAN	10	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	
DA12	LANDSCAPE PLAN	10	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	
DA13	SHADOW DIAGRAMS	10	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	
DA20	SLAB & SETOUT PLANS		<input type="checkbox"/>	<input type="checkbox"/>	
DA21	PLANS	10	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	
DA30	BUILDING SECTIONS		<input type="checkbox"/>	<input type="checkbox"/>	
DA40	BUILDING ELEVATIONS & SECT...	10	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	
DA50	STAIRS		<input type="checkbox"/>	<input type="checkbox"/>	
DA51	WALL SECTIONS		<input type="checkbox"/>	<input type="checkbox"/>	
DA60	DOOR & WINDOW SCHEDULES	10	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	
DA61	EXTERNAL MATERIALS SCHED...	10	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	
DA70	EXTERNAL VIEWS	10	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	
DA81	NOTIFICATION PLAN LOWER	10	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
DA82	NOTIFICATION PLAN UPPER	10	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
DA83	NOTIFICATION ELEVATIONS N & S	10	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
DA84	NOTIFICATION ELEVATIONS E & W	10	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
DA85	SHADOW DIAGRAMS	10	<input checked="" type="checkbox"/>	<input type="checkbox"/>	

# 3 Unit Development

for  
**Murray**  
at  
**4 Clifford St Umina NSW 2257**



Project Locality



VIEW 1

AMENDMENTS

ID	Description	Date	Status
Q1-01	unit 1 reconfigured	18/12/2017...	Issued
Q1-02	unit 3 loc 1 reconfigured	18/12/2017...	Issued
Q1-03	unit 3 loc 1 reconfigured	06/02/2018...	Issued
Q1-04	N. terrace window changes	06/02/2018...	Issued
Q1-05	U-13 changed, windows added	24/01/2019...	Issued
Q1-06	terrace added	24/01/2019...	Issued
Q1-07	Privacy screen added	24/01/2019...	Issued
Q1-08	Garage door changed	24/01/2019...	Issued
Q1-09	Storage changed	21/02/2019...	Issued

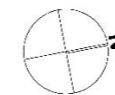
- GENERAL NOTES:**
- All drawings are to be read in conjunction with the GENERAL NOTES sheets within this set.
  - Specifications, any Conditions of Approval, and other consultants documents.
  - Figured dimensions take precedence over scaling of drawings.
  - Trees within the building zone are to be removed on Council approval.
  - A minimum area will be cleared around the building site to minimise bushfire risks.
  - All reduced levels relate to Assumed Datum / Australian Height Datum (AHD).
  - No known waterways or watercourses.
  - No known easements or rights of way unless noted otherwise.
  - The Builder shall erect an erosion control fence on site as per Council requirements.
  - The Builder shall erect a safety fence on site as per Council requirements.

**HOWARD LESLIE & ASSOCIATES**  
residential and commercial building design

p | 02 4323 4505  
e | david@hlabuildingdesign.com.au  
a | PO Box 3206, ERINA NSW 2250



Est. 1985 on the Central Coast



3 Unit Development  
No. 4 Clifford St  
Umina NSW 2257  
Lot 10, D.P. 10466  
Murray

REV	Issue	Date
01	Problem DA Issue	15/10/2017 7:34:43 PM
02	Problem DA Issue	1/11/2017 12:34 PM
03	Problem DA Issue for ER	22/11/2017 11:24 PM
04	Problem DA Issue for Client Meeting	31/12/2017 12:47 PM
05	Re-Issue for Energy Rating	20/12/2017 7:54 PM
06	R2-Issue for Energy Rating	04/02/2018 4:45 PM
07	R3-Issue for Energy Rating	15/02/2018 1:08 PM
08	Issue DA	22/02/2018 9:10 PM
09	Issue Revised DA	1/08/2018 2:26 PM
10	Issue Revised DA	21/02/2019 9:10 PM

**DRAWING LISTS & SYMBOLS**

BASIX Cert: 891968M_3	Scale @ A1 sheet size:
BAL Rating: N/A	Issue: 10
drawn: ARF	sheet #: 16592-DA00
checked: DR	
print date: 21/02/2019	

GENERAL

Generally, the quality of the construction and finishes is to be of a suitably acceptable level fit for the intended use. The level of construction and finishes is to be of a minimum standard that could be reasonably expected from a new building. Refer to attached GUIDE TO STANDARDS AND TOLERANCES 2015 for further clarification.

Works are to be carried out in accordance with the following list of standards. This list may not be exhaustive.

REFERENCE	TITLE
AS 1170 (Part1)	Structural design actions—Preferment, imposed and other action
AS 1170 (Part2)	Structural design actions—Wind actions
AS 1319	Safety signs for the occupational environment
AS/NZS 1376 (set)	Scaffolding - General requirement
AS 1657	fixed platform, walkways, stairways and ladders- design, construction & installation
AS 1674.1	Safety in welding and allied processes- Fire precautions
AS/NZS 1680.1	interior and workplace lighting—General principles and recommendations
AS/NZS 1650.2.4	interior lighting—industrial tasks and processing
AS 1668.2	The use of ventilation and air conditioning in buildings
AS 1926	Swimming Pool Safety
AS 1940	The storage and handling of flammable and combustible liquids
AS 2550 (set)	Cranes, hoists and winches- Safe use- General requirements
AS 2601	The demolition of structures
AS/NZS 2918	Domestic solid fuel burning appliances—Installation
AS 3000	Electrical installation (known as the Australian New Zealand wiring rules)
AS 2890 (set)	Parking Facilities Set
AS 3610	Formwork for concrete
AS 3610 (Sup 2)	Formwork for concrete- Commentary
AS 3600	Concrete structures
AS 3828	Guidelines for the erecting of building steelwork
AS 3850.1	Pre- fabricated concrete elements- General Requirements
AS 3550.2	Pre- fabricated concrete elements—Building Construction
AS 3959	Construction of buildings in bushfire prone areas
AS 4024.1 (set)	Safety of machinery
AS 4100	Steel structures
AS/AZS 4114	Sprat pointing booths
AS/NZS 4360	Risk management
AS/NZS 4359	Safety mesh
AS/NZS 4576	Guidelines for scaffolding
AS/NZS 4801	OH&S management systems - Specification with guidance for use
AS/NZS 4994	Road edge protection equipment.

All works are to comply with the NCC (National Construction Code) and all relevant authority requirements including (but not limited to) the following requirements:

CLASS 2 BUILDINGS

- Fire resisting construction in accordance with NCC Specification C1.1 for Type C, Class 2 & 7a buildings. From fire source 0-1.5m- FRL 90/90/90. Common separating wall / fire wall FRL 60/60/60.
- Windows within 1.5 metres of the side boundary require protection in accordance with NCC C3.4 (Type C construction) and also Part D2.24.
- Fire hazard properties of materials and assemblies to be in accordance with NCC Specification C1.10.
- Openings for service installations to be in accordance with NCC C3.15 & Specification C3.15.
- Stair construction to be in accordance with NCC D2.13, D2.14, D2.17 & AS1657.
- Door thresholds to be in accordance with NCC D2.15 & AS1428.
- Balustrades to be designed to have no openings greater than 125mm and constructed to take loading forces in accordance with NCC D2.16 & AS1170.1.
- Handrails to be constructed in accordance with NCC D2.17.
- Latch to exit doors to be in accordance with NCC D2.21.
- Hydraulic engineers design confirming provision of fire hydrant to serve the site in accordance with NCC C1.3 & AS2419.1 (total floor area of building >500m2).
- Provision of smoke detection and alarm system to be in accordance with NCC E2.0 & Specification E2.2a.
- Mechanical ventilation shall be provided to internal laundries, bathrooms and W.C.'s in accordance with NCC F4.5, AS 1668.2 & AS/NZS3666.1
- Sound insulation between units shall be to a sound insulation level of Rw + Ctr 50 in accordance with NCC F5.4 & F5.5, table 2 & 3 or refer to manufacturers specifications.
- Provision of clothes drying facilities to each unit via clothes drier or clothes line in accordance with NCC F2.1.
- Windows to ground floor to comply with NCC Volume 1 Part D2.24, i.e. where the lowest level of the window opening is less than 1.7m above the floor the openable portion of the window must be protected with a window restrictor or a screen with secure fittings. Additionally all similar windows in other rooms to also comply.
- Windows to first floor to comply with NCC Volume 1 Part D2.24. Additionally all similar windows in other rooms to also comply.

All dimensions and sizes of documented elements dependent on existing structures or site conditions shall be verified by the Builder on site prior to the commencement of the works. Any discrepancies should be referred to the designer for confirmation. These drawings show design intent only.

Existing services are located on or around this site. Where known, these are identified so the plan but the exact location and extent of services may vary from that indicated.

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Registered Surveyor to set out structure and confirm positions of all relevant building envelope setbacks and easements prior to the commencement of the works.

All timber framing & construction must comply with AS1684 'The National Timber Framing Code'. Provide temporary & permanent bracing to all framing in accordance with the NCC.

All concrete slabs and footings are subject to a soil classification and are to comply with AS2870 'Residential Slabs and Footings Code' including all relevant region specific supplements.

All lintels, beams, framing and supports to be specified by a Registered Engineer. All sizes # shown, represent design intent only, and the designer does not warrant their structural adequacy.

The structure shall be maintained in a stable condition at all times, and no element shall be overstressed, during and after construction.

The designer seeks to create safe work environments in its designs and encourages owners and building professionals to contact them for resolution of design safety concerns before and during the construction process.

Construction documentation provided may not cover all information required by your builder. If circumstances arise during or after construction where further clarification of any aspect of these documents is required by the client, builder or any contractor then the client, builder or contractor (through the builder) is to contact the designer or engage a suitably qualified consultant.

If any question as to the adequacy or compliance of the drawings is not referred to the designer, or if the designer is not given reasonable opportunity prior to the implementation of the works to rectify the design then the designer cannot be held liable.

Provide termite protection in accordance with the NCC, AS3660.1, and all relevant local authority requirements. Termite protection is to be physical where practicable. Chemical treatment should be relied upon only where physical protection is not practicable.

Stormwater drainage to be connected to rainwater tank as per BASIX Commitments below. Overflow is to be connected to existing municipal services. All stormwater drainage is to be in accordance with the NCC and all local authority requirements. Rainwater tanks to be selected by client.

All sewer is to be connected to existing municipal services and is to be in accordance with the NCC and all local authority requirements.

BASIX COMMITMENTS

The developer must comply with the commitments listed below in carrying out the development. Refer also to BASIX Certificate number: 891968M\_03 - dated 3<sup>rd</sup> February 2019. Where there is a discrepancy, the BASIX Certificate takes precedence over this drawing set.

WATER COMMITMENTS

- The developer must plant indigenous or low water use species of as described in BASIX Certificate.
- If a rating is specified in the BASIX Certificate for a fixture or appliance to be installed in the dwelling, the developer must ensure that each such fixture and appliance meets the rating specified for it.
- The developer must install an on demand hot water recirculation system which regulates all hot water use throughout the dwellings where indicated in the BASIX Certificate.
- A Swimming pool or spa must not be installed as part of the development.
- Install showerheads with a minimum 3 star (>7.5 but <= 9L/min) in all showers.
- Install toilets with a minimum 3 star rating.
- Install taps(s) with a minimum 3 star rating.
- Install a rainwater tank with a minimum capacity of 3000 litres to each dwelling. Run-off from minimum 40m2 of the roof of each dwelling is to be directed to rain water tank. Refer also to DCP 2013 chapter 6.7. Rainwater tank to be used for toilet flushing, laundry and landscape watering.

THERMAL PERFORMANCE COMMITMENTS

Refer to Building Sustainability Assessments Report (BSA Ref.13103\_03) for details of Thermal performance requirements.

The applicant must construct the development in accordance with all thermal performance specifications set out in the Assessor Certificate, and in accordance with those aspects of the development application or application for a complying development certificate which were used to calculate those specifications including this drawing set.

The developer must construct the floors and walls of the development in accordance with the specifications listed in the BASIX Certificate.

Install weather strips on all external doors and doors leading to garages. Install seals on all wet area doors.

ENERGY COMMITMENTS

- The developer must install each hot water system specified for the dwelling in the BASIX Certificate, so that the dwelling's hot water is supplied by that system. If the table specifies a central hot water system for the dwelling, then the developer must connect that central system to the dwelling, so that the dwelling's hot water is supplied by that central system.
- The developer must install, in each bathroom, kitchen and laundry of the dwelling, the ventilation system specified for

that room in the BASIX Certificate. Each such ventilation system must have the operation control specified for it.

- The developer must install the cooling and heating system/s as specified for the dwelling in the BASIX Certificate.
- The developer must install "Artificial lighting" as described in the BASIX Certificate. If the term "dedicated" is specified for a particular room or area, then the light fittings in that room or area must only be capable of being used for fluorescent lighting or light emitting diode (LED) lighting.
- The developer must install windows and/or skylights as scheduled in the BASIX Certificate.
- The developer shall install electric cooktops & electric ovens in kitchens to a rating as described in the BASIX Certificate.
- The developer shall install clothes drying facilities as described in the BASIX Certificate.
- The developer must carry out the development so that each refrigerator space in the dwelling is "well ventilated".

GLAZING REQUIREMENTS

Refer to Building Sustainability Assessments Report (BSA Ref: 13103\_03) for details of Glazing requirements.

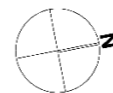
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residential and commercial building design

p | 02 4323 4505  
e | david@hlabuildingdesign.com.au  
a | PO Box 3206, ERINA NSW 2250



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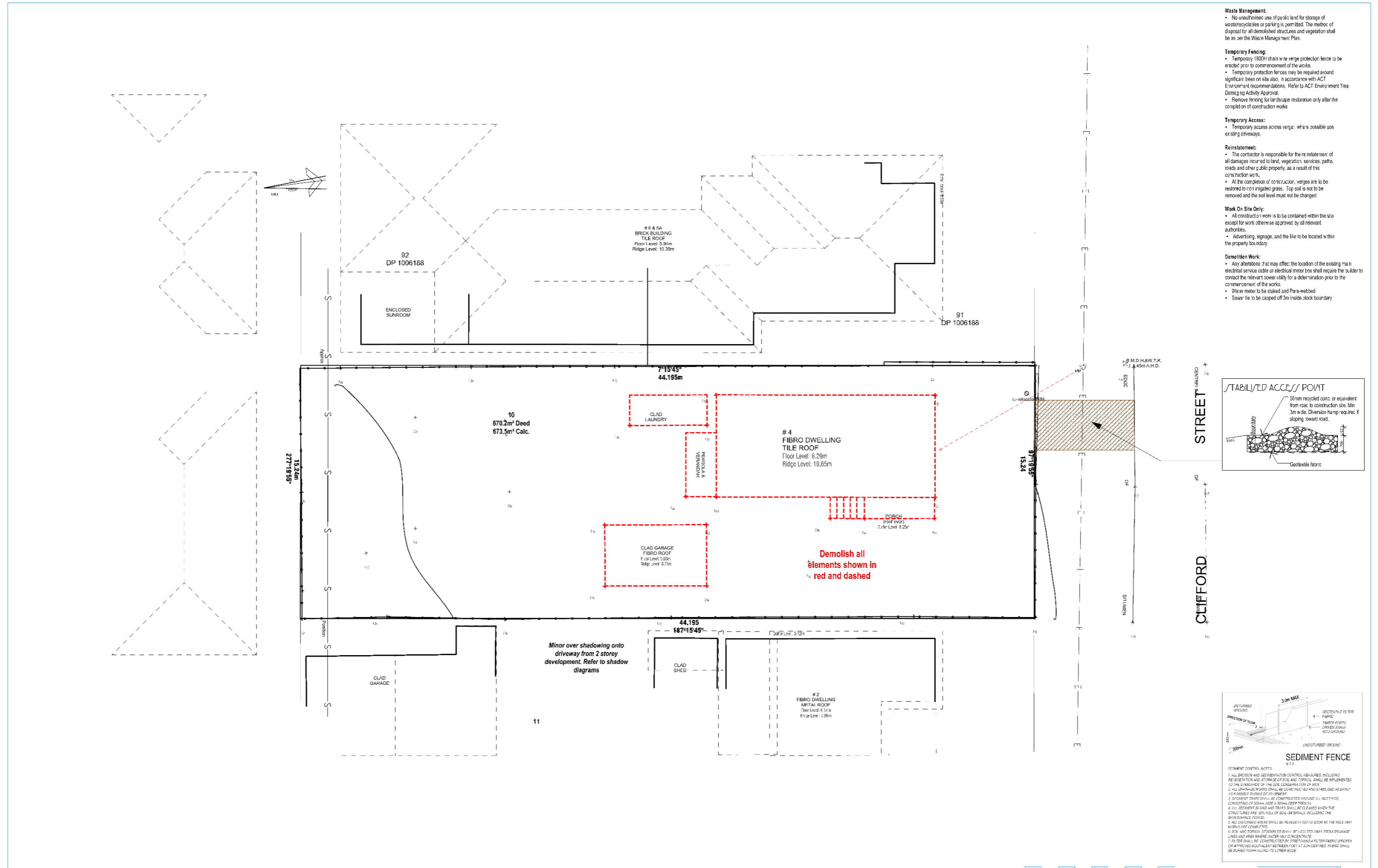


3 Unit Development  
No. 4 Clifford St  
Umina NSW 2257  
Lot 10, D.P. 10466  
Murray

REV	Issue	Date
01	Prelim DA Issue	17/03/2019 7:34 AM
02	Prelim DA Issue	17/03/2019 7:34 AM
03	Prelim DA Issue for ER	22/11/2019 1:24 PM
04	Prelim DA Issue for Client Info	21/02/2019 12:47 PM
05	Re-issue for Energy Rat	21/02/2019 1:54 PM
06	Re-issue for Energy Rat	5/02/2019 4:45 PM
07	Re-issue for Energy Rat	15/02/2019 1:08 PM
08	Issue DA	20/02/2019 8:59 PM
09	Issue Revised DA	1/09/2019 2:35 PM
10	Issue Revised DA	21/02/2019 3:07 PM

GENERAL NOTES 1

BASIX Cert: 891968M_03	Scale: @ A1 sheet size:
Issue: N/A	Sheet #: 10
Drawn: ARF	16592-DA01
Checked: DR	
Print Date: 21/02/2019	



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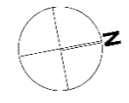


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residential and commercial building design

p | 02 4323 4605  
e | david@hlabuildingdesign.com.au  
a | PO Box 3206, ERINA, NSW 2250

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3 Unit Development  
No. 4 Clifford St Umina NSW  
Lot 10, D.P. 10466  
Murray

REV	Issue	Date
01	Prelim DA Issue	15/10/2017 3:43 PM
02	Prelim DA Issue	1/11/2017 12:54 PM
03	Prelim DA Issue for ER	22/11/2017 1:24 PM
04	Prelim DA Issue for Chem Inform	6/12/2017 12:47 PM
05	Rat Issue for Energy Rating	20/12/2017 4:54 PM
06	Re Issue for Energy Rating	5/01/2018 4:45 PM
07	Re Issue for Energy Rating	11/02/2018 1:05 PM
08	Issue DA	22/02/2018 9:07 PM
09	Issue Revised DA	1/08/2018 2:25 PM
10	Issue Revised DA	21/02/2019 3:07 PM

**SITE PRE-CONSTRUCTION WORKS**

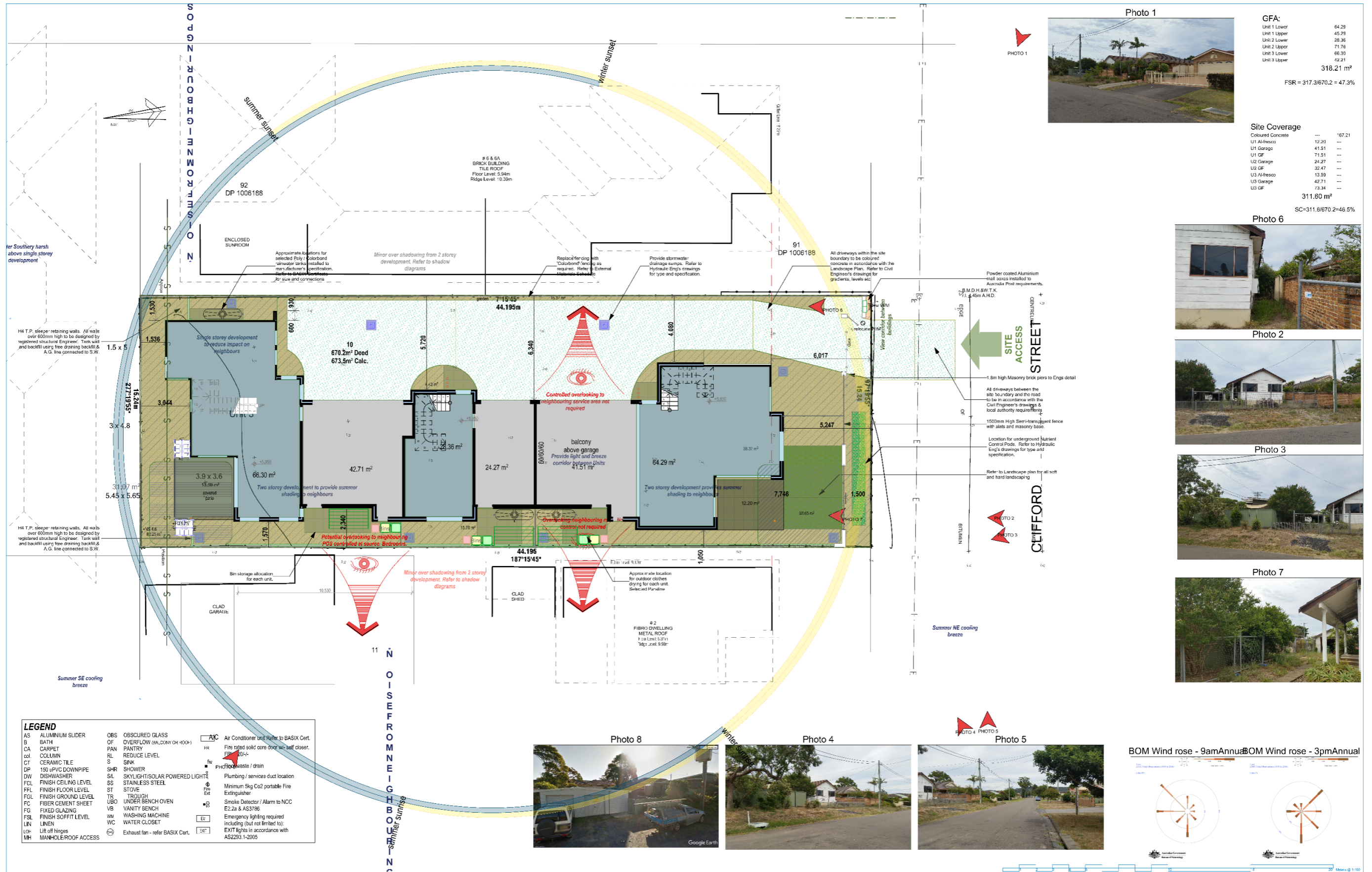
BASIX Cert: 891968M 3

BAL Rating: N/A

Issue: 10

Sheet #: 16592-DA10

Issue Date: 21/02/2019



**GFA:**

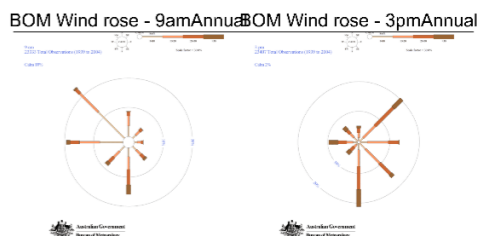
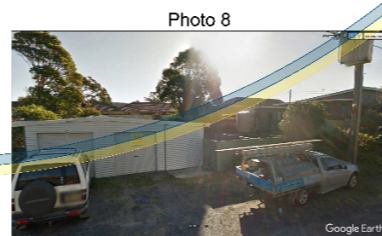
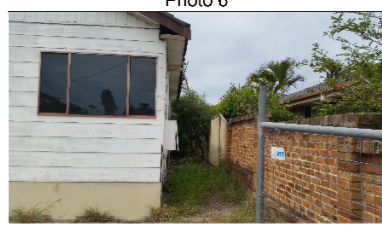
Unit 1 Lower	64.29
Unit 1 Upper	45.29
Unit 2 Lower	28.36
Unit 2 Upper	71.76
Unit 3 Lower	66.30
Unit 3 Upper	42.21
<b>Total</b>	<b>318.21 m²</b>

FSR = 317.3/670.2 = 47.3%

**Site Coverage**

Coloured Concrete	167.21
U1 All-fresco	12.20
U1 Garage	41.51
U1 GF	71.51
U2 Coverage	24.27
U2 GF	32.47
U3 All-fresco	13.59
U3 Garage	42.71
U3 GF	73.34
<b>Total</b>	<b>311.60 m²</b>

SC=311.6/670.2=46.5%



**LEGEND**

AS ALUMINIUM SLIDER	OBS OBSCURED GLASS	AC Air Conditioner unit Refer to BASIX Cert.
B BATH	OF OVERFLOW (BAL. COUN. OR HOOP)	FR Fire rated solid core door w/c self closer.
CA CARPET	PAN PANTRY	FF 600/4-
col. COLUMN	RL REDUCE LEVEL	FD 600/4-
CT CERAMIC TILE	S SINK	FD 600/4-
DP 150 PVC DOWNPIPE	SHR SHOWER	FD 600/4-
DW DSHWASHER	SL SKYLIGHT/SOLAR POWERED LIGHTS	FD 600/4-
FCL FINISH CEILING LEVEL	SS STAINLESS STEEL	FD 600/4-
FFL FINISH FLOOR LEVEL	ST STOVE	FD 600/4-
FGL FINISH GROUND LEVEL	TR TROUGH	FD 600/4-
FC FIBER CEMENT SHEET	UBO UNDER BENCH OVEN	FD 600/4-
FG FIXED GLAZING	VB VANITY BENCH	FD 600/4-
FSL FINISH SOFFIT LEVEL	ww WASHING MACHINE	FD 600/4-
LIN LINEN	WC WATER CLOSET	FD 600/4-
LH Lift off hinges	Exhaust fan - refer BASIX Cert.	FD 600/4-
MH MANHOLE/ROOF ACCESS		FD 600/4-

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**HOWARD LESLIE & ASSOCIATES**  
residential and commercial building design

p | 02 4323 4505  
e | david@hlabuildingdesign.com.au  
a | PO Box 3206, ERINA NSW 2250

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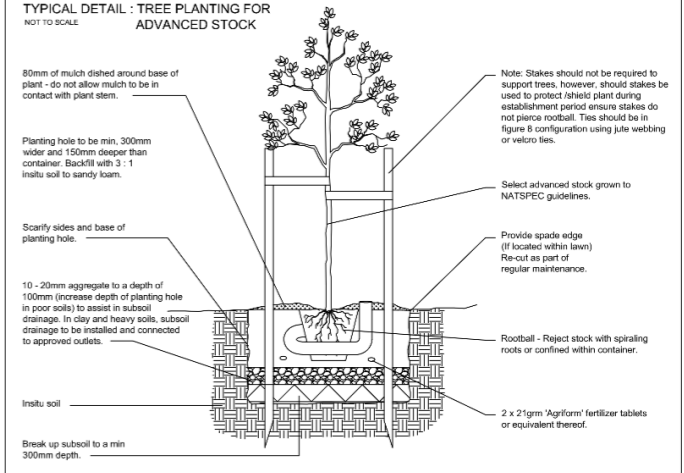
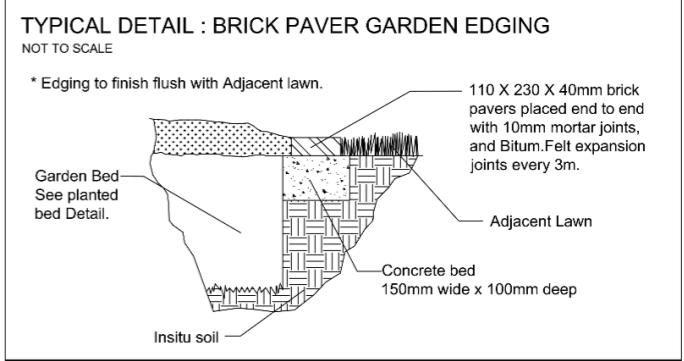
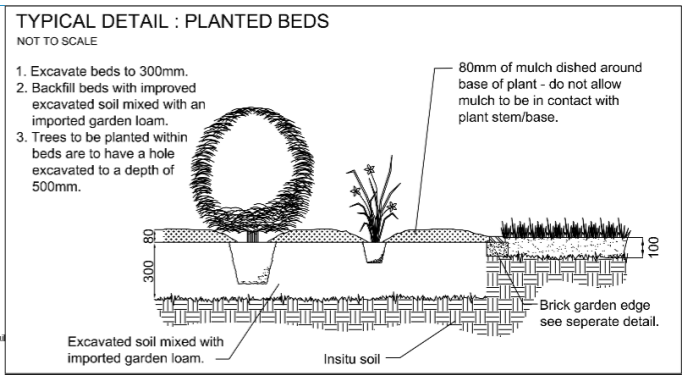
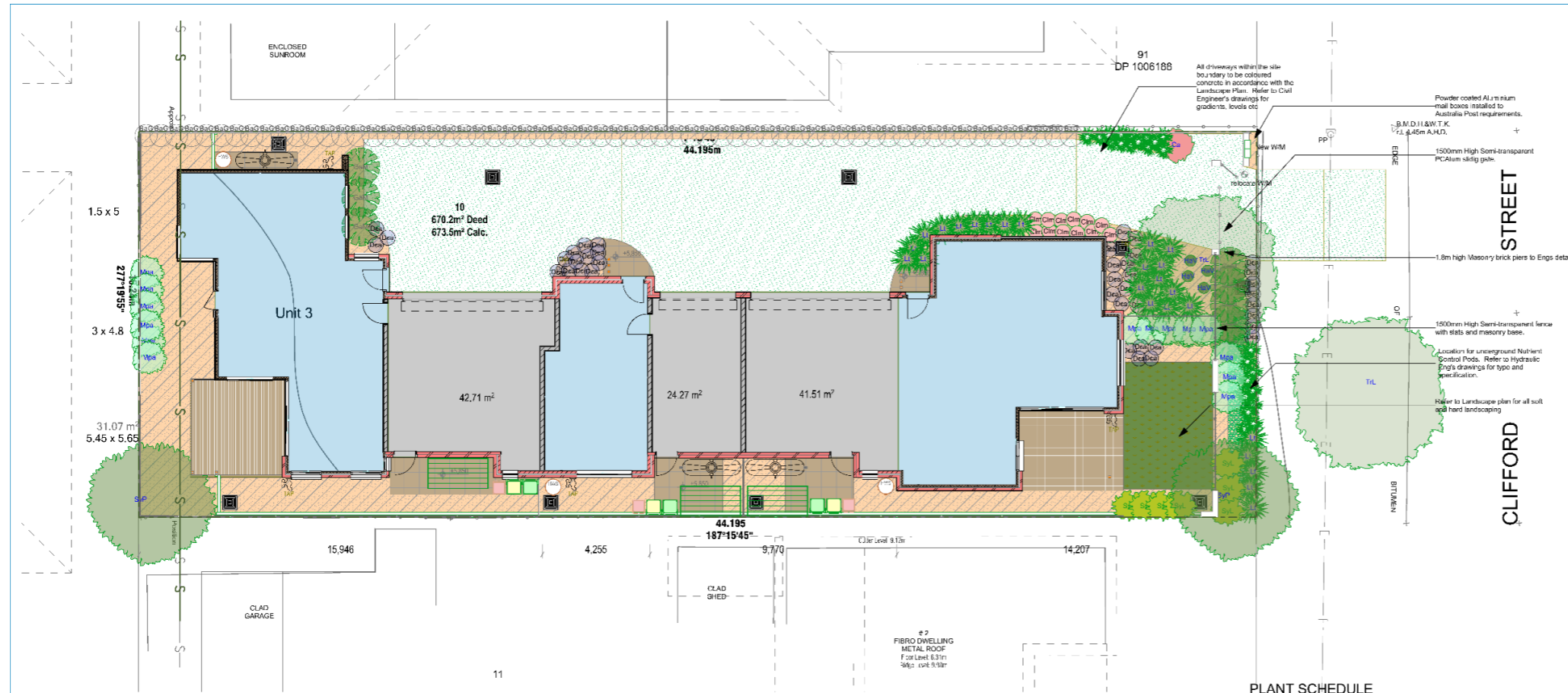
3 Unit Development  
No. 4 Clifford St Umina NSW  
2257  
Lot 10, D.P. 10466  
Murray

**SITE PLAN**

REV	Issue	Date
01	Prelim DA Issue	15/10/2017 7:43 PM
02	Prelim DA Issue	12/11/2017 12:54 PM
03	Prelim DA Issue for EIR	22/11/2017 11:24 PM
04	Prelim DA Issue for Client Info	01/12/2017 12:47 PM
05	Revised for Energy Rating	20/12/2017 4:34 PM
06	Revised for Energy Rating	06/02/2018 4:45 PM
07	Revised for Energy Rating	15/02/2018 1:08 PM
08	Issue DA	22/02/2018 9:07 PM
09	Issue Revised DA	13/02/2018 2:36 PM
10	Issue Revised DA	21/02/2019 9:37 PM

BASIX Cert: 891968M\_3 Scale (to A1 sheet size): 1:100  
BAL Rating: N/A Issue: sheet 0-  
drawn: ARF  
checked: DR  
print date: 21/02/2019

10 16592-DA11



**PLANT SCHEDULE**

Symbol	Label	Scientific Name	Common Name	Qty	Approx Mature Ht	min Pot size
HaV	HaV	Hardenbergia Violacea	Native Sasanilla	4	300	Tube stock
Clm	Clm	Clivia	Kaffir Lily	12	500	Tube stock
BaG	BaG	Diets grandiflora	Fairy Iris	24	500	Tube stock
Dca	Dca	Dianella caerulea	blue flax-lily	40	600	Tube stock
Lt	Lt	Lomandra hystrix	Mat Rush	25	800	2Ltr
Cp	Cp	Calothamnus pinifolius	Dense Clawflower	11	1,140	
Ca	Ca	Callistemon 'Great Balls of Fire'	Bottlebrush 'Great Balls of Fire'	1	1,300	2Ltr
Cp	Cp	Calothamnus pinifolius	Dense Clawflower	2	1,500	
GaM	GaM	Gardenia augusta 'Magnifica'	Gardenia	8	2,000	5Ltr
Mpa	Mpa	Murraya paniculata	Murraya - mock orange	14	3,000	2Ltr
SyL	SyL	Syzygium luehmannii	Small-leaved Lilly Pilly	7	3,000	2Ltr
BaG	BaG	Bambusa guangxiensis	Chinese Dwarf Bamboo	62	3,000	2Ltr
BaG	BaG	Bambusa guangxiensis	Chinese Dwarf Bamboo	3	3,000	
SyP	SyP	Syzygium paniculatum	Magenta Cherry	2	6,000	10Ltr
TrL	TrL	Tristanopsis laurina	Water Gum (Kanooka)	2	7,000	10Ltr

**LANDSCAPE AREAS BY UNIT**

Landscape Common	58.12
Landscape Unit 1	63.85
Landscape Unit 2	15.70
Landscape Unit 3	82.28
<b>Total</b>	<b>219.75 m²</b>

**LANDSCAPE SURFACES**

Drainage	Surface	Area
Impermeable	Coloured Concrete	0.36
Permeable	Mulched garden beds	125.02
Permeable	Sir Walter grass	17.83
Permeable	Timber Deck	14.13
Permeable	Unit Paving	44.31
	<b>Total</b>	<b>201.29 m²</b>
		<b>201.65 m²</b>

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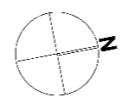


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p | 02 4323 4505  
e | david@hba.com.au  
a | PO Box 3206, ERINA NSW 2250

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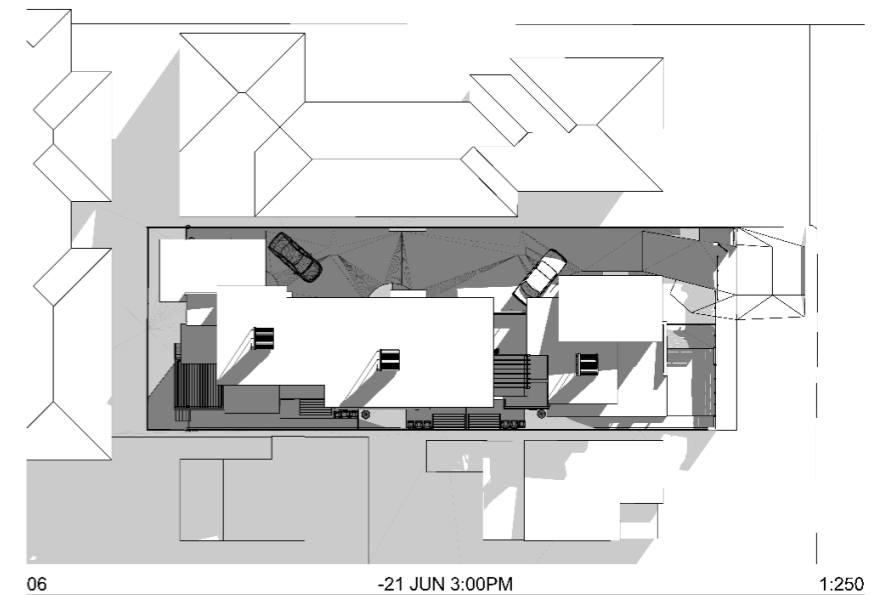
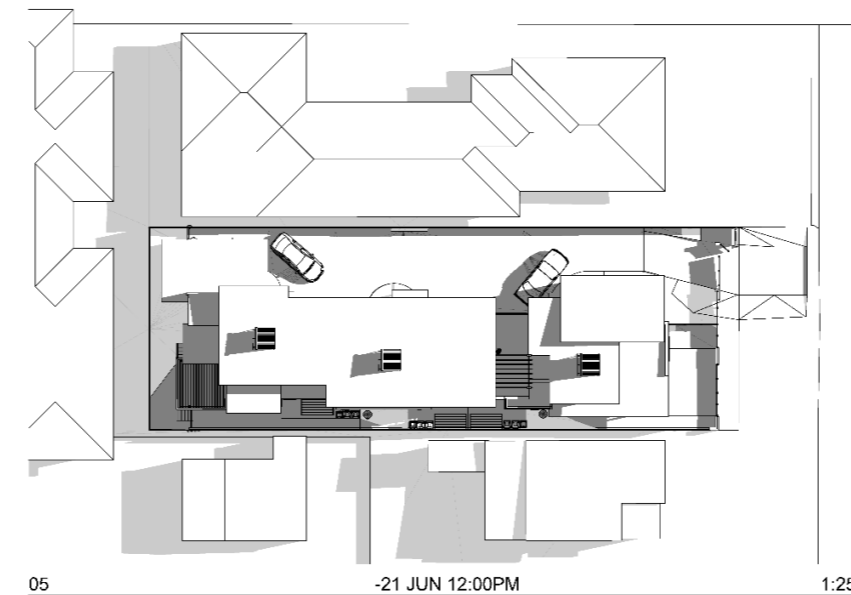
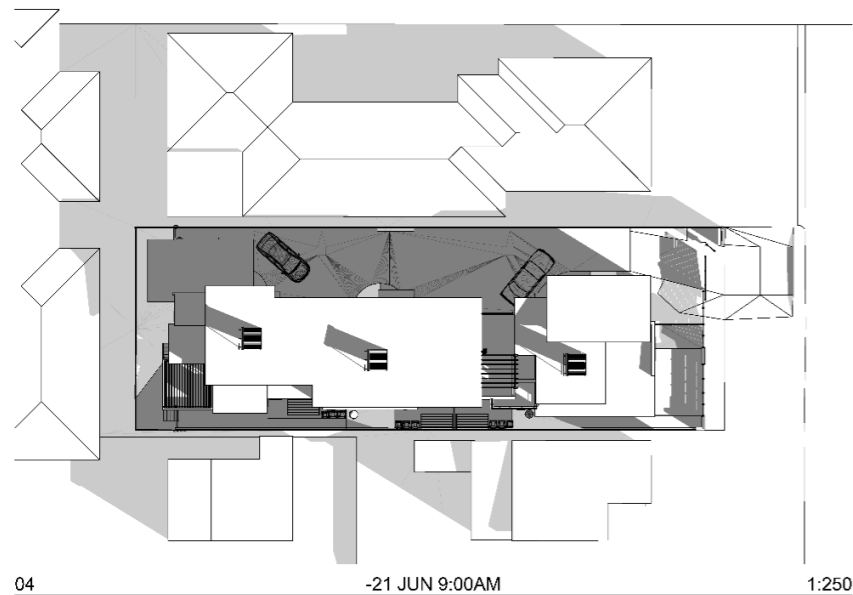
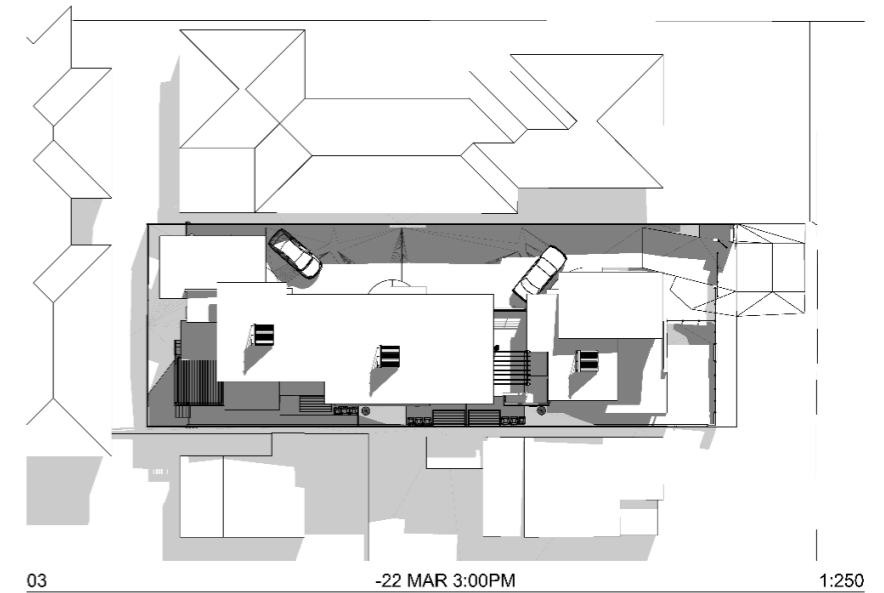
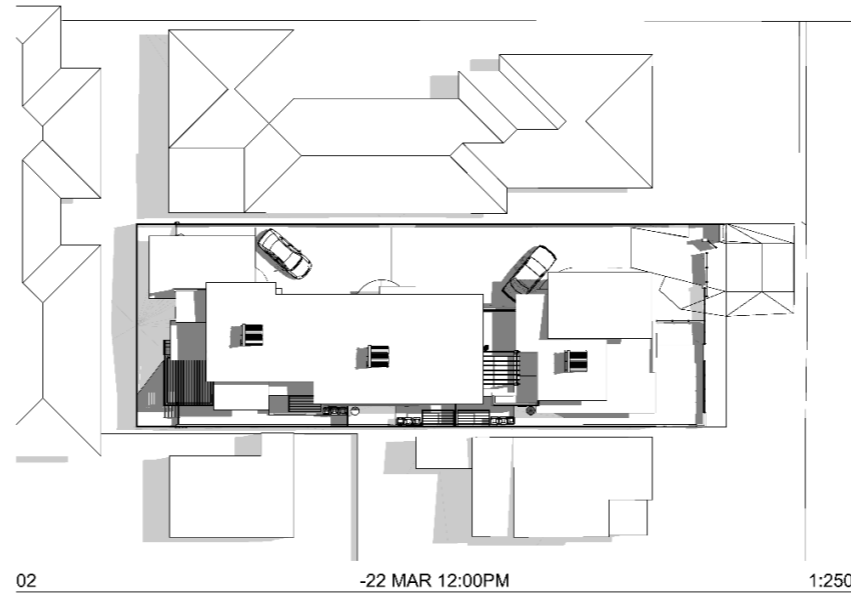
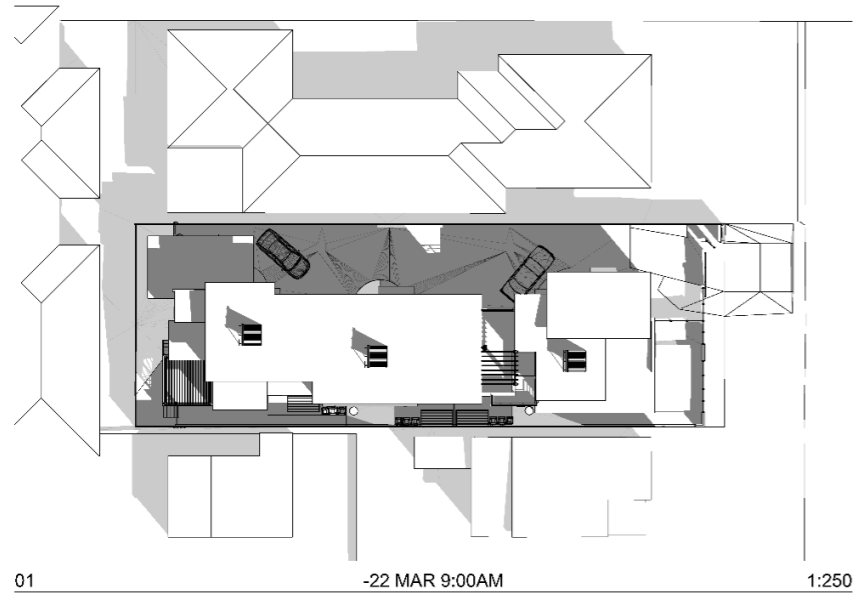


3 Unit Development  
No. 4 Clifford St Umina NSW  
2257  
Lot 10, D.P. 10466  
Murray

**LANDSCAPE PLAN**

REV	Issue	Date
01	Prelim DA Issue	15/02/2017 7:43 PM
02	Prelim DA Issue	1/11/2017 12:54 PM
03	Prelim DA Issue for ER	22/11/2017 7:14 PM
04	Prelim DA Issue for Client Inform.	21/02/2017 12:47 PM
05	Re-issue for Energy Rating	20/12/2017 7:54 PM
06	Re-issue for Energy Rating	5/02/2018 4:45 PM
07	Re-issue for Energy Rating	15/02/2018 11:28 PM
08	Issue DA	22/02/2018 5:37 PM
09	Issue Revised DA	1/08/2018 2:35 PM
10	Issue Revised DA	21/02/2019 9:37 PM

BASIX Cert: 891968M_3	Scale: @ A1 sheet size:
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drawn: ARF	sheet: 8
checked: DR	10
print date: 21/02/2019	16592-DA12



**GENERAL NOTES**

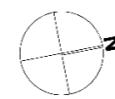
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p | 02 4323 4505  
e | [clavin@hldbuildingdesign.com.au](mailto:clavin@hldbuildingdesign.com.au)  
a | PO Box 3206, ERINA NSW 2250



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REV	Issue	Date	SHADOW DIAGRAMS	
01	Prelim DA Issue	16/10/2017 3:43 PM	BAL Refrig:	N/A
02	Prelim DA Issue	11/12/2017 12:54 PM	drawn:	ARF
03	Prelim DA Issue for ER	22/11/2017 1:24 PM	checked:	DR
04	Prelim DA Issue for Client Info	01/12/2017 12:47 PM	Issue	10
05	Re-issue for Energy Rating	20/12/2017 7:54 PM	sheet #:	16592-DA13
06	Re-issue for Energy Rating	03/02/2018 4:45 PM	print date:	21/02/2019
07	Re-issue for Energy Rating	15/02/2018 1:06 PM		
08	Issue DA	22/02/2018 9:50 PM		
09	Issue Revised DA	19/02/2018 2:26 PM		
10	Issue Revised DA	21/02/2019 3:07 PM		

**Room Number Legend**

1 Garage	12 Study
2 Entry	13 Corridor
5 Living/Family	14 Ensuite
6 Meals	15 Bath
7 Kitchen	16 Toilet
7a Pantry	17a Lin
8 Laundry	17b Storage
10 Main Bed	18 Robe
11 Bed	20 POS

February 2019 BSA Reference: 19103  
 Building Sustainability Assessments Pty Ltd 4862 3439  
 enquiries@building-sustainability.net.au www.building-sustainability.net.au

**Important Note:**  
 The following specifications are used to achieve the BASIX performance values indicated on the Assessment Certificate and have precedence over any other specifications if different construction elements are specified from the Assessment Certificate. It is the builder's responsibility to ensure that the specifications are followed. (Does not apply to glazing)

**External Wall Construction** (Does not apply to glazing)

Brick Veneer & giprose, if a Composite panel on studs	R2.0
Clay brick	R1.0
External Wall Construction	As per schedule
Plasterboard on studs	none
Plasterboard on studs + stucco + Fibrecrete (1 upper party wall)	R2.0 + R2.0
Concrete block - Plasterboard (over 200mm studs) adjacent to garage	R2.0
Collar Construction	As per schedule
Flashed roof	R5.0 to ceiling adjacent to roof space and deck above
Roof Construction	As per schedule
Roof Insulation	As per schedule
Concrete & Timber	As per schedule

**Windows**

U Value	SHGC Range	As per schedule
A 6-21-11A	As per schedule	As per schedule
U Value	SHGC Range	As per schedule
A 6-21-11A	As per schedule	As per schedule

**Glazing**

U Value	SHGC Range	As per schedule
A 6-21-11A	As per schedule	As per schedule

**SUMMARY OF BASIX COMMITMENTS FOR EACH UNIT**

This is a summary of the BASIX Commitments as detailed in the BASIX Certificate. Refer to the Certificate for complete details. For abbreviations refer to BASIX glossary.

**WATER COMMITMENTS**

3 Star Shower Heads	Yes	3 Star Toilet	Yes
3 Star Kitchen Basin Tap	Yes	3 Star Toilet	Yes
Minimum Tank Size (L)	300L	Collected from Roof Area (m2)	42
Tank Connected To	Yes	Laundry WM Cold Tap	Yes
All Taps	Yes	Laundry WM Cold Tap	Yes
One Outdoor Tap	Yes	Laundry WM Cold Tap	Yes

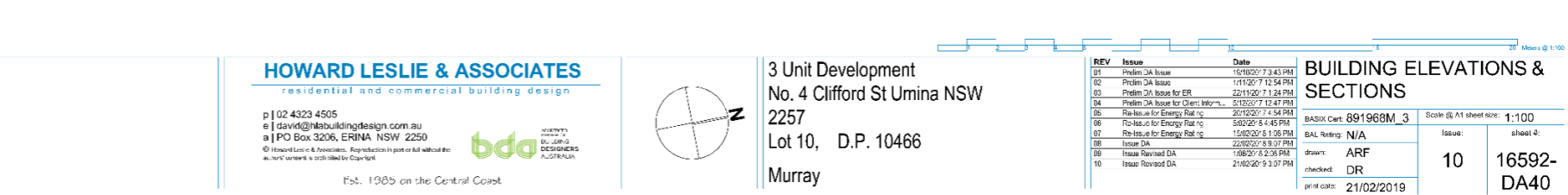
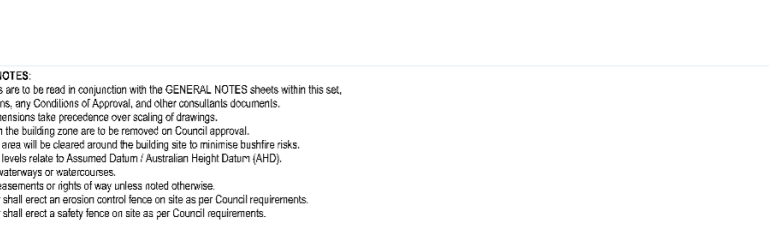
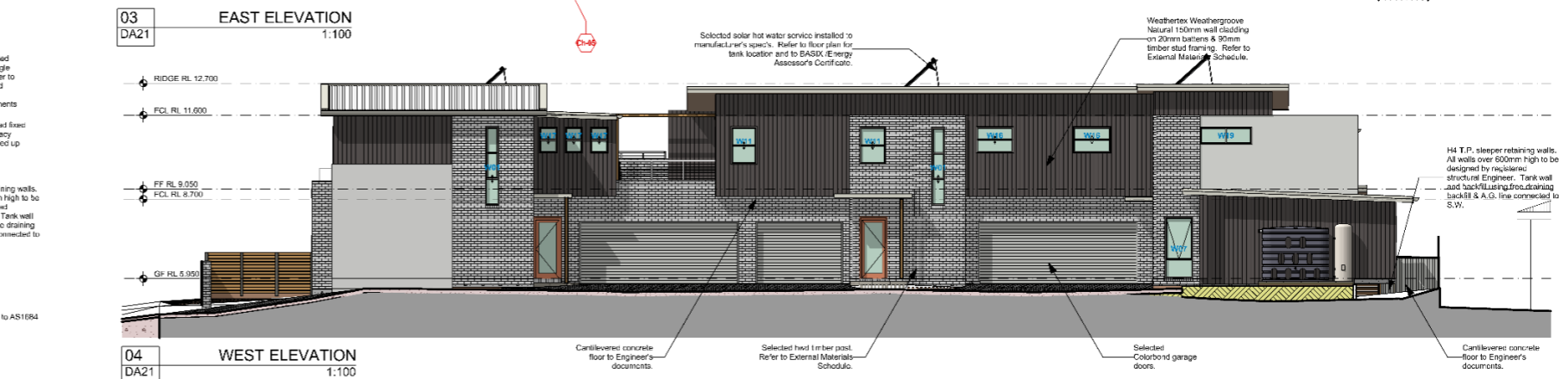
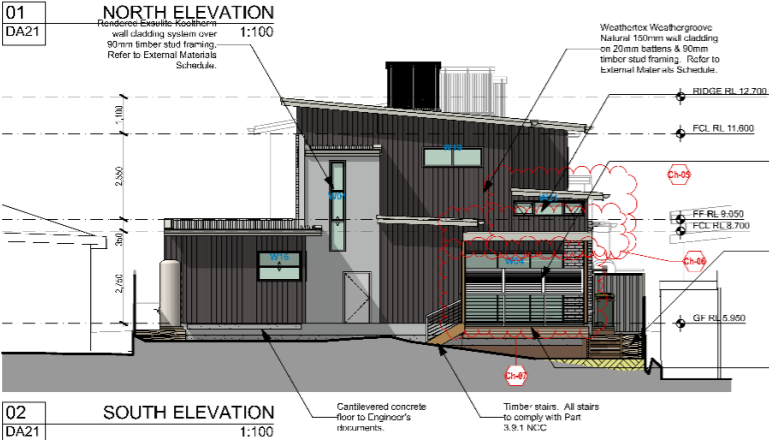
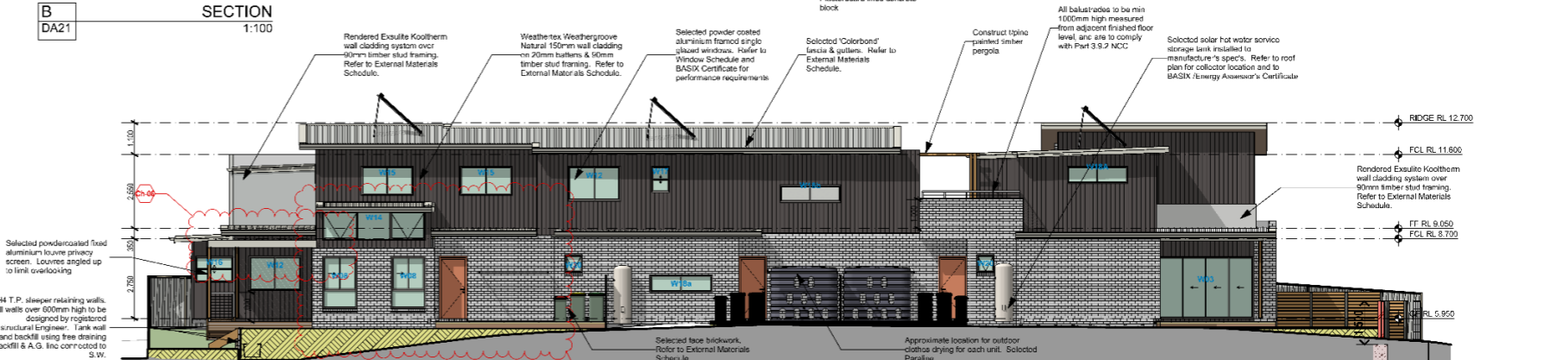
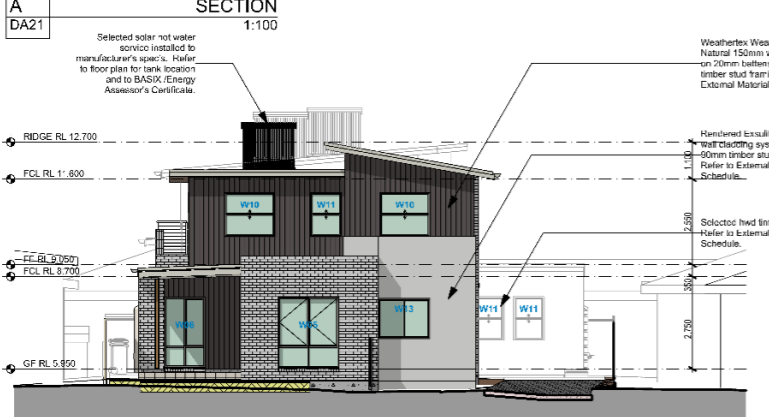
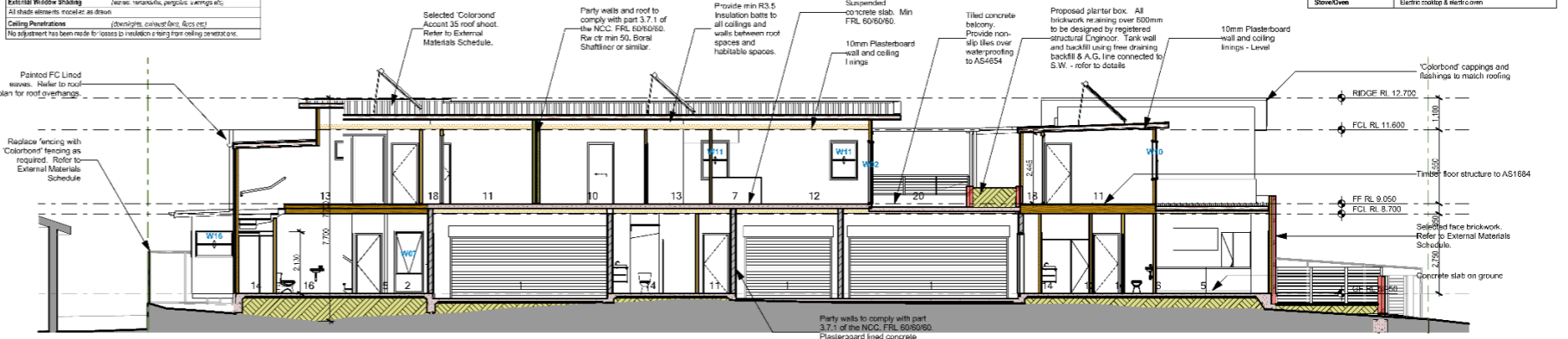
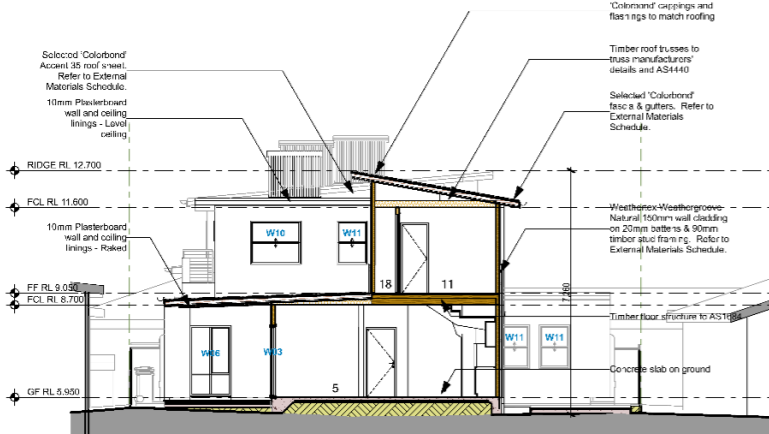
**THERMAL COMFORT COMMITMENTS - Refer to TPA Specification on plans**

**ENERGY COMMITMENTS**

Hot Water	1 x 100mm Electric Boost, 21 to 26 STCo	2 Star
Cooling System	Living 1 Phase AC Zoned	2 Star
Heating System	Bedrooms 1 Phase AC Zoned	2 Star
Heating System	Bedrooms 1 Phase AC Zoned	2 Star
Heating System	Bedrooms 1 Phase AC Zoned	2 Star
1 x Bedroom	Fan ducted to exterior	Manual or/
Kitchen	Fan ducted to exterior	Manual or/
Laundry	Manual or/	N/A
Natural Lighting	Windows/Skylight in Bathrooms/Toilets	As drawn
Artificial Lighting	Number of bedrooms	All
Artificial Lighting	Number of Living/Dining rooms	2
Artificial Lighting	Kitchen	Yes
Artificial Lighting	All Bathrooms/Toilets	Yes
Artificial Lighting	Laundry	Yes
Artificial Lighting	All Hallways	Yes

**OTHER COMMITMENTS**

Outdoor clothes line	Yes	Ventilated refrigerator space	Yes
Shower/Dive	Yes	Electric mop& restrict	Yes



**GENERAL NOTES:**

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- Figured dimensions take precedence over scaling of drawings.
- Trees within the building zone are to be removed on Council approval.
- A minimum area will be cleared around the building site to minimise bushfire risks.
- All reduced levels relate to Assumed Datum / Australian Height Datum (AHD).
- No known waterways or watercourses.
- No known easements or rights of way unless noted otherwise.
- The Builder shall erect an erosion control fence on site as per Council requirements.
- The Builder shall erect a safety fence on site as per Council requirements.

**HOWARD LESLIE & ASSOCIATES**  
 residential and commercial building design

p | 02 4323 4505  
 e | david@hla-buildingdesign.com.au  
 a | PO Box 3206, ERINA NSW 2250

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Est. 1985 on the Central Coast

**3 Unit Development**  
 No. 4 Clifford St Umina NSW  
 2257  
 Lot 10, D.P. 10466  
 Murray

**BUILDING ELEVATIONS & SECTIONS**

BASIX Cert: 891968M\_3 Scale: @ A1 sheet size: 1:100

Issue: sheet 8

drawn: ARF  
 checked: DR  
 Date: 21/02/2019

10 16592-DA40



Door Type	D01	D02	D04	D05	D06	D07	D10	D11	D12	D13	D15	D16	D20	D21	D22	D30	D40
Quantity	2	1	3	3	3	1	9	9	2	2	1	1	2	4	1	1	1
Nominal W x H Size	5,500x2,140	3,000x2,140	820x2,040	820x2,040	820x2,040	720x1,500	828x2,040	728x2,040	620x2,040	520x2,040	1,640x2,040	1,440x2,040	820x2,040	720x2,040	620x2,040	2,244x2,340	3,139x2,360
Frame Type																	
Other notes				Solid Door	Self Closer												

Door Type	D40	D42	D41	D43
Quantity	2	1	1	1
Nominal W x H Size	2,350x2,360	2,630x2,360	2,235x2,360	1,840x2,360
Frame Type				
Other notes				

4. DOOR SCHEDULE 1:1

February 2019	BSA Reference: 13183
Building Sustainability Assessments	PH (02) 4962 5439
www.bsa.com.au	www.bsa.com.au
Important Note:	Refer to the BSA Reference for full details of the BSA process and performance indicators on the Assessment Certificate and BSA process. See any BSA specifications.
Thermal Performance Specifications	Refer to the Assessment Certificate for full details.
External Wall Construction	As per Specification
Internal Wall Construction	As per Specification
Floor Construction	As per Specification
Roof Construction	As per Specification
Glazing	As per Specification
Windows	As per Specification
Doors	As per Specification

4 Clifford Street Umina Beach	
<b>SUMMARY OF BASIX COMMITMENTS FOR EACH UNIT</b>	
This is a summary of the BASIX Commitments as detailed in the BASIX Certificate. Refer to the CURRENT BASIX Certificate for complete details. For definitions refer to basix.nsw.gov.au	
<b>WATER COMMITMENTS</b>	
3 Star Shower Heads	Yes
3 Star Kitchen / Basin Taps	Yes
3 Star Toilet	Yes
Alternative Water	Yes
Minimum Tank Size (L)	3000
Collected from Roof Area (m <sup>2</sup> )	40
Task Connected Tap	Yes
Laundry WM Cold Tap	Yes
One Outdoor Tap	Yes
<b>ENERGY COMMITMENTS</b>	
Solar (Electric Boost) 21 to 25 STCs	
Cooling System	Living: 1 Phase A/C Zoned, 2 Star
Bedrooms	1 Phase A/C Zoned, 2 Star
Heating System	Living: 1 Phase A/C Zoned, 2 Star
Bedrooms	1 Phase A/C Zoned, 2 Star
1 x Bathroom	Fan ducted to exterior, Manual control
Kitchen	Fan ducted to exterior, Manual control
Laundry	Natural ventilation, N/A
Natural Lighting	Window/Skylight in Kitchen: Yes, As drawn
Artificial Lighting	Number of Living/Dining rooms: 2, Dec. rated: Yes
Rooms to be primarily lit by fluorescent or LED lights	Kitchen: Yes, Dec. rated: Yes Laundry: Yes, Dec. rated: Yes All Hallways: Yes, Dec. rated: Yes
<b>OTHER COMMITMENTS</b>	
Outdoor clothes line	Yes, Ventilated refrigerator space: Yes
Stove/Oven	Electric cooktop & electric oven

Window Type	W01	W02	W03	W04	W05	W06	W07	W08	W09	W10	W11	W12	W13	W14	W15
Quantity	3	1	1	1	1	1	1	2	1	2	5	2	1	1	2
Height (mm)	2,700	2,140	2,140	2,140	2,100	2,100	2,100	1,800	1,800	1,300	1,300	1,200	1,200	1,000	1,000
Width (m)	0.47	5.20	3.30	3.00	1.81	1.21	0.97	1.20	1.80	1.50	0.91	1.81	1.55	3.56	1.81
Frame Material	Powdercoated Alum	Powdercoated Alum	Powdercoated Alum	Powdercoated Alum	Powdercoated Alum	Powdercoated Alum	Powdercoated Alum	Powdercoated Alum	Powdercoated Alum	Powdercoated Alum	Powdercoated Alum	Powdercoated Alum	Powdercoated Alum	Powdercoated Alum	Powdercoated Alum
Glass Material	Glass - Clear	Glass - Clear	Glass - Clear	Glass - Clear	Glass - Clear	Glass - Clear	Glass - Clear	Glass - Clear	Glass - Clear	Glass - Clear	Glass - Clear	Glass - Clear	Glass - Clear	Glass - Clear	Glass - Clear
Other notes															

Window Type	W16	W17	W18a	W18A	W18b	W19	W20	W21
Quantity	4	4	1	1	1	2	2	2
Height (mm)	900	900	600	600	600	600	600	450
Width (m)	1.30	0.60	2.17	2.10	2.10	2.10	0.61	2.10
Frame Material	Powdercoated Alum	Powdercoated Alum	Powdercoated Alum	Powdercoated Alum	Powdercoated Alum	Powdercoated Alum	Powdercoated Alum	Powdercoated Alum
Glass Material	Glass - Clear	Glass - Clear	Glass - Clear	Glass - Clear	Glass - Obscure	Glass - Clear	Glass - Clear	Glass - Clear
Other notes								

2. WINDOW SCHEDULE 1:1

**NOTE:**

- All windows to be (powder coated aluminium) (timber) framed (double) (single) glazed, (sliding) (awning) (casement). Colour to (external materials schedule) (be selected by client) (match existing).
- All windows & doors drawn as viewed from outside.
- All sizes are nominal and shall be confirmed prior to ordering to ensure correct interface with other building elements.
- All windows and doors are to be installed to manufacturer's specifications.
- Windows are to comply with all relevant standards. A wind load classification is to be confirmed by registered engineer for window manufacturer's design criteria.

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- A minimum area will be cleared around the building site to minimise bushfire risks.
- All reduced levels relate to Assumed Datum / Australian Height Datum (AHD).
- No known waterways or watercourses.
- No known easements or rights of way unless noted otherwise.
- The Builder shall erect an erosion control fence on site as per Council requirements.
- The Builder shall erect a safety fence on site as per Council requirements.

**HOWARD LESLIE & ASSOCIATES**  
residential and commercial building design

p | 02 4323 4505  
e | david@hlabuildingdesign.com.au  
a | PO Box 3206, ERINA NSW 2250

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Est. 1985 on the Central Coast

3 Unit Development  
No. 4 Clifford St Umina NSW  
2257  
Lot 10, D.P. 10466  
Murray

REV	Issue	Date
01	Prelim DA Issue	16/03/2017 7:43 PM
02	Prelim DA Issue	1/11/2017 12:54 PM
03	Prelim DA Issue for EIR	22/11/2017 7:24 PM
04	Prelim DA Issue for Client Info	01/02/2017 11:41 PM
05	Re-issue for Energy Rating	20/12/2017 7:54 PM
06	Re-issue for Energy Rating	3/02/2018 8:45 PM
07	Re-issue for Energy Rating	15/02/2018 11:06 PM
08	Issue DA	22/02/2018 9:27 PM
09	Issue Revised DA	1/08/2018 2:26 PM
10	Issue Revised DA	21/02/2019 9:07 PM

**DOOR & WINDOW SCHEDULES**

BASIX Cert. 891968M\_3 Rev. 01 (B A1 sheet) 1:1

Issue: 10

drawn: ARF  
checked: DR

print date: 21/02/2019

sheet of 16592-DA60

**4 Clifford Street Urina Beach**

**SUMMARY OF BASIX COMMITMENTS FOR EACH UNIT**

This is a summary of the BASIX Commitments as detailed in the BASIX Certificate and the CURRENT BASIX Certificate for Complete details. For definitions refer to basix.nsw.gov.au

WATER COMMITMENTS			
3 Star Shower Heads	Yes		
3 Star Kitchen / Basin Taps	Yes	3 Star Toilet	Yes
Alternative Water			
Maximum Tank Size (L)	3000	Collected from Roof Area (m <sup>2</sup> )	40
Tank Connected To:			
All Toilets	Yes	Laundry WM Cold Tap	Yes
One Outdoor Tap	Yes		
THERMAL COMFORT COMMITMENTS - Refer to TPA Specification on plans			
ENERGY COMMITMENTS			
Hot Water	Solar (Electric Boost)	21 to 25 STCo	
Cooling System	Living	1 Phase A/C Zoned	2 Star
	Bedrooms	1 Phase A/C Zoned	2 Star
Heating System	Living	1 Phase A/C Zoned	2 Star
	Bedrooms	1 Phase A/C Zoned	2 Star
1 x Bathroom	Fan ducted to exterior	Manual on/off	Yes
Ventilation	Kitchen	Fan ducted to exterior	Manual on/off
	Laundry	Natural ventilation	N/A
Natural Lighting	Window/Skylight in Kitchen	Yes	
	Window/Skylight in Bathrooms/Toilets	As drawn	
Artificial Lighting	Number of bedrooms	All	Dec. rated
	Number of Living/Dining rooms	2	Dec. rated
Fluorescent (LED lights)	Kitchen	Yes	Dec. rated
	All Bathrooms/Toilets	Yes	Dec. rated
	Laundry	Yes	Dec. rated
	All Hallways	Yes	Dec. rated
OTHER COMMITMENTS			
Outdoor clothes line	Yes	Ventilated refrigerator space	Yes
Stove/Oven		Electric cooktop & electric oven	

**GENERAL NOTES:**

- All drawings are to be read in conjunction with the GENERAL NOTES sheets within this set. Specifications, any Conditions of Approval, and other consultancies documents.
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residential and commercial building design

p | 02 4323 4505  
e | david@hla.com.au  
a | PO Box 3206, ERINA NSW 2250

**bda** BUILDING DESIGN ASSOCIATES AUSTRALIA

Est. 1985 on the Central Coast

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Lot 10, D.P. 10466  
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01	Prelim DA Issue	16/10/2019 2:43 PM
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03	Prelim DA Issue for ER	22/11/2019 7:14 PM
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06	Re-issue for Energy Rating	15/02/2020 8:10 PM
07	Issue DA	22/02/2020 8:30 PM
08	Issue Revised DA	1/08/2020 2:35 PM
10	Issue Revised DA	21/02/2020 9:07 PM

**EXTERNAL MATERIALS SCHEDULE**

BASIX Cert: 891968M 3 Scale @ A1 sheet size:

BAL Ref: N/A	Issue:	sheet 4:
drawn: ARF	10	16592-DA61
checked: DR		
DATE: 21/02/2019		



**GENERAL NOTES**

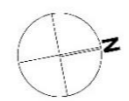
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e | david@hlabuildingdesign.com.au  
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04	Prelim DA Issue for Client Inform	25/02/2019 12:47 PM
05	Rev Issue for Energy Rating	26/02/2019 4:34 PM
06	Rev Issue for Energy Rating	26/02/2019 8:45 PM
07	Rev Issue for Energy Rating	15/02/2019 8:05 PM
08	Issue DA	22/02/2019 9:37 PM
09	Issue Revised DA	19/02/2019 2:36 PM
10	Issue Revised DA	21/02/2019 9:37 PM

**EXTERNAL VIEWS**

BASIX Cert: 891968M\_3    Scale: (6) A1 sheet size:

BAL Rating: N/A    Issue: sheet 0:

drawn: ARF    Issue: 10    16592-DA70

checked: DR

print date: 21/02/2019

DA54622/2018 - Multi Dwelling Housing (3 units) & Demolition of Existing Structures  
 Description of Land - LOT: 10 DP: 10466, 4 Clifford Street UMINA BEACH

**Gosford Development Control Plan 2013 (GDCP 2013)**  
**Chapter 3.3 Multi Dwelling Housing & Residential Flat Buildings**  
**Compliance Table**

Development Control	Required	Proposed	Compliance
<b>3.3 Multi Dwelling Housing &amp; Residential Flat Buildings (General Controls)</b>	3.3.1.4 Objectives	<p>It is considered the proposed development is generally consistent with the objectives for multi dwelling housing developments for the following reasons:</p> <ul style="list-style-type: none"> <li>• Provides improved standards of environmental planning, urban design, architectural and landscape quality.</li> <li>• Complements the desired character of the area and does not impact on natural scenic qualities.</li> <li>• Maintains and enhance current levels of residential amenity.</li> <li>• Provides a variety of dwelling types providing improved housing choice for the area.</li> </ul>	Yes
<b>3.3.2.1 Character</b>	<p>New developments are consistent with the desired character for the surrounding area.</p>	<p>It is considered the proposed development is consistent with desired character as stated in Chapter 2.1 of this compliance table.</p> <ul style="list-style-type: none"> <li>• Siting of buildings and surrounding garden areas is consistent with surrounding developments.</li> <li>• Height, size and scale of the building is compatible with locality.</li> <li>• The architectural design and form provides improved urban design outcomes and the proposed two storey building will not have adverse impact on existing residential amenity in terms of overshadowing and overlooking.</li> <li>• Garden design and details are compatible with the streetscape character.</li> </ul>	Yes

Development Control	Required	Proposed	Compliance
<b>3.3.3.1 Height</b>	Clause 3.3.3.1.2 Maximum Height Controls <ul style="list-style-type: none"> <li>• Max building height GLEP 2014 = 8.5m</li> <li>• Max 2 storeys</li> <li>• Max height exterior wall 7.5m</li> <li>• Max floor height lowest occupied storey 1m</li> </ul>	<ul style="list-style-type: none"> <li>• Max building height = 7.26m</li> <li>• Max 2 storeys</li> <li>• Max height of exterior wall = 6.16m.</li> <li>• The proposal complies with the 1m height limit with the exception of a portion of Unit 3 at the southeast portion of the site incorporating a portion of living and kitchen area where the floor level is variable to a maximum of 1.3m above existing ground level – variation of 30%. The non-compliance results from the variable existing ground level at this portion of the site.</li> </ul>	Yes Yes Yes <b>No</b> , however the variations are supported
	Clause 3.3.3.1.3 Development Controls <ul style="list-style-type: none"> <li>• Min 2.7m ceiling heights for 2 storey buildings</li> </ul>	<ul style="list-style-type: none"> <li>• Ceiling heights for ground level comply = 2.75m</li> <li>• Ceiling heights for upper level do not comply = 2.55m – variation of 0.15m or 5.6%</li> </ul>	Yes <b>No</b> , however the variations are supported
<b>3.3.3.2 Setbacks</b>	Clause 3.3.3.2a Deep soil along boundaries: <ul style="list-style-type: none"> <li>• Side boundary min width 2m</li> <li>• Front boundary min width 6m</li> <li>• Rear boundary min width 6m</li> </ul>	<ul style="list-style-type: none"> <li>• East side setback 1.05m - 1.57m; a variation of 74% - 21.5%</li> <li>• West boundary where driveway is located provides 0.5m setback along driveway increasing at site frontage with 1.5m side setback for approximately 10m at the rear (Unit 3). Allowable encroachments into deep soil setbacks are permitted for large paved areas such as driveways where there is at least 1m wide area for planting trees or shrubs.</li> <li>• Front setback = 5.247m - 6.0m; a variation of 12.55%</li> <li>• Rear setback 1.536m - 3.044m; a variation of 74.4% - 49.3%</li> </ul>	<b>No</b> , however the variations are supported

Development Control	Required	Proposed	Compliance
	Clause 3.3.3.2b Setbacks to exterior walls: <ul style="list-style-type: none"> <li>• Side boundary average 4m (2 storey), min 3.5m</li> <li>• Front Setback 6m</li> <li>• Rear Setback 6m</li> </ul>	<ul style="list-style-type: none"> <li>• East side setback proposed for ground level 1.05m – 2.31m - a variation of 70% - 34% and Upper level 2.31m – 4.0m – a variation of 34%</li> <li>• West side setback proposed for ground level 1.5m – 4.08m – a variation of 57%. The variation occurs for approximately 10m at the rear (Unit 3).</li> <li>• Front setback required 6m. Proposed setback 5.247m; a variation of 12.55%</li> <li>• Rear setback required 6m. Proposed setbacks are:               <ul style="list-style-type: none"> <li>○ Ground level setback is variable from 1.5m – 2.95m; a maximum variation of 75%</li> <li>○ Upper level setback is variable from 2.95m - 5.834m; a maximum variation of 75% for a length of 2.6m</li> </ul> </li> </ul>	<b>No</b> , however the variations are supported
<b>3.3.3.3 Car Parking</b>	Clause 3.3.3.3.2 Technical requirements to be in accordance with Chapter 7.1 Car Parking Appendix A.	Refer Section 7.1 Car Parking for compliance with GDCP 2013. The proposed parking arrangements are consistent with the objectives.	Yes
	Clause 3.3.3.3.2 Scenic Quality/Neighbourhood character of off-street parking <ul style="list-style-type: none"> <li>• Not located facing street/lane</li> <li>• Not located in front setback</li> <li>• Not create continuous row of enclosed garages</li> </ul>	<ul style="list-style-type: none"> <li>• Garages face western boundary</li> <li>• Garages not located in front setback</li> <li>• Garages separated by habitable spaces of each unit</li> </ul>	Yes
	Clause 3.3.3.3.5 Driveway Design <ul style="list-style-type: none"> <li>• Min 3m wide driveway for developments with less than 25 parking spaces, provision of a passing bay at 30m intervals, 5.5m wide width at kerb</li> </ul>	The driveway is minimum 3m wide with splay to kerb. The driveway serves less than 25 parking spaces and a passing bay is not required.	Yes

Development Control	Required	Proposed	Compliance
<b>3.3.3.4 Articulation</b>	Clause 3.3.3.4.2 Maximum dimensions of buildings <ul style="list-style-type: none"> <li>• Max width and depth of building - 25m</li> <li>• Buildings between 25m-35m must be indented with 6 X 6 courtyard, including 1 canopy tree and reduced wall heights surrounding</li> <li>• Each courtyard planted with 1 large canopy tree</li> <li>• Surrounding each courtyard height of exterior walls reduced</li> </ul>	<ul style="list-style-type: none"> <li>• A building may exceed elevations longer than 25m-35m. The building is 35.132 metres in length however has sufficient building articulation incorporating courtyard areas to reduce bulk and scale of the development.</li> <li>• The height of exterior walls is reduced with upper level set back from ground level.</li> <li>• Unit 1 and Unit 3 courtyards are planted with a canopy tree capable of a mature height of 6m orientated to the front and rear of the building.</li> <li>• Unit 2 courtyard dimensions are less than 6 x 6m and no canopy tree is proposed. The design of Unit 2 with living space on the upper floor provides private open space in the form of a terrace adjoining the living spaces. The terrace includes landscaped areas.</li> </ul>	<b>No</b> , however the variation is supported
	Clause 3.3.3.4.4 Articulation of building forms and facades <ul style="list-style-type: none"> <li>• The unarticulated length of any wall should not exceed 8m.</li> </ul>	The side elevations of the upper level of Unit 2 are greater than 8m. Notwithstanding this, articulation is provided to the elevations using changes in building materials and fenestration, together with building lines and setbacks to break up the side elevations of the building. Therefore satisfactory articulation is achieved in accordance with the control.	Yes
<b>3.3.3.5.2 Sunlight and Overshadowing</b>	Clause 3.3.3.5.2 Solar access requirements for living rooms and communal open space: <ul style="list-style-type: none"> <li>• Min 3 hrs/day sunlight in living, dining, family rooms and 50% of principal open space areas. Received by 70% of dwellings.</li> <li>• Minimum 3 hours/day sunlight is retained to existing neighbours.</li> </ul>	<ul style="list-style-type: none"> <li>• All units in the development meet criteria for three hours solar access to the living areas and private open space areas of the units.</li> <li>• This is achieved through minor amendments to roof of Unit 3 on the eastern elevation – raising the roof of the living area and providing highlight windows.</li> <li>• Minimum 3 hours/day sunlight is retained to existing neighbours.</li> <li>• Shadow diagrams have been submitted with the application which shows shadowing in mid-winter. Refer to Attachment B, Architectural Plans, Drawing 16592-DA13.</li> </ul>	Yes

Development Control	Required	Proposed	Compliance
<b>3.3.3.5.3 Site Planning</b>	<p>Clause 3.3.3.5.3 Controls</p> <ul style="list-style-type: none"> <li>• Site planning to provide for reasonable privacy for existing &amp; proposed dwellings.</li> <li>• For two storey buildings: provide 9m between adjacent dwellings,</li> <li>• If screening is provided these distances can be lessened.</li> </ul>	<ul style="list-style-type: none"> <li>• The development proposes less than 9m separation distance to residential development to the east, west and south.</li> <li>• The design of the development ensures line-of-sight privacy is maintained to the east through highlight windows, courtyard screening and 1.8m high boundary fencing and reasonable privacy is provided for existing and proposed dwellings.</li> </ul>	Yes
<b>3.3.3.5.4 Natural cross ventilation</b>	<p>Clause 3.3.3.5.4 controls</p> <ul style="list-style-type: none"> <li>• Min 60% of dwellings must have suitable floor plans for cross ventilation.</li> </ul>	The proposal complies with the controls and suitable ventilation is provided to all units.	Yes
<b>3.3.3.5.5 Private Open Space</b>	<p>Clause 3.3.3.5.5 controls</p> <ul style="list-style-type: none"> <li>• Private open space (POS) all dwellings with a private entrance at ground level - min area 50m<sup>2</sup></li> <li>• Min width 5m x 5m</li> <li>• Min dimension is 3.5m</li> <li>• 1 tree and landscaping per POS</li> <li>• All should have one sunny spot, be located adjacent to a living space and a space for clothes drying</li> </ul>	<ul style="list-style-type: none"> <li>• Unit 1 has 75m<sup>2</sup> of private open space at ground level and includes the following features – an area a minimum width 5m x 5m with 1 canopy tree and an adjoining service area on the eastern boundary.</li> <li>• Unit 2 has a total of 44.14m<sup>2</sup> of private open space; this is provided by 15.70m<sup>2</sup> at ground level and includes a service area on the eastern boundary plus a terrace on upper level 28.44m<sup>2</sup> in area.</li> <li>• Unit 3 has 82.28m<sup>2</sup> of private open space at ground level and includes the following features - an area a minimum width 5m x 5m with 2 canopy trees and an adjoining service area on the eastern boundary.</li> </ul>	<p>Yes</p> <p><b>No,</b> however the variation is supported</p> <p>Yes</p>
<b>3.3.3.5.6 Communal Open Space</b>	Only required for developments with more than 10 dwellings	The proposal comprises only 3 dwellings and no communal open space is proposed.	Yes
<b>3.3.4.1 Housing Choice</b>	<p>Clause 3.3.4.1.2:</p> <ul style="list-style-type: none"> <li>• Provide a variety of dwelling types</li> </ul>	<ul style="list-style-type: none"> <li>• Each unit in the development has a different layout. The proposal provides a variety of different dwelling types.</li> </ul>	Yes
	<p>Clause 3.3.4.1.3:</p> <ul style="list-style-type: none"> <li>• All development &gt;3 dwellings – one third of dwellings should be adaptable.</li> </ul>	<ul style="list-style-type: none"> <li>• The proposal comprises only 3 dwellings and not required to provide adaptable dwellings.</li> </ul>	Yes



Development Control	Required	Proposed	Compliance
<b>3.3.4.2 Residential Address</b>	Controls: <ul style="list-style-type: none"> <li>• Provide a traditional street address - Front doors, windows, patios etc facing street</li> <li>• Dwellings with private open space at ground level have private entrance</li> <li>• Garages are not located on street frontage</li> <li>• Solid fences to a height of 1.2m, and partially transparent screening above that for fences that face public/communal areas</li> </ul>	<ul style="list-style-type: none"> <li>• Unit 1 provides a traditional street address for the development – windows living area and patio faces the street</li> <li>• All units have private entrance</li> <li>• Garages are not located on street frontage</li> <li>• 1.5m high front fence – decorative slat infill panel fence setback from street alignment screened with landscaping.</li> </ul>	Yes  Yes, via the imposition of Condition 2.3 for the design of the fence
<b>3.3.4.3 Facades</b>	Controls <ul style="list-style-type: none"> <li>• Divide facade into a “panels”</li> <li>• Use gently-pitched roof elements</li> <li>• Roofs surrounded by wide eaves</li> <li>• Balconies used to disguise expanses of flat exterior walls</li> <li>• Light weight finishes incorporated</li> </ul>	<ul style="list-style-type: none"> <li>• The proposal is a highly articulated building including changes in building materials and setbacks/alignment.</li> <li>• Further articulation in combination with use of building materials would not achieve a better design outcome nor improve the building visually.</li> <li>• Gives appearance of individual roofs, through skillion roofs pitched in alternate directions.</li> <li>• Uses light weight finishes and a variety of materials.</li> </ul>	Yes
<b>3.3.4.4 Landscaped Areas</b>	Controls <ul style="list-style-type: none"> <li>• Provide a landscape plan</li> <li>• Site surrounded by canopy trees</li> <li>• New trees to have mature heights of 8-10m (similar height to building)</li> <li>• Continuous screen plantings to side and rear boundaries</li> <li>• Front setback to include 2 canopy trees, side setback to include 1, rear setback to include 2</li> <li>• Side and rear setbacks should include screen plantings</li> <li>• Driveway flanked by landscaping</li> </ul>	<ul style="list-style-type: none"> <li>• Landscape plan is provided as shown below.</li> <li>• Medium sized trees proposed within courtyards of Unit 1 and Unit 3 – are considered satisfactory – mature height 6m</li> <li>• No courtyard tree to Unit 2 courtyard however landscaping is proposed to upper level terrace and will soften the built form.</li> <li>• Minimal landscaping along eastern boundary; however this is supported in this instance in order to provide service areas and a sunny location for clothes drying.</li> <li>• Overall the proposal provides a satisfactory level of landscaping. Landscaping is provided alongside boundary of the driveway and 1 canopy tree at the rear of the site. The streetscape will be enhanced providing 2 canopy trees at the site frontage including street tree planting.</li> </ul>	Yes

Development Control	Required	Proposed	Compliance
<b>3.3.4.5 Building Services</b>	3.3.4.5.2 Design and Location of Stormwater Systems <ul style="list-style-type: none"> <li>• 25% of the development site shall be deep soil</li> </ul>	25% of the development site provides areas of deep soil.	Yes
	3.3.4.5.3 Garbage bin enclosures <ul style="list-style-type: none"> <li>• Not compromise urban design quality</li> </ul>	Garbage bins to be stored within private courtyards and screened from the internal courtyards and from the street.	Yes
	3.3.4.5.5 Storage <ul style="list-style-type: none"> <li>• Two bedroom apartments: 8m<sup>3</sup></li> </ul>	Storage is provided within garages, under stairs and within each unit and achieves minimum storage required.	Yes



**Item No:** 2.3  
**Title:** Fire Safety Report - 40 Lakehaven Drive KANWAL  
**Department:** Environment and Planning

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25 November 2019 Ordinary Council Meeting

Trim Reference: F2004/12907 - D13717184

Author: Gary Evans, Principal Health and Building Surveyor  
Scott Rathgen, Section Manager, Central Coast Building Certification North

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 note a Fire Safety Inspection Report from Fire and Rescue NSW

### **Recommendation**

- 1 That Council note the content of the Fire Safety Report from Fire and Rescue NSW in accordance with Section 17(2)(a) of Part 8 of Schedule 5 of the Environmental Planning and Assessment Act (EP&A), 1979; and**
- 2 That Council receive a further report to be provided to the next Council meeting in accordance with Section 17(2)(b) of Part 8 of Schedule 5 of the 121ZD(2)(b) of the Environmental Planning and Assessment Act (EP&A), 1979.**

### **Background**

Council has received a Fire Safety Inspection Report from Fire and Rescue NSW in respect to the premises known as Lot 1224 DP 1004170, 40 Lake Haven Drive, Kanwal (Wyong Leagues Club).

Fire and Rescue NSW has powers under the *Environmental Planning and Assessment Act 1979*, to carry out inspections of buildings and it is required to forward the findings of such an inspection to the relevant Council.

Fire and Rescue NSW inspection reports received by Council are required to be tabled before the Council at the next Council meeting.

Council is then required to determine whether or not to exercise its power to issue one of two orders under Section 121B of the EP&A Act 1979. This determination may be made at the next meeting of Council held after the tabling of the initial Fire and Rescue NSW inspection report.

## **2.3 Fire Safety Report - 40 Lakehaven Drive KANWAL (contd)**

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Attached is the inspection report received by Council from Fire and Rescue NSW that is required to be tabled. A further report will be provided to Council with appropriate recommendations following an inspection of the site.

### **Link to Community Strategic Plan**

Theme 4: Responsible

### **Goal G: Good governance and great partnerships**

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

### **Attachments**

- 1 Letter from Fire & Rescue NSW D13719239

Unclassified



File Ref. No: BFS19/3556 (9347)  
TRIM Ref. No: D19/80438  
Contact: Edren Ravino

6 November 2019

General Manager  
Central Coast Council  
49 Mann Street  
GOSFORD NSW 2250

Email: [ask@centralcoast.nsw.gov.au](mailto:ask@centralcoast.nsw.gov.au)

Attention: Manager Compliance/Fire Safety

Dear General Manager

**Re: INSPECTION REPORT  
'WYONG RUGBY LEAGUE CLUB'  
40 LAKE HAVEN DRIVE, KANWAL ("the premises")**

Fire & Rescue NSW (FRNSW) received correspondence on 22 October 2019, in relation to the adequacy of the provision for fire safety in connection with 'the premises'.

The correspondence stated in part:

*"...ascertain patron capacity."*

*"The DA stipulates max 850 within the auditorium however that number was derived from a POPE licence for the auditorium - which no longer applies."*

Pursuant to the provisions of Section 9.32 (1) of the *Environmental Planning and Assessment Act 1979* (EP&A Act), an inspection of 'the premises' on 30 October 2019 was conducted by Authorised Fire Officers from the Fire Safety Compliance Unit of FRNSW.

The inspection was limited to the following:

- A visual inspection of the essential Fire Safety Measures as identified in this report only.
- A conceptual overview of the building, where an inspection had been conducted without copies of the development consent or copies of the approved floor plans.

Fire and Rescue NSW

ABN 12 593 473 110

[www.fire.nsw.gov.au](http://www.fire.nsw.gov.au)

Community Safety Directorate  
Fire Safety Compliance Unit

1 Amarina Ave  
Greenacre NSW 2190

T (02) 9742 7434  
F (02) 9742 7483

[www.fire.nsw.gov.au](http://www.fire.nsw.gov.au)

Page 1 of 5

Unclassified

**Unclassified**

On behalf of the Commissioner of FRNSW, the following comments are provided for your information in accordance with Section 9.32 (4) and Schedule 5, Part 8, Section 17(1) of the EP&A Act. Please be advised that Schedule 5, Part 8, Section 17(2) requires any report or recommendation from the Commissioner of FRNSW to be tabled at a Council meeting.

**COMMENTS**

Please be advised that this report is not an exhaustive list of non-compliances. The proceeding items are limited to observations of the building accessed at the time of the inspection and identifies possible deviations from the National Construction Code 2019, Volume 1 Building Code of Australia (NCC). FRNSW acknowledges that the deviations may contradict development consent approval or relate to the building's age. It is therefore council's discretion as the appropriate regulatory authority to consider the most appropriate action.

The following items were identified as concerns during the inspection:

1. Essential Fire Safety Measures
  - 1A. Smoke Detection and Alarm System – Table E2.2a of the NCC prescribes the general requirements for smoke hazard management for Class 9b buildings. Typically, a Class 9b building consisting of a rise in storey of 3 would require the installation of a Clause 4 and Clause 7 Automatic Smoke Detection and Alarm system. At first glance, it appears that a Clause 4 system has been installed to the auditorium area. Council may need to review its records to confirm compliance with NSW Table E2.2b and Specification E2.2a of the NCC.
  - 1B. Specification E2.2a – The following comments consider Australian Standard AS1670.1:2015 – 'Fire detection, warning, control and intercom systems—System design, installation and commissioning':
    - A. Heat Detectors – Clause C3.27.1 of AS1670.1 outline circumstances where smoke detectors can be replaced with heat detectors. Council may need to review its records to confirm whether the circumstances surrounding the installation of heat detectors has been approved.
    - B. Air Handling Systems – Table 7.4 of AS1670.1 requires smoke detectors be installed to activate the smoke control systems. At first glance, the detectors within the auditorium appear to be heat and may not activate the smoke control systems.
    - C. Spacing of Smoke Detectors – Clause 3.27 of AS1670.1 prescribes the minimum spacing between detectors for level and uneven surfaces. A review of the detector types and spacings may be required.

**Unclassified**

- 1C. NSW Table E2.2b – Assertions from the facilities manager at the time indicate that the auditorium has been fitted with automatic shutdown of the air handling system. A review of council's records may be required to confirm whether the installed measures are consistent with the smoke hazard management system approved at the time.
  - 1D. Fire Doors / Smoke Doors – Section 12.2.4 of Australian Standard AS1851-2012 (amendment 1) - "Service of fire protection systems and equipment", requires essential service measures to be regularly tested and fire doors and smoke doors to be appropriately tagged. At the time of the inspection there were a number of tags to fire doors that were painted over.
2. Access & Egress
    - 2A. Handrails – Clause D2.17 of the NCC, specifies the requirements for the installation of handrails. Due to the age of the building, it appears that the handrails throughout the auditorium may not meet the required dimensions required for handrails. Moreover, the handrails to the fire exit stairs on the western and northern exits (either side of the stage) do not appear to meet the required dimensions for handrails.
    - 2B. Goings and Risers – Clause D2.13 of the NCC, specifies the dimensions and requirements for stair construction for each flight of stairs. The stairs to the fire exit on western side (Left hand side facing the stage) appears uneven and inconsistent in rising and goings.
3. Compartmentation
    - 3A. Compartmentation – Performance Requirement CP2 of the NCC, specifies the requirements to prevent the spread of fire, as such council may need to conduct a review of its records to confirm whether the auditorium is a fire compartment that is separated from the back stage, main building and what appears to be fire isolated stairs either side of the stage.
    - 3B. Clause C2.8 of the NCC requires separation of classification in the same storey. If the auditorium has been approved as a Class 9b and separated from the other parts of the building, the following observations may require further investigation by council:
      - A. The construction of the stairs either side of the stage appear to be fire isolated stairs. There are numerous openings within the wall and ceiling that may mean the stairs are not compliant. This includes but not limited to:
        - i. The hole in the ceiling of the main auditorium exposing ducting for the air-conditioning. The hole provides access to the fire exit stairs on the left hand side when facing the stage.

**Unclassified**

- ii. There is brickwork that has been removed along the top of the fire door, potentially compromising the separation between the back of house area and the stage.
  - iii. There are holes within the brickwork within the stairs providing direct access to the Fire Hose Reel Cabinet and stage within the auditorium.
  - iv. The glass doors that lead from the club and into the auditorium.
- 3C. Fire isolated exits – The exit on the right hand side facing the stage leads into what appears to be a fire isolated exit. The following may require further investigation:
- A. Clause D1.7 of the NCC limits the number of entry points into a fire isolate exit in order to maintain its fire-resisting performance. . . There is a conference room and entrance into the kitchen area of the first floor. A review may be required to determine if this is approved as a fire isolated stair.
  - B. Clause C3.9 of the NCC minimises the number of service penetrations into the fire isolated exit by only allowing the services specified. There were sewage and gas pipes observed within the stairwell
- 3D. Stair Storage – Clause D2.8 of the NCC states that the space under the stairs must not be enclosed to form a cupboard or other enclosed space. The fire exit stairs on the left-hand side facing the stage contained a storage cupboard.
4. Generally
- 4A. General Considerations – The proceeding items are considered 'informative', as the investigation disclosed items beyond the scope of FRNSW enforcement powers. Council as the appropriate regulatory authority may need to determine whether enforcement action is required.
  - 4B. Items for Further Investigation – An investigation may be required by council, to confirm whether the population numbers remain relevant:
    - A. It is understood that there have been no other development applications or building work since the auditorium's construction.
    - B. Assertions from the facilities manager indicate that the development application that is currently in force restricts the population by 850 persons, which was obtained from the previous POPE approval. However, it is understood that this may be reconsidered under the requirements for "Reviewable Conditions" under the EP&A Act.



**Unclassified**

- C. The operators have asserted that the population numbers can increase to 1100 persons, which is based on a report from Hunter Valley Fire Pty Ltd dated 23/10/2019. The report notes that the calculations do not take into consideration the operational requirements of the auditorium.
- D. On the face of the observations at the time, the following may need to be considered when calculating the population numbers:
  - i. The width of the doors. In particular the door leading from the main club to the auditorium, the only door provided with a panic bar, is a single leaf required exit door. Thereby reducing the total exit widths
  - ii. The application of Clause D1.13 of the NCC would be reduced as a result of the stage. Furthermore, the outdoor area is not within the enclosed space that could be included as part of the calculations. Hence the approved number of 850 may be less if reassessed.

FRNSW is therefore of the opinion that there are inadequate provisions for fire safety within the building.

**RECOMMENDATIONS**

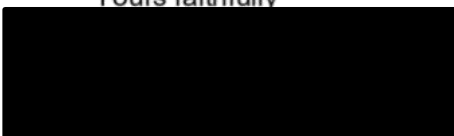
FRNSW recommends that Council:

- a. Inspect and address any other deficiencies identified on 'the premises', and require item no. 1 through to item no. 4 of this report be addressed appropriately.

This matter is referred to Council as the appropriate regulatory authority. FRNSW therefore awaits Council's advice regarding its determination in accordance with Schedule 5, Part 8, Section 17 (4) of the EP&A Act.

Should you have any enquiries regarding any of the above matters, please do not hesitate to contact Edren Ravino of FRNSW's Fire Safety Compliance Unit on (02) 9742 7434. Please ensure that you refer to file reference BFS19/3556 (9347) for any future correspondence in relation to this matter.

Yours faithfully



Edren Ravino  
Senior Building Surveyor  
Fire Safety Compliance Unit



**Item No:** 2.4  
**Title:** Outcomes of Public Exhibition of Draft Central Coast Community Participation Plan  
**Department:** Environment and Planning

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25 November 2019 Ordinary Council Meeting

Trim Reference: F2018/01659 - D13605859

Author: Peter Kavanagh, Senior Strategic Planner  
Scott Duncan, Section Manager, Land Use and Policy

Manager: Karen Tucker, Acting Unit Manager, Strategic Planning Unit

Executive: Scott Cox, Director Environment and Planning

## **Report Purpose**

The purpose of this report is for Council to consider the outcomes of the recent public exhibition of the draft Central Coast Community Participation Plan.

The report recommends that Council adopt the Central Coast Community Participation Plan with amendments from the public exhibition period, and that Council publish the Plan on the NSW Planning Portal and on the Central Coast Council website.

## **Recommendation**

**1 That Council adopt the draft Central Coast Community Participation Plan (CPP) (Attachment 2) as amended as per the following items outlined in response to the exhibition period;**

- **Contents Table was expanded for easier reference.**
- **A clear Intention Statement for the Central Coast CPP was inserted.**
- **Information was included to clarify the relationship between the CPP (produced under the EP&A Act) with other Corporate strategy documents,**
- **Types of Exhibition Table was developed and expanded to include Council's intended exhibition periods for planning documents produced by Council which do not have a Statutory public exhibition period.**
- **A section was included to clearly identify how a formal submission is made in relation to policies, plans and developments.**
- **Key Points in relation to the Community Participation Principles from Council's Engagement Framework were added to the document.**

**2 That Council publish the Central Coast Community Participation Plan on the NSW Planning Portal by 1 December 2019;**

**3 That Council publish the Central Coast Community Participation Plan on the Central Coast Council website;**

## **2.4 Outcomes of Public Exhibition of Draft Central Coast Community Participation Plan (contd)**

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### **4 That Council advise those who made submissions to the draft Central Coast Community Participation Plan of Council's decision.**

#### **Background**

Amendments to the *Environmental Planning and Assessment Act 1979* (EP&A Act) introduced a new requirement for all NSW planning authorities, including local councils, to have a Community Participation Plan (CPP) in effect by 1 December 2019. To meet this requirement Central Coast Council has prepared and exhibited a Draft Community Participation Plan.

The amendments to the EP&A Act seek to recognise the importance of community participation because:

- It contributes to building community confidence in the planning system;
- Community participation creates a shared sense of purpose, direction and understanding of the need to manage growth and change, while preserving local character; and
- It provides an improved process that generates two-way engagement that recognises and embraces community knowledge, ideas and expertise.

On 12 August 2019, Council considered a report recommending the public exhibition of the draft Community Participation Plan, and resolved as follows:

*726/19 That Council endorse the draft Central Coast Community Participation Plan for the purposes of community consultation.*

*727/19 That Council undertake community consultation of the draft Central Coast Community Participation Plan, for a period of 28 days in accordance with Schedule 1, Part 1, Division 1 (1) of the Environmental Planning and Assessment Act, 1979.*

*728/19 That Council consider a further report on results of the community consultation.*

This report addresses Resolution 728/19.

#### **Draft Central Coast Community Participation Plan (CPP)**

The draft CPP was designed to make participation in planning clearer for the Central Coast community. It does this by setting out in one place how and when the community can participate in the planning system, Council's functions and different types of proposals.

## 2.4 Outcomes of Public Exhibition of Draft Central Coast Community Participation Plan (contd)

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The draft CPP establishes and reaffirms our community participation objectives which we use to guide our approach to community engagement, as detailed within the Central Coast Engagement Framework (EF).

The draft CPP provides a single point of access to this information, in support of Council's adopted Engagement Framework, by developing a Central Coast CPP. There are also currently no statutory exhibition requirements for the many strategic planning documents produced by Council, such as draft Planning Strategies, Area / Structure Plans, Precinct / Masterplans and Public Domain Plans, and the CPP provides the opportunity to detail Council's likely minimum standards for public access to, and involvement in, the development of these documents.

### Consultation

#### *Internal Consultation*

Preliminary internal consultation was undertaken with staff from those units most likely to be impacted by the draft Central Coast CPP, including Communications, Engagement and Development Assessment staff. Relevant comments were included within the draft Central Coast CPP which, following endorsement by Council, was placed on public exhibition for community comment.

During the exhibition, staff comments were received which resulted in amendments to the draft Central Coast CPP, addressed as follows:

Issue	Response
<ul style="list-style-type: none"> <li>Expand "Contents Table"</li> </ul>	<ul style="list-style-type: none"> <li>The Contents Table was expanded for easier reference.</li> </ul>
<ul style="list-style-type: none"> <li>Include "Intention Statement"</li> </ul>	<ul style="list-style-type: none"> <li>A clear Intention Statement for the Central Coast CPP was inserted.</li> </ul>
<ul style="list-style-type: none"> <li>Reference to CSP</li> </ul>	<ul style="list-style-type: none"> <li>Information was included to clarify the relationship between the CPP (produced under the <i>EP&amp;A Act</i>) with other Corporate strategy documents, e.g., the <i>One – Central Coast, Community Strategic Plan 2018-2028</i>, and Council's <i>Engagement Framework</i>, which are developed under the <i>Local Government Act, 1993</i> (LG Act).</li> </ul>
<ul style="list-style-type: none"> <li>Include "Types of Exhibition" Table</li> </ul>	<ul style="list-style-type: none"> <li>This Table was developed, and expanded to include Council's intended exhibition</li> </ul>

**2.4 Outcomes of Public Exhibition of Draft Central Coast Community Participation Plan (contd)**

Issue	Response
	periods for planning documents produced by Council which do not have a Statutory public exhibition period.
<ul style="list-style-type: none"> <li>Put in a section how to make a submission</li> </ul>	<ul style="list-style-type: none"> <li>A section was included to clearly identify how a formal Submission is made in relation to policies, plans and developments.</li> </ul>
<ul style="list-style-type: none"> <li>Add key points</li> </ul>	<ul style="list-style-type: none"> <li>The Key Points in relation to the Community Participation Principles from Council's Engagement Framework were added to the document.</li> </ul>

**Table 1 – Amendments to draft Central Coast Community Participation Plan**

**External Consultation**

The draft Central Coast CPP was publicly exhibited for a period of 28 days, in accordance with Schedule 1, Part 1, Division 1 (1) of the EP&A Act.

This public exhibition was conducted via notice published within the Central Coast Express Advocate newspaper, as well as on Council's website, [www.yourvoiceourcoast.com](http://www.yourvoiceourcoast.com).

The website recorded 226 views of the exhibition material, by 95 individual internet users, with the document being downloaded in full 114 times.

Three external submissions were received during the public exhibition period. The issues raised in the submissions were not directly relevant to the document on public exhibition, and related to the following matters:

- Variations to development standards
- Complying Development requirements
- Infrastructure provision
- Approach to climate change
- Extent and volume of consultation activities

A fourth (late) submission was received, which raised issues relating to:

- Pre-Assessment Advertising v Post-Assessment Notification should be clarified
- Identify where development proposals, or draft planning policies, can be viewed
- Table 1 – group together strategic matters, and separate DA matters - may confuse the community
- Submission process – good graphic

## 2.4 Outcomes of Public Exhibition of Draft Central Coast Community Participation Plan (contd)

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- Council could include an explanation of the decision-making process made by Council officers and planning panels, including where the community has the opportunity to address meetings of Council and Panels

Responses to the matters identified within the submissions are included at Attachment 1.

### Assessment

The issues raised in the external submissions received during the exhibition period were not directly relevant to the document on public exhibition and have not resulted in any further changes to the CPP post exhibition.

The late submission raised issues which have resulted in some minor amendments to the structure and text of *Part 2 – Community Participation Requirements*. The Central Coast CPP recommended for adoption by Council is provided at Attachment 2.

### Financial Impact

There was no financial impact associated with the exhibition of the draft Central Coast CPP which is not covered within existing unit budgets.

### Link to Community Strategic Plan

Theme 4: Responsible

### Goal G: Good governance and great partnerships

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

### Critical Dates or Timeframes

Council is required to have a CPP finalised, uploaded to the DPIE ePlanning portal and in effect by 1 December 2019. To meet this schedule, the timeframes set out below are relevant:

- |  |                                |
|--|--------------------------------|
| ▪ Public Exhibition Period:                | 29 August to 26 September 2019 |
| ▪ Report Outcomes to Council for Adoption: | 25 November 2019               |
| ▪ Upload adopted CC CPP to DPIE:           | 1 December 2019                |

## **2.4 Outcomes of Public Exhibition of Draft Central Coast Community Participation Plan (contd)**

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### **Conclusion**

A CPP is a mandatory requirement for all planning authorities as per the EP&A Act, 1979.

The draft Central Coast CPP reaffirms Central Coast Council's community participation objectives which it will use to guide and inform our community approach to engage with them, as detailed within the Central Coast Engagement Framework (EF).

It is recommended that Council adopt the revised draft Central Coast CPP as presented at Attachment 2.

### **Attachments**

- |          |  |                                  |           |
|----------|--|----------------------------------|-----------|
| <b>1</b> | Submissions Table - Draft CPP                                |                                  | D13686117 |
| <b>2</b> | Central Coast Community Participation Plan<br>(for adoption) | Provided under separate<br>cover | D13687388 |

## Submissions Table – Draft Community Participation Plan (CPP)

(Public Exhibition: 29 August to 26 September, 2019)

Document Number	Issue	Comment
D13663752	<p>The following changes could be made to improve the document. These included changes to the “Contents Table”, inclusion of an “Intention Statement” and additional “Types of Exhibition” in the Table. Additional information should also be included on how to lodge a submission and include key points in relation to the Community Participation Principles from Council’s Engagement Framework.</p>	<p>Amendments to the CPP have been made to address each of the points raised.</p>
D13650798	<ul style="list-style-type: none"> <li>• Development plans should be required to adhere to the standards set by Council and not be approved when they are 2,5,10 % over the set limits, using the excuse that a similar project was approved in the past. Just because it was approved in the past should not mean it can now be approved.</li> <li>• Complying developments should be supported by less red tape and less constant community consults and so called consultants reports. As an example, how many times do we have to have plans, proposals to rebuild/replace Woy Woy Wharf. It’s been at least 7 years and nothing has been done. Council needs to get moving.</li> </ul>	<p>These comments are not directly relevant to the document on public exhibition of the CPP and do not require changes to the Plan.</p> <p>Variations to standards are not granted unless a strong merit and within accepted guidelines.</p> <p>Complying Development (CD) is necessarily strict, so that it may be approved by external Accredited Certifiers, without any “grey”, or merit considerations. The parameters for development to be considered CD are set by the NSW Government, within <i>SEPP (Exempt and Complying Development Codes) 2008</i> (the “Codes SEPP”).</p>



Document Number	Issue	Comment
D13656307	<ul style="list-style-type: none"> <li>• The draft plan states that "all levels of government have an intention to actively involve the community in planning for their places and community." If this is CCC's intention, then Council should take a more integrative approach across its many departments in its planning process. For instance, there is little point in allowing developers / builders / owners to remove all vegetation from established blocks of land, to allow more intensive development of these blocks, then on the other hand Council to try to mitigate climate change warming by vegetating other areas.</li> <li>• The first process is not being offset by the second process, especially as mature trees and shrubs established for decades will do more for greenhouse gas absorption, than immature trees and shrubs newly planted.</li> <li>• If Council adopts a more proactive approach to climate change at a micro level, it will build better community confidence in the planning system. It will also help to offset the experience of living in negative environmental change, where we see an unwanted transformation to more over-developed housing communities, where the benefits of gardens and trees are being discounted by developers and builders.</li> </ul>	<p>These comments are not related to the draft CPP and do not require changes to the CPP.</p> <p>It is understood the author would like to see the development of greater community confidence in the planning system and is opposed to the removal of mature trees and vegetation on development sites. They are concerned that there are minimal opportunities for landscaping and the only replacement for vegetation loss are immature plantings. Many of the concerns raised relate to the mitigation of climate change impacts and include some suggestions are made on how these considerations could be integrated into planning process.</p> <p>The submission will be referred to the Environmental Strategies Section for broader consideration in developing climate change and sustainability policies.</p>

Document Number	Issue	Comment
D13677960	<ul style="list-style-type: none"> <li>• How can we take Council seriously when they schedule both the Draft Community Participation Plan on the same day as the Urban Spatial Plan exhibition in different locations. I find it a total insult that the community has been bombarded with requests for submissions and yet we get very little in return. I have written many submissions on Local and Regional Plans over the past ten years. I have conducted access audit after audit for both former Gosford and Wyong Councils and yet hear nothing in return. I thought that when we amalgamated that we were all equal, yet our rates notices state that Wyong residents are paying \$180 pa more than those in the former Gosford wards and Council has just allowed the system to continue.</li> <li>• I originally made a submission to the Central Coast Regional Plan 2036 of which Council did not lift a finger to oppose, instead pushing the Greater Lake Munmorah Strategic Plan, one of many stealth plans for the region that the community know little of. Council is all about ticking the boxes and looking as though they care about the community, of which nothing could be further from the truth. How dare Council propose to double the population in the north whilst Cancers run riot, air pollution is</li> </ul>	<p>These comments are not related to the draft CPP but relate to many different Council projects which have been undertaken.</p> <p>Council continuously has many policy and strategy drafts, and development proposals on public exhibition, which it encourages the community to review and comment on to improve the planning process. Whilst Council sometimes holds particular information or “drop-in” events, all relevant information regarding the proposals are accessible throughout the relevant exhibition period on Council’s website.</p> <p>Council appreciates that the writer involves himself in these processes.</p>

Document Number	Issue	Comment
	<p>causing respiratory and other health issues in children and adults, asbestos has been added to the equivalent of 455 Olympic swimming pools of Coal-ash dumped in fifty five year old, unlined dams that show signs of leaching with toxic heavy metals being flushed into our lakes and Council just keeps on keeping on with unsustainable development, without any noticeable infrastructure proposals, except for the proposed \$180 million PA worth of mineral extractions in the north.</p> <ul style="list-style-type: none"> <li data-bbox="394 691 1001 1366">• We now have three minutes instead of five to address Council on matters of concern and only if that concern is a motion or on the business papers and we are approved by the Mayor to address council, so much for democracy, considering I pay my rates! The community has no opportunity to discuss developments next door, let alone around the corner no matter how large the development. We in Lake Munmorah have just found out that we are getting another large retirement village (Elizabeth Bay Drive) without anyone knowing until questions have been asked during the destruction of many trees, so much for biodiversity or greening the Coast. Not only could it create further traffic issues during school drop-offs and pick-ups, the cumulative impacts are ignored whilst each development is looked upon in</li> </ul>	

Document Number	Issue	Comment
	<p>total isolation. This is not how you create sustainable development.</p> <ul style="list-style-type: none"> <li>Have a good look at yourselves and see what you have approved or allowed at Warnervale, Glenning Valley, Wadalba or Kangy Angy to name just a few. Survey after survey by Central Coast Council states the top three values for the Coast is... "Our Way of Life, Our Bushland and Our Beaches" and obviously Council is not listening. Shame, shame, shame..."</li> </ul>	
D13684775	<p>Recommends that Council:</p> <ul style="list-style-type: none"> <li>Reorganise the document in Part 2 to explain the difference between Pre-determination Advertising, and Post-determination Notification, so that the community has a clear explanation of the difference;</li> <li>Identify where development proposals, or draft planning policies, can be viewed;</li> <li>Table 1 – group together strategic matters, and separate DA matters - would confuse the community; and</li> <li>Submission process – good graphic.</li> <li>Council could include an explanation of the decision making process made by Council officers and planning panels, including where the community has the opportunity to address meetings of Council and Panels.</li> </ul>	<ul style="list-style-type: none"> <li>The term "notification" also refers to matters such as letters to adjoining owners, and other advice provisions currently identified in Council's Development Control Plan (DCP). These are referenced in the CPP and the relevant provisions are to be transferred to a later edition of the CPP (when the NSW Department of Planning, Industry and Environment (DPIE) have completed the "Standard DCP Template"). This comment is related to the public notification prescribed in cl.124 and cl.137 of the <i>Environmental Planning and Assessment Regulation, 2000</i> (EP&amp;A Regs), to confirm the validity of a development consent or a complying development certificate pursuant to s.101 of the <i>Environmental Planning and Assessment Act, 1979</i> (EP&amp;A). The CPP has been amended (in Part 2, on P.11) to make this aspect clearer.</li> <li>Strategic Plans, Policy proposals and major developments are always displayed on Council's web site. On occasions specific arrangements to the proposal would be identified in a notification letter. This has been identified in the Part 2 text.</li> <li>In preparing the CPP, the Central Coast Council has had regard for the guidelines issued by the NSW DPIE, and has reviewed the Draft CPP prepared by the DPIE</li> </ul>

Document Number	Issue	Comment
		<p>for its own activities. Further, Council also reviewed the draft CPPs currently in preparation by other NSW Councils. Council has prepared and exhibited a draft CPP which is recommended for adoption, organised to advise on mandatory and non- mandatory timeframes, as opposed to pre-determination and post-determination provisions (refer discussion on the “Standard DCP Template” above).</p> <ul style="list-style-type: none"> <li>• The decision making process for development applications is specified under s.4.15 “Evaluation” of the EP&amp;A. It is the same assessment process for any Officer or Panel acting under delegation in NSW. The opportunity for persons to address the Council, the method and procedure, etc., is set by Council’s Code of Meeting Practice.</li> </ul>



**Item No:** 3.1  
**Title:** Deferred Item - Response to Notice of Motion - Proposed Sale - 4 and 10 Warren Road, Warnervale  
**Department:** Innovation and Futures

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25 November 2019 Ordinary Council Meeting

Trim Reference: F2019/00041-003 - D13718717

Author: Joe O'Connor, Property Development Manager

Manager: Jamie Barclay, Unit Manger Economic Development and Project Delivery

Executive: Ricardo Martello, Executive Manager Innovation and Futures

## Summary

At its meeting held on 11 November 2019, the Council resolved as follows;

*1095/19 That Council defer consideration of this item until the 25 November 2019 Ordinary Meeting to allow a meeting to be held with interested Councillors and to provide specific information as to how this land had previously been sold without biocertification issues being resolved.*

A meeting with Councillors and staff was held on Wednesday 13 November 2019 and information was circulated to all Councillors.

## Report Purpose

The purpose of this report is to provide an update to Resolution Nos 1082/18, 1083/18 and 333/19, regarding the sale of land at 4 and 10 Warren Road, Warnervale, being Lots 1 and 2 DP 1230740. Additionally, this report seeks endorsement of expenditure associated with consultant reports required for the sale of the lots.

## Recommendation

- 1 That Council receive the report on Deferred Item - Response to Notice of Motion - Proposed Sale - 4 and 10 Warren Road, Warnervale.***
- 2 That Council authorises the budget adjustment for the preparation of consultant reports associated with an ecological assessment of the lots.***

## Background

At the Ordinary Meeting of Council held on 8 October 2018, Council resolved:

*1082/18 That Council request that the Chief Executive Officer proceed with the sale of 4 and 10 Warren Road, Warnervale, being Lots 1 and 2 in DP 1230740.*

### **3.1 Deferred Item - Response to Notice of Motion - Proposed Sale - 4 and 10 Warren Road, Warnervale (contd)**

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- 1083/18 *That Council requests the Chief Executive Officer to bring a report to Council by the Ordinary Meeting of 26 November 2018 in relation to listing for sale 4 and 10 Warren Road, Warnervale, being Lots 1 and 2 DP 1230740, being the site of the formerly proposed Australian Chinese Theme Park. The Report is to include:*
- i Whether it is recommended that the land be sold through an expressions of interest process (EOI), a tender process (Tender), sale at auction (Auction), or sale at market value;*
  - ii Identification of the estimated current market value price as determined by a valuation assessment;*
  - iii The "Land Economics Report" and the "Chinese Theme Park Proposal – Site Evaluation" (confidential attachment D0318469) referred to on page 215 of the staff report (TRIM F2011/00192 – D03176019) in the business paper of the Ordinary Meeting of Council held on 14 November 2012.*

A further report was referred to the Ordinary Meeting of Council held on 29 April 2019 addressing Resolution Nos 1082/18 and 1083/18. At this Council meeting it was resolved:

- 332/19 *That Council receive the report on Response to Notice of Motion - Proposed Sale - 4 and 10 Warren Road, Warnervale.*
- 333/19 *That Council request that the Chief Executive Officer provide a further report on the progress of this matter at the 27 May 2019 Ordinary Meeting and such report include a list (in confidential if appropriate) of all inquiries already made in respect to the purchase of the Warren Road property and the responses given.*

Since the making of these resolutions it has been identified that there are potential ecological communities which should be investigated to either ensure their preservation or address this matter to avoid price discounting during the sales negotiation. It should be noted that between the years 2000 and 2005 Council conducted various flora and fauna investigations to accompany a development application (DA 3130/2004) to subdivide the area resulting in the subject lots. During this period various subject species were encountered. However, as a considerable amount of time has lapsed as well as the passing of new legislation (Biodiversity Conservation Act 2016), a new ecology assessment is now required.

It is proposed that a consultant ecologist be engaged to undertake a high-level ecology constraints assessment of the area. This would include the mapping (if identified) of habitat trees and locations of threatened fauna and flora populations. Typically, the assessment would require a full calendar year of field work in order to assess specified flowering periods of threatened species (such as orchids) that may occur on the site.

### **3.1 Deferred Item - Response to Notice of Motion - Proposed Sale - 4 and 10 Warren Road, Warnervale (contd)**

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A budget adjustment of \$30,000 should be allowed for these works, with a timeframe of twelve (12) months from the appointment of the consultant to receive the report and recommendations.

Once the ecology assessment has been received and reviewed, Council would then be able to appoint a valuer to undertake an assessment of the site in accordance with **Resolution No 1083/18 subsection (ii)**. The valuation can only be undertaken once the ecological assessment has been completed, as this assessment will determine the extent or value of credits required to develop the site. At this time, a further report will be put to Council recommending the preferred method for selling the lots (i.e. expressions of interest process (EOI), a tender process (Tender), sale at auction (Auction), or sale at market value).

On the basis that Council resolves to sell the lots, Council would then be in the position to commence the process to prepare a scope, tender evaluation and engage a real estate agent to market and sell the lots. This process, including preparation of marketing campaign and contract of sale, could take another 2–3 months. Feedback from the real estate market indicate that Council should allow at least 6–8 months for the sales campaign.

#### **Link to Community Strategic Plan**

Theme 2: Smart

#### **Goal C: A growing and competitive region**

S-C3: Facilitate economic development to increase local employment opportunities and provide a range of jobs for all residents.

#### **Attachments**

- 1 Response to Notice of Motion - Proposed Sale - 4 and 10 Warren Road, Warnervale D13718746





**Item No:** 3.5  
**Title:** Response to Notice of Motion - Proposed Sale - 4 and 10 Warren Road, Warnervale  
**Department:** Innovation and Futures  
11 November 2019 Ordinary Council Meeting  
Trim Reference: F2018/00020-07 - D13535836  
Author: Joe O'Connor, Property Development Manager  
Manager: Jamie Barclay, Unit Manager, Economic Development and Project Delivery  
Executive: Ricardo Martello, Executive Manager Innovation and Futures

### Report Purpose

The purpose of this report is to provide an update to Resolution Nos 1082/18, 1083/18 and 333/19, regarding the sale of land at 4 and 10 Warren Road, Warnervale, being Lots 1 and 2 DP 1230740. Additionally, this report seeks endorsement of expenditure associated with consultant reports required for the sale of the lots.

### Recommendation

- 1 That Council receive the report on Response to Notice of Motion - Proposed Sale - 4 and 10 Warren Road, Warnervale.**
- 2 That Council authorises the budget adjustment for the preparation of consultant reports associated with an ecological assessment of the lots.**

### Background

At the Ordinary Meeting of Council held on 8 October 2018, Council resolved:

- 1082/18 *That Council request that the Chief Executive Officer proceed with the sale of 4 and 10 Warren Road, Warnervale, being Lots 1 and 2 in DP 1230740.*
- 1083/18 *That Council requests the Chief Executive Officer to bring a report to Council by the Ordinary Meeting of 26 November 2018 in relation to listing for sale 4 and 10 Warren Road, Warnervale, being Lots 1 and 2 DP 1230740, being the site of the formerly proposed Australian Chinese Theme Park. The Report is to include:*
- i Whether it is recommended that the land be sold through an expressions of interest process (EOI), a tender process (Tender), sale at auction (Auction), or sale at market value;*
  - ii Identification of the estimated current market value price as determined by a valuation assessment;*

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**3.5 Response to Notice of Motion - Proposed Sale - 4 and 10 Warren Road,  
Warnervale (contd)**

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- iii *The "Land Economics Report" and the "Chinese Theme Park Proposal – Site Evaluation" (confidential attachment D0318469) referred to on page 215 of the staff report (TRIM F2011/00192 – D03176019) in the business paper of the Ordinary Meeting of Council held on 14 November 2012.*

A further report was referred to the Ordinary Meeting of Council held on 29 April 2019 addressing Resolution Nos 1082/18 and 1083/18. At this Council meeting it was resolved:

- 332/19 *That Council receive the report on Response to Notice of Motion - Proposed Sale - 4 and 10 Warren Road, Warnervale.*
- 333/19 *That Council request that the Chief Executive Officer provide a further report on the progress of this matter at the 27 May 2019 Ordinary Meeting and such report include a list (in confidential if appropriate) of all inquiries already made in respect to the purchase of the Warren Road property and the responses given.*

Since the making of these resolutions it has been identified that there are potential ecological communities which should be investigated to either ensure their preservation or address this matter to avoid price discounting during the sales negotiation. It should be noted that between the years 2000 and 2005 Council conducted various flora and fauna investigations to accompany a development application (DA 3130/2004) to subdivide the area resulting in the subject lots. During this period various subject species were encountered. However, as a considerable amount of time has lapsed as well as the passing of new legislation (Biodiversity Conservation Act 2016), a new ecology assessment is now required.

It is proposed that a consultant ecologist be engaged to undertake a high-level ecology constraints assessment of the area. This would include the mapping (if identified) of habitat trees and locations of threatened fauna and flora populations. Typically, the assessment would require a full calendar year of field work in order to assess specified flowering periods of threatened species (such as orchids) that may occur on the site.

A budget adjustment of \$30,000 should be allowed for these works, with a timeframe of twelve (12) months from the appointment of the consultant to receive the report and recommendations.

Once the ecology assessment has been received and reviewed, Council would then be able to appoint a valuer to undertake an assessment of the site in accordance with **Resolution No 1083/18 subsection (ii)**. The valuation can only be undertaken once the ecological assessment has been completed, as this assessment will determine the extent or value of credits required to develop the site. At this time, a further report will be put to Council recommending the preferred method for selling the lots (i.e. expressions of interest process (EOI), a tender process (Tender), sale at auction (Auction), or sale at market value).

**3.5 Response to Notice of Motion - Proposed Sale - 4 and 10 Warren Road,  
Warnervale (contd)**

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On the basis that Council resolves to sell the lots, Council would then be in the position to commence the process to prepare a scope, tender evaluation and engage a real estate agent to market and sell the lots. This process, including preparation of marketing campaign and contract of sale, could take another 2–3 months. Feedback from the real estate market indicate that Council should allow at least 6–8 months for the sales campaign.

**Link to Community Strategic Plan**

Theme 2: Smart

**Goal C: A growing and competitive region**

S-C3: Facilitate economic development to increase local employment opportunities and provide a range of jobs for all residents.

**Attachments**

*Nil.*



**Item No:** 3.2  
**Title:** Response to Council resolutions - Amalgamation process  
**Department:** Governance

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25 November 2019 Ordinary Council Meeting

Trim Reference: F2004/06539 - D13673267

Author: Shane Sullivan, Unit Manager, Governance and Business Services

Executive: Dr Liz Develin, Director Governance

### **Report Purpose**

The purpose of this report is to respond to Council resolutions regarding the amalgamation process that resulted in Central Coast Council being made by the NSW State Government.

### **Recommendation**

- 1 That Council note the information provided in the report "Response to Council resolutions – Amalgamation process".**
- 2 That a further report be provided to Council in early 2020 to address the remaining requests for information being:**
  - (a) A realistic estimate of the costs involved in amalgamating the two former Councils and the projected time period for completion of amalgamation (Minute numbers 813/18 1(B), 649/17 and Question on Notice);**
  - (b) A report on the progress of all the various aspects of the amalgamation (Minute numbers 813/18 1(C);**
  - (c) A report that outlines expenditure on amalgamation and what percentage of the amalgamation process has been effectively delivered (Minute Number 650/17).**

### **Background**

At its meeting held 13 August 2018, Council resolved in part:

*813/18 That Council therefore request the CEO to:-*

*1 Require staff to bring forward reports as follows:-*

- (A) A report on the "Online Questionnaire For The Inquiry into Local Government" that was conducted by the former Gosford City Council and*

### 3.2 Response to Council resolutions - Amalgamation process (contd)

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*surveys undertaken by the former Wyong Shire Council prior to amalgamation.*

(B) *A realistic estimate of the costs involved in amalgamating the two former Councils and the projected time period for completion of amalgamation.*

(C) *A report on the progress of all the various aspects of the amalgamation.*

2 That Council request the CEO to bring a report back regarding;

(A) *Conducting a community survey (formulated with input from Councillors and staff) to assess current community views of the of the amalgamation of Gosford and Wyong Councils and*

(B) *An estimate of cost and process regarding a proposal for a poll to be held at an upcoming election (either Federal or State) to gauge the community support or rejection of the continuation, or the reversal of, the amalgamation.*

Further, at its meeting held 9 October 2017, Council resolved as follows:

649/17 *That having regard to the amalgamation of the former Wyong and Gosford Councils, Council resolve to request that the Chief Executive Officer provide a comprehensive report on the amalgamation project plan and objectives/deliverables clearly articulating and importantly demonstrating what has been achieved to date and what is still required to be completed.*

650/17 *That Council further resolve to request that the Chief Executive Officer provide a report on what expenditures have been made out of the \$20M State Government Amalgamation Fund, what funds are remaining and what percentage of the amalgamation process has been effectively delivered.*

The following Question on Notice was asked by Councillor Vincent on 12 November 2018:

*Could staff please provide an updated project Gantt chart on the Council amalgamation process?*

Each of the actions resolved by Council are addressed below. It is noted that in some instances further information will be provided to Council in early 2020 following the finalisation of a review of actions undertaken and actions remaining as part of the amalgamation activities.

***A report on the "Online Questionnaire For The Inquiry into Local Government" that was conducted by the former Gosford City Council and surveys undertaken by the former Wyong Shire Council prior to amalgamation.***

### 3.2 Response to Council resolutions - Amalgamation process (contd)

The surveys were undertaken by the former Councils in 2015 to inform the submissions to IPART for the Review of Local Council Fit for the Future proposals.

#### Former Gosford City Council

The former Gosford City Council engaged Elton Consulting to undertake this piece of work. The final report was included as part of Council's submission to Fit for the Future. The documentation is in the public domain as Appendix C to Council's submission here:

<https://www.ipart.nsw.gov.au/Home/Industries/Local-Government/Reviews/Fit-for-the-future/Review-of-Local-Council-Fit-For-The-Future-proposals?qDh=2&cid=29ba49cb-5a9d-4ee7-8953-19a9befb2513>

Three options were presented to the community:

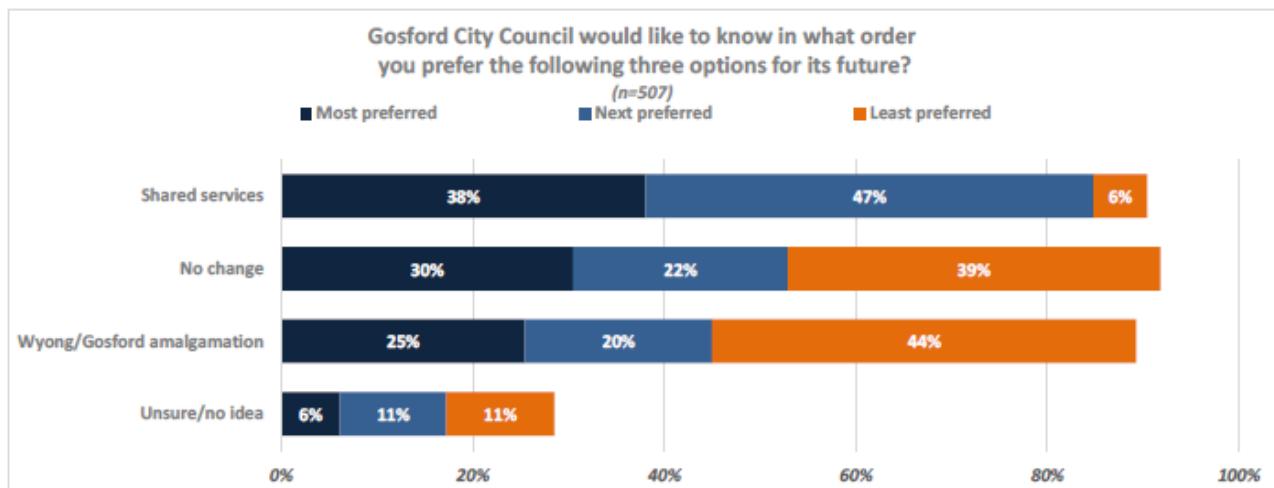
- No change to Gosford City Council
- No change to Gosford City Council but potential shared services with neighbouring councils
- Amalgamation with Wyong Shire Council.

The survey included the following:

- phone survey (507 respondents – 53%)
- online survey (377 respondents – 39%)
- face to face survey (80 respondents – 8%)

Of the three options presented, 'shared services' was the most preferred option:

**Figure 18 'Shared services' was most preferred by survey respondents overall**



### 3.2 Response to Council resolutions - Amalgamation process (contd)

#### Former Wyong Shire Council

The former Wyong Shire Council also undertook consultation as part of the Fit for the Future process. Again, the information is in the public domain as part of the submission prior to merger (commencing at page 75): <https://www.ipart.nsw.gov.au/Home/Industries/Local-Government/Reviews/Fit-for-the-future/Review-of-Local-Council-Fit-For-The-Future-proposals?qDh=2&cid=4dc48c63-10f9-4861-9348-07e4f0786f09>

There were two surveys conducted:

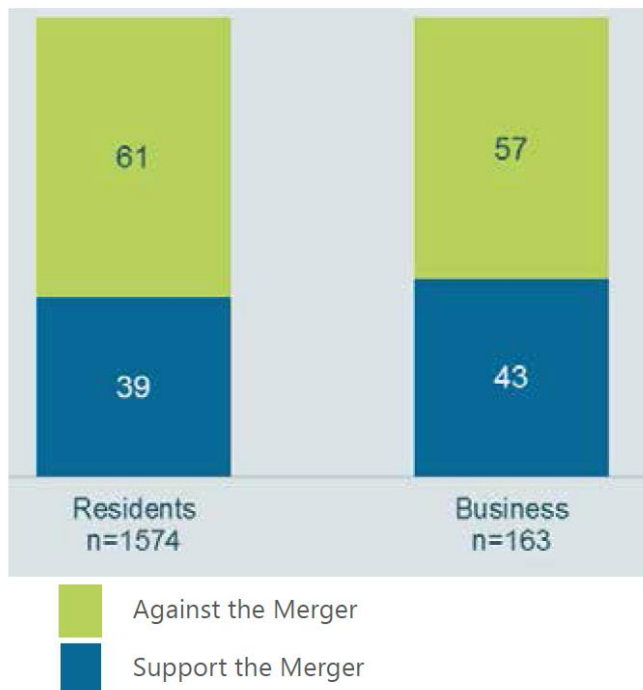
1. An initial survey sent to those who subscribed to the former Council's ePanel; and
2. A directed, large scale community and business satisfaction survey undertaken by an external provider.

The initial survey showed that the majority of survey participants aware of the Fit for the Future initiative *Strongly Opposed* a merger (29.06%) with a further 16.23% of respondents being *Somewhat Opposed*.

The larger survey was conducted in April 2015 by Woolcott Research. It was a survey to measure satisfaction with Council services.

The results showed that of those residents who had made a decision regarding the value of a proposed merger, 61% were opposed and 39% of business were opposed.

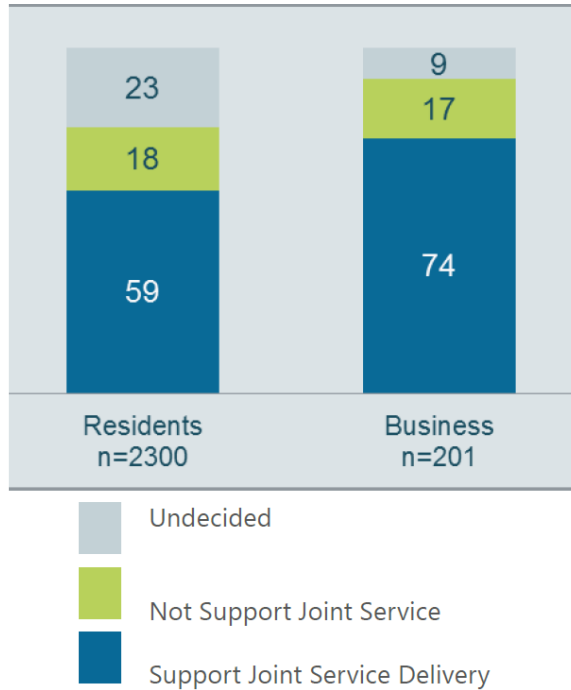
**Figure 24: Residents and Business opinion on potential merger between Wyong and Gosford Councils**



### 3.2 Response to Council resolutions - Amalgamation process (contd)

The survey also tested support for investigation of joint services with Gosford City Council and other neighbouring Councils. This was generally supported by 59% of resident respondents and 74% of business respondents.

**Figure 28: Resident and businesses response to investigation into joint services**



***A realistic estimate of the costs involved in amalgamating the two former Councils and the projected time period for completion of amalgamation.***

This information will be provided to Council in early 2020.

Work is currently being finalised to assess the actions undertaken as part of the amalgamation process and estimates of the associated costs.

***A report on the progress of all the various aspects of the amalgamation.***

This information will be provided to Council in early 2020.

As part of the above work, there will be information identifying the actions taken as part of the amalgamation effort.

***Report on conducting a community survey (formulated with input from Councillors and staff) to assess current community views of the of the amalgamation of Gosford and Wyong Councils***

The following information has been provided to Council by the organisation that has undertaken previous surveys for Central Coast Council. In response to the Council resolution, they have provided three options.



### 3.2 Response to Council resolutions - Amalgamation process (contd)

#### 1 Use Existing Data

The 2018 and 2019 Customer Experience surveys included a question on whether residents believe the merged entity is performing better/the same/worse than the previous separate Councils and open-ended reasons why.

The data collected provides further detailed information regarding the satisfaction results for 22 individual service/facility attributes identifying whether residents felt that the merged Council is better/the same/worse for each of these – see table below:

#### Customer Experience Survey – Data 2019

All SAT 2 by Q5a. In May 2016, the previous Gosford and Wyong Councils were merged to form Central Coast Council. Do you think that the Central Coast Council is performing better, the same or worse than the previous separate Councils?					
Average	Overall (2019)	Better	Worse	There has been no change	Gap 'Better' less 'Worse'
Council is a well-managed and well-run organisation	3.08	3.64	2.39	3.19	1.25
Council works in the best interests of the community	3.14	3.69	2.53	3.23	1.16
Council manages funds well and provides good value for rates paid	2.90	3.26	2.36	3.00	0.90
Information about Council and its decisions is clear and accessible	3.02	3.57	2.67	3.02	0.91
New developments are well planned and in keeping with local character	2.99	3.54	2.35	3.09	1.19
Revitalising and beautifying town centres and CBDs across the LGA	3.05	3.61	2.62	3.05	0.99
Development assessment and control processes	3.02	3.27	2.58	3.11	0.69
Community events and festivals	3.38	3.66	3.02	3.44	0.64
Provision and maintenance of parks, gardens and reserves	3.42	3.88	3.10	3.43	0.78
Management of lakes and foreshores	3.11	3.38	2.78	3.15	0.59
Maintaining local roads	2.65	3.10	2.33	2.64	0.77
The road network provides for efficient traffic flow	2.84	3.10	2.58	2.87	0.52
Water and sewer services	3.72	3.96	3.59	3.69	0.37
Household waste and recycling services	3.98	4.01	3.90	4.01	0.11
Availability of car parking in town centres and CBDs	2.79	2.99	2.51	2.85	0.48
There are sufficient footpaths	2.99	3.31	2.65	3.04	0.66
Community facilities and buildings	3.40	3.70	3.20	3.40	0.50
Council adequately considers community concerns and views when making decisions	2.90	3.38	2.39	2.97	0.99
Ease of finding information you need from Council	3.25	3.51	2.96	3.29	0.56
Average	Overall (2019)	Better	Worse	There has	Gap 'Better'

## 3.2

### Response to Council resolutions - Amalgamation process (contd)

				been no change	less 'Worse'
The way Council employees interact with the community	3.45	3.88	3.21	3.43	0.67
Council responds to customer enquiries in a timely manner	3.25	3.66	2.86	3.29	0.80
Council places a high value on customer experience	3.23	3.58	2.70	3.35	0.88

In reading the results, the last column shows the gap between the mean satisfaction scores for those who think the new Council is better and those who think it is worse.

For example, the respondents who stated that they think Central Coast Council is performing better than the former Councils had an average satisfaction level of 3.38 when considering whether Council adequately considers community concerns and views when making decisions. The respondents who stated that they think Central Coast Council is performing worse than the former Councils had an average satisfaction level of 2.39 when considering whether Council adequately considers community concerns and views when making decisions.

The largest gaps based on data from 2018 and 2019 surveys were not in relation to the day-to-day services and facilities (eg: events, parks, lakes/foreshores, roads, water/sewer, etc), but rather, as highlighted in yellow, around issues of:

- Governance
- Developments in keeping with local character
- Revitalising town centres
- Communications/engagement – in particular, this relates to responding back to queries and requests for service.

The information already collected provides an indication of existing community sentiment without further expenditure being required.

- 1 *Add More Diagnostic Questions to the Annual Customer Experience Survey*  
While the existing data may partly address Council's requirements in relation to the performance of the amalgamated Council, it does not indicate the level of awareness or overall satisfaction with the Local Government Area (LGA); that is the satisfaction levels with the amenity and opportunities in the Central Coast area.

To determine the level of awareness or overall satisfaction with the LGA an additional three minutes of extra questions could be added to the 2020 Customer Experience survey. This would provide a combination of three years of feedback, as per existing data plus additional, more focused information about awareness and overall satisfaction.

## 3.2 Response to Council resolutions - Amalgamation process (contd)

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The cost for this option would be an additional \$7,900 plus GST to the yearly Customer Experience Survey.

### 2 Conduct a Standalone Phone Survey

To conduct a standalone short, five-minute telephone survey with a sample of 500 local residents (approximately 100 interviews per Ward). The five-minute survey would essentially be the three minutes of questions referred to in Option 2 above, plus demographics data collection questions. Additionally, an online survey with the same questions could also be run concurrently, recognising that sampling through online may not align completely to Central Coast demographics.

Costs for this option would be approximately \$20,000 plus GST.

### *Recommendation*

It is proposed that as part of the annual Customer Experience survey on level of awareness and overall satisfaction with the Local Government Area that additional relevant questions will be included. These additional questions will add value to the existing survey questions and data collected from 2018 and 2019 Customer Experience surveys and provide a comprehensive analysis on views of amalgamation and satisfaction of Local Government Area.

To provide Councillors with an opportunity to comment on the questions, the additional questions would be provided for Councillor feedback.

In addition, they will provide a longitudinal study of performance of an amalgamated Council, recognising the time that it takes for change to be embedded and results to be realised.

### ***An estimate of cost and process regarding a proposal for a poll to be held at an upcoming election (either Federal or State) to gauge the community support or rejection of the continuation, or the reversal of, the amalgamation.***

Section 19 of the *Local Government Act 1993* provides that a Council poll may be taken on any Saturday, including the Saturday of an ordinary election. The cost of conducting a poll is greatly reduced when conducted in conjunction with a Local Government Election.

A poll allows Council to ask a question without being bound by the result to proceed. This would be the case regarding the possibility of de-amalgamation as the determination would not be made by Council.

The NSW Electoral Commission (NSWEC) has advised that a poll typically adds 10% to the cost of the election. Every additional poll question adds to the cost. Council has

### **3.2 Response to Council resolutions - Amalgamation process (contd)**

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received a cost estimate of \$2.36 million (including GST) for the conduct of the 2020 Local Government election from the NSWEC.

As such, the estimated cost for the conduct of a poll would be \$236,000.

The process would be for Council to resolve to conduct a poll in conjunction with the 2020 Local Government election. It is noted that at the meeting of 11 November 2019 Council resolved to discuss the possible conduct of a referendum or poll at the Councillor Workshop in early 2020.

***That having regard to the amalgamation of the former Wyong and Gosford Councils, Council resolve to request that the Chief Executive Officer provide a comprehensive report on the amalgamation project plan and objectives/deliverables clearly articulating and importantly demonstrating what has been achieved to date and what is still required to be completed***

This information will be provided to Council in early 2020.

Work is currently being finalised to assess the actions undertaken as part of the amalgamation process and a key aspect of this work is the identification of remaining activities and the plan for their delivery.

***That Council further resolve to request that the Chief Executive Officer provide a report on what expenditures have been made out of the \$20M State Government Amalgamation Fund, what funds are remaining and what percentage of the amalgamation process has been effectively delivered.***

Council received \$10 million under the New Council Implementation Fund. An Acquittal Certificate has been provided to the Office of Local Government stating that all funds were expended in accordance with the terms and conditions of the Funding Agreement.

A further \$10 million was provided under the Stronger Communities Fund. The fund is in two parts being \$1 million as a Community Grants program and \$9 million as a Major Projects Program.

A further report will be provided to Council in early 2020 that outlines expenditure on amalgamation and the percentage of the amalgamation process that has been effectively delivered.

***Could staff please provide an updated project Gantt chart on the Council amalgamation process?***

This information will be provided to Council in early 2020.

## **3.2 Response to Council resolutions - Amalgamation process (contd)**

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As part of the current review of amalgamation activities, a report against completed activities will be provided with details of those remaining activities identified as part of the amalgamation process.

### **Financial Impact**

The cost of adding three minutes of extra questions to the 2020 Customer Experience Survey would be an additional \$7,900 plus GST to the yearly Customer Experience Survey. The cost of a stand-alone phone survey is estimated at \$20,000 plus GST.

The cost of conducting a poll at the 2020 Local Government Elections would be approximately \$236,000. Every additional poll question would add to this cost.

There is currently no funding for the above activities.

### **Link to Community Strategic Plan**

Theme 4: Responsible

### **Goal G: Good governance and great partnerships**

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

### **Critical Dates or Timeframes**

Should Council determine to conduct a poll at the 2020 Local Government Election, the NSWEC has advised that they would need to be notified as soon as possible, and the poll question/s would need to be lodged with the NSWEC no later than June 2020. It is noted that Council resolved at its meeting of 11 November 2019 to discuss this possibility at the Councillor Workshop in 2020.

### **Attachments**

*Nil.*



**Item No:** 3.3  
**Title:** Works at Gosford Chambers in response to Safety Audit  
**Department:** Governance

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25 November 2019 Ordinary Council Meeting

Trim Reference: F2019/01706 - D13714101

Author: Shane Sullivan, Unit Manager, Governance and Business Services

Executive: Dr Liz Develin, Director Governance

### **Report Purpose**

The purpose of this report is to provide details of the recommendations made as a result of a security audit undertaken of Gosford Chambers and the subsequent actions taken, including the cost of those actions.

### **Recommendation**

- 1 That Council note the report on Works at Gosford Chambers in response to the Safety Audit.**
- 2 That a further report be provided to Council at its meeting of 9 December 2019 providing the costs of changes made at Gosford Chambers during the period of Administration.**
- 3 That Council resolve, pursuant to s10A(2)(f) of the Local Government Act 1993, that Attachment 1 to this report remain confidential as it contains information affecting the security of the Council, Councillors, Council staff and Council property, and because consideration of the matter in open Council would be, on balance, contrary to the public interest as it may compromise the ability to ensure the safety of those attending Council Meetings at Gosford Chambers.**

### **Background**

At its meeting held 11 November 2019, Council resolved, in part, as follows:

*1020/19 That Council request the Chief Executive Officer provide a report on the costings and safety improvements involved in the changes in design carried out for Gosford Chambers, including costs made during the administration period.*

The purpose of this report is to provide a report on the costings and safety improvements involved in the recent changes in design carried out for Gosford Chambers.

### 3.3 Works at Gosford Chambers in response to Safety Audit (contd)

The information regarding costs as a result of changes made during the administration period will be provided to Council at its meeting on 9 December 2019. The delay is due to the complexity in sourcing the information.

#### Actions taken in response to the Safety Audit

A safety audit was undertaken in response to a Council resolution of 26 November 2018:

*1062/18 That Council hold all Ordinary Meetings in the Wyong Chambers until a safety audit of the Gosford Chambers for staff, Councillors and the public has been undertaken and reported to Council.*

The safety audit was undertaken and completed in February 2019. The details of that audit are provided in the Confidential Attachment. In addition, advice was obtained from the local Police.

The actions identified by the Police related to the layout of the room and access points.

As a result of the audit, an action plan was developed to deliver the recommendations. The action plan was also presented to Councillors at a briefing on 8 April 2019.

The below table sets out each identified action and the current status. It is noted that the majority of actions related to the provision of security and changes in access.

Identified action	Status
Implement a formal security incident register that can be used by all Council representatives to report security related incidents.	Register established from March 2019 and in use.
Implement a process at Gosford where Council representatives are present in Council Chambers prior to members of the public being allowed access to Level 1. At close of meeting, allow all members of the public to depart level 1 prior to Council representatives leaving the Chambers.	Implemented in consultation with security personnel.
Instruct the security provider to undertake inductions for a minimum of four staff to Gosford and two for Wyong. Furthermore, the service provider should be instructed that they are not to provide any security staff who have not been previously inducted to Council buildings.	In consultation with Property management staff, the process has been changed to have two security staff at Wyong and three at high volume meetings. Three security staff attend at Gosford with four for high volume meetings. High volume meetings are those

## 3.3

## Works at Gosford Chambers in response to Safety Audit (contd)

Identified action	Status
	<p>where public attendance is expected to exceed the capacity of the gallery area.</p> <p>The induction process commenced from May 2019 noting that there were formal induction processes already in place. This process has been enhanced to include additional aspects identified in the audit.</p>
<p>Implement the new security operational procedures once completed and issue to Council's appointed security provider.</p>	<p>Procedures implemented and provided to Council's appointed security provider. Meetings held with Council's security provider in addition.</p>
<p>Review the revised layout of Gosford Chambers as proposed and implement if practical to do so or seek alternate solutions.</p> <p>The Police recommendation included the identification of a secure exit point for staff and Councillors should it be required.</p>	<p>Layout reviewed in consultation with Property management and Councillors. Councillors briefed on 8 April 2019 at Gosford Chambers.</p> <p>Solution implemented balanced the desired outcomes with cost considerations. The proposed layout from the Assessment was not possible due to structural elements (structural column). The implemented solution provides an exit point for Councillors and staff as identified in the safety audit.</p>
<p>Relocate the staff workstations at Wyong Council Chambers to a position that allows full visibility of the public gallery.</p>	<p>Under consideration. As advised to Councillors in April 2019, it may not be practicable at this time to move the workstation for the Meeting Support staff.</p>
<p>Re-program the lift access control system at Gosford so that only level 1 can be accessed by members of the public during times when Council meetings are held at Gosford.</p>	<p>The reprogramming of the lifts is being investigated by Property Management but in the interim the same outcome is achieved by locking down one lift for public use at the commencement of the Public Forum and Council Meeting.</p>
<p>Install electronic security to the proposed new secure door associated with the reconfiguration of the Gosford Council Chambers.</p>	<p>Completed prior to meetings recommencing at Gosford. The secured door is the access point for staff at the northern end of the space.</p>



**3.3****Works at Gosford Chambers in response to Safety Audit (contd)**

<b>Identified action</b>	<b>Status</b>
Ensure the secure door leading to the Councillors' Lounge at Wyong is kept closed at all times. Update the operating procedure for security staff to reflect this.	Actioned with the instruction given 8 April 2019 to staff in the Mayor's Office. Notified to Councillors on 10 May 2019 in the Councillor Support Update.
Implement mobile duress systems at both Gosford and Wyong for use by security officers while on the property.	Actioned commencing May 2019.
Implement a test procedure that ensures duress devices are operating at the commencement of each Council meeting where security staff are to be used.	Actioned commencing May 2019. The testing is part of the standard operating procedure for the security staff at Council meetings.
Review the CCTV systems at both properties to ensure that identification standard video is achievable at both properties.	Completed. CCTV at Gosford was replaced and reviewed by June 2019. The provisions now cover points of access for the public.
Create a security policy that details the use of duress system by staff. As part of this create an induction process that ensures that all people charged with using the duress are appropriately trained in its use.	The security staff provide the duress system and the requirement that they are trained its use is included as part of standard operating procedures for security staff.
Expand the contract agreement with the security provider to ensure a pool of pre-inducted staff are available to use on Council properties.	Actioned in consultation with provider and continues to be managed to ensure security staff are suitably inducted.
Undertake a review of both Emergency Management Plans to ensure they fully consider Council meetings. Once reviewed, apply the appropriate planning and resources to ensure compliance with the recommendations.	To be actioned to include testing of emergency management now that the Gosford Chambers is in operation. It is proposed to have a test to review the process before the end of 2019.

**Changes in design at Gosford**

The Safety Audit recommended a significant reconfiguration of the Gosford Chambers to change the orientation so that the public were in the southern end of the space facing towards the northern end.

The drivers for this change were to provide greater delineation between the Councillors and the public and to provide an exit point for Councillors (this was proposed to be through to

### **3.3 Works at Gosford Chambers in response to Safety Audit (contd)**

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the Councillor space in the north-east of the floor). This solution was not practical due to the room shape and the structural column in the room.

In discussions with Councillors and staff, it was felt that the same outcomes could be achieved by maintaining the existing orientation and providing emergency access through the Mayor's Office should it be required.

The key considerations in finalising the design were creating separation without impacting upon the ability of the public to see the proceedings. This was a key consideration of Councillors at the briefing held at Gosford in April 2019. Councillors were also keen that the changes be minimal so as to have minimal cost implications. For this reason furniture and fixtures were re-used where possible.

The changes as agreed resulted in a reduction in the number of seats in the public gallery. For this reason, work was undertaken on providing an overflow room where the meeting would be live streamed (no delay) should attendance numbers increase beyond seating capacity in the Chambers.

#### **Financial Impact**

The direct cost of the works undertaken is as follows. It is expected that a quarterly budget adjustment will be required as part of the 2019-2020 Quarter Two Budget Review process for some or all of the cost of building works noting that an adjustment was completed as part of the Quarter One review for audio-visual works.

*Safety Audit - \$9,160 (ex GST)*

This included the provision of the attached confidential report and of standard operating procedures for the security guards. The audit was undertaken by an independent expert.

*Building works – \$29,802*

This included all elements relating to the Chambers but excludes remediation that was required to the flooring. This was noted as a pre-existing issue and was managed under warranty. The remediation work also included the replacement of the hearing loop.

The specific works undertaken were the creation of a defined separation between Councillors and public attendees, additional access control to the north-eastern door, changes to the operable wall to create a separated space, functional layout changes of existing seating and desks, installation of two rows of handrails and the Chamber floor access gate.

Branded frosting is planned for the Perspex panels and this will be completed in the near future.

### **3.3 Works at Gosford Chambers in response to Safety Audit (contd)**

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*Audio Visual works - \$41,377.60 (ex GST)*

This includes the relocation of the speaker system, screens and webcast cameras. It also includes the cost to provide live streaming to the additional room.

*Total cost*

The total cost of the works in response to the Safety Audit was \$71,179.60 (ex GST). Including the audit the total cost of this project was \$80,339.60 (ex GST).

#### **Link to Community Strategic Plan**

Theme 4: Responsible

#### **Goal G: Good governance and great partnerships**

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

#### **Attachments**

- 1 CONFIDENTIAL - Central Coast Council Safety Risk Assessment D13713938



**Item No:** 3.4  
**Title:** Update on progress of review into Central Coast Airport  
**Department:** Governance

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25 November 2019 Ordinary Council Meeting

Trim Reference: F2004/06700-002 - D13716769  
Author: Janine McKenzie, Unit Manager, Business Enterprise  
Executive: Dr Liz Develin, Director Governance

## Report Purpose

This report provides Council with an update since the last Airport Audit resolution of 26 August 2019 and seeks a decision from Council on how to progress the review into Central Coast Airport, formerly called the Warnervale Airport (the Airport).

## Summary

Phase One of the Airport Review project was to engage a suitably qualified consultant to determine the scope and objectives of the review.

Phase One has now been completed, and it is proposed that the remaining components of the review be broken into two further phases:

- Phase Two is a review of all the decisions associated with the four identified projects at the Airport and will provide a report back to Council with a detailed timeline of decisions and events, as well as a report identifying any areas of concern that warrant further investigation.
- Phase Three will be dependent on the findings of Phase Two, and will undertake any identified detailed investigation(s) and report back to Council on findings including recommending whether matters should be referred to external agencies.

## Recommendation

- 1 That, as provided under clause 178 (3)(e) of the Local Government (General) Regulations 2005, Council request the Chief Executive Officer to continue negotiations with the current consultant to complete Phase Two of the Airport Review as no compliant tender responses were received by Council and this continuation represents the best value for money in completing the proposed works.***
- 2 That pursuant to the recommendation above, that the consultant be instructed to undertake the works in line with Option Two, which partners the consultant with a***

### 3.4 Update on progress of review into Central Coast Airport (contd)

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***Council Officer, who has experience in Council's record system and no direct association with the Airport, at an estimated cost of between \$30,000 and \$45,000.***

- 3 *That a further confidential report be submitted to Council following the completion of Phase Two that outlines findings and provides recommendations on any further investigations, along with associated cost estimates for Phase Three.***

#### **Context**

Council resolved on 10 December 2018 as follows:

- 1050/18 *That Council request the Chief Executive Officer to request the NSW Auditor General conduct an independent financial audit and performance review into all matters relating to Central Coast Airport including, but not limited to, the following:*
- a) Review of all documentation including any proposals and approvals for the development of a Regional Airport at Kiar Ridge*
  - b) Invite and consider public submissions (including the ability for confidential submissions if necessary)*
  - c) Review of all documentation including any proposals and approvals for the development of an Aviation Hub at Central Coast Airport*
  - d) A report of all financial records, including, but not limited to, expenditure and assets acquired or disposed of in relation to the Airport site*
  - e) Review of any activities, including works and development applications lodged, by the current Council or former Wyong Shire Council relating to works at the Airport site*
- Review of any potential conflicts of interest in relevant matters including the development of plans or agreements signed in relation to the Airport.*
- g) Adherence to legislation and Council policies in relation to activities at the Airport*
- 1051/18 *That Council request the Chief Executive Officer to report on a quarterly basis to Council on progress of the investigation.*
- 1052/18 *That Council request the Auditor-General provide specific advice regarding the following matters, with an interim report by the end of June 2019 if possible, including:*
- a) A review of processes and decision-making relating to the Airport and Wyong Employment Zone including:*
    - i. Any anomalies in the process or proposals*
    - ii. Any areas of concern that may not meet community expectations in terms of due process*
  - b) Any improvements needed in Council processes*

### 3.4 Update on progress of review into Central Coast Airport (contd)

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- c) *Any conflicts of interests both declared and undeclared*
- d) *Any matters requiring referral to external agencies for further investigations*

In accordance with this resolution, the NSW Auditor General was requested to undertake the audit but declined to do so because the proposed audit covers a longer term and a wider scope than their mandate allows.

Subsequently, on 29 January 2019 Council resolved:

- 58/19 *That Council requests the Chief Executive Officer engage an external auditor to undertake an investigation into Central Coast Airport in accordance with the resolution of the Ordinary Council Meeting on 10 December 2018.*

A tender process was undertaken but no compliant tender responses were received.

On 26 August 2019, Council further resolved:

- 773/19 *That as provided under clause 178(3)(e) of the Local Government (General) Regulation that Council request the Chief Executive Officer enter into negotiations with appropriate providers to conduct the forensic audit of Central Coast Airport pursuant to the resolution of Council made on 29 January 2019 Council Meeting and based on the Tender documentation that was released to the market previously.*
- 774/19 *That pursuant to 773/19 above, a pre-qualified contractor on the Local Government Procurement (LGP) panel be engaged to undertake Phase 1 of the audit as detailed in the report at an estimated cost of \$30,000 (ex GST).*
- 775/19 *That a further report be submitted to Council following 774/19 above, including a cost estimate for completion of the audit.*

#### **Current State**

Phase One involved confirming the scope and objectives of the review.

Council engaged a consultant to undertake Phase One, and this work has been completed. As a result of the consultant's research and a workshop with senior staff, Council has been provided with a defined scope for this review, along with a proposal to complete the remaining Phases Two and Three (if required).

The scope of this project would include a review of the Airport decision-making processes to understand the timeline, documentation and different roles individuals played in the decision-making for:

- a) The project to establish a regional airport at Kiar Ridge;

### **3.4 Update on progress of review into Central Coast Airport (contd)**

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- b) The development of an Aviation Hub at Central Coast Airport;
- c) Any activities, including works and development applications lodged, by the current Council or former Wyong Shire Council relating to works at the Airport site; and
- d) Processes and decision-making relating to the Airport and Wyong Employment Zone.

The objectives of Phase Two is to:

- 1 Understand the different roles individuals played in the decision-making;
- 2 Consider the decisions making process, document the background, investment decision processes, due diligence processes; and
- 3 Learn from these events to better inform future decisions on the Airport.

The key activities of Phase Two would be to:

- Review the decision-making processes, reports, agreement, and general documentation on the above four projects.
- Construct a timeline of the key decisions and processes with the above four projects.
- Review the delegations and authorities for any associated decisions.
- Document the decisions, identify the primary information associated with those decisions, the decision-makers, reports (internal and external), agreements, legal opinions, key stakeholders, public engagement processes.
- Identify any gaps in the information, process issues or concerns.
- If warranted by the review's findings, identify the approach, skill requirements, and processes required for a more detailed investigation(s) in Phase Three.
- Prepare a timeline and formal report on the findings.

The outcome of Phase Two is a detailed timeline of the decision making associated with the above four projects and a report identifying any areas of concern requiring more detailed investigation.

This project relies on accessing a substantial amount of information, some of which may be subject to legal privilege or be commercially confidential.

As this review will look at decisions made by staff and Council, it may also document the previous activities of staff who are still currently employed by Central Coast Council. The review needs provide a level of independence, while ensuring it is completed in a cost-efficient manner. In addition, the review needs to respect due process for any persons involved.

Therefore, it is recommended that the report to Council at the end of Phase Two be treated as confidential, with recommendations on what information can be made public to be provided at the end of Phase Three.

### **3.4 Update on progress of review into Central Coast Airport (contd)**

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The consultants have provided a number of options, each with a different level of independence required to undertake the information gathering. They have outlined three options for Council:

- a) Desktop review – Council provides all relevant information to be analysed off-site.
- b) Partner review – Consultant works directly with a Council Officer assigned to undertake all internal data gathering. This Officer would be someone with in-depth experience in Council's information and records systems, but with no direct past or present involvement in the Airport.
- c) Independent review – Consultant is given access to the all relevant Council systems and is responsible for all data gathering.

The costs associated with each option increase with the level of independence of the consultant. Further information on estimated costs are provided in the Financial Impact section following.

Phase Three, if warranted, involves a more detailed, targeted investigation on any areas of concern identified from Phase Two.

The objectives of Phase Three are:

- 1 Investigate the validity of the decision-making process for any identified areas of concern; and
- 2 Determine whether the matter should be referred to external agencies for further investigation.

Phase Three is likely to consider:

- All relevant documents and financial records stored in Council's electronic document management system(s) – including all relevant confidential documents produced or held by Council;
- Review for each of the people involved in the Airport if still available:
  - All relevant emails to and from Council email addresses
  - All relevant SMS to and from Council mobile phones
  - All relevant network drives
  - All relevant hard drives
  - All relevant meeting minutes or meeting notes
  - All relevant Council calendars/diaries
- All relevant executive meeting minutes or meeting notes, hard copy diary notes;
- All relevant additional agreements between Council and any third party;
- Any submissions or document received from members of the public following the invitation for public submissions;
- Any other information identified in Phase Two; and
- Prepare a public synopsis of the findings as a basis for a public submission process should it be appropriate.



### 3.4 Update on progress of review into Central Coast Airport (contd)

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#### Assessment

Council now needs to determine if and how to proceed with Phase Two of this review.

As there were no compliant tender responses, Council resolved to undertake the review of the Airport under cl.178(3)(e) of the Local Government (General) Regulations 2005.

As the scope and objectives are now more clearly defined, Council could resolve to invite fresh tenders for the remaining Phases. However, there is no guarantee of a response to any such tender. Tendering for these phases would cost Council approximately \$5K-\$10K in internal staff time and effort as well as external advertising costs. Additionally, a tender process would take approximately 5 weeks from initiation to appointment, not factoring in a delay over the Christmas / New Year period.

Given that the consultant that has undertaken Phase One has, from that process, gained an understanding of the scope and requirements, they would be in the best position to respond successfully.

As a result, it is recommended that Council resolve to request that the Chief Executive Officer negotiate with the current consultant directly to complete Phases Two, and if required, Phase Three of the review, as resolved on 26 August and under cl.178(3)(e) of the Local Government (General) Regulations 2005.

#### Financial Impact

Phase Two costs are dependent on the degree of independence that the consultant has in information gathering. These costs are outlined in the table below.

Phase Two Option	Description	Estimated Costs (ex GST)
Option One – Desktop	Council provides all relevant information to be analysed off-site.	\$25,000 - \$30,000
Option Two – Partner	Consultant works directly with an independent, expert Council Officer assigned to undertake all internal data gathering.	\$30,000 - \$45,000
Option Three – Independent	Consultant is given access to the all relevant Council systems and is responsible for all data gathering.	\$45,000 - \$90,000

In terms of balancing value for money and independence in the process it is recommended that Council resolve to undertake Option Two for Phase Two. This will see an Officer with a general corporate information background and familiarity with Council's record system, and

### **3.4 Update on progress of review into Central Coast Airport (contd)**

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with no direct relationship with the Airport, working directly with the consultant to undertake the information gathering.

If Council so wishes, it can resolve to undertake Option Three for Phase Two, which provides the consultant with direct access to the relevant Council systems. However, this is estimated up to \$60K more expensive than Option Two, depending on the ease at which information can be found.

Costs for Phase Three will be dependent on areas identified for further investigation and will be provided once Phase Two is completed.

#### **Link to Community Strategic Plan**

Theme 2: Smart

#### **Goal C: A growing and competitive region**

S-C3: Facilitate economic development to increase local employment opportunities and provide a range of jobs for all residents.

#### **Attachments**

*Nil.*



**Item No:** 3.5  
**Title:** Proposed Council Meeting Dates  
**Department:** Governance

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25 November 2019 Ordinary Council Meeting

Trim Reference: F2019/00041-003 - D13686789  
Author: Sarah Georgiou, Section Manager, Councillor Support  
Manager: Shane Sullivan, Unit Manager, Governance and Business Services  
Executive: Dr Liz Develin, Director Governance

### **Report Purpose**

To determine the Ordinary Council Meeting dates for 2020.

### **Recommendation**

- 1 That Council adopt the proposed Ordinary Council Meeting dates for 2020.**
- 2 That Council, in accordance with clause 232 of the NSW Local Government (General) Regulation 2005, publish the 2020 Ordinary Council Meeting dates in the local newspaper.**

### **Background**

Council's Code of Meeting Practice states at Clause 3.1

*Ordinary Meetings of Council will be held on:*

- (a) the second Monday of the months of February to December inclusive at 49 Mann Street, Gosford commencing at 6.30pm.*
- (b) the fourth Monday of the months of February to November inclusive at 2 Hely Street, Wyong, commencing at 6.30pm.*

Section 365 of the *Local Government Act 1993* states that Council is required to meet at least 10 times each year, each time in a different month.

The proposed schedule meets the requirements of the Act.

### **Variations to Schedule**

*Monday 27 January 2020*

### **3.5 Proposed Council Meeting Dates (contd)**

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The gazetted public holiday for Australia Day is Monday 27 January 2020.

It is proposed that the first Ordinary Council Meeting for 2020 will be held on 10 February 2019 at 6.30pm at the Gosford Council Chambers.

Council may wish to determine to have the first Ordinary Council Meeting for 2020 on Tuesday 28 January 2020, however this is not recommended as there may be members of the public or Councillors on leave at that time.

#### *Monday 13 April 2020*

The gazetted public holiday for Easter is Monday 13 April 2020. It is proposed that no replacement meeting be scheduled.

Council may wish to determine to have a meeting on Tuesday 14 April 2020 however, this is not recommended as it is following a four-day weekend and is during school holidays.

It is noted that Council can resolve to hold another meeting if required closer to the date.

#### *Monday 8 June 2020*

The gazetted public holiday for the Queen's Birthday is Monday 8 June 2020.

In accordance with the Code of Meeting Practice is proposed that this meeting be held on Tuesday 9 June 2020.

#### *Monday 12 October 2020*

The Local Government NSW Annual Conference will be held during the week commencing 12 October 2020. In addition, the gazetted public holiday for Labour Day is Monday 5 October 2020.

As a result it is proposed that an Ordinary Meeting be scheduled for Tuesday 6 October 2020.

#### *Local Government Election*

It is noted that the meetings immediately following the conduct of the 2020 Local Government election may be subject to change depending upon when the declaration of polls occurs.

### **Proposed Schedule**

The schedule of proposed Ordinary Council Meetings for Central Coast Council for 2020 is as follows:

### 3.5 Proposed Council Meeting Dates (contd)

Date	Time	Location
10 February 2020	6.30pm	49 Mann Street, Gosford
24 February 2020	6.30pm	2 Hely Street, Wyong
9 March 2020	6.30pm	49 Mann Street, Gosford
23 March 2020	6.30pm	2 Hely Street, Wyong
13 April 2020 ( <i>Easter Monday</i> )	No meeting	
27 April 2020	6.30pm	2 Hely Street, Wyong
11 May 2020	6.30pm	49 Mann Street, Gosford
25 May 2020	6.30pm	2 Hely Street, Wyong
9 June 2020 (Tuesday) ( <i>to allow for Queen's Birthday</i> )	6.30pm	49 Mann Street, Gosford
22 June 2020	6.30pm	2 Hely Street, Wyong
13 July 2020	6.30pm	49 Mann Street, Gosford
27 July 2020	6.30pm	2 Hely Street, Wyong
10 August 2020	6.30pm	49 Mann Street, Gosford
24 August 2020 <i>Caretaker period</i>	6.30pm	2 Hely Street, Wyong
12 September 2020	<i>2020 Local Government Election</i>	
28 September 2020* <i>Mayoral Election</i>	6.30pm	49 Mann Street, Gosford
6 October 2020 (Tuesday)* ( <i>to allow for Labour Day and LGNSW Annual Conference</i> )	6.30pm	2 Hely Street, Wyong
26 October 2020	6.30pm	49 Mann Street, Gosford
9 November 2020	6.30pm	2 Hely Street, Wyong
23 November 2020	6.30pm	49 Mann Street, Gosford
14 December 2020	6.30pm	2 Hely Street, Wyong

\*Meeting dates to be confirmed following the conduct of the 2020 Local Government election.

#### **Caretaker Period 2020**

Local Councils are required to assume a caretaker role during the election period to ensure that major decisions are not made which would limit the actions of an incoming

### 3.5 Proposed Council Meeting Dates (contd)

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Council. Clause 393B of the [Local Government \(General\) Regulation 2005](#) states that the caretaker period commences four weeks preceding the date of the Local Government Election, which, for the 2020 Election is **Friday 14 August 2020**.

In addition to ensuring Council does not make major decisions that would limit the actions of an incoming Council, Clause 393B requires that the Council, the Chief Executive Officer or any other delegate of the Council (other than a Joint Regional Planning Panel) must not exercise the following specific functions during the four weeks preceding an ordinary election (known as the "Caretaker period"):

- Entering into any contract or undertaking involving an expenditure or receipt by the council of an amount equal to or greater than \$150,000 or 1% of the council's revenue from rates (for the 2017/18 period this was \$348,469,000 with 1% = \$3,484,690) in the preceding financial year (whichever is the larger).
- Determining a controversial development application, except where a failure to make such a determination would give rise to a deemed refusal, or such a deemed refusal arose before the commencement of the caretaker period. The term "controversial development application" is defined as one for which at least 25 persons have made submissions by way of objection.
- Appointing or renewing the appointment of the Chief Executive Officer or terminating their employment. (This does not include the appointment of an acting or temporary Chief Executive Officer).

In particular cases these functions may be exercised with the approval of the Minister for Local Government pursuant to Clause 393B(2) of the [Local Government \(General\) Regulation 2005](#).

#### **Link to Community Strategic Plan**

Theme 4: Responsible

#### **Goal G: Good governance and great partnerships**

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

#### **Attachments**

*Nil.*



**Item No:** 3.6  
**Title:** Winter Trial of Lifeguard Patrols at The Grant McBride Baths  
**Department:** Connected Communities

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25 November 2019 Ordinary Council Meeting

Trim Reference: F2019/00041-003 - D13705524

Author: Phil Cantillon, Unit Manager Leisure and Lifestyle

Executive: Julie Vaughan, Director Connected Communities

### **Report Purpose**

This report provides a review on the winter trial of Council Lifeguards at The Grant McBride Baths during April to September 2019, and a recommendation for the ongoing continuation of the service based on the community use, feedback and impact.

### **Recommendation**

- 1 That Council note the review of the winter trial of Council Lifeguards at The Grant McBride Baths during April to September 2019.**
- 2 That the provision of Council Lifeguards is continued on an ongoing basis at The Grant McBride Baths from April to September for five hours a day, seven days a week.**

### **Context**

At the Ordinary Council Meeting on 10 September 2018, the following was resolved:

- 915/18 *That Council request the Chief Executive Officer continue the current level of service at the Grant McBride Baths, with the Baths patrolled from September to April annually.*
- 916/18 *That Council request the Chief Executive Officer commence a lifeguard at the Grant McBride Baths from April to September for five hours a day for a trial period of one year with a review period after the initial twelve months.*
- 917/18 *That Council request the Chief Executive Officer to monitor usage of the Grant McBride Baths during winter.*
- 918/18 *That Council request the Chief Executive Officer submit a report on the impact and merits to the community.*

### **3.6 Winter Trial of Lifeguard Patrols at The Grant McBride Baths (contd)**

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The report provides a brief update on the progress status on resolutions 917/18 and 918/18.

The Grant McBride Baths (formerly The Entrance Ocean Baths) were historically patrolled annually by Council lifeguards seven days a week from September to April. This lifeguard patrol is part of Council's Beach Safety Team, which provides aquatic safety at 15 beach locations from Umina Beach to The Lakes. There is no charge to the community for the use of the Baths.

Following the Council resolution on 10 September 2018, a winter trial of Council Lifeguards patrol commenced at The Grant McBride Baths for five hours a day (8am-1pm) from April to September for seven days a week. The additional cost of this winter trial service was \$27,000 per year, and an increase of 0.2 Full Time Equivalent (FTE) staff.

The community feedback on the Lifeguard patrol has been positive, with users of the facility commenting that they feel safer due to the patrol, the Baths are maintained to a good standard and are appreciative of the winter trial. Feedback has been received both verbally to staff and via email to management indicating the positive community impact and merit of the continuation of the provision. The provision promotes an active healthy lifestyle with the community swimming in a safe aquatic facility.

Approximately 90,000 people use the Baths annually. The trend is consistent over a three year period. The 2019 winter trial attracted an additional 11,577 attendances from April to September. The breakdown of this usage during the winter months is:

- May 3,592 swimmers (winter trial started Monday 29 April)
- June 1,793 swimmers
- July 1,606 swimmers
- August 1,788 swimmers
- September 2,798 swimmers (winter trial concluded Friday 27 September)

In comparison the annual attendances (rounded) at other Council pools in 2018/19 is:

- Peninsula Leisure Centre 491,000 (indoor heated pool)
- Gosford Pool 189,000 (outdoor/indoor heated pool)
- Toukley Pool 132,000 (indoor heated pool)
- The Grant McBride Baths 102,000 (50 metre outdoor unheated ocean pool)
- Wyong Pool 33,000 (seasonal outdoor unheated pool)

Based on the community feedback, impact and usage, there is sufficient demand for the winter lifeguard patrols of five hours a day to continue on an ongoing basis.

#### **Consultation**

Ongoing consultation has occurred with users at The Baths on site during the winter months by lifeguards.



### **3.6 Winter Trial of Lifeguard Patrols at The Grant McBride Baths (contd)**

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#### **Options**

- 1 To maintain the level of service with the Baths patrolled all year round, with a five hour a day patrol from April to September (adopting the trial) – Recommended.
- 2 To revert to the Baths being patrolled from September to April only – Not Recommended.
- 3 To increase the level of service with the Baths patrolled all year round for eight hours a day – Not Recommended.

#### **Financial Impact**

To maintain the provision with the Baths patrolled all year round and for five hours a day from April to September will require an additional annual operational budget of \$35,000 (including 3% CPI, cleaning, ongoing pump maintenance). This will need to be budgeted in 2019/20 and in future years. This will be absorbed in the Unit's current 2019/20 operational budget and the additional costs budgeted in future years.

#### **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 will be an increased safety impact to the community with the Baths being patrolled during the winter months.

#### **Critical Dates or Timeframes**

Nil.

#### **Attachments**

Nil.



**Item No:** 3.7  
**Title:** Community Grants Program Round 1 2019-2020  
**Department:** Connected Communities

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25 November 2019 Ordinary Council Meeting

Trim Reference: F2019/00041-003 - D13705540  
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 outlines the recommendations of the Grants and Sponsorship Review Panel for Round 1 of the Community Grants Program 2019-20.

### **Recommendation**

- 1 That Council allocate \$103,093.00 from the 2019-20 grants budget to the Community Events and Place Activation Program as outlined in the tables (Attachment 1).**
- 2 That Council allocate \$177,239.23 from the 2019-20 grants budget to the Community Development Grant Program as outlined in the tables (Attachment 2).**
- 3 That Council allocate \$299,230.50 from the 2019-20 grants budget to the Community Infrastructure Grant Program as outlined in the tables (Attachment 3).**
- 4 That Council allocate \$51,460.18 from the 2019-20 grants budget to the Social and Creative Enterprise Program as outlined in the tables (Attachment 4).**
- 5 That Council decline the Grants program applications for the reasons indicated in the Tables (Attachment 1,2,3 and 4), and the applicants be advised and where relevant, directed to alternate funding.**

### **Background**

#### *Community Grants*

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

Below are the current grant program areas being considered in this round of funding;

### 3.7 Community Grants Program Round 1 2019-2020 (contd)

#### *Community Events and Place Activation Program*

Aims to support local organisations to deliver community events and activities that activate spaces and places to complement activity around town centres, foreshores, lakes and open spaces for families, community and visitors.

#### *Community Development Grant Program*

Aims to support projects that enhance the quality of life of residents, provide community capacity building and protect and enhance the natural qualities of the Central Coast.

#### *Community Infrastructure Grant Program*

Aims to build new or improve existing local community assets. This is to resource the community to have input into infrastructure improvements that enable delivery of beneficial projects and activities.

#### *Social and Creative Enterprise Grant Program*

Aims to support 'start up' creative industry practitioners and Social Enterprises with sustainable project business models and practices. This builds the capacity of emerging local enterprises to grow and become independent to deliver increased social and community outcomes.

The Community Events and Place Activation, Community Development, Community Infrastructure and Social and Creative Enterprise Grant Programs provide a combined budget of \$1,150,000.00 annually as detailed in table 1 below.

**Table 1: Community Events and Place Activation, Community Development, Community Infrastructure and Social and Creative Enterprise Grant Programs Combined**

<b>Program</b>	<b>Budget</b>	<b>Opening Period</b>	<b>2019/20 allocation to date</b>	<b>Recommended allocation within this report</b>	<b>Allocation plus Recommendation</b>
Community Events and Place Activation	\$400,000	August 2019, February 2020	\$0.00	\$103,093.00	\$103,093.00
Community Development Grant Program	\$300,000	August 2019, February 2020	\$0.00	\$177,239.23	\$177,239.23
Community Infrastructure	\$300,000	August 2019,	\$0.00	\$299,230.50	\$299,230.50

<b>Program</b>	<b>Budget</b>	<b>Opening Period</b>	<b>2019/20 allocation to date</b>	<b>Recommended allocation within this report</b>	<b>Allocation plus Recommendation</b>
Grant Program		February 2020			
Social and Creative Enterprise Program	\$150,000	August 2019, February 2020	\$0.00	\$51,460.18	\$51,460.18
<b>TOTAL</b>	<b>\$1,150,000</b>		<b>\$0.00</b>	<b>\$631,022.91</b>	<b>\$631,022.91</b>

### Submissions

Round 1 of the Grants Program 2019-20 opened for applications on 1 August 2019 and closed on 30 August 2019.

### Assessment

In Round 1 of the Community Grants Program 2019/20 eighty seven applications were received across the four Grant Programs outlined in this report.

All Community Grant applications were assessed by specialist staff and then the Central Coast Council Grants and Sponsorship Review Panel on 21 October 2019 with Thirty-Five applications recommended for funding in this Council report.

Nine Community Events and Place Activation applications are recommended for funding totalling \$103,093.00. (Attachment 1)

Eleven Community Development applications are recommended for funding totalling \$174,338.03. (Attachment 2)

Ten Community Infrastructure applications are recommended for funding totalling \$299,230.50. (Attachment 3)

Five Social and Creative Enterprise applications are recommended for funding totalling \$51,460.18. (Attachment 4)

### Consultation

Council's Community Grants funding program was open for applications from 1- 30 August 2019, throughout the open period the following consultation was conducted:

### **3.7 Community Grants Program Round 1 2019-2020 (contd)**

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- Information promoted on Council's web site and social media
- Print media advertising in the Central Coast Express Advocate, Coast Community News, Peninsular News and Wyong Regional Chronicle
- Radio advertising on Central Coast radio stations
- Emails were sent Council's databases of previous Grant and Sponsorship applicants advising of the Programs open for application and the relevant opening period.
- Over-the-phone support was offered throughout the application period.

In addition, General Grant information sessions and drop-in sessions were held during July and August at:

- Council's Wyong office
- The Erina Centre, Erina Fair
- Woy Woy Library

In assessing applications, the Grants team consulted with Council's debtors to determine that applicants:

- Did not have an outstanding debt to Council
- Were satisfied all previous funding acquittal requirements
- Had not already received funding from another Council source for the initiative applied for under either Grants or Sponsorship Program.

Consultation was also undertaken with some applicants to clarify various aspects of their application.

#### **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 \$1,150,000 to these four Community Grants Programs of which \$631,022.91 was allocated to the grant programs detailed within this report.

Expenditure is approved until the end of the 2019-20 financial years. 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 grant 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 grants program. Should decisions be delayed or not supported, projects may not be undertaken.

### **Attachments**

- |          |   |           |
|----------|---|-----------|
| <b>1</b> | Community Events and Activation Program | D13712652 |
| <b>2</b> | Community Development Program           | D13712655 |
| <b>3</b> | Community Infrastructure Program        | D13712660 |
| <b>4</b> | Social and Creative Enterprise Program  | D13712724 |

### Recommended for Funding

Organisation Name	Project Title and Summary	Staff Funding Recommendation	Panel Assessment
5 Lands Walk Inc	5 Lands Walk 20th June 2020 - A free annual Culture, Art, Music and Dance Community walk across 5 Land villages on the Central Coast	\$20,000.00	Recommended for funding as community benefit is demonstrated and all required information is provided.  Recommendation conditional on final documentation for waste management and traffic control being provided prior to release of funds.
Eastcoast Beverages	Day on the Farm - A family day out, where people can experience a day on the farm	\$8,346.00	Recommended for funding as community benefit is demonstrated and all required information is provided.
Budgewoi Beach Dunecare Inc	Kanwal Village Shopping Centre Mural - Install a large mural depicting local Australian Fauna and Flora on a blank wall facing Council Parkland	\$9,959.00	Recommended for funding as community benefit is demonstrated.  Recommendation conditional on a detailed plan confirming agreed ownership and ongoing maintenance of the mural is provided prior to the release of funds.
Central Coast Cycling Club	2020 NSW State Cyclocross Championships - Off road cycling event	\$13,434.00	Recommended for part funding from budget as per application as community benefit is demonstrated and all required information is provided.
Peninsula Environment Group	Woytopia 2020 - community/sustainable living festival	\$9,950.00	Recommended for part funding less market logistics support as community benefit is demonstrated and all required information is provided.  Recommend that the applicant consult with Council Events Team Leader on future strategic direction for the event.
Peninsula Chamber of Commerce	Brisbane Water Oyster Festival - An annual community event celebrating the Peninsula and surrounds.	\$14,165.00	Recommended for funding as community benefit is demonstrated and all required information is provided.
Killcare Surf Life Saving Club	Killcare Seaside Cinema - Killcare SLSC welcomes locals and visitors to come and enjoy a beachfront outdoor movie under the stars	\$7,919.00	Recommended for funding as community benefit is demonstrated and all required information is provided.

Organisation Name	Project Title and Summary	Staff Funding Recommendation	Panel Assessment
Central Coast Scots Inc	2019 Central Coast Scottish Spectacular - Highland gathering including the NSW Pipe Band Championships and NSW Highland Dancing Championships	\$9,050.00	Recommended for part funding for venue hire and highland muscle heavy events athletes from budget as per application.  Community benefit is demonstrated and all required information is provided.
Kincumber Rotary Club	Kincumber Rotary Shipbuilders' Heritage Walk (SHW) - The SHW will enhance Council's investment in the historical background to Brisbane Water. The event will lead to promoting the visitor economy.	\$10,270.00	Recommended for funding as community benefit is demonstrated and all required information is provided.  Recommendation conditional on an updated event plan being provided prior to funds being released.
Gosford Sailing Club	Sabot NSW State Titles Series 2019/2020 Gosford Sailing Club will be hosting round two of the Sabot NSW State Titles Series 2019/2020 on the 1st & 2nd of February 2020.	\$0.00	Recommended for funding within the Community Support Grant Program
	<b>TOTAL</b>	<b>\$103,093.00</b>	



### Not Recommended for Funding

Organisation Name	Project Title and Summary	Staff Funding Recommendation	Panel Assessment
Community Environment Network	Connecting kids with nature event series - This project aims to run a series of fun, educational and hands-on events highlighting some of the Central Coasts environments available to families.	\$0.00	Not recommended for funding as currently proposed as insufficient information is provided to make an accurate assessment.  Recommend applicant liaise with Council Grants Officers to strengthen application and consider resubmitting in a subsequent round.
Australian International Sports Organisation Pty Ltd	Multicultural Community Cricket Festival - The Multicultural Community Cricket Festival (MCCF) will allow members of the various multicultural communities to participate in sport	\$0.00	Not recommended for funding as currently proposed as insufficient information is provided to make an accurate assessment.  Recommend applicant liaise with Council Grants Officers and Sports Activation Officer and consider resubmitting in a subsequent round.
Laughing Bird Arts Association	Alliance Française French Film Festival on the Central Coast - Provide the high profile Alliance Française French Film Festival to the Central Coast for its people to encourage and promote tourism, culture, connection in region	\$0.00	Not recommended for funding as broader community benefit is not demonstrated.

### Recommended for Funding

Organisation Name	Project Title and Summary	Staff Funding Recommendation	Panel Assessment
CareFlight	Patient Monitor/Defibrillator for CareFlight Rescue Helicopter - Essential medical equipment for providing emergency care to critically ill and injured members of the Central Coast community through CareFlight's rescue helicopter service	\$28,860.00	Recommended for funding as community benefit is demonstrated and all required information is provided.
Killcare Surf Life Saving Club	Killcare SLSC Technology Upgrade - Upgrading Killcare Surf Life Saving Club technology to enhance community safety	\$6,650.17	Recommended for funding as community benefit is demonstrated and all required information is provided.
The Rotary Club of Gosford North Incorporated	SOKS (Save Our Kids) - MYSM (Mind Your Sports Mates) - Educating young adults on depression anxiety and suicidal ideation to encourage them to look out for their mates and ultimately save lives from suicide	\$10,000.00	Recommended for part funding \$10,000 for Lifeline Trainers from the budget as per application.  Community benefit is demonstrated and all required information is provided.
The Wyong Neighbourhood Centre INC	The Kitchen Project - helping our local community thrive - To upgrade the kitchen equipment and to replace an existing window with a canteen style servery window so we can operate a community café onsite	\$7,888.00	Recommended for funding as community benefit is demonstrated and all required information is provided.
Central Coast Mentoring Network Incorporated	Community Mentoring Convener/Facilitator Project - To develop planning, coordinating tools to recruit and train new mentors to schools and provide further training development to mentors and coordinating teachers in schools	\$14,229.00	Recommended for part funding for school visitations by facilitator as per application as community benefit is demonstrated and all required information is provided.  Recommendation conditional on a detailed evaluation of outcomes being provided at project completion.
Kincumber and District Neighbourhood Centre	The Kincumber Creation Station - This project will activate a purpose-built space to be utilised for creative sound projects	\$24,468.00	Recommended for funding as community benefit is demonstrated and all required information is provided.

Organisation Name	Project Title and Summary	Staff Funding Recommendation	Panel Assessment
Educar Foundation Ltd	Central Coast Max Potential 2020 - Max Potential is an innovative youth leadership development program that has been running throughout NSW since 2003	\$19,316.00	Recommended for part funding - less Council In-kind request -as per application as community benefit is demonstrated and all required information is provided.
Regional Youth Support Services Inc	Write, Act, Belong - Write, Act, Belong is a new theatre work, produced by the minds of local Young People through the mentorship of industry professionals	\$17,500.00	Recommended for funding as community benefit is demonstrated and all required information is provided.  Recommendation conditional on a project program plan and project team profiles being provided prior to release of funds.
Concertante Ensemble Incorporated	Concertante's 'Future Masters': ensuring the Coast's cultural future is bright - In 2020 Concertante Ensemble will launch 'Future Masters', a community-based music platform to reduce cultural inequality and build cultural capacity on the Central Coast	\$23,000.00	Recommended for part funding towards all budget items except concerts as per application.  Community benefit is demonstrated, and all required information is provided.  Recommendation conditional on a detailed evaluation report being provided at the end of the project.
Marine Rescue NSW - Hawkesbury Unit	Thermal imaging camera for Marine Rescue Hawkesbury rescue vessel - A thermal imaging camera will be installed on a Marine Rescue Hawkesbury to assist crews to locate missing people during search and rescue operations under darkness	\$13,269.56	Recommended for funding as community benefit is demonstrated and all required information is provided.
Live Life Get Active Pty Ltd	Live Life Get Active Community Health and Wellbeing Camp - A new daily outdoor activity camp (cross-training, boxing and yoga) targeting a new community, with new issues, in a new location plus new education seminars	\$12,058.50	Recommended for part funding for 100 days of activity as per application and no seminars.  Community benefit is demonstrated, and all required information is provided.

Organisation Name	Project Title and Summary	Staff Funding Recommendation	Panel Assessment
The Opportunity Collective Incorporated	Central Coast Women's Leadership Mentoring Program 2020 - We seek funding for five Scholarship partnership positions in the Women's Leadership Mentoring program, enabling disadvantaged and Aboriginal women to be involved at no cost	\$0.00	Deferred. Applicant requested to present to the Grants and Sponsorship Panel prior to a recommendation being made to Council.
Norah Head Lighthouse Reserve Land Manager Board	Marketing Support and Book Publication.  Covering the cost of Marketing, Website Design, and publication of an historical book about the Norah Head Lighthouse and engineering behind the Lantern room mechanisms	\$0.00	Recommended for funding within the Community Support Grant Program
MacMasters Beach Surf Life Saving Club	Allagai Bay Artisan Exhibition  The Project is a partnership between community-based artists and Macmasters SLSC showcasing the diverse and creative skills and abilities of local community members	\$0.00	Recommended for funding within the Community Support Grant Program.
St Vincent De Paul	"Female Futures" Workshops for Women in Gorokan. Professional leadership workshops for women to build confidence and skills	\$0.00	Recommended for funding within the Community Support Grant Program.
Uniting Church in Australia Property Trust (NSW)	Cook.Eat.Grow Nutrition/Cooking workshop for parents and young children.	\$0.00	Recommended for funding within the Community Support Grant Program.
<b>TOTAL</b>		<b>\$177,239.23</b>	

### Not Recommended for Funding

Organisation Name	Project Title and Summary	Staff Funding Recommendation	Panel Assessment
Friends of The Entrance District Tennis Club Incorporated	The Entrance District Tennis Club court and facility upgrade - replacement of four new tennis nets and purchase new picnic tables to replace unsafe and weathered tables	\$0.00	<p>Not recommended for funding as currently proposed as insufficient information is provided to make an accurate assessment.</p> <p>Recommend applicant liaise with Council Grants Officers and consider resubmitting in a subsequent round.</p>
Camp Breakaway Inc	A Break Away for Young Carers and Siblings - Fun, friendship and laughter for children who live with a family member with a disability	\$0.00	Not recommended for funding as program was funded through ClubGRANTS Program in 2019.
Regional Youth Support Services Inc	Rural Reporters –Narratives from the heart of our Central Coast Country Communities - The Rural Reporters Project will engage specifically with young residents within our rural region, digitally documenting their stories, celebrations and communities via a social-media magazine	\$0.00	<p>Not recommended for funding as currently proposed as insufficient information is provided to make an accurate assessment.</p> <p>Recommend applicant liaise with Council Grants Officers and consider resubmitting in a subsequent round.</p>
Mingaletta Aboriginal & Torres Strait Islander Corporation	Community Garden - To create a community garden and provide environmental education	\$0.00	<p>Not recommended for funding as proposed insufficient information is provided to make an accurate assessment.</p> <p>Recommend applicant liaise with Council Grants Officers and consider resubmitting in a subsequent round of the Community Support Grant Program</p>
CoastFM963	Coast FM Local News - Funds to bring back Central Coast News back onto air for our community	\$0.00	Not recommended for funding as the project as proposed is not sustainable without grant funding.
Multiple Sclerosis Limited	MS: exercise group classes in the Central Coast for people with a disability. - The MS: exercise classes will run for one (1) hour, each week, for 40 weeks of the year to align with the school term	\$0.00	<p>Not recommended for funding as currently proposed as insufficient information is provided to make an accurate assessment.</p> <p>Recommend applicant liaise with Council Grants Officers and consider resubmitting in a subsequent round.</p>

Organisation Name	Project Title and Summary	Staff Funding Recommendation	Panel Assessment
Ocean Beach Surf Life Saving Club	Building Work - Awning Installation	\$0.00	<p>Not recommended for funding as currently proposed as insufficient information is provided to make an accurate assessment.</p> <p>Recommend applicant liaise with Council Grants Officers and consider resubmitting in a subsequent round of the Community Infrastructure Grant Program.</p>
Scouts Australia - NSW Branch, Camp Kariong	Materials Storage area - Create an area that landscaping materials can be stored safer	\$0.00	<p>Not recommended for funding as currently proposed as insufficient information is provided to make an accurate assessment.</p> <p>Recommend applicant liaise with Council Grants Officers and consider resubmitting in a subsequent round of the Community Support Grant Program.</p>
Coast Community Broadcasters Inc.	Transmitter Site & Headsets Equipment upgrade - equipment to upgrade the transmitter broadcast equipment	\$0.00	Not recommended for funding as broader community benefit is not demonstrated.
Foster Care Angels Inc	Foster Carer Conference - An educational conference to support, upskill, and provide networking opportunities for Central Coast foster carers	\$0.00	<p>Not recommended for funding as currently proposed as insufficient information is provided to make an accurate assessment.</p> <p>Recommend applicant liaise with Council Grants Officers and consider resubmitting in a subsequent round.</p>
Gosford City Community and Information Service Ltd	Core Youth (Youth Life Skills Program) - A living skills and transitional program for early school leavers, unemployed and/or disengaged youth 15-21 years of age	\$0.00	<p>Not recommended for funding as the application is ineligible in accordance with ineligibility clause 7.20 of the Community Development Grant Program</p> <p>7.20 Applications seeking funds for salaried or wages positions.</p>

<b>Organisation Name</b>	<b>Project Title and Summary</b>	<b>Staff Funding Recommendation</b>	<b>Panel Assessment</b>
Miracle Babies Foundation	NurtureTime - Gosford Hospital - To establish a NurtureTime service on the Central Coast (Gosford Hospital SCN) that will inform/educate/guide/support local families who have a sick/premature newborn in special care	\$0.00	Not recommended for funding as the application is ineligible in accordance with ineligibility clause 7.20 of the Community Development Grant Program  7.20 Applications seeking funds for salaried or wages positions.
The Entrance District Chamber of Commerce	Australia Under Attack - Spyplane over the Central Coast - This application seeks funding for PROJECT 2. the post-production of a one hour documentary film.	0.00	Not recommended for funding as currently proposed as insufficient information is provided to make an accurate assessment.

## Recommended for Funding

Organisation Name	Project Title and Summary	Staff Funding Recommendation	Panel Assessment
Gosford City - East Gosford Lions Club Inc	Community Hall refurbishment - Internal and external painting, sand and polish timber floor, replace carpet, spray coat kitchen floor tiles, remove existing lighting and replace with LED lighting.	\$22,734.00	Recommended for funding as community benefit is demonstrated and all required information is provided.
Peninsula Environment Group	Garden Rebuild and Security Project - Woy Woy Peninsula Community Garden are seeking funds to help build a new storage facility, and install CCTV camera's and security fencing to protect resources.	\$13,368.00	Recommended for part funding less CCTV item(s) from budget as per application as community benefit is demonstrated and all required information is provided.
Green Point Community Centre	Auditorium Upgrade - Become a venue of choice by transforming the venue's Auditorium with new carpets and upgrading the audio-visual system to offer a superior hire experience.	\$11,095.00	Recommended for funding as community benefit is demonstrated and all required information is provided.
Ourimbah Rugby Club	Making Ourimbah Rugby Facilities Accessible and Safe - Fit out of accessible toilets; provide balustrades; an entry ramp and stairs, install floor coverings in the change rooms, water tanks and shower privacy cubicles	\$37,534.50	Recommended for funding as community benefit is demonstrated and all required information is provided.
Pearl Beach Progress Association Inc	Pearl Beach Community Hall Upgrade - Construct extensions, awning roof and other works to rear of Pearl Beach Community Hall	\$66,000.00	Recommended for funding as community benefit is demonstrated and all required information is provided.
Camp Breakaway Inc.	Update and renovate Breakaway's Disability Accommodation for the Central Coast Community - Refurbishment of Breakaway's cabins to provide modern, versatile accommodation for people with disabilities, their families and the community	\$68,013.00	Recommended for funding as community benefit is demonstrated and all required information is provided.  Recommendation conditional that any required planning approvals and certified plans are provided prior to release of funds.
Central Coast Wetlands Pioneer Dairy Reserve	Replacement of maintenance tractor - We seek the grant to fund purchase of a second-hand tractor used for site maintenance including grass mowing	\$30,000.00	Recommended for funding as community benefit is demonstrated and all required information is provided.
Gosford Community Mens Shed	Dust Extraction Installation - Installation of dust extraction	\$6,000.00	Recommended for funding as community benefit is demonstrated and all required information is provided.



Organisation Name	Project Title and Summary	Staff Funding Recommendation	Panel Assessment
Terrigal BMX Club	8 Rider Safety Barrel BMX Start Gate - Removal of the existing flat style rider gate and installations of an 8 rider barrel start gate	\$29,986.00	Recommended for funding as community benefit is demonstrated and all required information is provided.
Gosford City Sports Stadium	Air Conditioning System - Replacement of inadequate and inefficient air-conditioning system, to improve working environment for patrons and staff attending community events and classes	\$14,500.00	Recommended for part funding as per organisation cash contribution within application.  Community benefit is demonstrated and all required information is provided.
Central Coast Family History Society	Upgrade Air Conditioner. To replace an aged air conditioner to enhance the learning facilities for senior members.	\$0.00	Recommended for funding within the Community Support Grant Program
Berkeley Vale Neighbourhood Centre	KBT Community Nursery Up Grade. Funding to allow the upgrade of the KBT Community Nursery	\$0.00	Recommended for funding within the Community Support Grant Program
<b>TOTAL:</b>		<b>\$299,230.50</b>	

### Not Recommended for Funding

Organisation Name	Project Title and Summary	Staff Funding Recommendation	Panel Assessment
Killarney Vale Preschool Kindergarten Inc	Nature focused play - renovate existing sand pit area to create an area of wonder and curiosity	\$0.00	Not recommended for funding. Project has merit but limited funds are available. Recommend applicant re-apply in a subsequent round.
Kariong Progress Association	Air conditioning - air conditioning	\$0.00	Not recommended for funding as the application is ineligible in accordance with ineligibility clause 6.4 of the Community Infrastructure Grant Program.  6.4 Applicants must demonstrate that they can meet one third of the total infrastructure project cost via other funds and/or volunteer hours. Asset owner approval also to be confirmed. Recommend applicant re-apply in subsequent round.
Coast Community Connections	Peninsula Occasional Care Shade Structure - A self supporting shade structure to cover our outdoor area which will provide shade for our children throughout the year.	\$0.00	Not recommended for funding as currently proposed as insufficient information is provided to make an accurate assessment.  Recommend applicant liaise with Council Grants Officers and consider resubmitting in a subsequent round.
Berkeley Vale Pre-school Kindergarten Inc	Painting of indoor and outdoor learning environments - Painting of indoor and outdoor learning environments	\$0.00	Not recommended for funding as community benefit is not demonstrated and insufficient information is provided to make an accurate assessment.  Recommend applicant liaise with Council Grants Officers and consider resubmitting in a subsequent round.
St Vincent de Paul Society NSW	Client and Volunteer Safety- Wyong Vinnies Community Centre - Wyong Vinnies waiting room requires a security upgrade to protect client's and volunteers from violent attacks and harassment.	\$0.00	Not recommended for funding as broader community benefit is not demonstrated.
Camp Breakaway Inc.	Installation of disability friendly offices - Construct disability friendly office space to cater for the future growth of Breakaway and creating opportunities for employment for persons with a disability	\$0.00	Not recommended for funding as broader community benefit is not demonstrated.
Gosford and District Tennis Association Incorporated	LED Lighting for Tennis Courts - To replace our 50 year old energy sapping metal halide lighting to a more energy	\$0.00	Not recommended for funding as currently proposed as insufficient

Organisation Name	Project Title and Summary	Staff Funding Recommendation	Panel Assessment
	saving, environmentally friendly LED lighting		<p>information is provided to make an accurate assessment.</p> <p>Recommend applicant liaise with Council Grants Officers and consider resubmitting in a subsequent round.</p>
Gosford City Sports Stadium	Refurbishment of Female and Male Change Rooms - Replacement of inadequate, aging male and female change room facilities, to provide an upgraded modern safe environment, delivering accessible facilities for all participants.	\$0.00	<p>Not recommended for funding as currently proposed as insufficient information is provided to make an accurate assessment.</p> <p>Recommend applicant liaise with Council Grants Officers and consider resubmitting in a subsequent round.</p>
Central Coast Hockey Assoc	Spectator Seating - To supply and install new aluminum spectator seating around the complex	\$0.00	<p>Not recommended for funding as currently proposed as insufficient information is provided to make an accurate assessment. Recommend applicant liaise with Council Grants Officers and consider resubmitting in a subsequent round.</p>
Peninsula Community Services	Peninsula Community Services Upgrade - Peninsula Community Services is needing to upgrade its current servery area and seating.	\$0.00	<p>Not recommended for funding as currently proposed as insufficient information is provided to make an accurate assessment.</p> <p>Recommend applicant liaise with Council Grants Officers and consider resubmitting in a subsequent round.</p>
Mountain Community Children's Centre Inc.	Installation of air conditioning to babies room - Funding to install air conditioning into the babies room at a Community Childcare Centre	\$0.00	<p>Not recommended for funding as the application is ineligible in accordance with eligibility clause 6.4 of the Community Infrastructure Grant Program.</p> <p>6.4 Applicant must demonstrate that they can meet one third of the total infrastructure project cost via other funds and/or volunteer hours.</p>
Mountain Community Children's Centre Inc.	Installation of a Complete Solar System - The Centre is being rebuilt after a fire, we would like to install solar panels and a battery	\$0.00	<p>Not recommended for funding as the application is ineligible in accordance with eligibility clause 6.4 of the Community Infrastructure Grant Program.</p> <p>6.4 Applicant must demonstrate that they can meet one third of the total infrastructure project cost via other funds and/or volunteer hours.</p>

### Recommended for Funding

<b>Applicant Name/Number</b>	<b>Project Title and Summary</b>	<b>Staff Funding Recommendation</b>	<b>Panel Assessment</b>
027 S&CE R1 1920	Run Hard - Lewis Ramsay - A Creative Enterprise that produces inspirational multi-media content for youth. The initial project will be a documentary about fitness and running clubs on the Coast.	\$8,385.00	Recommended for funding as community benefit is demonstrated and all required information is provided.
021 S&CE R1 1920	Program - Delusional Marketing and Global Expansion - Project 1 - Agent of Love Visual Novel Marketing and Global Expansion	\$0.00	Deferred. Applicant requested to present to the Grants and Sponsorship Panel prior to a recommendation being made to Council.
Naughty Noodle Fun Haus Inc.	School of Monstrous Performance - Led by a spirit of risk-taking & love of surprise	\$19,100.00	Recommended for funding as community benefit is demonstrated and all required information is provided.  Recommendation conditional on a detailed program including partner venue confirmation being provided prior to release of funds.
All in Gaming	Healthy Gaming Project - Educating Gamers about a Healthy Gaming Lifestyle	\$9,040.00	Recommended for funding as community benefit is demonstrated and all required information is provided.
Roundabout Circus	Hocus Pocus Circus Focus - Pilot Program - Utilising the creative and explorative world of magic and circus to engage with and empower individuals with ASD, developmental delay and learning difficulties	\$8,130.00	Recommended for funding as community benefit is demonstrated and all required information is provided.
020 S&CE R1 1920	Little Seeds Studio Start-Up - The establishment of a new creative enterprise that will engage children and families in educational art play experiences on the Central Coast.	\$6,805.18	Recommended for part funding for items from budget minus Business Development component as per application as community benefit is demonstrated, and all required information is provided.  Recommendation is for the applicant to liaise with Council staff to link with Council events and related activities to assist with sustainable development.
<b>TOTAL</b>		<b>\$51,460.18</b>	

### Not Recommended for Funding

Organisation Name	Project Title and Summary	Staff Funding Recommendation	Panel Assessment
032 S&CE R1 1920	Coast Life - Assistance with Production, Operations & Staffing costs	\$0.00	Not recommended for funding as currently proposed as insufficient information is provided to make an accurate assessment.  Recommend applicant liaise with Council Staff and reapply in a future round.
Ozebuddy Pty Ltd	Ozebuddy App Development - App development to complement existing website and to add additional functionality for members	\$0.00	Not recommended for funding as currently proposed as insufficient information is provided to make an accurate assessment.  Recommend applicant liaise with Council Grants Officers and consider resubmitting in a subsequent round.
Let's Thrive	Thriving with Autism - Mentoring and Peer Support for Parents raising a child with an Autism Spectrum Disorder	\$0.00	Not recommended for funding as currently proposed as insufficient information is provided to make an accurate assessment.  Recommend applicant liaise with Council Grants Officers and consider resubmitting in a subsequent round.
013 S&CE R1 1920	Young Adult Social Skills Program - Co-design and Pilot - Co-designing and piloting a social and communication skills program for young adults.	\$0.00	Not recommended for funding as currently proposed as insufficient information is provided to make an accurate assessment.  Recommend applicant liaise with Council Grants Officers and consider resubmitting in a subsequent round.
Stunt Sports	STUNT SPORTS - An interactive fun, safe, environment where school children, families and visitors can explore unique stunt-based activities and challenges at their own pace.	\$0.00	Not recommended for funding as currently proposed as insufficient information is provided to make an accurate assessment. Recommend applicant liaise with Council Grants Officers and consider resubmitting in a subsequent round.
Key to Realty Pty Ltd	Key2 Realty Marketing Campaign - Key2 Realty Pty Ltd is a brand-new Central Coast social enterprise start-up, seeking funding for a marketing campaign to grow their brand.	\$0.00	Not recommended for funding as currently proposed as insufficient information is provided to make an accurate assessment.  Recommend applicant liaise with Council Grants Officers and consider resubmitting in a subsequent round.

Organisation Name	Project Title and Summary	Staff Funding Recommendation	Panel Assessment
023 S&CE R1 1920	Voices of Sound - The Creation of a new work in 3 stages: 1) Performance - Opening and Closing Ceremonies 5 Lands Walk June 2020. 2) Art Film 3) Art Installation	\$0.00	Not recommended for funding as currently proposed as insufficient information is provided to make an accurate assessment.  Recommend applicant liaise with Council Grants Officers and consider resubmitting in a subsequent round.
Films4Change Inc	The Adventures of Ness (working title) - An innovative film series exploring feelings & Indigenous culture, designed for youth between the ages of 7-12.	\$0.00	Not recommended for funding as currently proposed as insufficient information is provided to make an accurate assessment.  Recommend applicant liaise with Council Grants Officers and consider resubmitting in a subsequent round.
Kincumber Creative Arts Hub	Kincumber Creative Arts Hub - Stage 1 Establishment - We have found an incredible facility that currently sits vacant and have an innovative plan to revitalise and turn it into a thriving creative hub.	\$0.00	Not recommended for funding as currently proposed as insufficient information is provided to make an accurate assessment.  Recommend applicant liaise with Council Grants Officers and consider resubmitting in a subsequent round.
Artisans At Work	Moving Pictures - Create a dynamic triptych-screen experience: a film Series (live local theatre & dance) spread over and aligned with existing events.	\$0.00	Not recommended for funding as currently proposed as insufficient information is provided to make an accurate assessment.  Recommend applicant liaise with Council Grants Officers and consider resubmitting in a subsequent round.
Deep Water Publishing	Coast Kids Drowning Prevention - Surf Safety - Helping educate families on safety at the beach by making the children's book 'Annie and the Waves' accessible to schools, libraries and early learning centres.	\$0.00	Not recommended for funding as currently proposed as insufficient information is provided to make an accurate assessment.  Recommend applicant liaise with Council Grants Officers and consider resubmitting in a subsequent round.

Organisation Name	Project Title and Summary	Staff Funding Recommendation	Panel Assessment
Central Information Systems Pty Limited	Sensor-Logic - Cold Storage Monitoring - Monitor frozen high-risk foods for aged care facilities on the Central Coast	\$0.00	Not recommended for funding as broader community benefit is not demonstrated.
Outrigger Canoe Adventures	Eco-tourism outrigger canoe experiences - For partial funding to assist with the startup of an Eco-tourism outrigger canoe experience for Central Coast visitors and residents	\$0.00	Not recommended for funding as this application is for a commercial start-up proposal seeking funding for capital investment and broader community benefit is not demonstrated.
Awake Scripts	Snake People - Making of a one-minute trailer for the feature film of the same name	\$0.00	Not recommended for funding as broader community benefit is not demonstrated.
016 S&CE R1 1920	The Lift Studio - provides young people opportunities to have any safe experiences they would like to have a go at for example creating a podcast	\$0.00	Not recommended for funding as broader community benefit is not demonstrated.



**Item No:** 3.8  
**Title:** Community Support Grant Program - September 2019  
**Department:** Connected Communities

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25 November 2019 Ordinary Council Meeting

Trim Reference: F2019/00041-003 - D13705583  
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 outlines the 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 \$25,722.38 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.



### 3.8 Community Support Grant Program - September 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**

<b>Program</b>	<b>Budget</b>	<b>Opening Period</b>	<b>2019/2020 allocation to date</b>	<b>Recommendation allocation within this report</b>	<b>Allocation to date + Recommendation within report</b>
Community Support Grant Program	\$300,000	Ongoing	\$162,797.82	\$25,722.38	\$188,520.20
<b>TOTAL</b>			\$162,797.82	\$25,722.38	\$188,520.20

#### **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**

Nine applications were received and assessed by 30 September 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**

- |          |   |           |
|----------|---|-----------|
| <b>1</b> | Community Support Grants September 2019 - Recommended for Funding     | D13712806 |
| <b>2</b> | Community Support Grants September 2019 - Not Recommended for Funding | D13712814 |

## Recommended for Funding – September 2019

<b>Organisation Name</b>	<b>Project Title and Summary</b>	<b>Staff Funding Recommendation</b>	<b>Staff Assessment</b>
Tuggerah Rural Fire Brigade	Pole Chainsaws - Acquisition of 2 x pole chainsaws	\$2,900.00	Recommended for funding as community benefit is demonstrated and all required information is provided.
China Australia Friendship Assoc Inc	Central Coast Multicultural Showcase 2020 - Multicultural showcase event at the The Art House Wyong	\$4,800.00	Recommended for part funding for The Art House Venue Hire, Performers Subsidy and Insurance from budget as per application.  Community benefit is demonstrated, and all required information is provided.
Soldiers Beach Surf Life Saving Club Incorporated	Surf Life Saving Swim Development Program - In-kind support for lane hire and entry at Toukley Aquatic Centre for surf swim training in the summer season	\$2,200.00	Recommended for funding as community benefit is demonstrated and all required information is provided.
Mingaletta Aboriginal and Torres Strait Islander Corporation	Hope in Darkness Suicide Prevention Scheme - A program to help the local community in dealing with loss, addiction, unemployment & mental health within the community	\$5,000.00	Recommended for funding as community benefit is demonstrated and all required information is provided.

<b>Organisation Name</b>	<b>Project Title and Summary</b>	<b>Staff Funding Recommendation</b>	<b>Staff Assessment</b>
Manno Mens Shed Inc.	Purchase New Wood Lathe - Purchase and install a new wood working lathe	\$4,000.00	Recommended for funding as community benefit is demonstrated and all required information is provided.
Copacabana Community Association	Copa Community Carols 2019 - Support to run the annual carols concert	\$4,500.38	Recommended for funding as community benefit is demonstrated and all required information is provided.
Central Coast Veterans Cricket Association Inc.	Over 60s Veterans International Cricket Match - Event support	\$2,322.00	Recommended for funding as community benefit is demonstrated and all required information is provided.
	<b>TOTAL</b>	<b>\$25,722.38</b>	

## Not Recommended for Funding – September 2019

<b>Organisation Name</b>	<b>Project Title and Summary</b>	<b>Staff Funding Recommendation</b>	<b>Staff Assessment</b>
Rotary Club of Kincumber Incorporated	Historical Displays and Exhibitions - Exhibitions for the Shipbuilders Walk & end of the Pacific War commemoration exhibitions	\$0.00	Not recommended for funding as currently proposed as insufficient information is provided to make an accurate assessment. Recommend applicant liaise with Council Grants Officers and consider resubmitting in a subsequent round.
Wingers Softball Club	Uniform Upgrade – Wingers Softball Club's purchase of 50 pairs of pants in a range of sizes	\$0.00	Not recommended for funding as currently proposed. Recommend applicant liaise with Council's Grants Officers to clarify why the group requires ongoing grant support to provide uniforms for club participants
<b>TOTAL</b>		\$0.00	



**Item No:** 3.9  
**Title:** Community Support Grant Program - October 2019  
**Department:** Connected Communities

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25 November 2019 Ordinary Council Meeting

Trim Reference: F2019/00041-003 - D13717577

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 \$39,240.00 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.

### 3.9 Community Support Grant Program - October 2019 (contd)

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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**

<b>Program</b>	<b>Budget</b>	<b>Opening Period</b>	<b>2019/2020 allocation to date</b>	<b>Recommendation allocation within this report</b>	<b>Allocation to date + Recommendation within report</b>
Community Support Grant Program	\$300,000	Ongoing	\$188,520.20	\$39,240.00	\$227,760.20
<b>TOTAL</b>			<b>\$188,520.20</b>	<b>\$39,240.00</b>	<b>\$227,760.20</b>

#### **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**

Fourteen applications were received and assessed by 31 October 2019 with eleven 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**

- |          |   |           |
|----------|---|-----------|
| <b>1</b> | Community Support Grants - October 2019 - Recommended for Funding     | D13718894 |
| <b>2</b> | Community Support Grants - October 2019 - Not Recommended for Funding | D13718896 |

## Recommended for Funding – October 2019

<b>Organisation Name</b>	<b>Project Title and Summary</b>	<b>Staff Funding Recommendation</b>	<b>Staff Assessment</b>
Central Coast Mountain Bike Club Incorporated	Ourimbah MTB Park Community Area – Picnic Facilities at Ourimbah MTB Park	\$5,000.00	Recommended for funding as community benefit is demonstrated and all required information is provided.
Parkrun Inc.	Establishment of a parkrun at Pioneer Dairy - parkrun is a free, weekly, timed 5km running /walking event	\$5,000.00	Recommended for funding as community benefit is demonstrated and all required information is provided.  Recommendation is conditional on a signed license agreement between Central Coast Wetlands Pioneer Dairy and Parkrun Inc to be provided prior to the release of funds.
EDSACC Croquet Club Inc	Improvement of playing surfaces on Wailes and Ourimbah lawns - Scarifying, verti-draining, top dressing and fertilising playing lawns	\$4,371.00	Recommended for funding as community benefit is demonstrated and all required information is provided.
Brisbane Water Paddlers	Harbour and Marathon Races 2020 - Funds to assist running of Paddle NSW races 2020	\$2,510.00	Recommended for funding as community benefit is demonstrated and all required information is provided.  Recommendation is conditional on all approvals and booking confirmations to be supplied prior to the release of funds.

<b>Organisation Name</b>	<b>Project Title and Summary</b>	<b>Staff Funding Recommendation</b>	<b>Staff Assessment</b>
Samaritans Foundation	Christmas Lunch on the Coast – for those who have no family nearby, are lonely, have no money to celebrate or are homeless.	\$3,000.00	Recommended for part funding for catering as per application as per application. The Event Coordination item is ineligible in accordance with Community Support  Program Guidelines Ineligibility Clause 7.8 "Applications seeking funds for salaries for project group members". Community benefit is demonstrated and all required information is provided.
NSW Wildlife Information Rescue and Education Service Inc	Macropod Enclosure - Wires Central Coast soft release enclosure to house wallabies and kangaroos prior to their release back into the wild	\$5,000.00	Recommended for funding as community benefit is demonstrated and all required information is provided.
Fairview Homestead Association Inc	New technology - Acquire computer system comprising laptop computer with email, word, internet and other software	\$1,959.00	Recommended for funding as community benefit is demonstrated and all required information is provided.
Gosford Regional Community Services Inc.	2020 International Women's Day Expo – promote and host IWD Expo at Westfield Tuggerah	\$4,150.00	Recommended for funding as community benefit is demonstrated and all required information is provided.

<b>Organisation Name</b>	<b>Project Title and Summary</b>	<b>Staff Funding Recommendation</b>	<b>Staff Assessment</b>
Gosford Regional Community Services Inc.	2020 Central Coast Festival of Women - promote CC Festival of Women and its events	\$2,700.00	Recommended for funding as community benefit is demonstrated and all required information is provided.
GRUBS Grommet Umina Board riders	New surfboards & Prizes - New foam surfboards and prizes for monthly meet winners	\$1,000.00	Recommended for part funding for purchase of surfboards only, as funding for prizes is ineligible in accordance with Community Support Grant Program Guidelines  Ineligibility Clause 7.13 "Applications seeking funds for prize money, gifts or awards including gift vouchers".  Community benefit is demonstrated and all required information is provided.
Lions Club of Charmhaven	Australia Day Breakfast - Community Australia Day Breakfast	\$4,550.00	Recommended for funding as community benefit is demonstrated and all required information is provided.  Recommendation conditional on required approvals to be provided prior to funds being released.
	<b>TOTAL</b>	<b>\$39,240.00</b>	

## Not Recommended for Funding – October 2019

Organisation Name	Project Title and Summary	Staff Funding Recommendation	Staff Assessment
Peninsula Villages	Happiness Project - Availability to make small but meaningful purchases to brighten the day of people we care for, whilst promoting and encouraging community connections	\$0.00	Not recommended for funding as the application is ineligible in accordance with Community Support Grant Program Guidelines Ineligibility Clause 7.8 "Applications seeking funds for prize money, gifts or awards including, gift vouchers."
Malayalee Association in Gosford	Rates Subsidy	\$0.00	Not recommended for funding as currently proposed as insufficient information is provided to make an accurate assessment.  Recommend applicant liaise with Council Grants Officers and consider resubmitting in a subsequent round.
OBZ Online Business Zone	OBZ Online Business Zone - Social & Business Networking Website for the Central Coast NSW	\$0.00	Not recommended for funding as the application is ineligible in accordance with Community Support Grant Program Guidelines Ineligibility Clause 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:** 3.10  
**Title:** 2019 Chain Valley Colliery/Delta Coal Community Funding Program  
**Department:** Connected Communities

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25 November 2019 Ordinary Council Meeting

Trim Reference: F2019/00041-003 - D13717927

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 2019 Chain Valley Colliery Community Funding Program as agreed on by the Community Assessment Panel on 18 October 2019.

### **Recommendation**

- 1 That Council allocates \$48,898.95 from the 2019 Chain Valley Colliery Community Funding Program as outlined in the following report and Attachment 3.**
- 2 That Council resolve, for the purposes of s.11(3) of the Local Government Act 1993, that Attachment 1 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.**

### **Context**

The Chain Valley Colliery Community Funding Program was established between Delta Coal Pty Ltd (formerly Lake Coal Pty Ltd) and Central Coast Council as part of the Voluntary Planning Agreement (Confidential Attachment 1) which was developed in response to condition 11 and 12 of the development consent. The initiative is to provide funding for projects undertaken for the purpose of improving public infrastructure or the provision of community projects for the following communities:

- Summerland Point
- Gwandalan
- Chain Valley Bay
- Mannering Park

### **3.10 2019 Chain Valley Colliery/Delta Coal Community Funding Program (contd)**

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As part of the Voluntary Planning Agreement the following conditions were imposed:

- Condition 12 of Schedule 2 of the Development Consent requires Delta Coal Pty Ltd to pay contributions to Council at a rate of \$0.035 for each tonne of coal produced.

As part of the Funding Deed between Council and Delta Coal Pty Ltd the following conditions were imposed:

- The establishment and administration of the Community Advisory Panel which is to make recommendations to Council as to the specific community projects to which the contributions should be applied in order to improve public infrastructure.
- The Community Advisory Panel will be comprised of representatives from Council, Delta Coal Pty Ltd and the local community.
- Council will hold the contributions made by Delta Coal Pty Ltd under the Voluntary Planning Agreement.
- Expenditure of the Contributions may only be made in accordance with recommendations made by the Community Advisory Panel.

Council will use its reasonable endeavours to expend the Contributions within a reasonable period of the Contributions being paid to Council; or if required to achieve the recommendations of the Advisory Panel, Council will pool the Contributions until such time as there are sufficient funds to implement a particular community project.

#### **Current Status**

The 2019 round of the Chain Valley Colliery Community Funding Program opened on the 19 August and closed on the 13 September 2019. Funding of up to \$30,000 per project was available for projects which met the Program Guidelines and an eligibility check and rating of each application against the criteria was undertaken by staff. The Community Advisory Panel met on 18 October 2019 to assess the applications and provide recommendations to Council. This Panel included the following members:

#### **Central Coast Council delegate**

Glenn Cannard, Unit Manager Community Partnerships

#### **Lake Coal representative**

Steve Gurney - Company Secretary Delta Coal

#### **Community representatives**

John Oakes

Andrew Whitbourne

Laurie Williams



### **3.10 2019 Chain Valley Colliery/Delta Coal Community Funding Program (contd)**

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#### **Assessment/Report/Proposal/Tender Evaluation**

Eight applications were received for the Chain Valley Colliery Community Funding Program 2019 with a total of \$48,898.95 in requests. A total of eight applications are recommended for funding with a combined amount of \$48,898.95.

#### **Consultation**

Information on the Chain Valley Colliery Community Funding Program was available on Council's Grants and Sponsorship Program web page and was advertised in the Central Coast Express Advocate newspaper prior to the funding program opening.

An e-mail was sent to the Community Partnerships database advising of the opening and closing dates of Chain Valley Colliery Community Funding Program. Further promotion of the Program was placed on Council's social media platforms including Facebook and Twitter.

Council's Community Grants Officer held three (3) information sessions at Chain Valley Bay and Mannering Park throughout the opening period.

Council also offered information and individual appointments throughout the times the grant was open.

The Community Advisory Panel is comprised of representatives from Council, Delta Coal Pty Ltd and the local community. The Community Advisory Panel was formed, as part of the Funding Deed between Council and Lake Coal Pty Ltd, to make recommendations to Council as to the specific community projects to which the contributions should be applied in order to improve public infrastructure.

#### **Options**

- 1 Approval of recommended applications as submitted will provide a community benefit to residents of the Summerland Point, Gwandalan, Chain Valley Bay and Mannering Park communities.
- 2 Non approval of some or all applications, as recommended, may result in projects not being undertaken. In the instance of non-approval, Council will be required to abide by 4.2 of the VPA.

#### **Financial Impact**

There are no financial implications associated with the adoption of the proposed recommendations for the Chain Valley Colliery Community Funding Program.

### **3.10 2019 Chain Valley Colliery/Delta Coal Community Funding Program (contd)**

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The total available funds held by Council for the 2019 round is \$83,559.97 with an amount of \$48,898.95 being recommended by the Community Advisory Panel to be allocated to recommended projects. The remaining funds of \$34,661.02 will be rolled over into the 2020 Chain Valley Colliery Community Funding Program.

#### **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**

Nil impact.

#### **Critical Dates or Timeframes**

Many of these grant applications are dependent upon support via this funding program. Should decisions be delayed or not supported, projects may not be undertaken.

#### **Attachments**

- |          |   |           |
|----------|---|-----------|
| <b>1</b> | CONFIDENTIAL - Chain Valley Colliery Voluntary Planning Agreement -                   | D13718863 |
| <b>2</b> | Chain Valley Colliery Community Assessment Panel Meeting Minutes -<br>18 October 2019 | D13718869 |
| <b>3</b> | Chain Valley Colliery Community Fund 2019 - Recommended for<br>Funding                | D13718870 |
| <b>4</b> | Chain Valley Colliery Community Fund Guidelines                                       | D13718874 |

Chain Valley Colliery/Lake Coal  
Community Assessment Panel  
Meeting Record  
18 October 2019



Location:	Central Coast Council Wyong Office Level 2 Committee Room 2 Hely Street, Wyong	
Date:	18 October 2019	
Time	Started at: 9.00am	Closed at: 11.00am
Chair	Glenn Cannard, Unit Manager Community Partnerships Central Coast Council	
File Ref	F2016/01767	

**Present :**

Glenn Cannard (GC) - Unit Manager Community Partnerships Central Coast Council  
 Steve Gurney - Company Secretary Delta Coal  
 John Oakes - Community Assessment Panel member  
 Andrew Whitbourne – Community Assessment Panel member  
 Laurie Williams - Community Assessment Panel member

Adra Anthoney - Grants Officer Central Coast Council (non-voting)  
 Stuart Slough - Team Leader Community Planning and Funding Central Coast Council (non-voting)

**Item 1 Acknowledgement of Country**

GC Acknowledgment of Country

**Item 2 Welcome and Apologies**

Introductions of all present

**Item 3 Confidentiality**

The Chairperson asked the Community Assessment Panel (Panel) to agree that all recommendations remain confidential until approved at a Council meeting as outlined in Clause 11 of the Chain Valley Colliery Contributions Expenditure Community Advisory Panel Operating Rules and Terms of Reference.

The Panel unanimously agreed.

**Item 4 Disclosure of Interests**

Andrew Whitbourne disclosed a significant non-pecuniary conflict of interest for the following applications:

- Mannering Park Amateur Sailing Club due to being a member of the Executive Committee.
- Mannering Park Tidy Towns due to being on the Committee.
- Manno Mens Shed due to being a member.

Meeting Record  
8 October 2018



Steve Gurney declared a less than significant non-pecuniary interest in the following application:

- Mannering Park Tidy Towns Group Inc's application 'Welcome Wall Up Grade' as the land owner of the project site.

John Oakes declared no interests.

Laurie Williams declared no interests.

Glenn Cannard declared no interests.

### **Item 5 Panel Assessment of Chain Valley/Delta Coal Community Fund Grant application**

Glenn Cannard confirmed the total amount available (\$83,559.97) and any interest earned would be rolled into next year's fund.

Assessment of the eight (8) eligible applications submitted in 2019 Chain Valley Colliery Community Funding Program.

Andrew Whitbourne left the Panel meeting during the Panel assessment of:

Colliery 0004 201920 'Keep it Clean Keep in Green.'

Colliery 0001 201920 'Sailability Safety RIB.'

Colliery 0003 201920 'Welcome Wall Up Grade.'

Colliery 0005 201920 'Volunteers Support Pack.'

Following discussions of the applications, it was resolved to fund the following projects for the following amounts:

<b>Application ID</b>	<b>Organisation Name</b>	<b>Project Title</b>	<b>Grant Amount Requested</b>	<b>Panel Comments</b>
Colliery 0004 201920	Mannering Park Tidy Towns Group Inc	Keep it Clean Keep in Green.	\$6,475.00	Recommended for funding as community benefit is demonstrated and all required information is provided on condition that the applicant confirm the project is rescheduled to meet the Grant Guidelines Eligibility Clause .3.5 Retrospective funding of any event, project or activity. This includes any activity commencing 2 months post the grant round closing date.
Colliery 0001 201920	Mannering Park Amateur Sailing Club	Sailability Safety RIB.	\$17,237.00	Recommended for funding as community

Meeting Record  
8 October 2018

	Inc.			benefit is demonstrated and all required information is provided.
Colliery 0003 201920	Mannering Park Tidy Towns Group Inc	Welcome Wall Up Grade.	\$730.45	Recommended for funding as community benefit is demonstrated and all required information is provided on condition that that the approval of Delta Electricity, as the land owner, is provided prior to release of funds.
Colliery 0002 201920	Northern Lakes Neighborhood Centre	Cinema Under The Stars Community Event.	\$4,657.60	Recommended for funding as community benefit is demonstrated and all required information is provided on condition that an event management plan and any required event approvals are provided prior to release of funds. Recommendation is that the applicant is provided an Events management Plan template by Council staff.
Colliery 0005 201920	Mannering Park Amateur Sailing Club Inc.	Volunteers Support Pack.	\$6,931.00	Recommended for funding as community benefit is demonstrated and all required information is provided.
Colliery 0009 201920	Mannering Park Public School P&C	Classroom Laptops.	\$5,877.90	Recommended for funding as community benefit is demonstrated and all required information is provided. As the laptops are used by several grades in the school by a wide range of students, including use in the library, the purchase is considered to have community benefit.
Colliery 0011 201920	Southlake	Out n About.	\$2,150.00	Recommended for

Meeting Record  
8 October 2018



	Marketplace			funding as community benefit is demonstrated and all required information is provided on condition that an event management plan and any required event approvals are provided prior to release of funds. Recommendation is that the applicant is provided an Events management Plan template by Council staff.
Colliery 0007 201920	Manno Mens Shed Inc.	3 Phase Converter.	\$4,840.00	Recommended for funding as community benefit is demonstrated and all required information is provided on condition that the applicant confirm the project is rescheduled to meet the Grant Guidelines Eligibility Clause .3.5 Retrospective funding of any event, project or activity. This includes any activity commencing 2 months post the grant round closing date.
		<b>Total Recommended</b>	<b>\$48,898.95</b>	

Following discussions of the applications, it was resolved to fund the following projects for the following amounts:

Meeting Record  
8 October 2018



	<b>Applicant</b>	<b>Project</b>	<b>Funding Recommendation</b>
Colliery 0004 201920	Mannering Park Tidy Towns Group Inc	Keep it Clean Keep in Green.	\$6,475.00
Colliery 0001 201920	Mannering Park Amateur Sailing Club Inc.	Sailability Safety RIB.	\$17,237.00
Colliery 0003 201920	Mannering Park Tidy Towns Group Inc	Welcome Wall Up Grade.	\$730.45
Colliery 0002 201920	Northern Lakes Neighborhood Centre	Cinema Under The Stars Community Event.	\$4,657.60
Colliery 0005 201920	Mannering Park Amateur Sailing Club Inc.	Volunteers Support Pack.	\$6,931.00
Colliery 0009 201920	Mannering Park Public School P&C	Classroom Laptops.	\$5,877.90
Colliery 0011 201920	Southlake Marketplace	Out n About.	\$2,150.00
Colliery 0007 201920	Manno Mens Shed Inc.	3 Phase Converter.	\$4,840.00
		<b>Total Recommended</b>	<b>\$48,898.95</b>

The remaining funds of \$34,661.02 be rolled over into the 2020 Chain Valley Colliery Community Funding Program.

The panel's recommendations were all agreed with unanimously.

#### **Item 6            General Business**

Steve Gurney requested that any references to 'Lake Coal' be updated to 'Delta Coal' in Central Coast Council electronic and printed material following the change of business ownership.

#### **Actions:**

1. Council to review minutes and Central Coast website to ensure that the term 'Lake Coal' is replaced with 'Delta Coal' is removed.

The meeting closed at 11.00am

**Next Meeting:            Proposed: October 2020 following confirmation with all Assessment Panel members closer to the date.  
Committee Room, 2 Hely Street Wyong  
Central Coast Council**

## 2019 Chain Valley Colliery Community Funding Program - Recommended for Funding

### *Chain Valley Colliery Community Funding Program – Recommended for funding*

Applicant	Project	Panel Funding Recommendation
Mannering Park Tidy Towns Group Inc	Keep it Clean Keep in Green.	\$6,475.00
Mannering Park Amateur Sailing Club Inc.	Sailability Safety RIB.	\$17,237.00
Mannering Park Tidy Towns Group Inc	Welcome Wall Up Grade.	\$730.45
Northern Lakes Neighborhood Centre	Cinema Under The Stars Community Event.	\$4,657.60
Mannering Park Amateur Sailing Club Inc.	Volunteers Support Pack.	\$6,931.00
Mannering Park Public School P&C	Classroom Laptops.	\$5,877.90
Southlake Marketplace	Out n About.	\$2,150.00
Manno Mens Shed Inc.	3 Phase Converter.	\$4,840.00
	<b>Total Recommended</b>	<b>\$48,898.95</b>





What's  
your next  
**big idea?**  
Make it  
**HAPPEN**  
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## 2019 Chain Valley Colliery Community Funding Program

### What is the Chain Valley Colliery Community Funding Program?

The Chain Valley Colliery Community funding program has been established as a joint initiative between Delta Coal (formerly Lake Coal Pty Ltd) and Central Coast Council to provide funding for organisations to deliver projects that improve community infrastructure and services in the following communities:

- Summerland Point
- Gwandalan
- Chain Valley Bay
- Mannering Park

### Why is the Chain Valley Colliery Community Funding Program limited to certain areas?

On the 23 December 2013, Lake Coal Pty Ltd (LCPL) was granted development consent to extract up to 2.1 million tonnes of coal per calendar year until 31 December 2027.

As a condition of consent LCPL & Council have developed a Voluntary Planning Agreement (VPA) that requires \$0.035 for each tonne of coal produced to be allocated as a community funding program to develop community capacity within the suburbs of Summerland Point, Gwandalan, Chain Valley Bay and Mannering Park.

### Available Funding and Key Dates

Total annual funding available is dependent on business operations and will be stated on Council's website prior to applications opening each year.

Individual applications can be made for funding of up to \$30,000 annually per project for the 2019 Round.

The program will open on 19 August 2019 for applications. Applications close at midnight 13 September 2019.

### 1 Expected Program Outcomes

Each application is required to address a minimum of **one** of the following outcomes within the locations of Summerland Point, Gwandalan, Chain Valley Bay or Mannering Park:

- 1.1 Increase in community participation through creating vibrant neighbourhoods and public spaces.
- 1.2 Increased opportunities for recreation and leisure.
- 1.3 Increase in arts and culture, celebrations and events.
- 1.4 Enabling start up social enterprises.
- 1.5 Enhanced sense of local identity.
- 1.6 Increase in promotion of green spaces and the environment.
- 1.7 Building strong and innovative community infrastructure.

## 2019 Chain Valley Colliery Community Funding Program

### 2 Eligibility

- 2.1 Applicants must be a legally constituted not-for-profit organisation.
- 2.2 Applicants must be able to demonstrate that the project will benefit residents of the Summerland Point, Gwandalan, Chain Valley Bay or Mannering Park communities.
- 2.3 All applicants must meet the grant program eligibility criteria and address one or more of the program outcomes.
- 2.4 Only one application per project, per financial year, may be successful in obtaining funding across any of Council's grant funding programs.

### 3 The following are ineligible

- 3.1 Late or incomplete applications.
- 3.2 Proposals that do not directly benefit the Summerland Point, Gwandalan, Chain Valley Bay or Mannering Park communities.
- 3.3 Applicants who have overdue acquittals from previous funding from Council under any of Council's grant programs will not be eligible.
- 3.4 Events, projects or activities with a religious, political or sectarian purpose, where that purpose may exclude or offend members of the broader community.
- 3.5 Retrospective funding of any event, project or activity. This includes any activity commencing 2 months post the grant round closing date.
- 3.6 General fundraising appeals.
- 3.7 Applicants in a position to self-fund the project.
- 3.8 Proposals from Government Departments, agencies or Council.
- 3.9 Proposals that duplicate a project, service or activity already existing within the LGA.
- 3.10 A project, event, service or activity which primarily benefits a single individual or business.
- 3.11 Applications seeking funds for personal benefit such as travel, meal or accommodation costs.
- 3.12 Applications seeking funds for prize money, gifts and or awards including trophies, gift vouchers.

- 3.13 Applications that seek support for supplementing, increasing or continuing ongoing service delivery or for funding the core business of the organisation.

- 3.14 Purchase of land or buildings.

### 4 Assessment Criteria

Each application will be assessed as follows:

- 4.1 Addresses an identified community priority as outlined in Section 4 – 30%
- 4.2 The extent to which the project delivers social, cultural, economic or environmental benefits – 30%
- 4.3 The extent to which the budget is comprehensive, realistic and provides value for money – 20%
- 4.4 The extent to which the application demonstrates that any ongoing or recurrent costs of the project can be met by the community group once grant funding has been expended – 10%
- 4.5 Capacity of the organisation to undertake all aspects of the proposed project – 10%

*As resources are limited, not every application that meets the assessment criteria will necessarily receive a grant.*

### 5 Assessment Process

- 5.1 Applications are only accepted online through Central Coast Council's website [www.centralcoast.nsw.gov.au](http://www.centralcoast.nsw.gov.au) and the appropriate online application form. Assistance is provided to any group or individual if requested to ensure access and support with the online system.
- 5.2 Applications will be assessed by an Assessment Panel. The Panel will assess and make recommendations for projects received through the community grant program and recommendations will be reported to Council for endorsement.
- 5.3 All applicants will be notified of the outcome of their application.
- 5.4 Unsuccessful applicants are encouraged to seek feedback from the Council's Grants Team on their application. Some grant programs are highly competitive and even though an application may meet the program criteria it may not be competitive against other applications.

## 2019 Chain Valley Colliery Community Funding Program

- |  |  |
|--|--|
| <p>5.5 Successful applications will be invited to liaise with a Council representative to negotiate and sign a Funding Agreement outlining the requirements of their grant. This Funding Agreement must be signed prior to funding being provided.</p> <p>5.6 All projects must be completed as agreed upon within the funding agreement.</p> <p>5.7 All grantees are required to provide an interim report on their project if requested. A final project report must be submitted no later than twelve (12) weeks after the agreed completion date of the activity/project with copies of any photos and promotional materials as specified in the funding</p> | <p>6.4 To ensure an accountable and transparent assessment process is maintained, Council staff and funding assessors are required to declare any potential pecuniary or non-pecuniary conflict of interest.</p> <p>6.5 All written and verbal communication regarding an application will only be with the applicant or the contact person listed in the application.</p> <p>6.6 All decisions of Central Coast Council are final and no negotiations will be entered into.</p> |
|--|--|

### 6 Additional Information

- 6.1 In addition to the completed application form, the following must be provided:
- A copy of your most recently audited financial statements (or a statement of income and expenditure signed by your finance manager, if your organisation is not subject to audit requirements).
  - Your organisation's most recent Annual Report - minimum of Form A12, if this is your annual reporting obligation to NSW Fair Trading.
  - Evidence of other funding secured or applied for (if relevant).
  - A copy of your organisation's Certificate of Incorporation or evidence of being a legally constituted not-for-profit organisation or Authority to Fundraise from the NSW Office of Liquor, Gaming and Racing.
  - A copy of your organisation's public liability insurance certificate or a written quotation for public liability insurance cover for \$10 million.
  - For capital works and / or equipment, two quotes for each item valued at \$1000 or more.
- 6.2 Offer of funds by Council in no way implies any ongoing funding commitment or obligation by Central Coast Council or Lake Coal Pty Ltd.
- 6.3 Approval of a grant does not imply that Central Coast Council has given any other consent. Applicants should note that most infrastructure projects and many festivals and events require approvals and consents from Central Coast Council, NSW Police and other state government agencies.



**Item No:** 3.11  
**Title:** After Hours Call Centre Service - Alternative Service Delivery Models  
**Department:** Connected Communities

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25 November 2019 Ordinary Council Meeting

Trim Reference: F2019/00041-003 - D13706366  
Author: Lisa Champion, Section Manager Customer Relationships  
Manager: Sue Ledingham, Unit Manager Community Engagement  
Executive: Julie Vaughan, Director Connected Communities

### **Report Purpose**

This report responds to Resolution 1147/18 from the Ordinary Council meeting on 26 November 2018 requesting a further report be provided on alternative delivery models for Council's After Hours Call Centre Service.

### **Recommendation**

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

### **Background**

Council, at its ordinary meeting on 26 November 2018 resolved the following, part thereof:

*1147/18 That Council request the Chief Executive Officer provide a further report on alternative delivery models*

*1148/18 That Council resolve to not accept any tenders for the following reason; to allow Council to investigate alternative delivery model.*

In 2014, both the former Wyong Shire and Gosford City Councils moved to outsource after-hours service providers following reviews of their respective after hour service. Both former Councils identified that the best value for money would be for a contracted After Hours Call Centre service to manage customer calls outside of business hours, during emergency outages and on public holidays; providing the customers with information, lodging service requests to be actioned during business hours, direct emergency calls to Council staff and record all interactions with customers and provide reports on what calls were received after hours.

Up until late 2018 this after-hours service was provided by two separate suppliers until a tender for a single supplier could be issued.

### **3.11 After Hours Call Centre Service - Alternative Service Delivery Models (contd)**

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At the Ordinary Meeting of Council on 26 November 2018 it was resolved to place the tender for an after-hours service provider on hold so that a report on alternative models could be developed. While the tender was placed on hold and the report on alternative models was developed, the after-hours service was consolidated and is currently provided by one existing supplier on a month to month basis.

Council's after-hours service provision is primarily in place to manage emergency calls to Council outside of business hours (including weekends and public holidays). The service consists of a customer call service for emergency actions, these calls are taken by an external service who triage the customer enquiries, the calls are then escalated to Council After Hours Duty Officers (AHDOs) who respond to emergencies related to water and sewer, roads and drainage, facilities and other activities. If the call is not deemed to be an emergency, the Call Centre Service logs customer requests for action during business hours based on a service matrix provided by Council. The average number of calls received after-hours for this service is approximately 6,300 per year, or 17 calls per night.

#### **Current status**

The current arrangement is delivered by Oracle CMS in conjunction with AHDOs for an approximate yearly cost of \$350,000, which can vary depending on external factors such as serious weather events impacting the region where additional trades or Council staff are required to attend.

#### **Report Findings**

Council's service level is determined by the different business areas in accordance with Council requirements, as well as relevant legislation and regulations as set out by EPA, the Roads Act, Companion Animals Act and IPART for example. By the very nature of the services provided by Local Government, it is a complex business.

Council requested a report be undertaken on alternative delivery models (Attachment 1) for the After Hours Call Centre service, due to the complexity of the services provided by Local Government there are limited options on what can be sourced in the market place for third party providers. To support the review the report findings included evaluation of service model types, benchmarking with other Councils to understand alternatives and a cost analysis on what service model would provide the best value for the Central Coast community.

#### *Benchmarking*

The following 10 councils were contacted to understand what alternatives could be considered:

- Lake Macquarie City Council
- Blacktown City Council

### **3.11 After Hours Call Centre Service - Alternative Service Delivery Models (contd)**

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- Newcastle City Council
- Wollongong City Council
- Hornsby Shire Council
- Inner West Council
- Northern Beaches Council
- Brisbane City Council (QLD)
- City of Casey (VIC)
- City of Greater Geelong (VIC).

There were two models in use by the Councils contacted:

- 1 Outsourced to an after-hours service provider specialising in local government services
- 2 An in-house 24/7 call centre.

The only council providing an in-house service was Brisbane City Council. They have operated an in-house model for some years which is resourced by nearly 200 staff. Brisbane City Council serves a population of over one million people and provides 24-hour service for general and urgent Council enquiries as well as a dedicated business support hotline providing information on a range of Council topics including licensing, development applications, business opportunities and procurement. It is noted that Brisbane City Council is not a recognised water authority and owns and manages Brisbane's bus and ferry transport network.

All other Councils contacted outsourced their after-hours service, which focused primarily on emergencies, and was supported by a range of various staff arrangements including After Hours Duty Officers – similar to the current model undertaken at Central Coast Council.

The main reason for most Councils outsourcing their after-hours service was due to cost effectiveness and value for money for ratepayers as well as to ensure business continuity during outages and major emergencies. Nine of the 10 Councils contacted were satisfied with the quality of service provided by their chosen external providers, whilst still employing Council staff to triage and oversee emergency responses. The one Council who was not satisfied indicated it was due some calls being escalated to the wrong service but said that this was due so some unclear areas in their service matrix/responsibility.

Research was undertaken with a view to identify local suppliers who could provide a similar or same service support Council, however no call management service providers were located in the Central Coast region. Of the call centres located on the Central Coast, none of these provided a call answer service outside of their specific organisation and were not looking to do so.

### 3.11 After Hours Call Centre Service - Alternative Service Delivery Models (contd)

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#### Model Comparison

In reviewing the current service, call volumes and times, customer expectations and comparisons with other Council areas were considered. The alternative models have been assessed based on the following:

- Ability to ensure business continuity on short notice both during business hours and after hours to ensure consistency with customer service response in the event of an emergency, declaration of natural disaster, or an event such as system failures that impacts Council's resources
- Best value for money for ratepayers
- Better customer access for emergencies
- Ability for Council to meet customer needs and expectations
- Knowledgeable staff who understand Council operations and service requirements for the above situations
- Service that supports the needs of Central Coast.

The two alternative models considered are:

#### *Model 1: In-house 24/7 Customer Service Call Centre*

The model encompasses two staff per shift after hours in the call centre answering calls, triaging service response and contacting Council's AHDOs to respond and action.

#### Benefits

- All customer calls answered directly by Council night-shift call centre staff
- 6 additional night shift call centre staff required to allow coverage for annual leave, sick leave, etc. - these would be new positions.

#### Risks or challenges

- No business continuity or ability to service customers in the case of a wide-spread emergency or council only emergency such as an IT failure or phone outage either during or outside of business hours. This was experienced In July and August 2019 with one phone outage lasting over two hours during which customers could not contact Council. Due to the external provider being available calls were immediately diverted and customer calls continued to be answered with no break in service
- No ability to divert customer calls as required to support call over flow during unexpected high call volumes during business hours or during customer service training or unavailability
- Expensive service delivery option when call volume after-hours is low - 17 calls per night would equate to four calls per rostered staff member per night
- Customer response level would be a challenge in times of large scale emergency due to limited ability to scale up. An outsourced call centre has the scalability to

### 3.11 After Hours Call Centre Service - Alternative Service Delivery Models (contd)

meet unexpected increases to call volumes and have capacity to scale up or own immediately due to their operating models

- Volume of calls does not warrant the cost to deliver the service with on average 17 calls per night of which 12 would be escalated to AHDOs. Based on these figures and the number of staff per night shift it would equate to four calls per staff member between 5pm and 8:30am
- Long periods of annual leave or sick leave could impact staff availability to resource required hours and maintain customer service expectation levels.

#### *Model 2: Outsourced Call Centre + After-Hours Duty Officers – current arrangement*

The model encompasses an external Call Centre service after hours answering calls, triaging service response and contacting Council’s AHDOs to respond and action.

#### Benefits

- Business continuity – ability to service customers regardless of situation whether wide-spread emergency or council only emergency or infrastructure failure after-hours
- Scalability due to external provider operating models which can be easily scaled up or down to meet unexpected high or low call volumes
- All calls can be easily diverted to an offsite provider during business hours as required regardless of situation whether wide-spread emergency or council only emergency (such as telephony, systems or IT failure)
- More cost effective option based on low call volumes compared to after-hours in-house call centre.

#### Risks or challenges

- External provider are not Council or Central Coast experts. However, this is mitigated as the After-hours Duty Officers are and can effectively action and manage any required services or trades to attend emergencies
- Responses provided by external provider reliant on accurate script provided by council business areas
- External provider experiences a system or phone issue.

The costs for both an in-house model and an outsourced model After Hours Call Centre service were reviewed for cost comparison.

**Table 1: Cost Comparison of Model 1 and 2**

	<b>Model 1</b>	<b>Model 2 - recommended</b>
Staff required for call centre	6	0
	<b>Model 1</b>	<b>Model 2 - recommended</b>



### 3.11 After Hours Call Centre Service - Alternative Service Delivery Models (contd)

Salaries per year	\$1,080,000	\$0
After-Hours Duty Officer allowance	\$270,000	\$270,000
Service provider	\$0	\$80,000
Business Continuity Support	No	Yes
Costs for 1 year	\$1,350,000	\$ 350,000
Costs over 3 years	<b>\$4,050,000</b>	<b>\$1,050,000</b>
Cost per call/interaction (6,300 per year)	\$214	\$55

#### Consultation

Council's internal teams including Roads and Drainage, Water and Sewer, Open Space, Facilities and Asset Management and Compliance were consulted on the requirements for supporting the After Hours emergency services for call management. These services provide the primary After Hours Call Centre services.

No specific customer survey was undertaken for the After Hours Call Centre service. However, in the most recent Customer Experience survey 2019, while findings indicated general satisfaction with how Council handled their contact and their expectations were met the majority of the time, there were not specific responses relating to issues with the After Hours Call Centre services. In the last financial year 2018-19 only one complaint was received regarding the level of service after hours.

#### Options

- Option 1 (not recommended)  
Establishing and providing an in-house call centre for after-hours customer service This model is not recommended for the following reasons:
  - Lack of business continuity capability regardless of situation whether wide-spread emergency or council only emergency or infrastructure or IT failure
  - Limited scalability in times of large scale emergency with only two staff per shift to answer calls and limited ability to scale up to support service with this model
  - Small number of calls per year (6,300 per year or 17 calls per day)

### 3.11

### **After Hours Call Centre Service - Alternative Service Delivery Models (contd)**

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- Does not provide best value for money based on per interaction cost (\$214 vs \$55) with little additional benefit to the community.
- Option 2 (recommended)
- Seeking the services of an external provider for the After Hours Call Centre. This model is recommended for the following reasons:
  - Ability to ensure business continuity on short notice both during business hours and after hours to ensure consistency with customer service response in the event of an emergency, declaration of natural disaster, or an event such as system failures that impacts Council's resources
  - Best value for money for Central Coast community based on per interaction cost of \$55
  - Ability to meet customer needs and expectations
  - Continues to support additional employment with AHDO's undertaking the triage and emergency response, supported by an external call centre service that is specifically for emergency after hours and business continuity requirements. All calls can be easily diverted to an offsite provider during business hours as required regardless of situation whether wide-spread emergency or council only emergency (such as telephony or internet failure) or to support customer service training. This option is not possible with an in-house service as there would be nowhere to divert customer calls and in the case of a telephone or IT outage customers could not be served during business hours
  - Service level that supports the needs of Central Coast.

Council provides essential emergency After Hours Call Centre services to support the community for a range of services such as roads, drainage, water and sewer and other services where an emergency call out is required 24/7. Council also provides an online service request for customers available 24/7 for non-urgent issues that can be responded during business hours.

Based on the analysis of two service models for delivery of the emergency and After Hours Call Centre service, and the comparisons with other local government areas, along with the expectations of delivery of a cost effective service and meeting business continuity, it is proposed that Model 2 is the preferred option to meet the needs of the community.

#### **Financial Impact**

The 2019/20 Budget allocation for call centre service to support the After Hours Emergency Service is \$350,000 per year.

Should Council consider Model 1 the total cost to implement an internal call centre service for after hours would be approximately \$1,350,000 per year. There has been no provision in the 2019/20 year to accommodate a significant increase in costs to provide this service.

### 3.11 After Hours Call Centre Service - Alternative Service Delivery Models (contd)

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#### 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.

#### Risk Management

Risks have been identified in the review of the alternative models and have clearly outlined the requirement of the preferred model to meet business continuity.

Risks of Model 1 - *In-house 24/7 Customer Service Call Centre*:

- Expensive operating costs with significantly less value for money for the community
- Customer experience in response level, with only one to two staff able to answer calls if there was a larger emergency or water main break the volume of calls would be challenging for staff to respond in a timely manner, no scalability
- No business continuity or ability to service customers regardless of situation whether wide-spread emergency or council only emergency or infrastructure failure
- No ability to divert customer calls during business hours in the case of a telephony outage or as required to support the ability to ensure appropriate customer service training and refresher training to be undertaken by frontline staff
- In the likelihood of emergency or major disaster, with no building or equipment access, staff may be unable to deliver operations required to support call centre services
- Volume of calls would not necessitate the cost to deliver the service with on average 17 calls per night of which 12 are escalated to AHDOs.

Risks of Model 2 - *Outsourced Call Centre + After-Hours Duty Officers – current arrangement*:

- Responses provided by external provider reliant on accurate script provided by Council business areas.
- External provider experiences a system or phone issue
- AHDOs experience high number of escalations during an emergency.

Further risk to Council in undertaking a month to month procurement arrangement is the likelihood of cost increases or unexpected termination of service by external provider.

### **3.11 After Hours Call Centre Service - Alternative Service Delivery Models (contd)**

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#### **Critical Dates / Time Frames**

Council is currently serviced on a month to month basis outside of a contract arrangement. This is a significant risk if not formalised to secure pricing and continuity of service provision.

#### **Attachments**

- |          |  |                                  |           |
|----------|--|----------------------------------|-----------|
| <b>1</b> | After Hours Call Centre Service Model Review<br>October 2019 | Provided under separate<br>cover | D13717851 |
|----------|--|----------------------------------|-----------|

**Item No:** 3.12  
**Title:** 2019-20 Q1 Business Report  
**Department:** Finance

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25 November 2019 Ordinary Council Meeting

Trim Reference: F2019/00464 - D13608757  
Author: Mellissa McKee, Financial Controller  
Sharon McLaren, Senior Project and Research Officer  
Manager: Vivienne Louie, Unit Manager, Financial Performance  
Executive: Ricardo Martello, Executive Manager Innovation and Futures  
Craig Norman, Chief Financial Officer

### **Report Purpose**

This paper reports on Central Coast Council's performance progress as measured against the organisation's Operational Plan for 2019-20 to 30 September 2019 (Q1). The report covers the progress on the operational plan activities and financial performance for the period 1 July 2019 to 30 September 2019.

### **Recommendation**

- 1 That Council receive Central Coast Council's Q1 Business Report on progress against Central Coast Council's 2019-20 Operational Plan.**
- 2 That Council note that Council's Responsible Accounting Officer has declared the financial position of Central Coast Council to be satisfactory.**
- 3 That Council approve the proposed budget amendments included in Central Coast Council's Q1 Business Report for 2019-20.**
- 4 That Council approve the proposed budget for the Central Coast Stadium pitch replacement included in Central Coast Council's Q1 Business Report for 2020-21.**

### **Context**

The enclosed report is the 2019-20 Q1 Business Report for Central Coast Council. It incorporates reporting on the progress of actions and targets against the objectives of the Operational Plan and a Quarterly Budget Review Statement.

Clause 203 of the *Local Government (General) Regulation 2005* requires that no later than two months after the end of each quarter (except the June quarter), the Responsible Accounting Officer of Council must prepare and submit to Council a Quarterly Budget Review Statement that shows a revised estimate of the income and expenditure for that year.

Sub-section 404(5) of the *Local Government Act 1993* requires that Council report as to its progress with respect to its actions and targets against the objectives of the Operational Plan, at least every six months. This report contains progress information for Quarter 1 and is prepared to coincide with the Quarterly Budget Review Statement.

This quarterly report is presented in the necessary format and is considered to satisfy the legislative requirements.

**Current Status**

The 2019-20 Q1 Business Report, is included as an attachment, and reports on progress for the year to 30 September 2019 (Q1 YTD), against the Operational Plan 2019-20, including budget.

*Operational Plan Actions and Targets*

At the end of Quarter 1 (Q1) Council’s overall progress in delivering the actions and targets against the Operational Plan for 2019-20 is summarised in the below table:

<b>Theme:</b>	<b>Belonging</b>	<b>Smart</b>	<b>Green</b>	<b>Responsible</b>	<b>Liveable</b>	<b>Total</b>
<b>Completed</b>	5	0	0	2	2	<b>9</b>
<b>On Track</b>	21	20	12	46	27	<b>126</b>
<b>Delayed</b>	0	2	0	3	2	<b>7</b>
<b>Not Commenced</b>	0	1	1	0	0	<b>2</b>
<b>On Hold</b>	0	0	1	0	0	<b>1</b>
<b>Closed</b>	0	2	0	0	0	<b>2</b>
<b>Total</b>	<b>26</b>	<b>25</b>	<b>14</b>	<b>51</b>	<b>31</b>	<b>147</b>

The full details of progress are detailed in the attachment, with the below table providing detail only on the 10 actions / targets that are delayed, on hold or closed:

<b>Delivery Program</b>	<b>Reference</b>	<b>Operational Plan Action / Target</b>	<b>Responsible Unit</b>	<b>Status</b>	<b>Comment</b>
<b>Revitalise Gosford City Centre and create a hub for local residents, visitors and tourists to meet, relax, connect and learn</b>	C2.03.2019-20	Detailed design and approvals for Gosford Cultural Precinct	Economic Development and Project Delivery	Closed	Council resolved in September 2019 to review the business case for the Regional Performing Arts and Conference Centre and to continue with the Gosford Regional Library and innovation hub as an individual project. The Gosford Cultural Precinct as a combined precinct is

Delivery Program	Reference	Operational Plan Action / Target	Responsible Unit	Status	Comment
					no longer being pursued and Council has withdrawn from negotiations with ET Australia.
<b>Planning controls that enable the development of active and liveable Town Centres</b>	C2.05.2019-20	Review Town Centre development feasibility for key centres (Woy Woy, Erina, Long Jetty and Toukley)	Strategic Planning	Delayed	Completed Long Jetty, currently progressing Woy Woy and Erina with Wyong and Toukley to follow.
<b>Provide a clear approach to the planning and development of key growth regions</b>	C3.02.2019-20	Develop Future Cities Strategy by December 2019	Innovation and Futures	Closed	This Strategy is no longer being delivered as a result of the overlapping scope with the Urban Spatial Plan and Local Strategic Planning Statement.
<b>Enable sustainable urban development that values energy efficiency, heritage, local character, the environment, transport, safety and liveability</b>	F1.03.2019-20	Commence implementation of the Sustainability Strategy	Innovation and Futures	On Hold	This action is on hold, subject to confirmation of its strategic intent and need.
<b>Democratic government that is open, accountable, fair and effective</b>	G2.05.2019-20	Develop and implement a proactive release program, that focuses on releasing as much government information as possible (e.g. Government Information (Public Access) Act), with outcomes reported to the Information and Privacy Commission NSW and Council	Governance and Business Services	Delayed	Recruitment of position to assist with this has been delayed.

Delivery Program	Reference	Operational Plan Action / Target	Responsible Unit	Status	Comment
<b>Support Councillors in effective decision making and promote transparency and accountability</b>	G4.16.2019-20	Implement outcomes from the Councillor Survey	Governance and Business Services	Delayed	A number of actions identified from the Councillor Survey have been implemented. The access to Councillor Request information has been delayed with a system build expected to be finalised in October 2019.
<b>A long term strategic urban plan for the Central Coast region to support housing, employment and economic growth in accordance with the Central Coast Regional Plan 2036</b>	I4.01.2019-20	Prepare a draft Central Coast Housing Strategy by June 2020	Strategic Planning	Delayed	Stage 1 of residential land audit completed. Stage 2 and 3 residential land audit released for tender for finalisation by February / March 2020. Draft Housing Strategy brief (including capacity analysis, liveability, constraints and demand assessment expected to be finalised and issued for tender by November / December 2019.
<b>Provide new, clean and accessible public facilities for the community</b>	K3.02.2019-20	Construction of new of accessible public toilets at Forresters Beach and MacMasters Beach	Facilities and Asset Management	Delayed	Construction is underway of the Forresters Beach toilets. Completion is expected by end of October 2019. MacMasters Beach toilets will be completed via a design and construct tender. This will lead to some delays in delivery for the financial year and for the state government grant. Construction is anticipated to commence early 2020 and be completed July 2020.



### 3.12 2019-20 Q1 Business Report (contd)

Delivery Program	Reference	Operational Plan Action / Target	Responsible Unit	Status	Comment
Increase availability of accessible amenities	K3.03.2019-20	Construction of new of accessible public toilets at East Gosford Town Centre	Facilities and Asset Management	Delayed	Construction of the new public toilet facility is planned to commence in March / April 2020.

#### *Financial Performance*

The year to date (YTD) operating result (excluding capital grants and contributions) is showing a favourable, variance of \$0.1 million, consisting of an actual surplus of \$169.2 million compared to a budget surplus of \$169.1 million. For more information please refer to sections 1.1 and 2.2 of Attachment 1.

The year to date (YTD) operating result (including capital grants and contributions) is showing an unfavourable variance of \$7.4 million, consisting of an actual surplus of \$173.8 million compared to a budget surplus of \$181.2 million. For more information please refer to sections 1.1 and 2.2 of Attachment 1.

These results are reported in accordance with the Local Government Code of Accounting Practice and Financial Reporting (Guidelines) which requires Council to recognise rates income at the beginning of the financial year when levied. The impact of this on Council's operating results is a large surplus at the beginning of the financial year which will reduce as the year progresses as Council incurs expenditure from delivering services to the community.

Q1 YTD capital expenditure was \$37.7 million compared to a year to date budget of \$43.2 million. The variance is the result of a number of factors, including project savings through efficiencies and optimisation of delivery methods; changes in project scope, delivery of projects in stages; and availability of external consultants or contractors.

This Q1 review proposes an increase to the capital expenditure program of \$79,000 resulting in a full year budget of \$261.6 million.

#### **Consultation**

All Units of Council were consulted during the development of this Report.

#### **Options**

Quarterly reporting of Council's financial performance is mandatory under the *Local Government (General) Regulation 2005*.

## Financial Impact

Budget adjustments are proposed in this report and are detailed in the attached 2019-20 Q1 Business Report.

Budget adjustments are proposed after considering the service delivery impact, alternative options and deliverables under the delivery program. The Q1 proposed operating deficit excluding capital grants and contributions in 2019-20 is forecast to be \$21.7 million. This is an unfavourable movement of \$3.1 million from the original budgeted deficit of \$18.6 million. The proposed operating surplus *including* capital grants and contributions is forecast to decrease to \$26.0 million from the original budgeted operating surplus of \$33.8 million which is a decrease of \$7.8 million.

Since the adoption of the 2019-20 Operational Plan (including Council's operating and capital works budgets) Council resolved that the following budget adjustments be included in the 2019-20 budget:

### *Capital Income*

- Additional capital grants \$1.7 million

### *Capital Works Program*

- \$6.0M for additional and continuing projects in August 2019;
- \$19.2M was approved by Council during Q1 outside the Quarterly Budget Review process for:
  - Terrigal Boardwalk;
  - Gosford Cultural Precinct land acquisitions;
  - Wadalba Sporting Fields land acquisition (funding sources to be confirmed); and
  - \$0.7M for the compulsory acquisition of land for the Central Coast Regional Sporting Complex under a resolution of the former Wyong Shire Council

Adjustments proposed to be adopted as part of the Q1 budget review include:

### *Operating Budget*

#### *Income*

- Reduction in interest on investments due to the Reserve Bank of Australia (RBA) reducing the official cash rate by 0.75%. (\$2.0M)
- Reduction in income due to re-classification of sporting fields and the fees associated with hiring them (\$0.2M)
- Reduction in timing of capital grants payments for Gosford CBD and Warnervale Town Centre Water and Sewer Infrastructure (\$6.4M)
- Increase in annual charges income in Waste Services and Business Development Unit that reflects adjustment to multi dwelling pricing methodology in 2019-20 \$0.5M.

*Expenditure*

- Increased operating expense due to new profit share arrangement at Council's Holiday Parks (\$1.2M)
- Increased operating expense to address immediate accommodation and long-term accommodation planning and delivery (\$0.3M)
- Funding trial for a six-month period a park and ride bus service at no charge to the public to / from Adcock Park, Racecourse Road and Gosford CBD (\$0.3M)
- Reduction in Emergency Services Levy to now be funded by State Government \$0.4M. These funds will be allocated to implement the actions to protect Porters Creek Wetland and priority actions in the Tuggerah Leaks Estuary Management Plan in a future quarterly review.

**Capital Works Program**

*Reductions*

- Central Coast Stadium seat replacement – \$600K – project partially delivered in 2018-19
- Long Jetty Depot pavement renewal - \$926K – project to be delivered in stages
- Design and construct regional play space at Sun Valley park - \$500K realignment of budget to timing of works
- Upgrade amenities at Adelaide St Oval Tumbi Umbi - \$740K delays due to stakeholder negotiations and environmental constraints
- Lake Munmorah District Skate Park investigation and design - \$1.6M realignment of budget to timing of works

*Increases*

- Charmhaven Depot Roof Replacement Building E - \$541K – project variation due to steel condition
- The Ridgeway – \$650K - safety improvements under the Black Spot Program
- South Tacoma Road - \$610K – pavement widening under the Black Spot Program

Council staff will continue to review operational costs for further savings to reduce the deficit and ensure that Council is in a satisfactory position at year end with regard to estimated operating income and expenditures. For more information please refer to section 3.1 of Attachment 1.

Council's review of capital projects has resulted in a proposed budget increase of \$0.1 million for Q1 which increases the capital works program to \$261.6 million. Council's capital works program is constantly being reviewed to identify differences from the original capital works plan to better understand whether these deviations are due to delays, variation to estimates, phasing, changed priorities, weather, availability of grant funding or other factors. For more information please refer to section 3.3 of Attachment 1.

### **2020-21 Financial Year Capital Works Program**

Central Coast Stadium was scheduled for a pitch resurfacing in the 2019-20 financial year to maintain high quality field of play and compliance with Australian Standards. The 2019-20 capital works program includes a budget of \$0.6M for replacement of the stadium pitch with 'washed rolls of couch' however this requires significant downtime of 15 weeks. The turf is washed before being laid which stresses the grass, depriving it of its food and water source. As a result, harvesting and re-planting during its growing season is critical. The ideal growing conditions for couch are not arriving until late November which would heavily impact on the A-League season. The A League season commenced in October and continues to April each year with the Mariners playing thirteen home games at the stadium.

Council staff have consulted with several industry professionals. All of whom were of the same opinion that we could not be confident of the washed couch establishing in the time that we have allocated. The industry professionals recommended that we consider ready to play turf. This is laid inclusive of the soil medium and intermeshed with matrix fabric. This will make it literally ready to play on with one to two weeks of it being laid. The total implementation time for the project with ready to play turf is three weeks, which could be completed within the Mariners season.

Through consultation it was discovered that most rectangular stadiums maintain and replace their surface with ready to play turf to ensure that their surface integrity is maintained against event schedules. Washed rolls are only ever utilised in venues that have extended 'dark' periods (when there is no content scheduled) in the summer months.

To minimise impact on the A League season, preference is to utilise 'ready to play turf' which ensures the surface integrity is maintained against event schedules. The estimated cost for 'ready to play turf' is \$1.5M. The \$0.6M in 2019-20 is still required to for the deposit and an additional \$0.9M budget in 2020-21 to complete the pitch resurfacing.

### **Critical Dates or Timeframes**

Sub-clause 203(1) of the *Local Government (General) Regulation 2005* requires a Council's Responsible Accounting Officer to prepare and submit a quarterly budget review statement to the Council within two months of the end of each quarter (excluding June). The Q1 Business Report is to be presented to by Council before 30 November 2019.

### **Social Impacts**

The Operational Plan 2019-20 Q1 Business Report is a key method for Council to maintain accountability and transparency with the community. The Plan focuses on the delivery of key projects along with essential services and the maintenance of the assets Council utilised to deliver services to the community. It reflects the Community Strategic Plan Themes of *Belonging, Smart, Green, Responsible and Liveable*.

### **Environmental Considerations**

The section 'Operational Plan 2019-20 Performance' reflects the Community Strategic Plan Themes of *Belonging, Smart, Green, Responsible* and *Liveable*. It includes progress reporting and achievements around the environment under the Theme of *Green*.

### **Summary**

Councils are required to prepare Quarterly Budget Review Statements, which present a summary of Council's financial position at the end of each quarter.

It is the mechanism whereby the community are informed of Council's progress against the Operational Plan and the budget along with recommended changes and reasons for major variances.

It is recommended that Council adopt the proposed budget adjustments and note that Council's projected financial position as at 30 June 2020 will be satisfactory.

### **Attachments**

- 1 Q1 Business Report (July to September) Provided under separate cover D13716213



**Item No:** 3.13  
**Title:** Investment Report for October 2019  
**Department:** Finance

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25 November 2019 Ordinary Council Meeting

Trim Reference: F2004/06604 - D13716258  
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 October 2019.

### **Recommendation**

***That Council receive the Investment Report for October 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 \$418.09 million at 30 October 2019.

<b>Source of Funds</b>	<b>Value (\$'000)</b>
Investment Portfolio	\$405,574
Transactional accounts and cash in hand	\$12,513
<b>Total</b>	<b>\$418,087</b>

Council has a net outflow of \$24.08 million in October 2019, of which a net inflow of \$3.51 million relates to transactional cash accounts and a decrease of \$27.59 million of Investments only.

### 3.13 Investment Report for October 2019 (contd)

This investment report will focus on the investment portfolio of \$405.57 million. Investments are managed primarily through term deposit and floating rate note maturities.

Total net return on the portfolio for Council, in October was \$848K, comprising entirely of interest earnings. The total value of the Council's investment portfolio as at 31 October 2019 is outlined in Table 1 below.

**Table 1 – Portfolio Movement**

Description	2018-19	Sep-19 QTR	Oct-19	FYTD
	Financial Year \$'000	2019/20 \$'000	2019/20 \$'000	2019/20 \$'000
<b>Opening Balance</b>	<b>467,254</b>	<b>445,661</b>	<b>433,160</b>	<b>445,661</b>
Movement for the period	-21,593	-12,501	-27,586	-40,086
<b>Closing Balance</b>	<b>445,661</b>	<b>433,160</b>	<b>405,574</b>	<b>405,574</b>
Interest earnings	13,017	2,724	848	3,572

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
<b>At Call</b>	8.01%	Immediate	32,476
<b>Investments</b>			
0 - 3 months	13.56%	Jan-2020	55,000
4 - 6 months	19.97%	Apr-2020	81,000
7 - 12 months	33.80%	Oct-2020	137,098
1 - 2 years	11.10%	Oct-2021	45,000
2 - 3 years	3.70%	Oct-2022	15,000
3 - 4 years	2.47%	Oct-2023	10,000
4 - 5 years	7.40%	Oct-2024	30,000
<b>Total Investments</b>	<b>91.99%</b>		<b>373,098</b>
<b>Total Portfolio</b>	<b>100.00%</b>		<b>405,574</b>

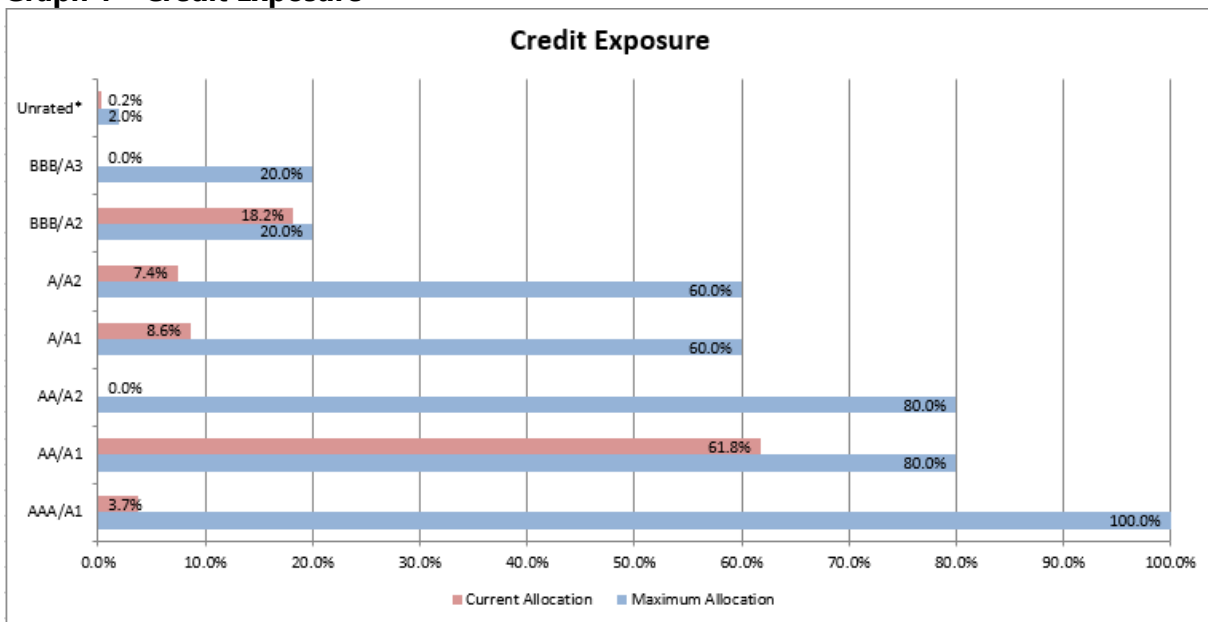
The investment portfolio is concentrated in AA above (65.48%), A (16.03%) and BBB (18.25%). The investments in AA are of a higher credit rating and BBB represented the best returns at the time of investment within Policy guidelines. Financial institutions issuing fixed income investments and bonds are considered investment grade (IG) if its Long-Term credit rating is BBB or higher by Standard and Poor (S&P).

### 3.13 Investment Report for October 2019 (contd)

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.

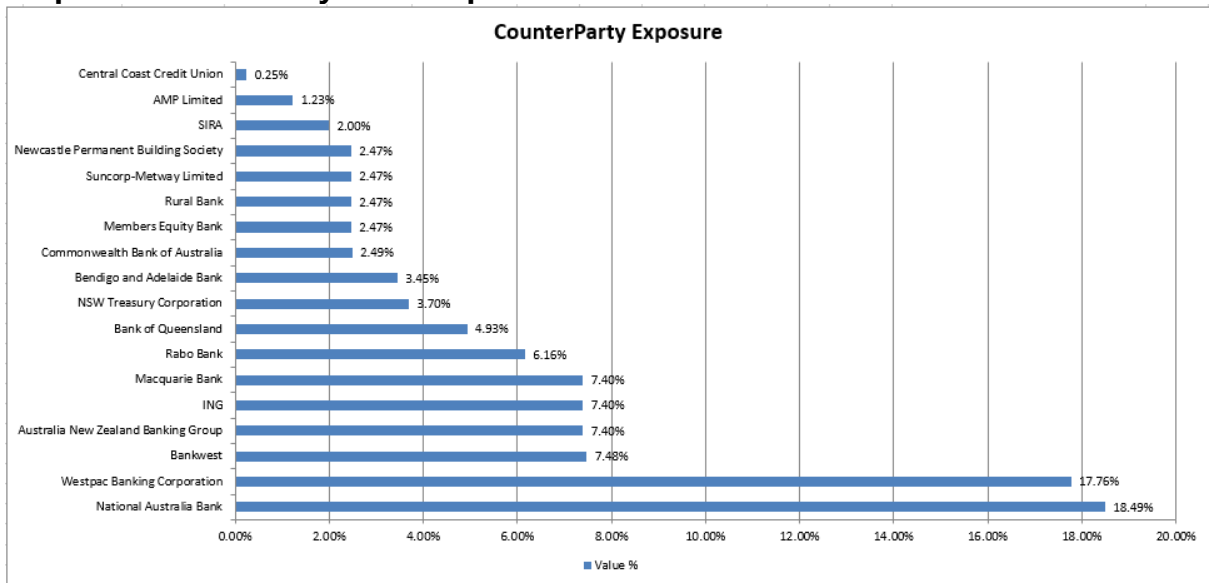
**Graph 1 – Credit Exposure**



\* **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 October, there have been no new green investments undertaken.

Council currently holds 6.16% or \$25 million in ESG investments.

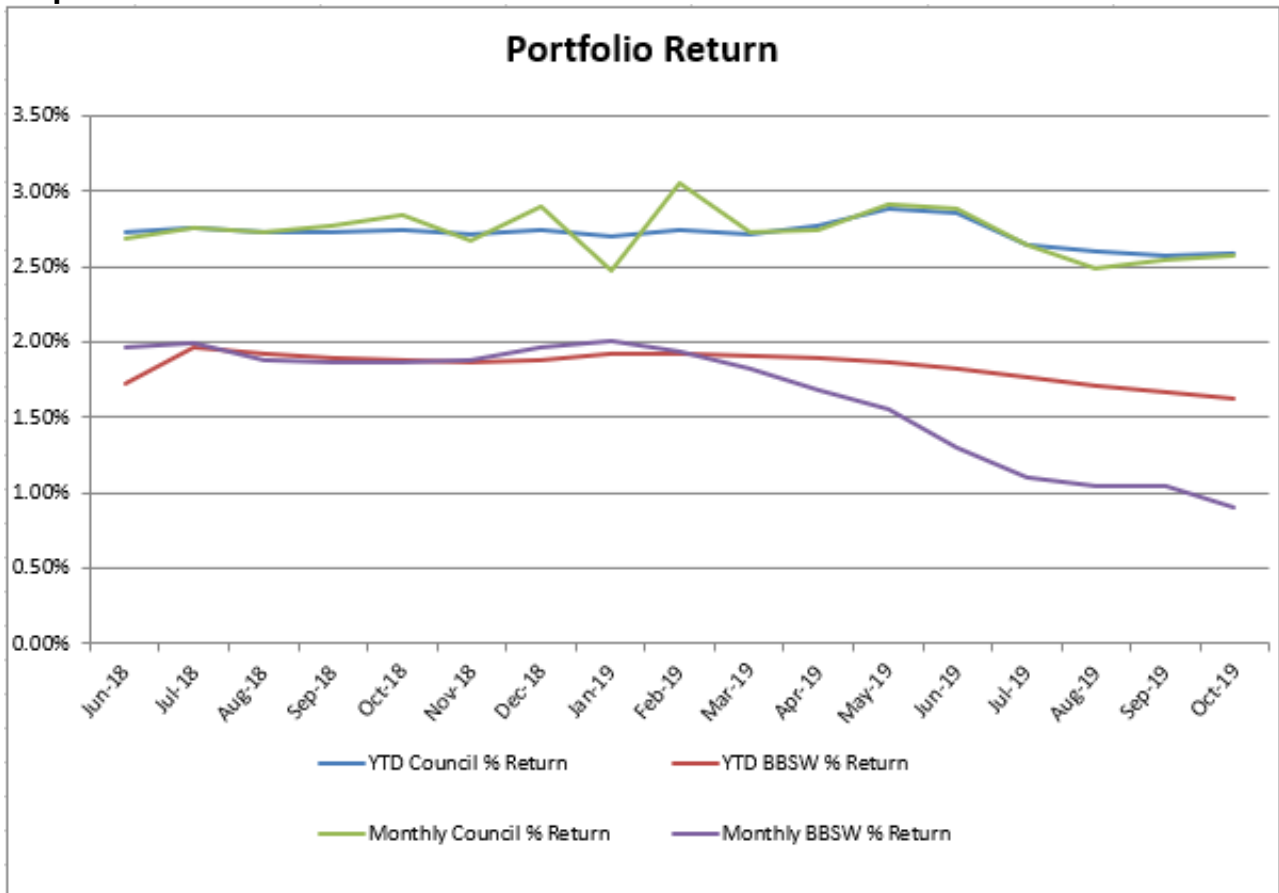
A summary of the projects funded by Council's investment in the NSW Government TCorp Sustainability Bond Programme is attached.

### Portfolio Return

Interest rates on investments in the month, ranged from 1.40% to 3.50%, all of which exceeded the monthly Bank Bill Swap Rate (BBSW) benchmark of 0.91%.

The annualised financial year to date return for October of 2.59% for Central Coast Council is favourable compared to benchmark bank bill swap (BBSW) *financial year to date* Calculated Bank Bill Index of 1.62% 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	\$405,574
Transactional accounts and cash in hand	\$12,513
<b>Total</b>	<b>\$418,087</b>
Cash Restrictions	\$429,996

Attachment 1 details Investments by Type held by Council at 31 October 2019

Attachment 2 details Restrictions for Council by fund as at 30 September 2019. The restrictions for October 2019 will be finalised after completion of the financial statements for the month.

Attachment 3 is TCorp's first NSW Sustainability Bond Programme Annual Report

**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**

<b>1</b>	Summary of Investments by Type at 31 October 2019	Provided under separate cover	D13716928
<b>2</b>	Summary of Restrictions at 30 September 2019	Provided under separate cover	D13716930
<b>3</b>	NSW Government TCorp Sustainability Bond Programme Annual Report 2019	Provided under separate cover	D13716932



**Item No:** 3.14  
**Title:** 31 Aldenham Road, Warnervale  
**Department:** Innovation and Futures

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25 November 2019 Ordinary Council Meeting

Trim Reference: F2004/07346 - D13532160

Author: Joe O'Connor, Property Development Manager

Executive: Ricardo Martello, Executive Manager, Innovation and Futures

## **Report Purpose**

This report seeks Council's resolution to sell the englobo land located at 31 Aldenham Road, Warnervale (previously part of 30 Jack Grant Avenue, Warnervale).

## **Summary**

The former Wyong Shire Council endorsed a report at its Ordinary Meeting on 12 March 2014 recommending the submission of a development application for subdivision and subsequent sale of the Council owned land at 30 Jack Grant Avenue, Warnervale. Council has since undertaken a paper subdivision of this land creating two lots, one of which is the lot subject to this report, now known as 31 Aldenham Road, Warnervale (*Attachment 1* provides an aerial plan of the site). Although, there is a previous resolution to sell this land, following the amalgamation of Gosford City and Wyong Shire Councils, a new resolution is now required.

## **Recommendation**

***That Council endorse the sale of the operational Council owned land at 31 Aldenham Road, Warnervale (Lot 1 in DP 1234942) as an englobo development parcel through a competitive sales and marketing campaign, provided the sale price is not less than the independent valuation.***

## **Context**

At the Ordinary Meeting of Council held on 12 March 2014, the former Wyong Shire Council made the following resolutions:

- 217/14 *That Council note a development application (DA) for subdivision of Council owned land at 30 Jack Grant Avenue, Warnervale will be lodged in March 2014.*
- 218/14 *That Council note that an independent valuation of the site will be commissioned to establish the fair market price of the site.*

### 3.14 31 Aldenham Road, Warnervale (contd)

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- 219/14     *That Council authorise whichever gives the higher return:*
- 220/14     *The sale of the site as an englobo development parcel through a competitive sales and marketing campaign, provided the sales price is not less than the independent valuation, subject to the approval of the above DA and/or*
- 221/14     *Call for expressions of interest for potential development partners for the site.*

Consequent to Resolution No **217/14**, a development application was lodged and consent granted (DA/221/2014). This approval provided consent to the subdivision of the land located at 30 Jack Grant Avenue, Warnervale into 43 lots, comprising: 40 residential lots, one detention basin, one public reserve, and one residue lot. *Attachment 2* provides a copy of the approved site plan. Council has activated the consent by undertaking geotechnical investigation on the site. Despite these preparatory works being conducted, as the conditions of the consent have not been completed in their entirety, the formal subdivision of land (creating 43 lots) has not yet occurred.

A subsequent approval (DA/933/2016) granted consent to subdivide the whole of the land into two lots; Lot 1 in DP 1234942 being the englobo lot of this subject report, and Lot 2 in DP 1234942, which forms a large part of the Porter's Creek wetlands. This paper subdivision was registered on 6 April 2018, allowing the sale of the subject lot. Although Section 4.18 of the Environmental Planning and Assessment Act 1979 allows consent authorities to require the surrender of previous approvals, in this instance the subsequent approval did not include this condition. As such, the previous consent permitting the further subdivision of 31 Aldenham Road, Warnervale (Lot 1 in DP 1234942) into 40 residential lots is still valid and can be acted upon by a future purchaser. The site is zoned R2 – Low Density Residential, to most of the site, and a small area of RE1 – Public Recreation, to the north of the site (refer to *Attachment 3* for details of the zoning).

#### **Consultation**

Consultation with internal and external stakeholders was undertaken in conjunction with the development of the North Wyong Structure Plan. Additionally, a planning proposal which considered amendments to the Local Environment Plan, primarily for the Wyong Economic Zone, was reported to the Ordinary Meeting of Council on 9 September 2015.

Further, in acquiring a property valuation consideration of the highest and best use of the site has also been considered.

#### **Options**

**Option 1** - Council recommend the sale of the site and proceed to sell 31 Aldenham Road, Warnervale (Lot 1 in DP 1234942) as an englobo development parcel through a competitive sales and marketing campaign, provided the sale price is not less than the independent valuation.

The sale would have the result of realising a return on a surplus Council asset, generating activity for local developers, creating jobs and providing residential housing in a key growth area. The land is located within Precinct 7A and presents an opportunity for Council to release residential land to the market in support of Council's Community Strategic Plan of Balanced Sustainable Development.

An independent valuation report has been received for the subject site, which provided a market price for the site. This price has been arrived at through a review of comparable recent englobo land sales, development costs and residential lot sales with regards to the subject site

**Option 2** – Council do not sell the land at the present time. This will have an impact on Council's financial position as the proceeds from this sale have been included in this year's budget.

### **Financial Impact**

The proceeds from the sale of the land has been included within this financial year's operational budget. If the sale doesn't eventuate this year it will impact upon Council's bottom line.

### **Link to Community Strategic Plan**

Theme 2: Smart

### **Goal C: A growing and competitive region**

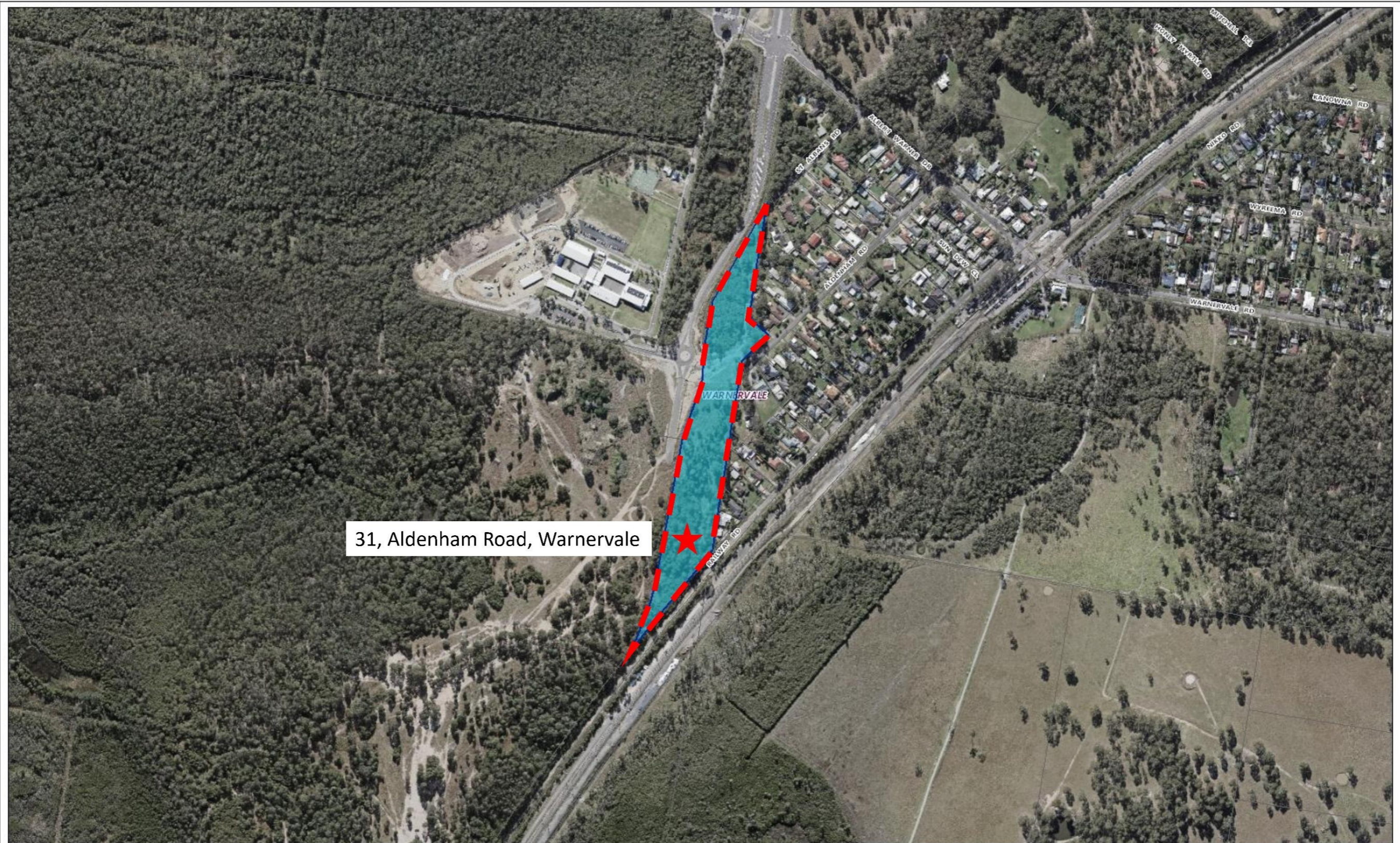
S-C1: Target economic development in growth areas and major centres and provide incentives to attract businesses to the Central Coast.

### **Risk Management**

Option one presents a low risk and any risk would relate to the future development of the site. This may include if a future developer intensifies the density of the site which may cause a reputational risk to Council as the previous land owner. To some extent Council can mitigate this risk, as consent authority, to ensure the land is only intensified in accordance with relevant planning requirements.

### **Attachments**

- |          |   |           |
|----------|---|-----------|
| <b>1</b> | Aerial Plan of the Site - 31 Aldenham Road, Warnervale        | D13717019 |
| <b>2</b> | Copy of the Approved Site Plan - 31 Aldenham Road, Warnervale | D13717020 |
| <b>3</b> | Zoning of the Site - 31 Aldenham Road, Warnervale             | D13717024 |



31, Aldenham Road, Warnervale

Central Coast Council ABN 72 749 844 003  
 201 7206, PO Box 20, Wyong, NSW Australia 2259  
 Ph: (02) 43 50 5555 Fax: (02) 43 51 2098



**MAP EXTRACT**  
 Scale 1:5,308

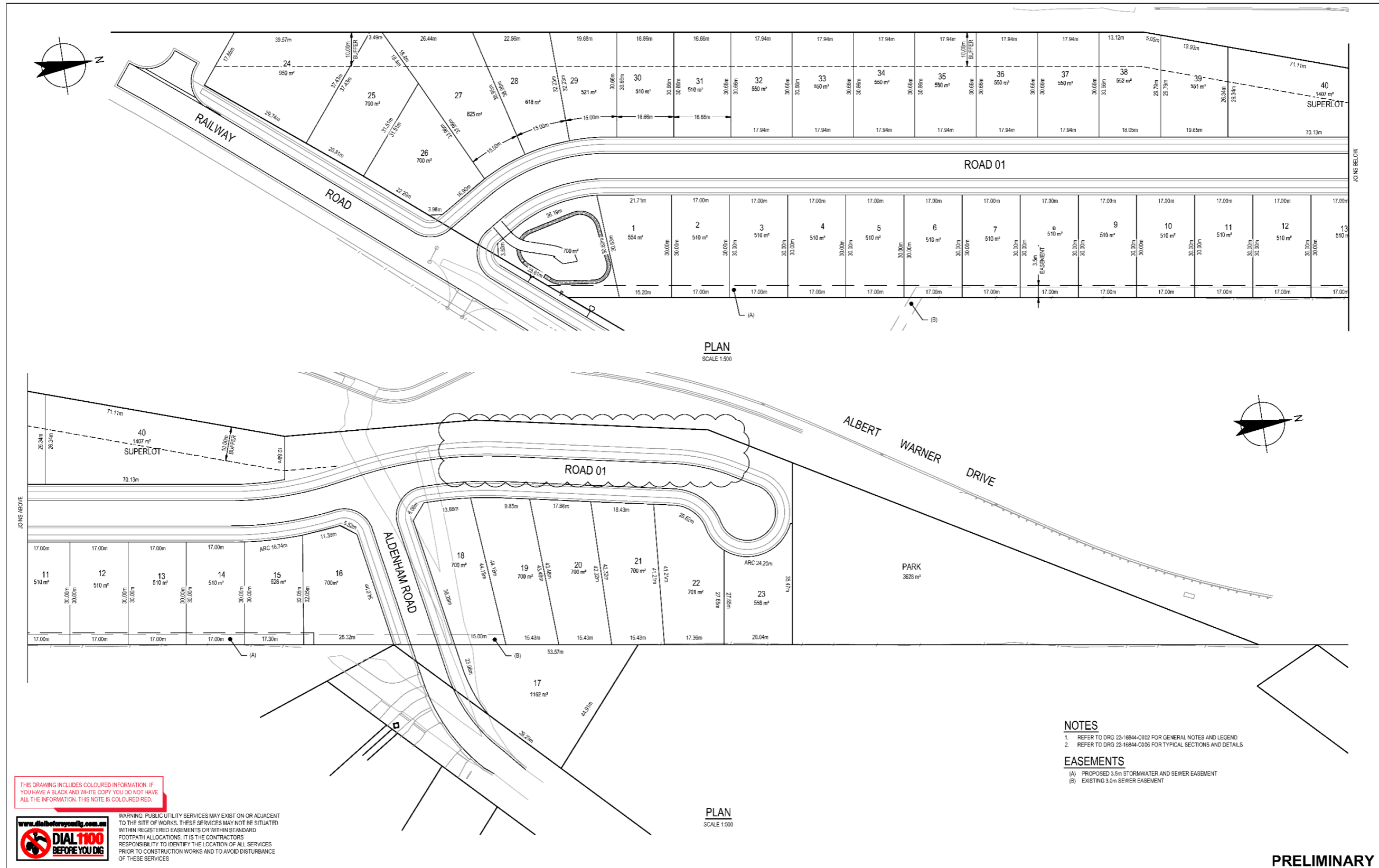
Note: Data is not survey accurate.  
 Scale is representation only.

Projection: Transverse Mercator  
 Projected Co-ordinate System: GDA\_1984\_UTM\_Zone56  
 Geographic Co-ordinate System: GCS\_GDA\_1984

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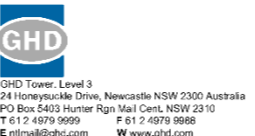
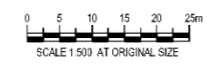
WARNING: PUBLIC UTILITY SERVICES MAY EXIST ON OR ADJACENT TO THE SITE OF WORKS. THESE SERVICES MAY NOT BE SITUATED WITHIN REGISTERED EASEMENTS OR WITHIN STANDARD FOOTPATH ALLOCATIONS. IT IS THE CONTRACTORS RESPONSIBILITY TO IDENTIFY THE LOCATION OF ALL SERVICES PRIOR TO CONSTRUCTION WORKS AND TO AVOID DISTURBANCE OF THESE SERVICES

- NOTES**
- REFER TO DRG 22-16844-C002 FOR GENERAL NOTES AND LEGEND
  - REFER TO DRG 22-16844-C006 FOR TYPICAL SECTIONS AND DETAILS

- EASEMENTS**
- (A) PROPOSED 3.5m STORMWATER AND SEWER EASEMENT
  - (B) EXISTING 3.0m SEWER EASEMENT

**PRELIMINARY**

No	Revision	Note	Drawn	Checked	Project Director	Date
D	RE-ISSUED FOR DA APPROVAL		SS	AS*	MG*	11.02.15
C	RE-ISSUED FOR DA APPROVAL		RJC	AS*	MG*	02.10.14
B	RE-ISSUED FOR DA APPROVAL		RJC	AS*	MG*	28.01.14
A	ISSUED FOR DA APPROVAL		RJC	AS*	MG*	27.09.13



**DO NOT SCALE**

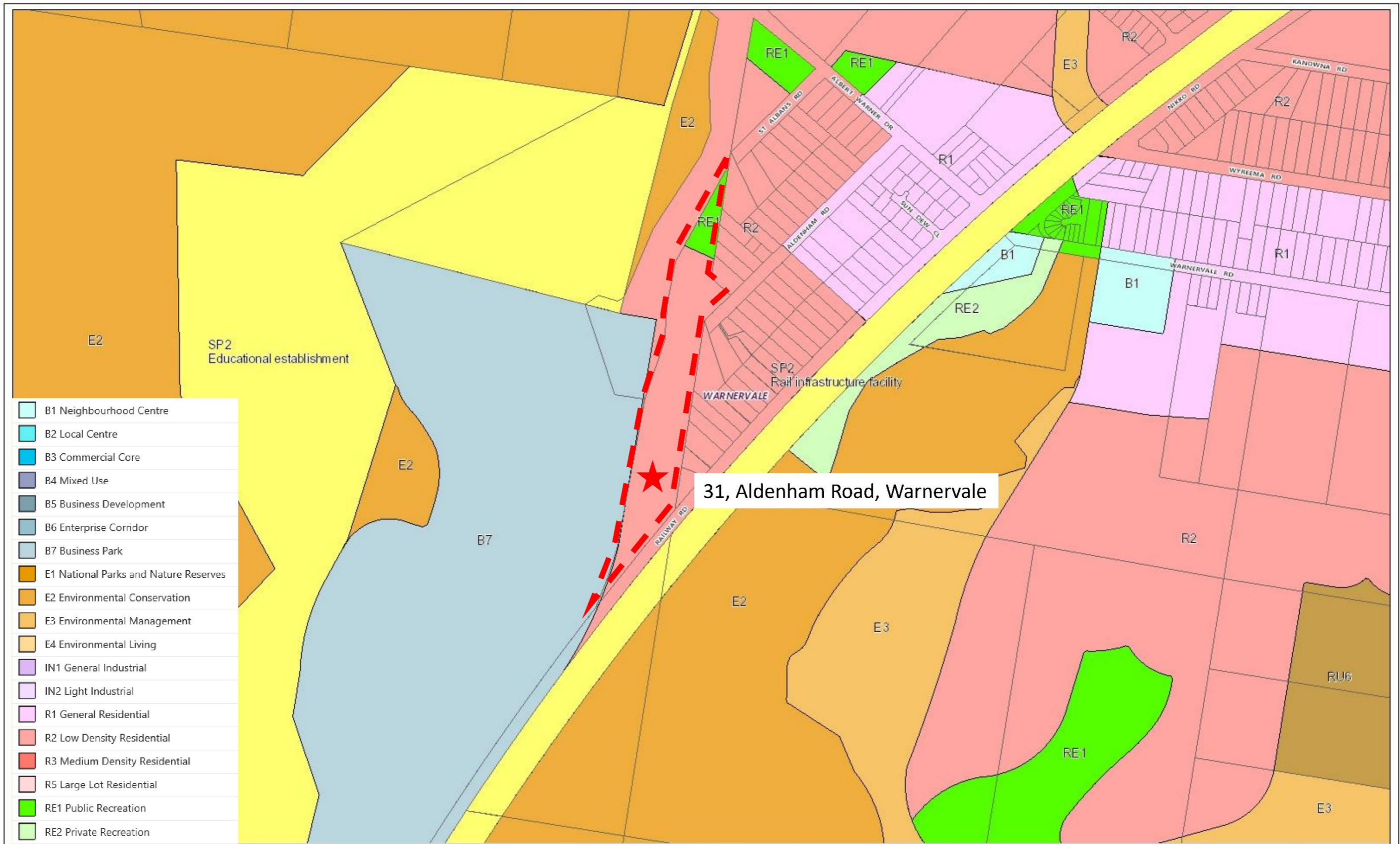
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Drawn	R. COCKS	Designer	R. COCKS
Drafting Check	S. ORRETT*	Design Check	E. MITCHELL*
Approved (Project Director)			
Date			
Scale	AS SHOWN		

Client	<b>WYONG SHIRE COUNCIL</b>		
Project	<b>SUBDIVISION OF 30 JACK GRANT AVE, WARNERVALE</b>		
Title	<b>LOT LAYOUT PLAN</b>		
Original size	<b>A1</b>	Drawing No:	<b>22-16844-C003</b>
Rev:	<b>D</b>		

Plot Date: 11 February 2015 - 5:17 PM Plotted by: Shane Spurr Cad File No: G:\22\16844\CADD\Drawings\22-16844-C003.dwg





31, Aldenham Road, Warnervale

- B1 Neighbourhood Centre
- B2 Local Centre
- B3 Commercial Core
- B4 Mixed Use
- B5 Business Development
- B6 Enterprise Corridor
- B7 Business Park
- E1 National Parks and Nature Reserves
- E2 Environmental Conservation
- E3 Environmental Management
- E4 Environmental Living
- IN1 General Industrial
- IN2 Light Industrial
- R1 General Residential
- R2 Low Density Residential
- R3 Medium Density Residential
- R5 Large Lot Residential
- RE1 Public Recreation
- RE2 Private Recreation

**MAP EXTRACT**

Scale 1:5,308

Note: Data is not survey accurate.  
Scale is representation only.

Central Coast Council ABN 72 148 644 002  
 65 T206, PO Box 20, Wyong, NSW Australia 2259  
 Ph: (02) 42 50 5555 Fax: (02) 42 51 2092



Projection: Transverse Mercator  
 Projected Co-Ordinate System: GDA\_1984\_MGA\_56  
 Geographic Co-Ordinate System: GCS\_AUSTRALIA

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**Item No:** 3.15  
**Title:** \$70M Federal Government Funding Commitment - Central Coast Roads Package  
**Department:** Roads Transport Drainage and Waste

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25 November 2019 Ordinary Council Meeting

Trim Reference: F2017/01784-005 - D13718607

Author: Jeanette Williams, Unit Manager, Roads Business Development and Technical Services

Executive: Boris Bolgoff, Director Roads Transport Drainage and Waste

## **Report Purpose**

This report is provided to advise of the \$70M Federal Government funding commitment to deliver twenty-nine road projects across the Central Coast region during the 2019/20 to 2024/25 financial years. Council is not required to co-contribute to the funding of these projects.

## **Recommendation**

- 1 That Council authorise the Chief Executive Officer to enter into the Funding Deeds of agreement with the Federal Government for \$70M to undertake twenty-nine road projects as identified in Attachment 1 – \$70M Central Coast Roads Package.**
- 2 That Council include in the 2019/20 and future capital works programs the identified road projects to reflect individual project costs associated with undertaking the projects across the 2019/20 to 2024/25 financial years.**

## **Background**

In the lead up to 2019 Federal Election, the government committed to providing \$70M in funding to deliver a Central Coast roads package which prioritised road improvements to bust congestion and increase safety on local roads.

With the continuation of the government following the election, this funding commitment is being realised. Council Officers are working with representatives from the Federal Government to develop Project Proposal Reports (PPR's) which meet the Federal Government's funding criteria and allow for securing the funding.

## **Report**

The securing of this \$70M in additional funding from the Federal Government will allow for the delivery of twenty-nine (29) road improvement projects which were identified as a priority for the region. Projects include significant road renewal works; minor road and drainage

### **3.15 \$70M Federal Government Funding Commitment - Central Coast Roads Package (contd)**

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upgrades; major road and drainage upgrades and a major intersection improvement. It is proposed that these road projects will be delivered as one package known as the 'Central Coast Roads Package'. For administrative purposes the works are identified within four Programs within the Package.

Due to the scale of the Central Coast Roads Package it is necessary to deliver the projects over consecutive years commencing in 2019/20 through to 2024/25.

The finalisation of the Federal Government required Project Proposal Reports (PPR's), which details items such as project scope, design development considerations, project cost, risks and delivery strategy, between the Federal Government and Council are nearing completion with the execution of funding agreements imminent.

#### **Consultation**

Consultation with the community will occur in the finalisation of design drawings and/or prior to the commencement of construction works for individual projects.

#### **Financial Impact**

No financial impact to Council is anticipated as the Federal Government funding is expected to cover all expenditure associated with the delivery of the road projects identified in the Central Coast Roads Package.

#### **Link to Community Strategic Plan**

Theme 4: Responsible

#### **Choose Focus Area**

R-H4: Plan for adequate and sustainable infrastructure to meet future demand for transport, energy, telecommunications and a secure supply of drinking water.

#### **Attachments**

- |   |           |
|---|-----------|
| <b>1</b> Council Report 25 November 2019 - \$70M Central Coast Roads Package(3) | D13719043 |
|---|-----------|

**\$70M Central Coast Roads Package**

Central Coast Roads Package				
Program	Description		Cost	Expected delivery timeframe
Program 1	Ocean Beach Road and Rawson Road Intersection, Steyne Road, Lushington Street and Shelly Beach Road			
	1.1	Ocean Beach Road and Rawson Road, Woy Woy – Intersection Upgrade Signalisation of the Ocean Beach Road and Rawson Road intersection	\$16,500,000	2019/20 – 2023/24
	1.2	Steyne Road, Saratoga – Road and Drainage Upgrade From Bay View Wharf Lane to Irwan Street including pavement reconstruction, kerb and gutter, footpath, street drainage and access improvements	\$11,310,000	2020/21 – 2024/25
	1.3	Lushington Street, East Gosford – Road and Drainage Upgrade From Henry Parry Drive to Coburg Street including pavement reconstruction, kerb and gutter, footpath, street drainage and access improvements	\$6,650,000	2020/21 – 2024/25
	1.4	Shelly Beach Road, Empire Bay – Road and Drainage Upgrade From Kendall Road to Sher Close including pavement reconstruction, kerb and gutter, footpath and street drainage	\$3,025,000	2021/22 – 2023/24
Program 2	Del Monte Place and Ridgway Road			
	2.1	Del Monte Place, Copacabana – Road and Drainage Upgrade From Segura Street to Oceano Street including pavement reconstruction, kerb and gutter, footpath, street drainage and access improvements	\$10,000,000	2019/20 – 2023/24
	2.2	Ridgway Road, Avoca Beach – Road and Drainage Upgrade From The Round Drive to Cape Three Points Road including pavement reconstruction, kerb and gutter, footpath, traffic calming and street drainage	\$7,380,000	2019/20 – 2022/23
Program 3	Minor Road and Drainage Upgrades			
	3.1	Mutu Street, Woy Woy – Road and Drainage Upgrade From Rawson Road to Ocean Beach Road including pavement reconstruction, kerb and gutter, footpath, street drainage and parking improvements	\$725,000	2019/20
	3.2	Glenrock Parade, Tascott – Road and Drainage Upgrade From Berala Avenue to the Koolewong Station railway crossing including pavement reconstruction, kerb and gutter, footpath and street drainage	\$1,500,000	2019/20 – 2020/21

Central Coast Roads Package				
Program	Description		Cost	Expected delivery timeframe
Program 1	Ocean Beach Road and Rawson Road Intersection, Steyne Road, Lushington Street and Shelly Beach Road			
	3.3	St Huberts Island Bridge – Safety Improvements Security fencing and pedestrian safety upgrade	\$900,000	2019/20
	3.4	Everglades Catchment, Umina Beach – Drainage Upgrade Trunk drainage upgrade between the Everglades Main Drain main open drain to Carpenter Street and Glenn Street, Glenn Street to Connex Road, and Connex Road to Lovell Road	\$2,050,000	2019/20 – 2022/23
	3.5	Gem Road, Pearl Beach – Road and Drainage Upgrade From Crystal Avenue to the end of the road including pavement reconstruction and street drainage	\$420,000	2020/21
	3.6	Springwood Street, Blackwall – Road and Drainage Upgrade From Gallipoli Avenue to Commonwealth Avenue including pavement reconstruction, kerb and gutter, footpath and street drainage	\$2,700,000	2021/22 - 2022/23
Program 4	Road Renewal			
	4.1	Cresthaven Avenue, Bateau Bay – Road Renewal From Eastern Road to peak Street including pavement rehabilitation and road resurfacing	\$529,000	2019/20
	4.2	Bayview Avenue, The Entrance – Road Renewal From Theatre Lane to Ocean Parade including pavement rehabilitation and road resurfacing	\$311,000	2019/20
	4.3	Kerry Crescent, Berkeley Vale – Road Renewal From Crossingham Street to Hargraves Street including pavement rehabilitation and road resurfacing	\$443,000	2019/20
	4.4	Maidens Brush Road, Wyoming – Road Renewal From Veronica Crescent to Houses No 21 including pavement rehabilitation and road resurfacing	\$536,000	2019/20
	4.5	Racecourse Road, West Gosford – Road Renewal From Showground Road to the tennis court carpark entry including rehabilitation and road resurfacing	\$487,000	2019/20
	4.6	Shirley Street, Ourimbah – Road Renewal From Red Cedar Close to Coraki Close including pavement rehabilitation and road resurfacing	\$340,000	2019/20
	4.7	Sturt Street, Killarney Vale – Road Renewal	\$304,000	2019/20

Central Coast Roads Package			
Program	Description	Cost	Expected delivery timeframe
Program 1	Ocean Beach Road and Rawson Road Intersection, Steyne Road, Lushington Street and Shelly Beach Road		
	From Brooke Avenue to Flinders Avenue including pavement rehabilitation and road resurfacing		
4.8	Springfield Road, Springfield – Road Renewal From Wells Street to Bushlands Avenue including pavement rehabilitation and road resurfacing	\$194,000	2019/20
4.9	Tuggerawong Road, Tuggerawong – Road Renewal From Stanley Street to house No 91-93 including pavement rehabilitation and road resurfacing	\$407,000	2020/21
4.10	Woodbury Park Drive, Mardi – Road Renewal From Gavenlock Road to Matthew Circuit including pavement rehabilitation and road resurfacing	\$306,000	2020/21
4.11	Craigie Avenue, Kanwal – Road Renewal From Pacific Highway to Hughes Avenue including pavement rehabilitation and road resurfacing	\$425,000	2020/21
4.12	Frauent Street, Toukley – Road Renewal From Crossingham Street to Hargraves Street including pavement rehabilitation and road resurfacing	\$374,000	2020/21
4.13	Richardson Road, San Remo – Road Renewal From Liamena Avenue to Goorama Avenue including pavement rehabilitation and road resurfacing	\$236,000	2020/21
4.14	Oleander Street, Noraville – Road Renewal From Rowena Street to Evans Road including pavement rehabilitation and road resurfacing	\$530,000	2020/21
4.15	Hibbard Street, Canton Beach – Road Renewal From Belbowrie Street to Crossingham Street including pavement rehabilitation and road resurfacing	\$428,000	2020/21
4.16	Albert Warner Drive, Warnervale – Road Renewal From Railway Line to Link Road including pavement rehabilitation and road resurfacing	\$436,000	2020/21
4.17	The Corso, Gorokan – Road Renewal From Robson Avenue to Spring Valley Avenue including pavement rehabilitation and road resurfacing	\$554,000	2020/21



**Item No:** 3.16  
**Title:** Application for ANZAC Memorial Stone - Avoca Beach  
**Department:** Environment and Planning

---

25 November 2019 Ordinary Council Meeting

Trim Reference: F2004/00062 - D13712280  
Author: Peta Conn, Personal Assistant to Unit Manager  
Manager: Brett Sherar, Unit Manager, Open Space and Recreation  
Executive: Scott Cox, Director Environment and Planning

### **Report Purpose**

An application has been received by the Avoca Beach Community Association Inc. (the Association) seeking approval by Council for an ANZAC (Australian and New Zealand Army Corps) memorial stone to be installed at Avoca Beach.

### **Recommendation**

***That Council approve the application by the Avoca Beach Community Association Inc for a memorial stone and plaque to be installed in memory of ANZAC at Avoca Beach.***

### **Context**

The Avoca Beach Community Association Inc. has submitted an application for a memorial stone to be placed in a garden bed at Avoca Beach. Pictures of the proposed site for the placement and of the stone is shown below. A review of the application and attachments provided by the Association has determined that all requirements within the Policy have been met, including their confirmation that they will be responsible for the cost of installation and ongoing maintenance of the stone and plaque.



*Garden bed proposed for placement – facing towards Avoca Beach*

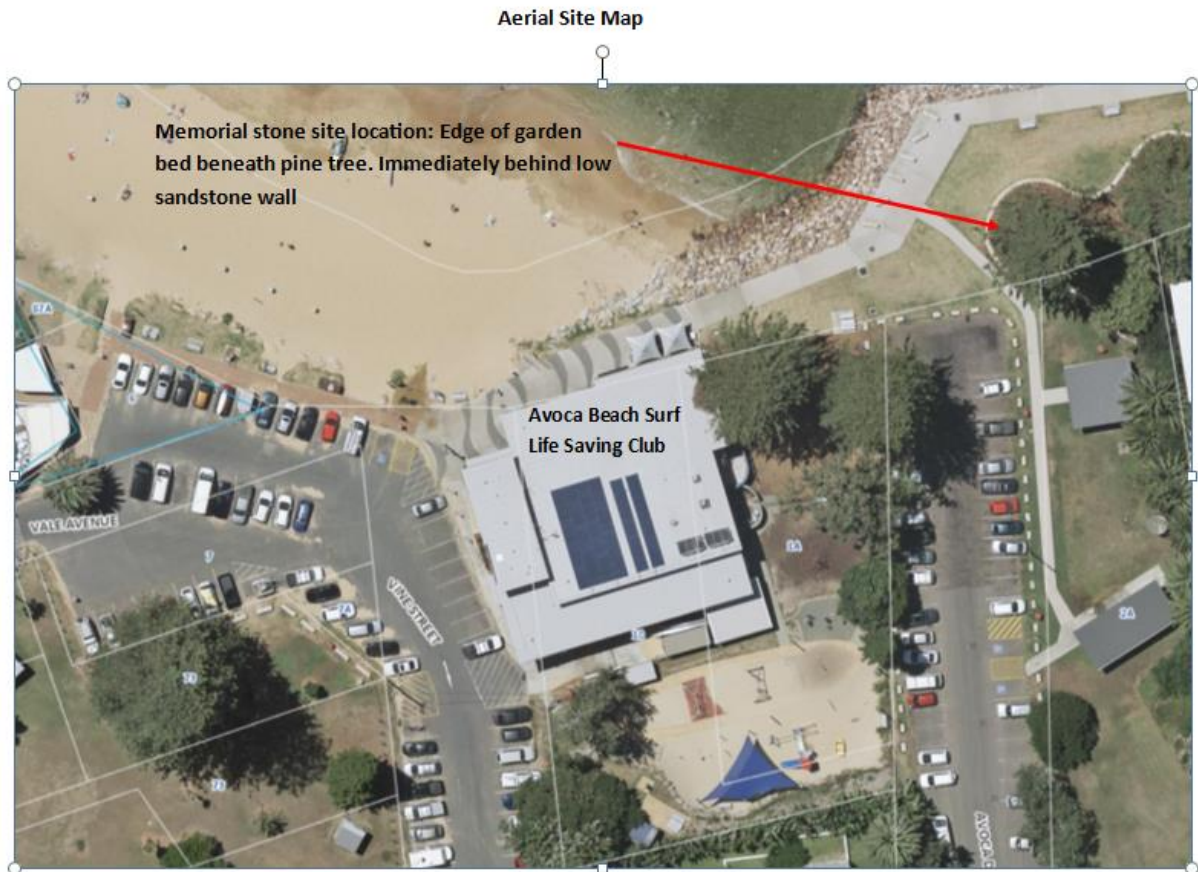


*The memorial stone is proposed to be placed within the above garden bed*



*Proposed Memorial Stone – Memorial plaque to be set within the stone*





*Site Map showing proposed site (red arrow)*

### **Relevant Policy**

The application (attachment 1) from the Association has been assessed and complies under the Policy for Memorials, Naming of Council Facilities and donations of Park Furniture and Trees (Policy No CCC029).

### **Report Evaluation**

The following criteria have been provided with the Associations application and subsequent correspondence:

- The ANZAC's are widely known and respected members of the local and national community and this memorial will recognise the contribution of Australian service men and women to their country.
- The Association has provided a supporting statement for the nominees detailing how they meet the conditions as stated in the Policy;
- The documentation attached to the application has been validated by a Statutory Declaration;
- A plan has been provided by the Association showing the proposed site for the memorial stone;
- The association has committed to payment for the purchase, installation and ongoing maintenance of the memorial stone and plaque.

The site nominated by the Association is considered appropriate for the placement of the stone, will allow safe passage of pedestrians and will not damage the natural environment.

### **Consultation**

Council staff in the Open Space and Recreation Unit have been consulted in relation to the placement site of the stone and no concerns have been identified with the proposal.

### **Financial Impact**

There will be no financial cost to Council as the Association has agreed to pay all associated cost for the purchase, placement and maintenance of the memorial.

### **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.

### **Critical Dates or Timeframes**

There are no critical dates associated with this recommendation.

### **Attachments**

- |          |  |           |
|----------|--|-----------|
| <b>1</b> | Application for Memorial Stone - Avoca Beach   | D13712270 |
| <b>2</b> | Policy for Memorials, Naming of Council Facilities and Donations of Park Furniture and Trees | D13367915 |



Mr Brett Shearer  
 Manager  
 Open Space and Recreation  
 Central Coast Council

2<sup>nd</sup> October 2019

Request for the Installation of an ANZAC Memorial Stone at Avoca Beach.

The Avoca Beach Community Association each year joins in a coordinated effort with the Avoca Beach Surf Lifesaving Club, Kincumber High School, Avoca Beach Primary School and several local ex-servicemen to conduct an ANZAC Day Dawn Service. The event has grown significantly since it was first started 12 years ago by retired Warrant Officer Gary Hore.

During the current Council upgrade of the Avoca beachfront, a beautiful sandstone rock was uncovered. This rock was kindly set aside at our request and under the supervision of the project engineer, Mr Harry Nour. It is felt this rock would make an excellent memorial stone that could be a centerpiece of our dawn ceremonies. It would also make a permanent memorial to the fallen.

The rock itself is not large, it would have little physical impact on the environment and in the site we have selected would have no impact on pedestrians or other users of the beachfront. Its dimensions are approximately 1.5m in length, 1m in height and 750mm in width.

We propose that the rock be placed on a firm surface at the edge of the existing garden bed under the 2<sup>nd</sup> pine tree to the east of the Avoca Beach Surf Club. This site is ideal for the laying of wreaths at ANZAC ceremonies.

The Avoca Beach Community Association is prepared to pay for all costs incurred, this includes cost of the plaque, installation and ongoing maintenance costs.

We request that, if at all possible, that approval for this project be given in the October report, as the stone is currently being stored in a compound used for Stage 2 of the Avoca Beach Foreshore construction works, due to be completed by the end of October. It would be far more convenient to only have to move it once.

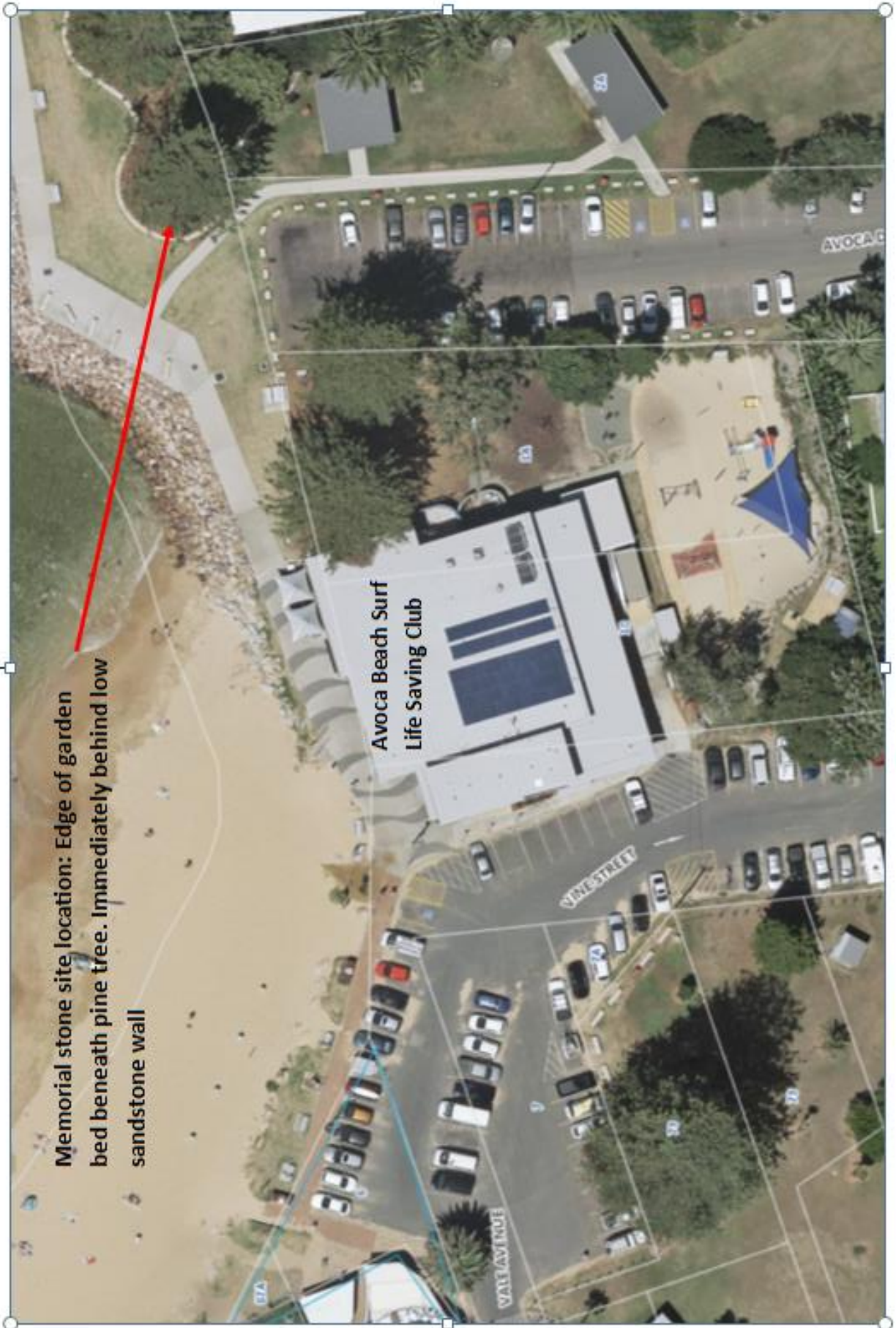
We hope you will look favourably on our request for this valuable addition to the Avoca Beach Community.

Yours Sincerely

[Redacted signature]

Avoca Beach Community Association\*

Aerial Site Map



Memorial stone site location: Edge of garden bed beneath pine tree. Immediately behind low sandstone wall

**Request for Installation of a Memorial Stone – Avoca Beach**



*It is proposed that placement of the stone will be in the garden bed above*



Memorial Stone (to also have a plaque attached)



Mr Brett Shearer  
Manager  
Open Space and Recreation  
Central Coast Council

2<sup>nd</sup> October 2019

Re: Installation of an ANZAC Memorial Stone at Avoca Beach.

Please find accompanying this the following documents:

1. A request from the Avoca Beach Community Association for approval of an ANZAC Memorial stone (Cairn) at Avoca Beach. This includes a commitment to pay for all costs incurred.
2. Three letters of support from prominent community members.
3. A Statutory Declaration validating the authenticity of accompanying documents.
4. An aerial site map showing the proposed location for the placement of the stone.
5. Photographs of the proposed memorial stone and the proposed location.

Please let us know if you require anything else from our association at this stage.

Thank you

Yours Sincerely

[Redacted signature]

Avoca Beach Community Association

[Redacted]

[Redacted]

07 Oct 2019

To whom it may concern in council,

I have been a resident in Avoca for approximately 35 years. I have been an active member of the Avoca Beach Surf Club for 14 years

My background is; I served in the Australian Army Infantry for 22 years, during which I had 2 tours of Vietnam. On completion of my service career I was recruited into ASIO. I served as an ASIO Officer for 19 years, then retired.

Twelve years ago I started an ANZAC Day Dawn service here in Avoca, on the beach front. Over the years this has grown into a significant event. This year the crowd numbered in excess of 3000 people who watched the service.

We now have an organising committee of more than 20 volunteers who assist us in the preparations and running of the ANZAC Day event.

During the council upgrade of the Avoca Beach front, a beautiful sandstone rock was uncovered from the beach front. A number of people mentioned that this would make a beautiful remembrance memorial.

We would like to utilize this rock as the centrefuge of our ANZAC Day memorial service if possible.

Yours Sincerely

[Redacted]

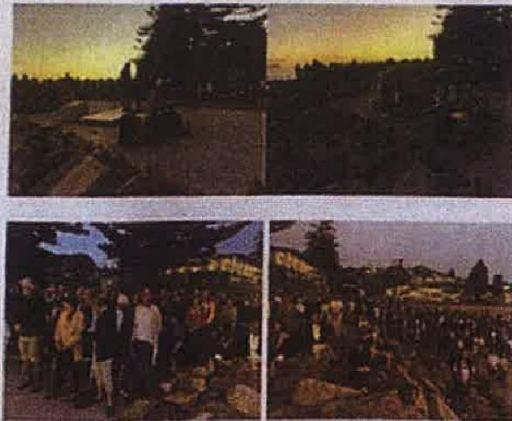
[Redacted Signature]

AVOCA BEACH MEMORIAL CAIRN

I am writing in support of a proposal to build a Memorial Cairn adjacent to the Avoca Beach Surf Lifesaving Club. The motivation of those wishing to build a Memorial is based on a deep-seated desire to follow similar community-based commitments to Memorials adopted throughout Australia, which seek to acknowledge dedication, commitment and sacrifice to public service. What is proposed is simple, poignant and complements the wonderful work undertaken by the Central Coast Council with foreshore development at Avoca Beach. Fund raising by the local community has resulted in the construction of 3 flagpoles which serve to acknowledge all Australians through the flying of the national, state and indigenous flags.

As a recent arrival to Avoca Beach in early December 2018 I have been impressed by the spirit, engagement and pride of local Avocans to community. My association with Avoca Beach, and subsequent move to the Central Coast is linked to my wife's family presence at Avoca Beach for over 40 years. Our decision to move, and in time retire here is motivated by the beauty, lifestyle and sense of community offered on the Central Coast. Furthermore my 25 years of military service here and overseas allows me as a local resident to further support the promotion of civilian and military service by members of the local Avocan and surrounding communities.

I can attest to the local community's commitment to service based on the outstanding commitment and presence at the annual Anzac Day service which has grown over the years from an original attendance of 14 locals to what I witnessed this year, with over 500 locals attending the Dawn Service Ceremony. The following photos capture the essence of the ceremony this year.



[Redacted signature]

6 October 2019



**AVOCA BEACH MEMORIAL CAIRN**

In every corner of Australia, city and country, there are diverse reflections, places of acknowledgement, of ordinary people who gave extraordinary service to our Country during the darkest times when we have been at war... or peacekeeping... fulfilling our responsibilities to each other and the broader global communities

These quiet memorial sites take many shapes... however remain a constant reminder of service and sacrifice to the Australian Community past, present and into the future

At Avoca Beach, the opportunity for a modest unique local stone cairn, presents as a simple community symbol of recognition of Service to Country of so many

My dad, a Digger at Kokoda, one of the Rats of Tobruk and my uncle [REDACTED] of Kokoda Track service gave our clan the strongest possible leadership examples of service before self which we pass down through the generations with active involvement every ANZAC service since 1950 at Lane Cove

Its contingent on us in our latter years to ensure the ANZAC traditions continue to be fulfilled

An appropriate stone cairn suitably notated with a simple memorial message of acknowledgement is exactly what we seek.

Your understanding, support and approval for this practical symbol is keenly sought

Thank you

[REDACTED] in memory of our Fathers, Mothers, Brothers, Sisters and Mates

LC Oct 2019

Commonwealth of Australia  
STATUTORY DECLARATION  
Statutory Declarations Act 1959

1 Insert the name, address and occupation of person making the declaration

1, 1 [Redacted]  
Occupation [Redacted]

make the following declaration under the Statutory Declarations Act 1959:

2 Set out matter declared to in numbered paragraphs

2 Re application for Memorial Stone at Avoca Beach:  
I declare that the contents of the attached supporting letters for the proposed memorial stone at Avoca Beach are true and correct to the best of my knowledge.

I understand that a person who intentionally makes a false statement in a statutory declaration is guilty of an offence under section 11 of the Statutory Declarations Act 1959, and I believe that the statements in this declaration are true in every particular.

3 Signature of person making the declaration

3 [Redacted]

4 (Optional: email address and/or telephone number of person making the declaration)

4 President  
Avoca Beach Community Association Inc.

5 Place  
6 Day  
7 Month and year

Declared at 5 Avoca Beach on 6 Monday 7th of 7 October 2019.

8 Signature of person before whom the declaration is made (see over)

Before me, 8 [Signature]

9 Full name, qualification and address of person before whom the declaration is made (in printed letters)

9 [Redacted]  
Solicitor

10 (Optional: email address and/or telephone number of person before whom the declaration is made)

10

Note 1 A person who intentionally makes a false statement in a statutory declaration is guilty of an offence, the punishment for which is imprisonment for a term of 4 years — see section 11 of the Statutory Declarations Act 1959.

Note 2 Chapter 2 of the Criminal Code applies to all offences against the Statutory Declarations Act 1959 — see section 5A of the Statutory Declarations Act 1959.



POLICY NO: CCC.029

## **POLICY FOR MEMORIALS, NAMING OF COUNCIL FACILITIES AND DONATIONS OF PARK FURNITURE AND TREES**

**March 2018**

Wyong Office: 2 Hely St / PO Box 20 Wyong NSW 2259 | P 02 4350 5555  
Gosford Office: 49 Mann St / PO Box 21 Gosford NSW 2250 | P 02 4325 8222  
E [ask@centralcoast.nsw.gov.au](mailto:ask@centralcoast.nsw.gov.au) | W [www.centralcoast.nsw.gov.au](http://www.centralcoast.nsw.gov.au) | ABN 73 149 644 003

POLICY FOR MEMORIALS, NAMING OF COUNCIL FACILITIES AND DONATIONS OF PARK FURNITURE AND TREES

<b>AUTHORITY</b>	<b>NAME &amp; TITLE</b>
<b>AUTHOR</b>	NAME
<b>MANAGER</b>	NAME, Acting Senior Manager Property and Asset Management
<b>DIRECTOR</b>	Mike Dowling, Director Assets Infrastructure and Business
<b>CHIEF EXECUTIVE OFFICER</b>	Brian Glendenning, Acting Chief Executive Officer

**History of Revisions:**

VERSION	DATE	AMENDMENT DESCRIPTION	TRIM DOC. #
1	March 2018	Creation of Policy	

POLICY FOR MEMORIALS, NAMING OF COUNCIL FACILITIES AND DONATIONS OF PARK FURNITURE AND TREES

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## POLICY FOR MEMORIALS, NAMING OF COUNCIL FACILITIES AND DONATIONS OF PARK FURNITURE AND TREES

**SUMMARY**

1. This Policy sets out the process to be followed when dealing with requests for memorials on Central Coast Council (Council) reserves, donation of park furniture and trees, or naming of Council owned facilities.

**POLICY STATEMENT**

2. Council will consider written applications for the placement of memorials on public reserves, including community, recreation and road reserves under the care, control and management of Central Coast Council.
3. Council will consider written applications for the donation of park furniture and trees in public reserves.
4. Council will consider written applications for the naming of Council owned facilities.
5. The contents of the written application are set out in the Procedures listed below.
6. Approval for any applications made under clauses 2, 3 and 4 can only be given by Council Resolution and in response to a completed written application.

**PURPOSE**

7. The purpose of this Policy is:
  - (a) To provide Council with a consistent approach to dealing with requests for memorials on Council reserves, requests to donate park furniture and trees, and naming facilities owned by Central Coast Council.
  - (b) To establish criterion against which to assess and respond to requests for the use of the Council reserves by individuals and community groups for the recognition of valued community members.
  - (c) To define conditions under which Council will accept donations and offers of park furniture, trees and/or other park infrastructure.
  - (d) To ensure that the naming of Council owned facilities is consistent with Central Coast community expectations, relevant legislation and the Geographical Names Board of NSW Guidelines where applicable.

## POLICY FOR MEMORIALS, NAMING OF COUNCIL FACILITIES AND DONATIONS OF PARK FURNITURE AND TREES

**GENERAL**

8. A request for a commemorative memorial will be considered only if the person who is nominated (the nominee) has been deceased for at least six months, was of good repute and not likely to be the subject of controversy and:
  - (a) was widely known and respected within the local community; or
  - (b) had a recognised historical link with the locality or is generally acknowledged as having made a significant contribution to the social, economic, sporting and/or cultural development of the community.
9. Council will not approve requests to commemorate a living person, except in special circumstances, such as providing recognition to a local citizen who has made outstanding contributions to the community over a period of greater than 10 years.
10. Council will not approve requests for the naming of Council reserves, reserve infrastructure or facilities after a person still holding public office.
11. With the exception of historical persons of distant past, naming after a person shall only be approved with the written consent of their immediate family.
12. Names considered offensive or likely to give offence will not be considered.
13. Notwithstanding an approval by the Council under this Policy, Council reserves the right to alter or rescind such approval by resolution of the Council.
14. This Policy should be read in conjunction with Council's Code of Conduct.

**POLICY IMPLEMENTATION - PROCEDURES****Applications for memorials on Council land or land under the care and control of Council**

15. Applications must be in writing and addressed to the Chief Executive Officer marked for the attention of Council's Property and Asset Management unit.
16. Applications must include a supporting statement for the nominee detailing how the nominee meets the conditions as stated in the Policy.
17. All applications should include a site plan indicating the proposed location of the memorial plaque.

## POLICY FOR MEMORIALS, NAMING OF COUNCIL FACILITIES AND DONATIONS OF PARK FURNITURE AND TREES

18. The application must be supported in writing by a minimum of three third parties, one of which must be a local community group.
19. The documentation must be validated by Statutory Declaration.
20. In circumstances as determined by Council's Property and Asset Management unit where an application for a memorial plaque 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.
21. For park furniture, plaque size will be limited to 150mm by 100mm and will be installed in the concrete base around the park furniture. Wording should follow a simple and standard format and avoid terminology used in the cemeteries. The wording will recognise the nominee and their qualities/attributes or an appropriate phrase outlined in the application.
22. The provision of memorial plaques at the base of trees will not be supported due to the potential trip hazard it presents on public reserves.
23. Evaluation of the appropriateness of the memorial plaque will be made by Council's Property and Asset Management unit in close consultation with the relevant Council asset user(s) and the Governance Unit.
24. All applications and any community feedback received will be given careful consideration by Council's Property and Asset Management unit prior to being presented to Council the via a quarterly Council Report.

**Donation of Park Furniture and Trees**

25. Applications must be in writing and addressed to the Chief Executive Officer marked for the attention of Council's Property and Asset Management unit.
26. Council will permit the donation of park furniture and trees subject to Council's direction with respect to appropriateness, location, standards of park furniture type and style, or tree species choice.
27. Consideration will need to be given to:
  - (a) infrastructure already at the location;
  - (b) maintaining safe passage for pedestrians and other park users;
  - (c) avoidance of any damage to the natural environment; and
  - (d) ensuring the donation meets with general community expectations for the area.



## POLICY FOR MEMORIALS, NAMING OF COUNCIL FACILITIES AND DONATIONS OF PARK FURNITURE AND TREES

28. Due consideration of any Aboriginal connection with the site will also be required to be undertaken by Council.
29. Evaluation of the appropriateness of the donation will be made by Council's Property and Asset Management unit in close consultation with the relevant Council asset user(s) and Governance.
30. In those circumstances where an application to donate park furniture or trees is potentially controversial or questionable as determined by Council's Property and Asset Management unit, the application will be advertised for a period of 21 days to provide opportunity for community comment and feedback for consideration by Council.
31. All applications and any community feedback received will be given careful consideration by Council's Property and Asset Management unit prior to being presented to Council via a quarterly Council Report.

**Application for naming facilities owned by Central Coast Council**

32. All proposals to name or re-name a facility must be submitted in writing and addressed to the Chief Executive Officer marked for the attention of Council's Property and Asset Management unit.
33. Applications must contain the following details:
  - (a) Name and address of the requester;
  - (b) Sufficient information to clearly identify the facility (description, maps, drawing and any other relevant details); and
  - (c) Reason for the choice of facility, including discussing the origin and significance of the current name to the facility.
34. If the proposal is to commemorate a person, then additional information is required:
  - (a) Dates of birth and death;
  - (b) Association of the person with the facility to be named;
  - (c) Person's association and contribution to the local community;
  - (d) Source of the above information; and
  - (e) Any other relevant supporting documentation.
35. Applications must include a supporting statement for the nominee which detail how the nominee meets the conditions as stated in the Policy.

## POLICY FOR MEMORIALS, NAMING OF COUNCIL FACILITIES AND DONATIONS OF PARK FURNITURE AND TREES

36. The application must be supported in writing by a minimum of three third parties, one of which must be a local community group.
37. The documentation must be validated by Statutory Declaration and signed by a Justice of the Peace, Legal Practitioner or Commissioner of Declarations.
38. Proposed use of Aboriginal names for a facility must demonstrate consultation with the Local Aboriginal Lands Council and Council's Indigenous Community Development Worker.
39. 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.
40. Evaluation of the appropriateness of the naming or re-naming of a facility will be made by Council's Property and Asset Management unit in close consultation with the relevant Council asset user(s) and Governance.
41. All applications and any community feedback received will be given careful consideration by Council's Property and Asset Management unit prior to being presented to Council via a quarterly Council Report.

**Naming of new facilities owned by Central Coast Council**

42. For the avoidance of doubt, any new Council facilities are required to be named in accordance with sections 35 to 44 of this Policy and will require a Council Resolution.

**Geographical Names Board**

43. When considering a name proposal, Council must assess whether the proposed name needs to be registered with the Geographical Names Board under the *Geographical Names Act 1966*.
44. 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, Council's Property and Asset Management unit 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.

## POLICY FOR MEMORIALS, NAMING OF COUNCIL FACILITIES AND DONATIONS OF PARK FURNITURE AND TREES

45. All applications and any community feedback received will be given careful consideration by Council's Property and Asset Management unit prior to being presented to Council via a quarterly Council Report

**Cost**

46. The applicant is required to meet all costs associated with the purchase, advertisement, delivery, installation and maintenance of the approved park furniture, tree(s) and/or the Council approved plaque.
47. Council's Property and Asset Management unit will contact each applicant and provide an estimate of the costs, which will be also be included in the quarterly Council Report.
48. Works will only commence once:
  - (a) a Council Resolution has approved the application; and
  - (b) the complete costs of the donation/memorial has been received by Council.
49. All works are to be carried out by Council employees or Council approved contractors.
50. Council's Property and Asset Management unit will co-ordinate the purchase of the park furniture, tree(s) and plaque, if required.

**Maintenance**

51. The donated park furniture or tree(s) will be subject to the same level of maintenance as other infrastructure located in the reserve.
52. The donation will remain in place as long as it remains in good working condition and complies with Council standards.
53. Council accepts no responsibility or obligation for repair of damage to, or theft of, the structure.
54. Applicants may re-apply should the park furniture or tree(s) need to be replaced.

**REPORT TO COUNCIL**

55. Any requests received under this policy will be subject to a quarterly report to Council.
56. Council's Property and Asset Management unit is responsible for the co-ordination of requests, actions under this Policy and for the preparation of the quarterly report to Council.

**REVIEW**

POLICY FOR MEMORIALS, NAMING OF COUNCIL FACILITIES AND DONATIONS OF PARK FURNITURE AND TREES

57. Council's Property and Asset Management unit will review this Policy every two years.

**SUPPORTING DOCUMENTS**

58. The following legislation and Council policies affect the operation of this Policy:

- (a) *Local Government Act 1993;*
- (b) *Local Government (General) Regulation 2005;*
- (c) *Geographical Names Act 1966.*
- (d) Council's adopted Code of Conduct.



**Item No:** 3.17  
**Title:** Meeting Record of the Companion Animals  
Advisory Committee held 10 October 2019  
**Department:** Environment and Planning

---

25 November 2019 Ordinary Council Meeting

Trim Reference: F2019/00998 - D13700758

Manager: Brian Jones, Unit Manager, Environment and Compliance

Executive: Scott Cox, Director Environment and Planning

### **Report Purpose**

To note the Meeting Record of the Companion Animals Advisory Committee held on 10 October 2019 and consider the recommendations to Council from the Committee.

### **Recommendation**

- 1 That Council receive the report on Meeting Record of the Companion Animals Advisory Committee held 10 October 2019 that is Attachment 1 to this report.**
- 2 That Council appoint Councillor Greg Best as the Chairperson for the Companion Animals Advisory Committee.**
- 3 That Council appoint Greg Kelman as a voting member of the Companion Animals Advisory Committee as a community representative, and adopt the Terms of Reference with this change as set out in Attachment 2 to this report.**
- 4 That Council note the Companion Animals Advisory Committee supports the SOCARES petition to the NSW Government to legislate mandatory desexing of companion animals in NSW.**

### **Context**

The Companion Animals Advisory Committee (CAAC) held its inaugural meeting on 10 October 2019. The Meeting Record of that meeting is Attachment 1 to this report.

At that meeting the CAAC considered and endorsed the Terms of Reference as set out in Attachment 2 to this report, and recommended that Council appoint Councillor Greg Best as Chairperson of the CAAC. It is noted that Council previously resolved to acknowledge Councillor Best's nomination as Chairperson at the 12 November 2019 Ordinary Council meeting.

### **3.17 Meeting Record of the Companion Animals Advisory Committee held 10 October 2019 (contd)**

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983/18 *That the Council notes that Councillor Best has indicated that he will be chairing any such Committee.*

As noted in the Meeting Record, the CAAC also considered a late expression of interest for membership that was received from a local veterinarian, Greg Kelman, as shown in Attachment 3 to this report. The CAAC endorsed Greg for membership and Council are now recommended to appoint him as a voting member.

Staff support the Committee's recommendation as Greg's experience and knowledge will be beneficial to the CAAC. Moreover there were previously six vacancies advertised for community representative positions, however only five applications were received. Greg's appointment therefore aligns with the original intended number for the CAAC membership.

#### **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.

#### **Attachments**

- |          |  |           |
|----------|--|-----------|
| <b>1</b> | Companion Animals Advisory Committee Meeting Record - 10 October 2019  | D13700753 |
| <b>2</b> | Draft Terms of Reference - Companion Animals Advisory Committee (CAAC) | D13700848 |
| <b>3</b> | Email from Greg Kelman - Late Expression of Interest for Membership    | D13700844 |

# Companion Animals Advisory Committee Meeting Record 10 October 2019



<b>Location:</b>	Central Coast Council Wyong Office Level 2 Committee Room 2 Hely Street, Wyong	
<b>Date:</b>	10 October 2019	
<b>Time</b>	Started at: 4.04pm	Closed at: 5.56pm
<b>Chair</b>	Councillor Greg Best	
<b>File Ref</b>	F2019/00998	

**Present:**

Councillor Greg Best, Councillor Kyle MacGregor, Councillor Jeff Sundstrom, Nicole Florczak, Louise Harding (arrived 4.22pm), Velma Harris, Te're Melrose

**External Representative present:**

Deanna Walton – Central Coast Animal Care Facility, Marilyn Jurina – SOCARES Animal Care Facility Charmhaven (arrived 4.22pm, left 5.30pm)

**Council Staff present:**

Brian Jones – Unit Manager Environment and Certification, Grant Foster – Section Manager Community Safety, Warren Murphy – Section Manager Contracts and Projects, Zoie Magann – Advisory Group Support Officer

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**Item 1                    Welcome, Acknowledgement of Country and Apologies**


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Apologies received: Councillor Jillian Hogan, Terrie Lynn, Scott Cox – Director Environment and Planning

Brian Jones (Unit Manager Environment and Certification) welcomed the Advisory Group and completed an Acknowledgement of Country.

Councillor Kyle MacGregor completed an Acknowledgement of Country.

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**Item 2                    Introductions**


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Each member of the Advisory Group briefly introduced themselves.

Companion Animals Advisory Committee Meeting Record  
10 October 2019



Central  
Coast  
Council

---

**Item 3                    Nomination of Chairperson**

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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.

Brian Jones (Unit Manager Environment and Certification) called for nominations of Chairperson. Councillor Greg Best was nominated and accepted the appointment.

**Recommendation:** That Council appoint Councillor Greg Best as Chairperson of the Companion Animals Advisory Committee.

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**Item 4                    Disclosures of Interest**

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Councillor Greg Best called for any disclosures. No disclosures were received.

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**Item 5                    Terms of Reference**

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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                    Consideration of Late Membership**

---

The Advisory Group considered an application for membership that was received after the Expression of Interest period had closed.

**Recommendation:** That Council appoint Greg Kelman as a voting member of the Companion Animals Advisory Committee as a community representative and update the Terms of Reference accordingly.

---

**Item 7                    Regional Impounding Facility Strategy Update**

---

Brian Jones (Unit Manager Environment and Certification) spoke to the report that was provided to Advisory Group members regarding the Community Safety Facilities Needs Assessment and Report.

The Advisory Group noted the report and agreed that further consideration was required.

The Advisory Group generally discussed animal management including fostering potential as a potential solution to growing numbers in animal care facilities.

**Action:** Staff to provide the Advisory Group with further information about options for fostering.

*Item 9 was moved forward to follow this Item.*



**Item 8**                      **Consideration of a 'Cat Curfew'**

The Advisory Group discussed the possibility of having a cat curfew. There were concerns raised about the ability to enforce such a thing. It was suggested that focus should instead be on positive education of pet owners.

It was noted that other states have legislation that enforces a cat curfew (SA, VIC, ACT). While the *Companion Animals Act NSW* encourages a curfew, there is no legislation to enforce it.

**Action:** Advisory Group members to submit any ideas for implementation of a cat curfew to the Advisory Group Support Officer for discussion at a later date.

**Action:** Staff to provide further information on establishing a cat curfew to Advisory Group members.

**Item 9**                      **SOCARES Presentation: Compulsory Desexing of Companion Animals**

*This item was moved forward to follow Item 7.*

Marilyn Jurina (SOCARES Animal Care Facility) tabled a petition to legislate the mandatory desexing of companion animals in NSW for the Advisory Group's information and support.

It was noted there have been recent changes to *Companion Animals Act NSW* to reduce unwanted litters and unlawful trade of animals, however further action is required.

**Recommendation:** That Council note the Companion Animals Advisory Committee supports the SOCARES petition to the NSW Government to legislate mandatory desexing of companion animals in NSW.

**Action:** Advisory Group Support Officer to circulate links to NSW State Government report on animal breeding practices to Advisory Group members, as provided by Councillor Jeff Sundstrom.

**Item 10**                      **Advisory Committee Action Plan for Next 12 Months**

The Advisory Group discussed the meeting frequency and indicated a preference for monthly meetings on Thursdays.

It was noted that Council has requested the Advisory Group meet at least 3 times before September 2020 and that most Advisory Groups meet bimonthly or quarterly.

**Action:** Next meeting to be held in November 2019. Advisory Group Support Officer to check calendars and notify Advisory Group members when an appropriate appointment is determined.

Advisory Group members confirmed agreement to share contact details with each other and would prefer BCC not be used in email communications.

**Item 11            General Business and Close**

The below matters were discussed by the Advisory Group.

- a) Dog attack reporting and statistics: concerns that stats are extremely poor and Central Coast is reported as being worst in NSW (staff are in process of reviewing stats and areas for improvement as stats may not correctly reflect reality).
- b) Ranger stray services: concerns about overwhelming number of dogs and limited resources available to react to incidents.
- c) Off leash areas: need for more safe and secure off leash areas.
- d) Dog owner education: underpins all issues, potential for owner licensing (encourages accountability and responsible pet ownership), promotion of free services and information for community members, explore opportunities for educating new pet owners when registering/microchipping, doing well with education of children (e.g. interactive program on website) but need improvement with adults.

It was noted that all the above topics are connected, with education being the core issue.

**Action:** Advisory Group members to forward any ideas on the above topics in preparation for the next meeting, with a view for matters to be considered in 20/21 budget.

Advisory Group members were provided with one of the pet resource packs that Council makes available through its libraries.

The meeting closed at 5.56pm

**Next Meeting:            November 2019 (TBC)**  
**4pm – 6pm**  
**Central Coast Council Gosford Office**  
**Level 1 Committee Room**

## Terms of Reference – Companion Animal Advisory Committee (CAAC)

### 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 staff on implementation and review of the Community Strategic Plan.

The role of the Advisory Group known as the Companion Animal Advisory Committee (CAAC) is to advise Council on matters relating to companion animal related functions.

The CAAC will operate in a non-regulatory, operational and/or advisory capacity and will only involve itself with individual aspects or issues specific companion animal related functional issues.

### 2. Responsibilities

The CAAC is responsible for providing advice and feedback to Council on:

- Development of strategic policies, programs, services and plans for effective management of companion animals.
- Provide strategic input and advice to Council on companion animal events and educational programs.
- To advise Council on delivery of effective and responsible animal care functions within the Local Government Area.

### 3. Membership, Voting and Quorum.

#### *Membership*

Councillors:	Councillor Best (Chair)	Voting Member
	Councillor Hogan (Alternative Chair)	Voting Member
	Councillor MacGregor	Voting Member
	Councillor Sundstrom	Voting Member
Community Members:	Nicole Florczak	Voting Member
	Louise Harding	Voting Member
	Velma Harris	Voting Member
	Greg Kelman	Voting Member
	Terrie Lynn	Voting Member
	Te're Melrose	Voting Member

- Council's Animal Management contractor representatives (Non-voting members)

## Terms of Reference – Companion Animal Advisory Committee (CAAC)

Community representatives shall be appointed by resolution of Council following advertisement for nominations. Nominations are to be in writing and will circulate in full to Councillors for evaluation and consideration. The CAAC is not involved in the evaluation or selection process, it is a matter for Council.

The staff holding the following Central Coast Council positions may attend Advisory Group meetings:

- Director Environment and Planning
- Unit Manager Environment and Certification
- Section Manager Community Safety
- Section Manager Contracts and Projects

Council officers will provide professional advice and administrative support. Employees of the Council are not subject to the direction of the CAAC or any members of it. Staff attendance is at the discretion of the Chief Executive Officer.

Non-staff members appointed to the CAAC are appointed 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.

## Terms of Reference – Companion Animal Advisory Committee (CAAC)

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 (meeting records).

The Unit Manager Environment and Certification shall be the convenor of the Central Coast CAAC.

### *Voting*

No formal voting rules apply.

As the CAAC 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 Chairperson. The vote will be carried by a majority of voting members. The meeting record would reflect this process.

Council is the decision making body and the CAAC provides recommendations for consideration.

The CAAC may agree to allow participation in meetings through conference calls and other technology. As no formal voting rules apply, there is no proxy voting.

### *Quorum*

The Quorum for a meeting is half the CAAC voting membership plus one and must include at least one Councillor.

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 no less than annually;
- 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 (meeting record) – the minutes will document agreed outcomes and will not record discussions.

## Terms of Reference – Companion Animal Advisory Committee (CAAC)

### **5. Communications and reporting**

The agendas and meeting records of the CAAC will be stored as a permanent record of Council. All agendas and meeting records will be published on Council's website.

Where the CAAC 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 meeting record of the CAAC. Reporting of CAAC recommendations to Council will be reported as Committee Recommendations without change. Staff may provide professional commentary on the CAAC recommendation.

Council may, at its discretion, resolve to adopt some or all of the CAAC's recommendations.

Where the CAAC has not recommended an action, the meeting record will be reported to Council as an Information Report only.

### **6. Conduct**

Code of Conduct training will be provided to all CAAC members, and must be completed prior to attending a meeting of the CAAC.

Each member of the CAAC will be provided with Council's adopted Code of Conduct and members are expected to act in a manner be consistent with the principles outlined in the Code of Conduct.

For the avoidance of doubt, members of the CAAC are not permitted to speak to the media or make representations on social media on behalf of Council or the CAAC unless approved by Council.

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**From:** Greg Kelman <[REDACTED]>  
**Sent:** Wednesday, 18 September 2019 9:59 AM  
**To:** Ask  
**Subject:** Companion Animals Advisory Committee

Attn:  
James Taylor  
Section Manager  
Governance Services

Hi James,

I would like to submit my application to be included as a member on the Central Coast Council Companion Animals Advisory Committee. As a companion animal veterinarian and member of the Australian Veterinary Association I would be able to provide a scientific professional opinion in relation to companion animal issues relating to the Central Coast.

My areas of experience include owning and running a veterinary hospital business, dealing with a wide variety of clients and customer service; service as local branch president of the Australian Veterinary Association; service as president of the Bouddi Pony Club; working on various committees both in the church and secular groups. I am also a committed local pet owner - and understand the importance of companion animals within the community, the importance of the human-animal bond and the need for both animals and humans in the support we give each other.

If you would like more information or to contact me please either give me a call, or drop me an email.

Sincerely,

Greg

Dr Greg Kelman BSc BVMS MACVSc  
Principal Veterinarian and Owner



174-178 Avoca Drive  
Kincumber NSW 2251  
02 4368 1727  
www.kincumbervet.com.au



**Item No:** 3.18  
**Title:** Meeting Record of the Catchments and Coast Committee Tuggerah Lakes held on 28 August 2019

**Department:** Environment and Planning

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25 November 2019 Ordinary Council Meeting

Trim Reference: F2018/00098 - D13675155

Manager: Luke Sulkowski, Unit Manager, Natural and Environmental Assets

Executive: Scott Cox, Director Environment and Planning

### **Report Purpose**

To note the Meeting Record of the Catchments and Coast Committee Tuggerah Lakes held on 28 August 2019 and consider the recommendations from the Committee, including staff consideration of those recommendations.

### **Recommendation**

- 1 That Council receive the report on Meeting Record of the Catchments and Coast Committee Tuggerah Lakes held on 28 August 2019 that is Attachment 1 to this report.**
- 2 That Council note that a decision regarding acquisition of a new dredge will be deferred until the expert panel report due in December 2020 has been considered. This does not prevent Council from carrying out dredging work under contract if required. Alternative entrance management options at the sand berm are currently being considered by Council staff.**

### **Background**

The Catchments and Coast Committee – Tuggerah lakes held a meeting on 28 August 2019. The Meeting Record of that meeting is Attachment 1 to this report.

Staff provided the below additional comments concerning a recommendation made by the Committee.

#### **Committee Recommendation:**

The Committee recommends to Council that any decision regarding acquisition of a new dredge be deferred till the expert panel report is available December 2020. Council still can undertake flood mitigation and berm management with earth moving equipment during this time.



**3.18 Meeting Record of the Catchments and Coast Committee Tuggerah Lakes held on 28 August 2019 (contd)**

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**Staff Comment:**

For clarification, the expert panel is a group being established by the NSW Government via an election promise to provide advice about Tuggerah Lakes estuary. The makeup of the panel and the scope of their advice are yet to be finalised.

Council staff are presently considering options for entrance management at the sand berm.

**Recommendation to Council**

A decision regarding acquisition of a new dredge will be deferred until the expert panel report due in December 2020 has been considered. This does not prevent Council from carrying out dredging work under contract if required. Alternative entrance management options at the sand berm are currently being considered by Council staff.

**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.

**Attachments**

- 1 Catchments and Coast Committee Tuggerah Lakes Meeting Record - 28 August 2019 D13675157

# Catchments and Coast Committee Tuggerah Lakes Meeting Record 28 August 2019



Location:	Central Coast Council Wyong Office Level 2 Committee Room, 2 Hely Street, Wyong
Date:	28 August 2019
Time	Started at: 2.50pm    informal discussions: 2.07pm    Closed at: 4.08pm
Chair	Councillor Doug Vincent
File Ref	F2018/00098

### Present:

Mayor Jane Smith (arrived 2.50pm; left 3.45pm), Councillor Louise Greenaway (arrived 2.51pm) Councillor Doug Vincent, Michael Campbell, Doug Darlington, Robert Davies, Samantha Willis

### External Representatives present:

Neil Kelleher – Department of Planning, Industry and Environment, Richard Murphy – Department of Planning, Industry and Environment

### Council Staff present:

Scott Cox – Director Environment and Planning (arrived 2.13pm; left 3.01pm), Luke Sulkowski – Unit Manager Natural and Environmental Assets, Ben Fullagar – Section Manager Coastal Protection, Danielle Hargreaves – Section Manager Learning Community, Peter Sheath – Section Manager Waterways, Matthew Barnett – Team Leader Catchment Operations, Vanessa McCann – Team Leader Estuary Management, Kelly Drover – Advisory Group Support Officer, Tina Nay – Advisory Group Support Officer

In accordance with Section Three of the Terms of Reference, there were insufficient voting members present at the beginning of the meeting, therefore informal discussions were held till 2.50pm at which point quorum was achieved and the meeting could proceed.

### Item 1                      Welcome, Acknowledgement of Country and Apologies

Apologies Received: Graham Hankin, Marlene Pennings, Peter Scanes – Department of Planning, Industry and Environment, Scott Carter – Department of Primary Industries (Fishing), Sarah Conacher – Department of Primary Industries (Fishing)

Mayor Jane Smith completed an Acknowledgement of Country and Connection to Land statement.

Catchments and Coast Committee – Tuggerah Lakes Meeting Record  
28 August 2019



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**Item 2                    Disclosures of Interest**

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No Disclosures of Interest were declared.

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**Item 3                    Confirmation of Previous Meeting Record**

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The Advisory Group confirmed the Meeting Record from 26 June 2019.

The Action Log was deferred until the next meeting.

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**Item 4                    Feedback from Previous Meeting**

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The Chair noted his concerns that the last meeting contained lengthy discussions and he would like future meetings to be more structured.

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**Item 5                    Education Initiatives to Promote Healthy Waterways (Actions 39 and 40)**

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Danielle Hargreaves (Section Manager Learning Community) provided the Committee with an update on Education Initiatives within the Tuggerah Lakes and Estuary waterways.

The Committee discussed the email received from Mr Thomas Orren regarding featuring articles in the Central Coast Express Advocate.

**Action:** The Committee respond to Mr Orren, thanking him for his letter and concerns outlined therein, and advising him that Council has a set process for providing information to the Media and direct him to our website where he can obtain further information such as fact sheets addressing his area of concern.

The Committee discussed the email received from Councillor Greenaway regarding a campaign aimed at encouraging residents to improve lagoon health. The Chair thanked Councillor Greenaway for her commitment to this matter.

**Action:** Staff to consider the messaging included in Councillor Greenaways email and whether it can be incorporated into the delivery of an education program.

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**Item 6                    Reflect on Progress in line with Terms of Reference and Action Plan**

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Due to time constraints this item was deferred to the next meeting.

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**Item 7                    The Entrance Dredging Program**

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Doug Darlington raised the issue of The Entrance Dredging Program.

The Committee noted Doug's concerns and staff advised there is an outstanding Council resolution regarding dredging and information is being prepared to present to Councillors (most likely early October).

Catchments and Coast Committee – Tuggerah Lakes Meeting Record  
28 August 2019



**Recommendation:** The Committee recommends to Council that any decision regarding acquisition of a new dredge be deferred till the expert panel report is available December 2020. Council still can undertake flood mitigation and berm management with earth moving equipment during this time.

The Chairs reservations regarding the above recommendation were noted.

#### **Item 8                    Seismic Oil and Gas Testing and Exploration Offshore of the Northern Beaches**

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The Committee discussed the email received from Northern Beaches Council regarding Seismic Oil and Gas Testing and Exploration Offshore of the Northern Beaches.

It was noted that as per the below Council Resolution from the 11 February 2019 Ordinary Meeting, Council already has a position on this matter and does not support the Seismic Oil and Gas Testing and Exploration Offshore.

*105/19 That Council, on behalf of its 340,000 residents and ratepayers, reaffirm its strident opposition to the current off shore gas and oil exploration currently being undertaken just off our coastline using controversial seismic blasting.*

**Action:** The Committee respond to Northern Beaches Council, thanking them for bringing the issue to the attention of Central Coast Council and advising them of the Council Resolution of 11 February 2019 opposing off shore gas and oil exploration using seismic blasting.

#### **Item 9                    General Business and Close**

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It was noted that the next scheduled meeting to be held on 30 October 2019 clashes with the Coastal Conference. Meeting date rescheduled as below.

**Action:** The Committee to extend an invitation to Fisheries to attend the next meeting.

**Action:** The following items be included for discussion on the next meeting agenda:

- Long Jetty Killarney Vale Flood Study
- Technical Sub-Committee
- Coastal Management Program

The meeting closed at 4.08pm

**Next Meeting:**            **Thursday 7 November 2019**  
                                  **4pm – 6pm**  
                                  **Central Coast Council Wyong Office**  
                                  **Level 2 Committee Room**  
                                  **2 Hely Street, Wyong**



**Item No:** 4.1  
**Title:** Meeting Record of the Catchments and Coast Committee Brisbane Water and Gosford Lagoons held 19 September 2019 and the Terrigal Water Quality Sub-Committee Meeting held 20 June 2019 and 19 September 2019

**Department:** Environment and Planning

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25 November 2019 Ordinary Council Meeting

Trim Reference: F2018/00097 - D13700853

Manager: Luke Sulkowski, Unit Manager, Natural and Environmental Assets

Executive: Scott Cox, Director Environment and Planning

### **Report Purpose**

To note the Meeting Records of the Catchments and Coast Committee Brisbane Water and Gosford Lagoons held 19 September 2019 and the Terrigal Water Quality Sub-Committee held on 20 June 2019 and 19 September 2019.

### **Recommendation**

***That Council receive the report on Meeting Record of the Catchments and Coast Committee Brisbane Water and Gosford Lagoons held 19 September 2019 and the Terrigal Water Quality Sub-Committee Meeting held 20 June 2019 and 19 September 2019.***

### **Background**

The Catchments and Coast Committee Brisbane Water and Gosford Lagoons held a meeting on 19 September 2019. The Meeting Record of that meeting is Attachment 1 to this report.

There are no actions recommended to Council. The Meeting Record is being reported for information only in accordance with the Terms of Reference.

The Terrigal Water Quality Sub-Committee is established under the Catchments and Coast Committee for Brisbane Water and Gosford Lagoons to review existing information and examine ways to improve water quality at Terrigal Beach and The Haven.

The Meeting Records of the Terrigal Water Quality Sub-Committee held on 20 June 2019 and 19 September 2019 form part of the Advisory Group Minutes reported to Council as per the Terms of Reference and are Attachment 2 and 3 to this report.

**4.1 Meeting Record of the Catchments and Coast Committee Brisbane Water and Gosford Lagoons held 19 September 2019 and the Terrigal Water Quality Sub-Committee Meeting held 20 June 2019 and 19 September 2019 (contd)**

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**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**

- |          |  |           |
|----------|--|-----------|
| <b>1</b> | Catchments and Coast Committee Brisbane Water and Gosford Lagoons Meeting Record - 19 September 2019 | D13700879 |
| <b>2</b> | Terrigal Water Quality Sub-Committee Meeting Record - 20 June 2019                                   | D13700901 |
| <b>3</b> | Terrigal Water Quality Sub-Committee Meeting Record - 19 September 2019                              | D13700904 |

# Catchments and Coast Committee Brisbane Water and Gosford Lagoons Meeting Record 19 September 2019



Location:	Central Coast Council Gosford Office Level 1 Committee Room 49 Mann Street, Gosford	
Date:	19 September 2019	
Time	Started at: 2.02pm	Closed at: 4.08pm
Chair	Mayor Jane Smith	
File Ref	F2018/00097	

## Present

Mayor Jane Smith, Andrew Jones, Michael Kilp, Jenny McCulla, Adrian Williams, Samantha Willis, Michael Alsop (non-voting)

## External Representatives present:

Colin Johnson – Department of Planning, Industry and Environment, Neil Kelleher – Department of Planning, Industry and Environment, Jaimie Potts – Department of Planning, Industry and Environment, Peter Scanes – Department of Planning, Industry and Environment

## Council Staff present:

Lisa Fox – Senior Advisor Policy and Projects, Luke Sulkowski – Unit Manager Natural and Environmental Assets (arrived at 2:31pm), Ben Fullagar – Section Manager Coastal Protection, Peter Sheath – Section Manager Waterways, Parissa Ghanem – Team Leader Floodplain Management and Senior Planner, Vanessa McCann – Team Leader Estuary Management, Warren Brown – Waterways and Coastal Management Officer, Melanie James – Waterways Officer, Tina Nay – Advisory Group Support Officer

## Item 1 Welcome, Acknowledgement of Country and Apologies

Apologies received: Councillor Troy Marquart, Councillor Richard Mehrtens, Ian Caruthers, Scott Cox – Director Environment and Planning

Mayor Jane Smith completed an Acknowledgment of Country statement.

Mayor Jane Smith also acknowledged the connection that we all have to this land and place, and the shared responsibility that we have to care for and protect this land for future generations.

## Item 2 Disclosure of Interest

No disclosures were received.



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**Item 3 Confirmation of Previous Meeting Record**

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The Advisory Group confirmed the Meeting Records from 21 March and 20 June 2019.

It was noted that the 20 June 2019 meeting did not have a quorum, however Committee members would like to receive a copy of the notes taken during the informal meeting.

**Action:** Notes of 20 June 2019 informal meeting to be attached to the next meeting agenda for the Committee members' information.

The Advisory Group reviewed the Action Log.

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**Item 4 Lower Hawkesbury Estuaries Scoping Study (Standing Item)**

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Ben Fullagar (Section Manager Coastal Protection) provided a presentation on the transition from Coastal Zone Management Plans to Coastal Management Programs. The presentation included a high-level timeline for the development stages of Coastal Management Programs including consultation opportunities. Council is currently working on the following Stage 1 Scoping Studies:

- Lower Hawkesbury Estuary (with Hornsby Shire Council and other Councils)
- Open Coast and Coastal Lagoons
- Tuggerah Lakes Estuary

**Action:** Update on the development of Coastal Management Programs including the Scoping Studies for Lower Hawkesbury Estuary, Open Coast and Coastal Lagoons and Tuggerah Lakes Estuary to be a standing item on all future agendas.

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**Item 5 Dredging Update**

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Ben Fullagar (Section Manager Coastal Protection) provided a presentation update on the NSW Crown Lands dredging and sand nourishment operations. The presentation included an overview of the dredging locations completed inside half tide rocks and the sand nourishment on Ocean Beach. It was reported that further dredging was planned near Little Box Head and Lobster Beach with sand to be placed on the nearby outer shoal.

A member of the Committee asked how many cubic metres of sand has currently been dredged in total. The exact amount was not known as the project is currently being managed by the State Government.

**Action:** A report on the total amount in cubic metres to be provided at the next meeting.

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**Item 6 Update on Recent Water Quality Results for Avoca Lagoon**

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Peter Scanes (Department of Planning, Industry and Environment) gave a presentation on the water quality of Terrigal.

Water samples have been taken at intervals to determine the source of pollution in Terrigal. Further testing will be conducted up until June 2020.





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**Item 7 Lagoon Openings**

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Mayor Jane Smith reported that she had received enquiries from members of the community on the recent coastal lagoon openings and asked staff to provide an update on procedures and any reviews underway.

Ben Fullagar (Section Manager Coastal Protection) provided an update on recent lagoon openings. This included a report that a number of dead birds were found on Copacabana Beach following the opening of Cockrone Lagoon in August. At this stage it is unknown whether the loss of the birds was related to the opening of the lagoon or whether it was from other causes.

An update was also provided on:

- Further research proposed into the relationship between Avoca Lagoon hydrology and the fringing Bareena wetland hydrology, known habitat of Green and Gold Bell Frogs,
- Monitoring of Green and Gold Bell Frogs near Avoca Lagoon including potential breeding activity and possible citizen science opportunities,
- The development of the 'MHLFIT' tool with Manly Hydraulics Laboratory including updated Flood Studies for the lagoon catchments.

**Action:** Information on the draft Avoca Lagoon opening protocol for the monitoring of the Green and Gold Bell Frog breeding to be circulated to Committee members for their information.

**Action:** Council consultant to be invited to a future meeting to present information on the opening of lagoons.

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**Item 8 Reflect on Progress in line with Terms of Reference and Action Plan**

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The Advisory Group considered the Committee Vision document developed after the 21 March 2019 meeting, additional dot points were added during the meeting.

**Action:** Draft Committee Vision to be circulated to Committee members for review.

The Committee identified the following items for future agendas:

- Coastal Management Programs – standing item
- Lagoon Openings – standing item
- Update on activities and projects Council are currently undertaking – standing item

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**Item 9 Update on Flood and Stormwater Management (Standing Item)**

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Parissa Ghanem (Team Leader Floodplain Management and Senior Planner) gave an update on the Flood and Gross Pollutant Trap Projects currently underway and recently completed.

**Gross Pollutant Traps:**

**Constructed:** New GPT at Ocean Beach Surf Life Saving Club Car Park

**Planned:** 2019/20: Design of GPT on north western shore of Wamberal Lagoon (between Blue Bell Drive and Tall Timbers Road), to be constructed in 2020/21.

**Flood Studies:**

- Coastal Lagoons Overland Flood Study includes Wamberal, Terrigal, Avoca and Cockrone Lagoons - anticipated completion **November 2019**.
- Brisbane Water Overland Flow Study catchments includes Green Point, West Gosford, Point Clare, Tascott and Koolewong - anticipated completion **February 2020**.
- Review of Woy Woy Peninsula Flood Study including Kahibah Creek - anticipated completion **March 2020**.
- Groundwater Modelling on the Woy Woy Peninsula - anticipated completion **October 2019**.
- Integrated Water Management Case Study – Everglades Catchment Woy Woy- anticipated completion **March 2020**
- **Seeking Grant Funding** for Lower Hawkesbury Estuary Flood Study 2019-20

**Floodplain Risk Management Studies and Plans:**

- Woy Woy Peninsula Flood Floodplain Risk Management Study and Plan including Kahibah Creek – anticipated completion **August 2021**.
- Davistown Empire Bay Floodplain Risk Management Study and Plan – anticipated completion **February 2021**.
- Narara Creek Floodplain Risk Management Study and Plan – anticipated completion **June 2020**.
- Ourimbah Creek Floodplain Risk Management Study and Plan – public exhibition completed.

**Item 10            General Business and Close**

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No general business was discussed.

The meeting closed at 4:08pm

**Next Meeting:**            **Wednesday 19 December 2019**  
                                 **2pm – 4pm**  
                                 **Central Coast Council Gosford Office**  
                                 **Level 1 Committee Room**

# Terrigal Water Quality Sub-Committee Meeting Record 20 June 2019



<b>Location:</b>	Central Coast Council Gosford Office Level 1 Committee Room 49 Mann Street, Gosford
<b>Date:</b>	20 June 2019
<b>Time</b>	Started at: 4.06pm                      Closed at: 5.31pm
<b>Chair</b>	Mayor Jane Smith
<b>File Ref</b>	F2018/00097

**Present:**

Mayor Jane Smith, Councillor Sundstrom, Ian Carruthers, Troy Gaston – University of Newcastle, Petra Horwood – Terrigal Haven Supports Group, Colin Johnson – Office of Environment and Heritage, Neil Kelleher – Office of Environment and Heritage, David Mylan – Terrigal Haven Supporters Group, Nada Pantle – Terrigal Urchins Group, Jaimie Potts – Office of Environment and Heritage, Samantha Willis – Central Coast Waterwatch,

**Council Staff present:**

Scott Cox – Director Environment and Planning, Sara Foster – Senior Advisor Policy and Projects, Luke Sulkowski – Acting Unit Manager Waterways and Coastal Protection, Peter Sheath – Section Manager Waterways, Vanessa McCann – Team Leader Estuary Management and Projects, Kathy Bragg – Senior Governance Officer (left 4.16pm), Warren Brown – Waterways and Coastal Management Officer, Melanie James – Waterways Officer, Zoie Magann – Advisory Group Support Officer

**Item 1                      Apologies**

Richard Murphy – Office of Environment and Heritage, Ben Fullagar – Section Manager Coastal Protection

The Chairperson, Mayor Jane Smith, declared the meeting open at 4.06pm and completed an Acknowledgement of Country and Connection to Land statement

**Item 2                      Introductions**

Each member of the Sub-Committee briefly introduced themselves and noted the organisation they are representing if applicable.

Terrigal Water Quality Sub-Committee Meeting Record  
20 June 2019



### **Item 3 Disclosures of Interest**

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Kathy Bragg (Senior Governance Officer) provided a brief overview of Council's Code of Conduct to supplement the information that was sent to Sub-Committee members who had not previously received Code of Conduct training.

The Mayor called for any Disclosures of Interest. No disclosures were made.

### **Item 4 Terms of Reference**

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The Sub-Committee reviewed the Terms of Reference resolved by Council on 11 June 2019.

Concerns were noted that as per the Terms of Reference the Sub-Committee only has four hours in which to meet its responsibilities, given the meeting frequency and initial one year term.

### **Item 5 Initial Outcomes of the Terrigal Water Quality Audit**

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Melanie James (Waterways Officer) provided a presentation on the Terrigal Water Quality Audit program underway by Council in partnership with the Office of Environment and Heritage (OEH). The presentation included an overview of the issue of water quality in Terrigal, investigation methods, planned outcomes and potential challenges. It was noted that Terrigal met recreational water quality guidelines for the majority of the time, but the goal of the program was to improve this.

**Action:** Staff to review presentation for distribution and circulate appropriate slides to Sub-Committee members once confirmed.

It was noted that the community commonly reacts to Beachwatch data as opposed to Council data.

David Mylan (Terrigal Haven Supporters Group) raised some concerns about stormwater harvesting infrastructure in Terrigal with the below questions being taken on notice.

1. Does water from the harvesting infrastructure go to sites other than Crown Plaza?
2. Is the water treated before it's transferred?
3. Is the system calibrated accordingly to account for the time water spends in the system before being transferred, and is the pressure appropriate for the number of sites it's transferred to?

**Action:** Terrigal Haven Supporters Group to provide list of concerns regarding harvesting infrastructure to staff for following up.

**Action:** Staff to follow up with relevant Council sections to provide responses to the questions/concerns raised by Terrigal Haven Supporters Group.

Staff advised a report on the initial outcomes of the Audit is going to the 22 July 2019 Council meeting.

Terrigal Water Quality Sub-Committee Meeting Record  
20 June 2019

The logo for Central Coast Council, featuring the text "Central Coast Council" inside a white circle on a dark blue background.

**Action:** Report going to 22 July 2019 Council meeting to be circulated to Sub-Committee members once Business Paper is published.

**Action:** Sub-Committee members to forward any concerns on the 22 July 2019 Council report to Advisory Group Support Officers for collating in preparation for next Sub-Committee meeting.

It was noted that staff are continuing to investigate large dry weather events, particularly following periods of high visitor numbers (eg. long weekends and public holidays).

Jaimie Potts (Office of Environment and Heritage) confirmed that OEH completes offshore sampling to complement Council's sampling, and that a control site exists at North Avoca. OEH are preparing a report which will be provided to Council by August.

**Action:** OEH report to be circulated to Sub-Committee members once received in preparation for next Sub-Committee meeting.

Staff advised there is a Communications strategy underway to help educate the public as there is currently a lot of misinformation being circulated. Furthermore, signs will be erected at the seven drains site in Terrigal to direct people where to access information on water quality.

#### **Item 6                    General Business and Close**

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**Action:** Further information on stormwater harvesting to be provided at next meeting.

**Action:** Update from OEH regarding water testing to be provided at next meeting.

**Action:** Update from Melanie James (Waterways Officer) to be provided at next meeting.

**Action:** Staff to investigate aligning meeting schedule with reoccurring Council reports.

The meeting closed at 5.31pm

**Next Meeting:**            **Thursday 19 September 2019**  
                                  **4pm – 5pm**  
                                  **Central Coast Council Gosford Office**  
                                  **Level 1 Committee Room**

# Terrigal Water Quality Sub-Committee Meeting Record 19 September 2019



Central  
Coast  
Council

Location:	Central Coast Council Gosford Office Level 1 Committee Room 49 Mann Street, Gosford	
Date:	19 September 2019	
Time	Started at: 4.13pm	Closed at: 5.34pm
Chair	Mayor Jane Smith	
File Ref	F2018/00097	

#### **Present:**

Mayor Jane Smith, Councillor Sundstrom, Troy Gaston – University of Newcastle, Petra Horwood – Terrigal Haven Supports Group, Colin Johnson – Department of Planning, Industry and Environment, Neil Kelleher – Department of Planning, Industry and Environment (left 5.19pm), David Mylan – Terrigal Haven Supporters Group (left 5.29pm), Jaimie Potts – Department of Planning, Industry and Environment, Peter Scanes – Department of Planning, Industry and Environment, Samantha Willis – Central Coast Waterwatch

#### **Catchments and Coast Committee Members present:**

Andrew Jones

#### **Council Staff present:**

Scott Cox – Director Environment and Planning (left 5.32pm), Jamie Loader – Director Water and Sewer, Lisa Fox – Senior Advisor Policy and Projects, Stephen Dignam – Unit Manager Roads Maintenance and Asset Evaluation, Luke Sulkowski – Unit Manager Natural and Environmental Assets, Allison Cameron – Section Manager Technical Services Water (left 5.32pm), Peter Sheath – Section Manager Waterways, Vanessa McCann – Team Leader Estuary Management and Projects, Melanie James – Waterways Officer, Zoie Magann – Advisory Group Support Officer,

#### **Item 1            Welcome, Acknowledgment of Country and Apologies**

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Apologies received: Councillor Richard Mehrtens, Ian Carruthers

The Chairperson, Mayor Jane Smith, declared the meeting open and completed an Acknowledgement of Country and Connection to Land statement

Terrigal Water Quality Sub-Committee Meeting Record  
19 September 2019



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**Item 2 Disclosures of Interest**

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The Chairperson called for any Disclosures of Interest. No disclosures were made.

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**Item 3 Confirmation of Previous Meeting Record**

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The Sub-Committee reviewed the Meeting Record from 20 June 2019.

The Sub-Committee reviewed the Action Log.

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**Item 4 Update from State Government**

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Peter Scanes (Department of Planning, Industry and Environment - DPIE) provided a presentation on the State Government's involvement in the Terrigal Water Quality Audit.

The following key points were made:

- Audit objective is to identify sources of pollution and prioritise high risk factors for remediation.
- Audit is a partnership between DPIE and Council and is designed with deliverables that are the responsibility of DPIE, of Council and of both parties collectively – the activities are complementary with no duplication
- Audit structure has three key stages:
  1. Identify which drains are delivering pollution
  2. Work up drains to find sources and evaluate greatest risk to values (risk is about the amount of pollutants and the site of discharge – e.g. will it stay or get swept away)
  3. Remove the high-risk sources first
- The 7 drains complex appears to pose greatest risk to swim safety based on water quality, not due to high concentration of bacteria but due to large volumes of catchment stormwater with lower concentrations of bacteria.
- Enterococci DNA testing underway to determine origin of bacteria as Enterococci is not only found in humans but also other warm-blooded animals. Report to be approved by Minister prior to release.
- A water movement and mixing model has been developed to help show influence of tides and winds on water – plan to add further details based on field data in future to better understand the impacts and consequences of possible pollution sources (health risk to swimmers during events, and potential commercial and recreational sources not yet highlighted)
- Coastal water currents are believed to cause a natural gyre (whirlpool) in Terrigal Haven when winds are southerly – it is believed to restrict water movement and trap stormwater in the Haven. Northerly winds may also restrict water movement in the Haven.
- The opening of Terrigal Lagoon is believed to have an impact on water quality in Terrigal Haven due to shape of coastline and low velocity in Haven (water released from lagoon opening can get caught in a natural gyre from coastal water circulation) – testing of the lagoon is also underway.
- A consultant has been engaged to work with DPIE and Council to improve communications about Audit.
- Models shown are not based off recent data but off known currents/wind.

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**Item 5 Update on Terrigal Water Quality Audit Program (Action Item 9)**

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Melanie James (Waterways Officer) provided a presentation on Council's Water Quality Investigations, including background information on the Audit for those absent from the last meeting.

The following key points were made:

- During dry weather events (<5mm rainfall within 3 days – lagoon closed), the average water quality results are 'good', with slightly elevated pollution levels at the 7 drains site ('fair').
- During a wet weather event (>5mm of rainfall within 3 days – lagoon closed) the 7 drains result escalates to 'bad', and the Haven boat ramp and Lagoon change to 'fair'.
- During an extreme wet weather event (such as that in June 2019), the majority of the area reflects a 'bad' result.
- Following wet weather events, most sites reduce in bacteria levels within a few days (took two days for entire beach to return to 'good' level safe for swimming and the Surf Life Saving Club area was safe within 24 hours following event in June 2019)
- Concern raised about children playing in low tide areas in front of 7 drains area. The area in front of the 7 drains is unsafe for paddling in low tide or using boards in stormwater due to sharp rocks (photos shown in the Initial Report). Secondary contact with water has reduced health risks compared to primary contact. Swimming is not recommended in stormwater and parents should be supervising children. Signage is being considered to educate the community and advise against swimming in stormwater, however discussions are ongoing as the Central Coast has thousands of stormwater pipes entering beaches and waterways where the community swims.
- Data from extreme rainfall events indicates Audit needs to have major focus on the catchment and lagoon for extreme wet weather.
- Council is working with DPIE to identify priority areas in catchment for assessment.
- Program will target peak times of upcoming long weekends and school holidays.

Melanie advised there has been a page set up on [Council's website for the Terrigal Catchment Audit](#) which will be regularly updated with key information. The Sub-Committee will be notified when updates are provided on the website, and all Waterways and Coastal Protection Unit presentations provided at Sub-Committee meetings will be uploaded to the page within a week of each meeting.

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**Item 6 Information on Stormwater Harvesting (Action Item 7)**

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This item was deferred to the next meeting due to insufficient time.

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**Item 7 General Business and Close**

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- a) Stormwater Network Infrastructure: Stephen Dignam (Unit Manager Roads Maintenance and Asset Evaluation) provided a presentation on stormwater network infrastructure in the Terrigal Catchment.

The following key points were made regarding pipe infrastructure:

- Results show there are six locations needing work due to structural issues.



Terrigal Water Quality Sub-Committee Meeting Record  
19 September 2019



- No blockages have been found so far.
- Maintenance is ongoing including a street sweeping program, Gross Pollutant Traps (GPTs) cleaning, and a Drainage Inspection program.

**Action:** Any outstanding questions from the meeting to be forwarded to the Advisory Group Support Officers for passing on to staff for response.

The meeting closed at 5.34pm

**Next Meeting:**        **Thursday 19 December 2019 (TBC)**  
                                 **4pm – 5pm**  
                                 **Central Coast Council Gosford Office**  
                                 **Level 1 Committee Room**



**Item No:** 4.2  
**Title:** Meeting Record of the Coastal Open Space System (COSS) Committee held on 3 September 2019  
**Department:** Environment and Planning

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25 November 2019 Ordinary Council Meeting

Trim Reference: F2018/00099 - D13698929

Manager: Luke Sulkowski, Unit Manager, Natural and Environmental Assets

Executive: Scott Cox, Director Environment and Planning

### **Report Purpose**

To note the Meeting Record of the Coastal Open Space System (COSS) Committee held on 3 September 2019.

### **Recommendation**

***That Council receive the report on Meeting Record of the Coastal Open Space System (COSS) Committee held on 3 September 2019 .***

### **Background**

The Coastal Open Space System (COSS) Committee held a meeting on 3 September 2019. The Meeting Record of that meeting is Attachment 1 to this report.

There are no actions recommended to Council. The Meeting Record is being reported for information only in accordance with the Terms of Reference.

### **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 COSS Committee Meeting Record - 3 September 2019 D13698937

Coastal Open Space System (COSS) Committee  
Extraordinary Meeting Record  
3 September 2019



Location:	Central Coast Council Gosford Office Level 1 Committee Room 49 Mann Street, Gosford	
Date:	3 September 2019	
Time	Started at: 1.06pm	Closed at: 2.59pm
Chair	Mayor Jane Smith	
File Ref	F2018/00099	

**Present:**

Mayor Jane Smith, Councillor Jeff Sundstrom, John Andrews, Deb Holloman, Paul Links, Douglas Williamson, Barbara Wills, Gary Chestnut (non-voting)

**External Representatives present:**

Andrew Bayley – National Parks and Wildlife Service, Mick Budden – Local Land Services (Greater Sydney), Jonathan Eccles – Local Land Services (Greater Sydney), Jaci Tebb - Local Land Services (Greater Sydney)

**Council Staff present:**

Lisa Fox – Senior Advisor Policy and Projects, Luke Sulkowski – Unit Manager Natural and Environmental Assets, Dr Anumitra Mirti – Section Manager Environmental Strategies, Kellie Langford – Senior Natural Reserves Officer Bushfire, Rochelle Lawson – Senior Ecologist, Tina Nay – Advisory Group Support Officer

**Item 1 Welcome, Acknowledgement of Country and Apologies**

Apologies received: Councillor Chris Holstein, Scott Duncan – Section Manager Land Use and Policy, Larry Melican – Section Manager Natural Assets and Biodiversity, Stephen Atkins, National Parks and Wildlife Services, Joel Stibbard – Biodiversity Conservation Trust

The Chairperson, Mayor Jane Smith declared the meeting open and completed an Acknowledgement of Country and Connection to Land Statement.

**Item 2 Disclosure of Interest**

The Mayor called for any disclosures of interest. No disclosures were received.

**Item 3 Confirmation of Previous Meeting Record**

The Advisory Group confirmed the Meeting Record from 1 August 2019.



The Action Log was deferred to the next meeting.

#### **Item 4            Draft Biodiversity Strategy**

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Rochelle Lawson (Senior Ecologist) provided the Advisory Group with an update on the draft Biodiversity Strategy. Advisory Group members acknowledged Rochelle's passion for the environment by congratulating her on the presentation.

The Advisory Group briefly discussed the impact on the natural environment at the current Rail Maintenance Facility at Kangy Angy, noting concerns that the E2 zone did not provide protection. This highlighted the need for an additional E5 zone as agreed to by the NSW Government.

The Mayor discussed the former Gosford City Council (fGCC) COSS Levy which historically applied a 0.003%\* of the rates of fGCC property owners in order to achieve COSS objectives. It was suggested that the equivalent percentage amount be applied as it was previously and set aside as a restricted fund specifically for acquiring priority conservation lands including those identified in the adopted COSS Strategy. The specific constraints about how the funds would be able to be applied would still need to be developed. Note the percentage was not intended to apply on top of existing rates, but rather be set aside from existing rate revenue generated

The Advisory Group discussed other suggestions for input into the Draft Biodiversity Strategy prior to adoption of the final strategy by Council including:

- stronger protection of COSS lands through an additional E5 zone as previously agreed to by the NSW Government
- identification of an action to determine how Corridor Mapping can better be considered in planning determinations
- a target of achieving "no nett loss of biodiversity" through the actions of the strategy – also include wording about "protect, maintain and improve" biodiversity
- Include an additional theme specifically for COSS lands – that is focused on acquisition of lands. Noted that reliance on biodiversity offsetting inherently means that biodiversity is lost through trade offs
- application of heritage listings to our natural environment as part of our areas 'Natural Heritage' as another potential protection mechanism

**Action:** Prior to consideration of a final Biodiversity Strategy by Council staff are to include as items for consideration during the exhibition of the draft Strategy the following matters for potential inclusion:

1. call for stronger protection of COSS lands through an additional E5 zone as previously agreed to by the NSW Government
2. identification of an action to determine how Corridor Mapping can better be considered in planning determinations
3. a target of achieving no net loss of biodiversity through the actions of the strategy – and also "protect, maintain and improve" biodiversity
4. Include an additional theme specifically for COSS lands – that is focused on acquisition of lands. Noted that reliance on biodiversity offsetting inherently means that biodiversity is lost through trade offs

Coastal Open Space System (COSS) Extraordinary Meeting Record  
3 September 2019



5. Allocation of 0.003%\* of rate income to a restricted reserve COSS fund for allocation towards COSS acquisitions (in keeping with former Gosford Council)
6. application of heritage listings to our natural environment as part of our areas 'Natural Heritage' as another potential protection mechanism

*\* Clarification after the meeting has identified that the rate applied was \$0.00003 per rateable dollar.*

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**Item 5                    Bouddi National Park Plan of Management**

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Andrew Bayley (National Parks and Wildlife Service) presented the Bouddi National Park Plan of Management to the Advisory Group, which is available for comment via Public Exhibition until 30 September 2019.

It was noted that the presentation had a strong focus on mountain bike trails. Andrew noted that with the increased use of mountain bikes within Bouddi National Park, National Parks and Wildlife Services have consulted with riders specifically to ensure the park remains ecologically sustainable for all users. Tracks assessed as not being suitable for continued use by mountain bikes via the environmental impact assessment will be closed for rehabilitation.

Andrew noted the high number of illegal and unsafe tracks in the National Park. Question was asked about resourcing that NPWS puts into management – including rehabilitation and compliance. This was not known however, appeared that this was not an area that was resourced.

Members asked about the destruction of the National Park by red foxes and deer. National Parks and Wildlife Services rate red foxes highly and are deemed more problematic than deer.

Local Land Services said that the deer numbers have decreased and work with land holders to manage the population, as Bouddi National Park is near residential land the deer therefore cannot be shot. It was noted that deer have recently been reclassified from game to pest.

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**Item 6                    General Business and Close**

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No general business was discussed.

The meeting closed at 2.59pm

**Next Meeting:            Wednesday 27 November 2019  
4pm – 6pm  
Central Coast Council Wyong Office  
Level 2 Committee Room**



**Item No:** 4.3  
**Title:** Meeting Record of the Status of Women Advisory Group held on 22 October 2019  
**Department:** Connected Communities

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25 November 2019 Ordinary Council Meeting

Trim Reference: F2017/00176 - D13717587

Unit Manager: Glenn Cannard, Unit Manager, Community Partnerships

Executive: Julie Vaughan, Director Connected Communities

### **Report Purpose**

To note the Meeting Record of the Status of Women Advisory Group held on 22 October 2019.

### **Recommendation**

***That Council receive the report on Meeting Record of the Status of Women Advisory Group held on 22 October 2019.***

### **Background**

The Status of Women Advisory Group held a meeting on 22 October 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 - 22 October 2019 D13717564

# Status of Women Advisory Group Meeting Record 22 October 2019



Central  
Coast  
Council

Location:	Central Coast Council Gosford Office Level 1 Committee Room 49 Mann Street, Gosford
Date:	22 October 2019
Time	Started at: 3.11pm    Closed at: 4.35pm
Chair	Mayor Lisa Matthews
File Ref	F2017/00176

## Present

Mayor Lisa Matthews, Councillor Chris Holstein, Councillor Kyle MacGregor (arrived 3.31pm), Sharryn Brownlee, Margot Castles, Sally Jope, Belinda Kimpton, Sharon Walsh, Julie Vaughan – Director Connected Communities

## Council Staff present:

Glenn Cannard – Unit Manager Community Partnerships, Aliesha Carreno – Community Development Worker (arrived 3.20pm), Zoie Magann – Advisory Group Support Officer

## Item 1            Welcome, Acknowledgement of Country, Apologies

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Apologies received: Councillor Jillian Hogan, Councillor Jilly Pilon, Councillor Doug Vincent, Danielle Habib

Mayor Lisa Matthews welcomed the Advisory Group and completed an Acknowledgement of Country.

It was noted that Councillors Hogan and Pilon advised Mayor Lisa Matthews of their intention to resign as voting members of the Advisory Group due to difficulty making meetings and to help alleviate the ongoing issues with achieving quorum.

## Item 2            Disclosures of Interest

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No disclosures were noted.

## Item 3            Confirmation of Previous Meeting Record

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The Advisory Group confirmed the Meeting Record from 10 April 2019.

The Advisory Group reviewed the Action Log and noted updates from staff.

Status of Women Advisory Group Meeting Record  
22 October 2019



**Action:** Meeting to be set up through the Mayor's Office between Mayor Lisa Matthews and relevant Department of Education Directors regarding Actions 33 and 55.

**Action:** Staff to review original membership EOIs to target gap in representation and invite candidate to next meeting in consultation with Chairperson.

#### Item 4                      Discuss Priorities Formed at Extra Meeting

The Advisory Group discussed priorities identified at the 30 April 2019 brainstorming session. The below topics were addressed:

- Expanded effort and focus on Women's Week (March 2020): Sally Jope tabled a Central Coast Festival of Women Expo flyer for the group's information. Members are keen for an event to be held by Council to launch Women's Week (2 – 8 March 2020) and International Women's Day (IWD – 8 March 2020).

**Action:** Staff to explore how Council can support the Central Coast Festival of Women (e.g. media releases / Mayor's Column) and report back to Advisory Group.

**Action:** Mayor's Office to coordinate a launch event on 6pm Friday 28 February 2020 in preparation for Festival of Women, similar to the one held earlier this year.

- Violence against Women (November 2019): Advisory Group agreed that it's Council's role to disseminate relevant information (as completed in 2018) on this topic.

**Action:** Glenn Cannard to provide info on what Council is doing in this area.

- Conference ALGWA (October 2019): It was noted that Mayor Lisa Matthews recently hosted an afternoon tea for ALGWA Executives and Council's female Executive Leadership Team members to network. The event was considered a success and ALGWA indicated their interest in holding a women's forum on the Central Coast closer to the 2020 Local Government election.

- Develop positive stories about women – link these into projects Council is already doing: Advisory Group agreed there needs to be a focus on strong comms and promotion of women. Mayor Lisa Matthews will continue to champion this and noted she is considering how best to approach this.

- Continuing to comment and advise Council: continuing function of Advisory Group.

- Internal and external promotion of who SOWAG is: Staff advised Council's website is being updated.

**Action:** Staff to follow up with Comms / Digital about updating SOWAG bios on website. Advisory Group Support Officer to email members with reminder to provide updated info as desired.

- Guest speakers feature at meetings: no longer considered a priority due to restricted timeframes – would prefer to focus on identified opportunities (launch event and support of Festival of Women (Women's Week / IWD) and comms works (media releases, Council website and Mayor's column).

- Revisit Council website: underway as noted above.



Status of Women Advisory Group Meeting Record  
22 October 2019



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**Item 5 International Women's Day Celebration 2020**

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This was covered in Item 4 as above. Launch event to be held 28 February 2020 and Council to disseminate info about other celebrations / events taking place.

It was commented that some community members expressed a desire for an IWD march (similar to those held prior to amalgamation) to be organised. Concerns were raised that this can be logistically challenging, and it may be more beneficial to focus efforts elsewhere (e.g. support of Festival of Women Expo).

**Action:** Mayor Lisa Matthews to speak with Vicki Scott (former Gosford City Council Councillor) about the feasibility of an IWD march and bring info back to Advisory Group.

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**Item 6 Develop a Calendar for the Remaining Term**

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The Advisory Group confirmed their focus for the remaining term, further to discussions as part of Item 4.

- Agreed to continue to work on positive stories and attend events to ensure representation.
- Collaboration with ALGWA where possible (ALGWA Conference in March 2020 and potential for women's forum on Central Coast in lead up to 2020 elections)

It was noted there are events planned in Terrigal and The Entrance as part of the 16 Days of Activism in November organised by external organisations.

**Action:** Mayor Lisa Matthews to write to Shellharbour City Council to explore option for SOWAG to be involved in ALGWA Conference happening 26-28 March 2020.

**Action:** Advisory Group Support Officer to circulate link to Lithgow media release regarding SOWAG as provided by Mayor Lisa Matthews.

**Action:** Advisory Group Support Officer to circulate info on walk to raise awareness of domestic violence happening in November as provided by Glenn Cannard.

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**Item 7 ALGWA Update**

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This was covered in Item 4.

Mayor Lisa Matthews advised ALGWA recently held a forum in Orange to focus on getting more women to nominate as candidates for Local Government elections, particularly in regional areas as there is limited female representation. The forum was considered a success and the next one will be held in Griffith (dates to be confirmed).

**Action:** Mayor Lisa Matthews to share dates and information on ALGWA forum in Griffith with Advisory Group members, who may choose to attend the forum at their own cost.

Status of Women Advisory Group Meeting Record  
22 October 2019



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**Item 8                    General Business and Close**

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- a) Equal gender representation on Advisory Groups and Committees: there was an email forwarded for the Advisory Group's information regarding gender representation on Council groups, namely the Central Coast Cultural Plan Working Group. Julie Vaughan (Director Connected Communities) responded to the email directly regarding development of the Cultural Plan and highlighted that although the Working Group was male dominated the internal make up was majority female.

Following discussion, the Advisory Group noted gender representation on existing Advisory Groups and Committees is actually quite balanced.

- b) Domestic violence action: Councillor Chris Holstein highlighted the importance of men standing up to raise awareness of domestic violence and champion change. Councillor Holstein is currently liaising with stakeholders about what men can do and will bring any updates back to the Advisory Group.

Glenn Cannard noted that staff are working on this internally also as part of the Domestic Violence Policy being developed.

- c) Family event at The Entrance: Sharryn Burgess distributed the itinerary for Fright Night at The Entrance, which is a family friendly event organised by The Entrance Chamber of Commerce as supported by Council. Sharryn thanked staff for their support of the event.

The meeting closed at 4.35pm

**Next Meeting:            Tuesday 3 December 2019  
                                  3pm – 5pm  
                                  Central Coast Council Gosford Office  
                                  Level 1 Committee Room**



**Item No:** 4.4  
**Title:** Meeting Record of the Social Inclusion Advisory Committee held on 24 October 2019  
**Department:** Connected Communities

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25 November 2019 Ordinary Council Meeting

Trim Reference: F2019/00090 - D13717698  
Unit Manager Glenn, Cannard, Community Partnerships  
Executive: Julie Vaughan, Director Connected Communities

### **Report Purpose**

To note the Meeting Record of the Social Inclusion Advisory Committee held on 24 October 2019.

### **Recommendation**

***That Council receive the report on Meeting Record of the Social Inclusion Advisory Committee held on 24 October 2019.***

### **Background**

The Social Inclusion Advisory Committee held a meeting on 24 October 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** Social Inclusion Advisory Committee Meeting Record - 24 October 2019      D13717689

# Social Inclusion Advisory Committee Meeting Record

## 24 October 2019



Central  
Coast  
Council

Location:	Central Coast Council Gosford Office Level 1 Committee Room, 49 Mann Street, Gosford	
Date:	24 October 2019	
Time	Started at: 4.02pm	Closed at: 5.54pm
Chair	Councillor Kyle MacGregor	
File Ref	F2019/00090	

**Present:**

Councillor Chris Holstein (arrived 4.11pm, left 5.12pm), Councillor Kyle MacGregor, Colette Baron, Bert Cotte (arrived 4.15pm), Jackie Klarkowski, Joshua Maxwell, Glitta Supernova, Deb Tipper

**Council Staff present:**

Glenn Cannard – Unit Manager Community Partnerships, Kerrie Forrest – Section Manager Community Planning and Services, Belinda McRobie – Team Leader Community and Cultural Programs, Celia Pennycook – Social Planner, Kelly Drover – Advisory Group Support Officer

**Item 1 Welcome, Acknowledgement of Country and Apologies**

Apologies received: Councillor Jillian Hogan, Julie Vaughan – Director Connected Communities

Councillor MacGregor welcomed the Advisory Group and completed an Acknowledgement of Country.

**Item 2 Disclosure of Interest**

No disclosures were received.

**Item 3 Confirmation of Previous Meeting Record**

The Advisory Group confirmed the Meeting Record from 22 August 2019.

The Advisory Group discussed the Action Log.

**Item 4 Council Events Feedback**

Glenn Cannard (Unit Manager Community Partnerships) discussed Councils' *Planning Accessible Events Guide and Checklist* and making our events inclusive.

Social Inclusion Advisory Committee Meeting Record  
24 October 2019



Central  
Coast  
Council

The recent event 'Coastal Twist' organised by Naughty Noodle is a great example of keeping local events inclusive of all people.

Inclusivity also needs to consider the timing and venue of events, sign interpreter, large font on the website or brochures and whether events are in walking distance to public transport.

The Advisory Group discussed the need for a centralised calendar for event organisers and the community to be able to access with upcoming events. Staff are working with the Tourism and Town Centre Advisory Groups to develop this.

**Action:** The Social Inclusion Advisory Group to be kept informed of the progress of a centralised event calendar.

It was suggested that any document that has the Council logo on it, including event flyers/brochures should have a reference to Acknowledgement to Country. It was also suggested that a link could be provided on Council's website or in the Planning Accessible Events guide, with examples of Acknowledgement of Country that people can use at events. This could also be incorporated into Event permits.

The Advisory Group expressed an interested in having a standardised Acknowledgement of Country included in Council events and Council documents including the website and Council spaces (e.g. Laycock Street Theatre).

**Action:** Connected Communities staff to look at incorporating an Acknowledgement of Country statement on all Council event flyers/brochures and that a standardised Acknowledgement of Country to be included in the *Planning Accessible Events Guide and Checklist*.

Bert Cotte provided the Advisory Group with an update on the work that Westfield have been doing with 'quiet hour'.

#### **Item 5                      Who makes up our community?**

---

Celia Pennycook (Social Planner) ran the Advisory Group through <https://profile.id.com.au/central-coast-nsw>

**Action:** Advisory Group Support Officer to provide log in details to Advisory Group Members.

#### **Item 6                      Confirm Future Meeting Dates**

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The agenda for the 12 December 2019 meeting to include the following items:

- Draft Social Inclusion Policy - 45 minutes
- Economic Disadvantage (particularly in northern part of LGA, impact on social participation, travel/transport barriers, gendered nature of work, opportunities for advocacy) – 45 minutes

Social Inclusion Advisory Committee Meeting Record  
24 October 2019



The agenda for the February 2020 meeting to include the following items:

- Libraries and childcare centres (how these services can be utilised)
- Broader community education
- Feedback from Innovation and Futures Reference Group
- Rainbow Community (LGBTIQ+ inclusivity in everyday considerations)

**Item 7            General Business and Close**

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No general business was discussed.

The meeting closed at 5.54pm

**Next Meeting:            Thursday 12 December 2019  
   4pm – 6pm  
   Central Coast Council Wyong Office  
   Level 2 Committee Room**



**Item No:** 4.5  
**Title:** Meeting Record of the Tourism Advisory Committee held on 16 October 2019  
**Department:** Connected Communities

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25 November 2019 Ordinary Council Meeting

Trim Reference: F2018/01648 - D13704458  
Manager: Sue Ledingham, Unit Manager Community Engagement  
Executive: Julie Vaughan, Director Connected Communities

### **Report Purpose**

To note the Meeting Record of the Tourism Advisory Committee held on 16 October 2019.

### **Recommendation**

***That Council receive the report on Meeting Record of the Tourism Advisory Committee held on 16 October 2019.***

### **Background**

The Tourism Advisory Committee held a meeting on 16 October 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** Tourism Advisory Committee Meeting Record -16 October 2019      D13704425

# Tourism Advisory Committee Meeting Record 16 October 2019



Central  
Coast  
Council

Location:	Central Coast Council Gosford Office Level 1 Committee Room 49 Mann Street, Gosford	
Date:	16 October 2019	
Time	Started at: 4.01pm	Closed at: 5.36pm
Chair	Councillor Chris Holstein	
File Ref	F2018/01648	

**Present:**

Councillor Chris Holstein, Councillor Jane Smith (left 4.56pm), Robert Diaz, Tim Faulkner, Bill Jackson, Nadia O'Connell, Catharine Retter, Michael Forster – Destination Sydney Surrounds North (non-voting), David Jewell – Central Coast Tourism Inc, Russell Mills – Tourism Central Coast (phoned in)

**Council Staff present:**

Julie Vaughan – Director Connected Communities (arrived 4.10pm), Sue Ledingham – Unit Manager Community Engagement, Carolyne Wildman – Section Manager Marketing and Tourism, Zoie Magann – Advisory Group Support Officer

**Item 1 Welcome, Acknowledgement of Country and Apologies**

Apologies received: Councillor Jilly Pilon, Councillor Jeff Sundstrom, Emma Perham, Glenn Caldwell – Destination Sydney Surrounds North

Councillor Chris Holstein welcomed the Advisory Group and completed an Acknowledgement of Country.

**Item 2 Disclosures of Interest**

Councillor Jane Smith declared a less than significant non-pecuniary interest as she had done so previously, as a member of the Marine Discovery Centre Trust Committee.

Tim Faulkner declared a less than significant non-pecuniary interest regarding any discussions pertaining to the Old Sydney Town Precinct as he is employed by The Reptile Park.

**Item 3 Confirmation of Previous Meeting Record**

The Advisory Group confirmed the Meeting Records from 24 July 2019 and 21 August 2019.



The Advisory Group discussed the Action Log.

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**Item 4            Tourism Opportunity Plan Update (standing item)**

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Sue Ledingham (Unit Manager Community Engagement) provided the Advisory Group with an update on the Tourism Opportunity Plan (TOP) following the end of public exhibition and Council adoption of the TOP at the Ordinary Council Meeting held [8 October 2019](#).

It was noted there is a Public Art Project underway by the Community Partnerships team, and EOIs are currently open for an installation in Woy Woy.

The Draft Cultural Plan is also on public exhibition on [yourvoiceourcoast](#) until 15 November 2019.

Staff advised the Destination Brand Strategy is currently pending ELT approval and will come back to the Advisory Group when available.

**Action:** Written updates on the TOP to be distributed with agendas for each Advisory Group meeting as part of the standing item.

**Action:** Tourism Research Australia stats that are regularly populated to be distributed to Advisory Group members for their information.

**Action:** General information on the Public Art Project to be provided to Advisory Group members.

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**Item 5            Soft Adventure Market – Canoeing and Kayaking Report**

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The Advisory Group discussed canoeing and kayaking tourism opportunities as per Council Resolution 907/19 from the 25 September 2019 Council meeting:

*907/19            That Council refer the matter to the Tourism Advisory Committee for further consideration with a view to convening a workshop of relevant Council staff and key stakeholders to develop a draft action plan to promote and support the growth of this sector.*

The Advisory Group noted their support of staff convening a workshop, ideally before the end of 2019. Members were encouraged to refer any key stakeholders to staff for inclusion.

**Action:** Staff to liaise with Tourism Central Coast to identify key stakeholders to be involved in the workshop.

**Action:** Advisory Group Support Officer to forward link to Business Paper report from 25 September 2019 titled *Response to Notice of Motion - Kayaking and Canoeing Tourism Opportunities* to Advisory Group members.

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**Item 6 Presentation from Destination Sydney Surrounds North (Action 7)**

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Michael Foster (Destination Sydney Surrounds North - DSSN) provided a presentation on the travel market of MICE (Meetings, Incentives, Conferences and Exhibitions), Destination NSW (DNSW) and next steps in these areas.

Michael advised there is a Regional Conference Unit that looks after MICE and helps drive business events into the NSW region. However a challenge for Central Coast is the lack of a local 'coordination bureau' to focus on targeted marketing and sales activity.

Good news story: in 2018 a Central Coast business provider received a Meetings and Events Australia (MEA) / DNSW Scholarship for Avoca Beach Resort.

It was noted there is a site [Meet in Regional NSW](#) which details MICE venues and suppliers in regional NSW, however the list is a poor representation of what is actually available on the Central Coast (there are some notable businesses missing). Michael advised listings are free, but low awareness of the site perhaps contributes to the limited listings.

Good news story: the Central Coast was represented at the AIME conference in 2019 and will be again in 2020.

Michael suggested key next steps are continuing to grow exposure of the Central Coast by increasing collaboration and selling of region through programs such as Meet in Regional NSW, and establishing a point of contact for region for famils and site inspections. Note: Currently all famils are organised by Destination NSW and Central Coast Council is the point of contact for any support or recommendations.

The Advisory Group noted concerns that there is no new market being generated for tourism on the Central Coast and most activity is return business.

**Action:** Link to Meet in Regional NSW to be shared with Advisory Group members.

**Action:** DSSN to provide further information on economic value of MICE and number of business events held, as well as details on famils to Advisory Group members.

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**Item 7 Items for Next Agenda**

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The Advisory Group discussed items for the next meeting agendas. The below items were agreed:

- Data and Research – Carlyne Childs, My Travel Research (meeting after next)
- Disability Inclusion Action Plan presentation
- Destination Brand Strategy

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**Item 8 General Business and Close**

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- a) Accessible Tourism: The Entrance Chamber of Commerce is looking to meet with stakeholders regarding accessible tourism opportunities in The Entrance. Staff advised there is work being done in the area of accessible tourism (Disability Inclusion Action Plan).



Michael Foster (DSSN) mentioned there is an app being developed by St Vincent de Paul which allows users to search for attraction with accessible features.

**Action:** Information on accessible tourism app to be shared with Advisory Group.

- b) Event Feedback: There were two major events held on the Central Coast recently – Coastal Twist Festival (LGBTIQA+ Arts and Culture Festival) in Umina and the Koori Knockout (Aboriginal Rugby League Knockout) in Tuggerah. It was noted litter was an issue for both events and it would be beneficial to get feedback on events.

**Action:** Feedback from events coordinators (pros and cons) for the Coastal Twist Festival and Koori Knockout to be sought and provided to Advisory Group members.

- c) Town Crier: Central Coast's Town Crier, Stephen Clarke, won the National Championships and will now be participating in the World Championships. It is proposed the National Championships will be held on the Central Coast next year.
- d) Halloween Events: The Entrance Chamber of Commerce is hosting a Halloween event on 31 October 2019. 75 businesses are involved in the event.

The meeting closed at 5.36pm

**Next Meeting:**           **Wednesday 29 January 2019**  
                                  **3pm – 5pm**  
                                  **Central Coast Council Wyong Office**  
                                  **Level 2 Committee Room**



**Item No:** 4.6  
**Title:** 2019 Election Commitments – Progress Update  
**Department:** Innovation and Futures

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25 November 2019 Ordinary Council Meeting

Trim Reference: F2004/06322 - D13704818

Author: Louise Fisher, Chief External Funding Coordinator

Executive: Ricardo Martello, Executive Manager Innovation and Futures

## **Report Purpose**

At the Ordinary Council Meeting on 26 August 2019, Council resolved as follows:

*814/19 That Council request the Chief Executive Officer provide an update on the current status of delivery of election promises and commitments from both the State and Federal governments.*

This report provides an update of the progress of election commitments from both the State and Federal governments in the leadup to the 2019 elections.

## **Summary**

All Central Coast election commitments from the State Government were budgeted in 2019/20 NSW Budget. Budgeting of election commitments from the Federal Government is still underway, given the elections only took place in late May 2019. Council staff are working with both levels of government to progress the funding packages.

## **Recommendation**

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

## **Report**

All Central Coast election commitments from the State Government were budgeted in 2019/20 NSW Budget.

The report is divided into two sections, one each for the State and Federal Government election commitments, grouped by category.

## STATE GOVERNMENT 2019 ELECTION COMMITMENTS

All Central Coast election commitments from the State Government were budgeted in 2019/20 NSW Budget. The NSW Budget election commitments publication with Central Coast projects highlighted is attached.

### Report

All Central Coast election commitments from the State Government were budgeted in 2019/20 NSW Budget.

The report is divided into two sections, one each for the State and Federal Government election commitments, grouped by category.

## STATE GOVERNMENT 2019 ELECTION COMMITMENTS

All Central Coast election commitments from the State Government were budgeted in 2019/20 NSW Budget. The NSW Budget election commitments publication with Central Coast projects highlighted is attached.

### Transport

<b>Project:</b> Lift & Multi-storey carpark Tuggerah train station	
<b>Recipient:</b> TfNSW	<b>Amount:</b> \$ 100,000,000
<b>Details:</b> Two levels and around 220 more parking spots will be added to the existing Tuggerah station commuter car park	
<b>Status:</b> Budgeted in 2019/20 NSW Budget with funding provided through the Commuter Car Parking Program. <a href="https://www.transport.nsw.gov.au/commuter-car-park-program">https://www.transport.nsw.gov.au/commuter-car-park-program</a>	

<b>Project:</b> Ourimbah Station	
<b>Recipient:</b> TfNSW	<b>Amount:</b> \$ TBC
<b>Details:</b> The upgrade at Ourimbah Station is being delivered as part of the Transport Access Program, a NSW Government initiative to provide a better experience for public transport customers by delivering accessible, modern, secure and integrated transport infrastructure across the state. As part of the program, the Ourimbah Station Upgrade would aim to provide a station precinct that is accessible to those with a disability, limited mobility, parents/carers with prams and customers with luggage.	

**Status:** Budgeted in 2019/20 NSW Budget Planning is underway for an accessibility upgrade at Ourimbah Station. As part of the planning process, preliminary investigations will be undertaken to help identify what upgrades will be required to make Ourimbah Station fully accessible.



Artists impression, subject to detailed design

<https://www.transport.nsw.gov.au/projects/current-projects/ourimbah-station-upgrade>

**Project:** Lisarow Station

**Recipient:** TfNSW

**Amount:** \$ TBC

**Details:** The upgrade at Lisarow Station is being delivered as part of the Transport Access Program, a NSW Government initiative to provide a better experience for public transport customers by delivering accessible, modern, secure and integrated transport infrastructure across the state. As part of the program, the Lisarow Station Upgrade would aim to provide a station precinct that is accessible to those with a disability, limited mobility, parents/carers with prams and customers with luggage.

**Status:** Budgeted in 2019/20 NSW Budget Planning is underway for an accessibility upgrade at Lisarow Station. As part of the planning process, preliminary investigations will be undertaken to help identify what upgrades will be required to make Lisarow Station fully accessible.



Artists impression, subject to detailed design

<https://www.transport.nsw.gov.au/projects/current-projects/lisarow-station-upgrade>

**Project:** Niagara Park Station

**Recipient:** TfNSW

**Amount:** \$ TBC

**Details:** The upgrade at Niagara Park Station is being delivered as part of the Transport Access Program, a NSW Government initiative to provide a better experience for public transport customers by delivering accessible, modern, secure and integrated transport infrastructure across the state. As part of the program, the Niagara Park Station Upgrade would aim to provide a station precinct that is accessible to those with a disability, limited mobility, parents/carers with prams and customers with luggage.

**Status:** Budgeted in 2019/20 NSW Budget.

Planning is underway for an accessibility upgrade at Niagara Park Station. As part of the planning process, preliminary investigations will be undertaken to help identify what upgrades will be required to make Niagara Park Station fully accessible.



<https://www.transport.nsw.gov.au/projects/current-projects/niagara-park-station-upgrade>

**Project:** Narara Station

**Recipient:** TfNSW

**Amount:** \$ TBC

**Details:** The upgrade at Narara Station is being delivered as part of the Transport Access Program, a NSW Government initiative to provide a better experience for public transport customers by delivering accessible, modern, secure and integrated transport infrastructure across the state. As part of the program, the Narara Station Upgrade would aim to provide a station precinct that is accessible to those with a disability, limited mobility, parents/carers with prams and customers with luggage.

**Status:** Budgeted in 2019/20 NSW Budget. Planning is underway for an accessibility upgrade at Narara Station. As part of the planning process, preliminary investigations will be undertaken to help identify what upgrades will be required to make Narara Station fully accessible.



<https://www.transport.nsw.gov.au/projects/current-projects/narara-station-upgrade>

**Project:** Point Claire station

**Recipient:** TfNSW

**Amount:** \$ TBC

**Details:** The upgrade at Point Clare Station is being delivered as part of the Transport Access Program, a NSW Government initiative to provide a better experience for public transport customers by delivering accessible, modern, secure and integrated transport infrastructure across the state. As part of the program, the Point Clare Station Upgrade would aim to provide a station precinct that is accessible to those with a disability, limited mobility, parents/carers with prams and customers with luggage.

**Status:** Budgeted in 2019/20 NSW Budget.

#### 4.6 2019 Election Commitments – Progress Update (contd)

Planning is underway for an accessibility upgrade at Point Clare Station. As part of the planning process, preliminary investigations will be undertaken to help identify what upgrades will be required to make Point Clare Station fully accessible.

Estimated Project Completion – 2022

<https://www.transport.nsw.gov.au/projects/current-projects/point-clare-station-upgrade>

<b>Project:</b> Central Coast Highway	
<b>Recipient:</b> RMS	<b>Amount:</b> \$ 387,000,000
<b>Details:</b> The upgrade will duplicate the 3.5kms between Bateau Bay and Wamberal to make a dual carriageway from Long Jetty all the way to the freeway.	
<b>Status:</b> Planning stage underway. Planning stage budgeted in 2019/20 NSW Budget	

<b>Project:</b> Mount Penang Parklands.	
<b>Recipient:</b> Hunter and Central Coast Development Corporation (HCCDC)	<b>Amount:</b> \$ 16,000,000
<b>Details:</b> The works include road upgrades, sewer and water infrastructure, commuter and event parking and stormwater management, allowing the Hunter and Central Coast Development Corporation (HCCDC) to unlock significant development opportunities for the region. The investment unlocks employment land and it is estimated to drive the creation of over 3,000 ongoing jobs and approximately \$200 million in private sector investment.	
<b>Status:</b> Budgeted in 2019/20 NSW Budget	

<b>Project:</b> Wilfred Barrett Drive	
<b>Recipient:</b> Roads and Maritime Services	<b>Amount:</b> \$ 10,400,000
<b>Details:</b> Upgrade of the stretch of road, between The Entrance North and Norah Head. Work will include \$5 million towards the installation of a wire rope barrier on the roadside and median north of Wyuna Ave, stretching for approximately 3.6km. Another \$4.9 million will be set aside for the installation of a wire rope barrier on the median, w-beam barrier on the roadside, and audio-tactile painted centre line for close to 3km at Pelican Beach Road.	
<b>Status:</b> Budgeted in 2019/20 NSW Budget and remainder will be budgeted in 2020/21 NSW Budget	

<b>Project:</b> New express bus routes for the Coast	
<b>Recipient:</b> Transport for NSW	<b>Amount:</b> \$ TBC
<b>Details:</b> New express bus routes during peak hours from: - The Entrance to Tuggerah via Killarney Vale and Berkeley Vale - The Entrance to Gosford via Bateau Bay, Wamberal and Erina Heights	
<b>Status:</b> In progress	



## Environment

<b>Project:</b> Expert committee for Tuggerah Lakes + funding		
<b>Recipient:</b> TBC		<b>Amount:</b> \$ 200,000
<b>Details:</b> Urgent establishment of an expert committee to determine the best way to improve the water quality, particularly along the Tuggerah Lakes' edge.		
<b>Status:</b> Budgeted in 2019/20 NSW Budget		

<b>Project:</b> Solar		
<b>Recipient:</b> Households		<b>Amount:</b> \$ 500,000
<b>Details:</b> 300,000 households will be eligible for an interest free loan to install solar panels on their roofs.		
<b>Status:</b> In progress.		
Eligible applicants must have a valid Pensioner Concession Card or a Department of Veterans' Affairs Gold Card and opt out of the Low-Income Household Rebate for 10 years.		
The Central Coast is one of five regions to benefit from the Solar for Low Income Households trial, which provides eligible households with a 3-kilowatt rooftop solar system.		
Origin Energy is responsible for installing and supplying the solar systems across the Central Coast. For more information, go to: <a href="https://energysaver.nsw.gov.au/solar-low-income-households">https://energysaver.nsw.gov.au/solar-low-income-households</a> .		

<b>Project:</b> Terrigal Beach Water Quality		
<b>Recipient:</b> Central Coast Council		<b>Amount:</b> \$TBC
<b>Details:</b> The funding will allow for a detailed, scientific audit and analysis of the pollution sources in the catchment and to find solutions to improve the water quality.		
<b>Status:</b> Budgeted in 2019/20 NSW Budget.		
Stage 1 complete and Stage 2 of the research project now underway		

## Community

<b>Project:</b> Libraries		
<b>Recipient:</b> Central Coast Council		<b>Amount:</b> \$TBC
<b>Details:</b> Supporting public libraries across the State - committing to a 40-50 per cent increase in funding over the next four years.		
<b>Status:</b> In progress		

<b>Project:</b> Surf Life Savings Club NSW		
<b>Recipient:</b> Surf Life Savings Club NSW		<b>Amount:</b> \$ 16,000,000
<b>Details:</b> Funding will go towards more jet skis, rescue boats, emergency beacons, smartphone technologies and staff.		
<b>Status:</b> Delivered		

## FEDERAL GOVERNMENT 2019 ELECTION COMMITMENTS

## Transport

<b>Project:</b> Central Coast Roads Package	
<b>Recipient:</b> Central Coast Council	<b>Amount:</b> \$ 70,000,000
<b>Details:</b> Roads to be upgraded include: Ridgway Road in Avoca; Cresthaven Avenue in Bateau Bay; Kerry Crescent in Berkeley Vale; Hibbard Street in Canton Beach; Del Monte Place in Copacabana; Lushington Road in East Gosford; Shelly Beach Road in Empire Bay; Springwood Street in Ettalong; The Corso in Gorokan; Craigie Avenue in Kanwal; Sturt Street in Killarney Vale; Woodbury Park Drive in Mardi; Shirley Street in Ourimbah; Gem Road in Pearl Beach; Steyne Road in Saratoga; Springfield Road and Newcastle Street in Springfield; St Huberts Island Bridge; Glenrock Parade in Tascott; Bayview Avenue in The Entrance; Fravent Street in Toukley; Tuggerawong Road in Tuggerawong; Holden Street in West Gosford; Albert Warner Drive and Virginia Road in Warnervale; Rawson Road, Veron Road, Lone Pine Avenue, Ocean Beach Road, and Mutu Road in Woy Woy and Maidens Brush Road in Wyoming.	
<b>Status:</b> A report is provided to the OM 25 November 2019, Item 3.16.	

<b>Project:</b> North Avoca Roads and Footpaths	
<b>Recipient:</b> Central Coast Council	<b>Amount:</b> \$4,300,000
<b>Details:</b> This project will see Tramway Rd, View St and Elgatta Ave fully reconstructed, including kerb and guttering and footpaths	
<b>Status:</b> Department of Prime Minister wrote to Central Coast Council CEO on 13 August 2019 advising a commitment of funding for the footpaths. Council is in the process of formally providing information on the project and once this receives a final approval from the department, a deed of agreement will be entered into.	

<b>Project:</b> Commuter Car Parking	
<b>Recipient:</b> Central Coast Council	<b>Amount:</b> \$35,000,000
<b>Details:</b> To provide commuter car parking at Gosford and Woy Woy Stations.	
<b>Status:</b> Extensive discussions have been held between Central Coast Council, Transport for NSW and the Infrastructure Australia to develop a suitable funding package.	

## Education

<b>Project:</b> Central Coast Industry Training Hub and VET Scholarships	
<b>Recipient:</b> TBC	<b>Amount:</b> \$ TBC
<b>Details:</b> The Central Coast will be one of 10 locations across Australia where an Industry Training Hub will be established.	
<b>Status:</b> The latest advice is that the Australian Government Department of Employment, Skills, Small and Family Business is in consultation with the relevant stakeholders, including Council's Innovation and Futures Directorate. The first of the training hubs will be established in January 2020 with our latest advice reflecting Gosford, at a location to be determined, will be established in 2021.	

## Environment

<b>Project:</b> Tuggerah Lakes	
<b>Recipient:</b> Central Coast Council	<b>Amount:</b> \$4,700,000
<b>Details:</b> Funding delivered through the Central Coast Council will provide for pollutant traps, the restoration of bushland, salt marshes, stream banks and foreshores, water monitoring, catchment audits and community education across the Tuggerah Lakes estuary.	
<b>Status:</b> The Environment Restoration Fund is now open for closed non-competitive applications identified during the 2019 election campaign. Council staff are currently finalising the project scope and developing an application.	

<b>Project:</b> Avoca Lagoon	
<b>Recipient:</b> Central Coast Council	<b>Amount:</b> \$ 300,000
<b>Details:</b> The project will improve water quality through catchment management, and investigate options to provide additional breeding habitats for Green and Golden Bell frogs adjacent to Avoca Lagoon	
<b>Status:</b> The Environment Restoration Fund is now open for selected non-competitive applications identified during the 2019 election campaign. Council staff are currently finalising the project scope and developing an application.	

<b>Project:</b> Clean4Shore	
<b>Recipient:</b> Clean4Shore	<b>Amount:</b> \$ 300,000
<b>Details:</b> Continue Central Coast litter removal from waterways, foreshores, mangroves and estuaries	
<b>Status:</b> The Environment Restoration Fund is now open for closed non-competitive applications identified during the 2019 election campaign. Council staff are currently working with Clean4Shore to finalise the project scope and developing an application.	

## Open Space and Recreation

<b>Project:</b> Lemon Grove Netball Court & Amenities Upgrade	
<b>Recipient:</b> Central Coast Council	<b>Amount:</b> \$1,450,000
<b>Details:</b> Deliver a new amenity block for Lemongrove Netball Courts at Ettalong Beach	
<b>Status:</b> Department of Prime Minister wrote to Central Coast Council CEO on 13 August 2019 advising a commitment of funding for Lemongrove Netball Upgrades to courts and amenities block. Council is in the process of formally providing information on the project and once this receives a final approval from the department, a deed of agreement will be entered into.	

<b>Project:</b> 'Chantelle the bench seat'	
<b>Recipient:</b> Central Coast Council	<b>Amount:</b> \$3,000
<b>Details:</b> Deliver a new bench seat at Copacabana Beach.	
<b>Status:</b> Department of Prime Minister wrote to Central Coast Council CEO on 13 August 2019 advising a commitment of funding for Chantelle the Copacabana Beach	

bench seat. Council is in the process of formally providing information on the project and once this receives a final approval from the department, a deed of agreement will be entered into.

<b>Project:</b> Woy Woy Oval Scoreboard	
<b>Recipient:</b> Central Coast Council will be responsible for this project on behalf of the club.	<b>Amount:</b> \$ 80,000
<b>Details:</b> Deliver a new electronic scoreboard for Woy Woy Oval	
<b>Status:</b> Latest advice from the Department of Prime Minister is that a letter will be sent shortly to Central Coast Council outlining next steps for funding for the project. Council will be responsible for this project on behalf of the club.	

**Link to Community Strategic Plan**

Theme 2: Smart

**Goal C: A growing and competitive region**

C1: Target economic development in growth areas and major centres and provide incentives to attract businesses to the Central Coast.

**Attachments**

1	Budget2019-20_Election Commitments - Cental Coast projects highlighted	Provided under separate cover	D13704889
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**Item No:** 5.1  
**Title:** Questions with Notice  
**Department:** Governance

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25 November 2019 Ordinary Council Meeting

Trim Reference: F2019/00041-003 - D13718177

Author: Maggie Rowland, Councillor and Meeting Support Officer

Manager: Sarah Georgiou, Section Manager, Councillor Support

Executive: Dr Liz Develin, Director Governance

## **5.1 Questions with Notice**

The following question was submitted by Councillor MacGregor for the Ordinary Meeting 11 November 2019:

### **Public Gatherings in Kibble Park**

*Public gatherings in Kibble Park. Are there currently any Council policies or regulations that restrict public gatherings in Kibble Park?*

Response provided by Director Environment and Planning:

The *Local Government Act 1993* Chapter 16, Part 2 makes it an offence to do a number of things in a public place. Offences include breaking glass, injuring plants etc and acting contrary to a sign. Conducting a public gathering is not an offence.

Council manages Kibble Park under the "*Kibble Park Plan of Management*" dated November 2008.

Section 3.5 Use/Activities/Facilities of the Plan of Management provides a number of activities that are permissible and a those that require approval.

Subsection 3.5.6 of the Plan of Management provides that any activity that could be considered dangerous and/or which may unreasonably disrupt other users of the park and/or neighbouring neighbours is not permissible.

Section 3.5.6 also allows Council to grant approval for large scale events such as concerts that may attracting more than 500 people.

To regulate public gatherings, Council would need to be satisfied the event is either dangerous or likely to disrupt the community.

## 5.1 Questions with Notice (contd)

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The following question was submitted by Councillor Hogan for the Ordinary Meeting 11 November 2019:

### **Bins Emptied**

*Could staff please provide data from the waste contractors on the number of residents who have reported that their bin has not been emptied in the last financial year?*

Response provided by Director Roads, Transport and Drainage and Waste:

Council's waste collection contractor, Cleanaway Pty Ltd, received 16,457 requests from residents (via phone or electronically) for non-collected services during the 2018/2019 period. The total number of services collected by the contractor (red, yellow and green lidded bins) in 2018/2019 was 11,438,031. This represents only 0.14% of services being reported by residents as not collected at the time of contact.

Reported non-collected services will occur for various reasons. These include bins not being presented to the kerb by residents at the time of collection, vehicle obstructions and street closures which prevent the ability to provide the services, other obstructions and obstacles (trees, building works and emergency service operations) together with contractor staff absenteeism or vehicle breakdown.

A large proportion of the reported missed services on the Central Coast did however occur as the result of a one-off event during March 2019 following operators of waste collection fleets nationally undertaking due diligence inspections of their trucks in response to an interstate incident.

All reported non-collected services will be serviced later the same scheduled day or otherwise given priority to the next business day.

Council's waste collection contractor continues to deliver services in accordance with contract specifications.

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The following question was submitted by Councillor Hogan for the Ordinary Meeting 11 November 2019:

### **Banners**

*Could staff please identify locations where banners can be placed legally in the Budgewoi Ward to advertise events and sporting registrations?*

Response provided by Director Environment and Planning:

## 5.1 Questions with Notice (contd)

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Locations where banners to advertise events and sporting registrations may be placed include community notice boards, land on which an activity is taking place and private property.

Generally, Council Rangers are required to maintain surveillance of street signage and particularly take action where signage has the potential to impact on public or traffic safety. Council's Rangers always endeavour to ensure safety is protected while exercising discretion where appropriate to enable support for community events.

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The following question was submitted by Councillor MacGregor:

### ***Central Coast Waste Strategy***

*Can council staff please provide an update on the development of the waste strategy and when the draft is scheduled to come before council to go out for community consultation?*

The answer will be provided by the Director Roads, Transport, Drainage and Waste on or before the 25 November 2019 Ordinary Meeting.

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The following question was submitted by Councillor MacGregor:

### ***PFAS on the Central Coast***

*Can council staff please confirm if the location of PFAS contamination on the Central Coast is publicly known, registered or available for release to the public and if Council is aware of any PFAS contaminated soil being used as fill in construction or infrastructure projects in the Central Coast LGA?*

The answer will be provided by the Director Environment and Planning on or before the 25 November 2019 Ordinary Meeting.

### **Attachments**

*Nil.*



**Item No:** 6.1  
**Title:** Deferred Item - Notice of Motion - Redress Scheme  
**Department:** Councillor

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25 November 2019 Ordinary Council Meeting

Trim Reference: F2019/00041-003 - D13718774

Author: Jillian Hogan, Councillor

### **Summary**

At its meeting held 11 November 2019, the Council resolved as follows;

*1124/19 That Council defer consideration of this item until the 25 November 2019 Ordinary Meeting.*

Councillor Hogan has given notice that at the Ordinary Council Meeting to be held on 11 November 2019 she will move the following motion:

- 1 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).**
- 2 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.**
- 3 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.**
- 4 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.**
- 5 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.**
- 6 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.**



- 7 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.**

### **Background**

The National Redress Scheme is in response to the Royal Commission into Institutional Responses to Child Sexual Abuse.

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. Many institutions are in the process of working to join the Scheme however there are many that have not. Institutions not actively taking steps to join the Scheme are encouraged to do so quickly. Institutions have until 30 June 2020 to join the Scheme but are expected to make every effort to join as soon as possible.

It is important that people have access to information about which institutions have joined, or have not yet joined the Scheme. The list published provides information about institutions that were named in the Royal Commission into Institutional Responses to Child Sexual Abuse that have not yet joined the Scheme and those that have <https://www.nationalredress.gov.au/institutions>. The publication of this list provides transparency for people who may be thinking about applying to the Scheme.

It is important to note that while this list covers institutions named by the Royal Commission, there are likely to be other institutions, which are not named, where abuse occurred. The Government also expects these institutions to be accountable for this abuse and join the Scheme.

### **Attachments**

- 1** Notice of Motion - Redress Scheme      D13718742

**Item No:** 6.6  
**Title:** Notice of Motion - Redress Scheme  
**Department:** Councillor



11 November 2019 Ordinary Council Meeting

Trim Reference: F2019/00041-003 - D13709280

Author: Jillian Hogan, Councillor

Councillor Hogan has given notice that at the Ordinary Council Meeting to be held on 11 November 2019 she will move the following motion:

- 1 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).**
- 2 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.**
- 3 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.**
- 4 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.**
- 5 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.**
- 6 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.**
- 7 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.**

### **Background**

The National Redress Scheme is in response to the Royal Commission into Institutional Responses to Child Sexual Abuse.

**6.6 Notice of Motion - Redress Scheme (contd)**

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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. Many institutions are in the process of working to join the Scheme however there are many that have not. Institutions not actively taking steps to join the Scheme are encouraged to do so quickly. Institutions have until 30 June 2020 to join the Scheme but are expected to make every effort to join as soon as possible.

It is important that people have access to information about which institutions have joined, or have not yet joined the Scheme. The list published provides information about institutions that were named in the Royal Commission into Institutional Responses to Child Sexual Abuse that have not yet joined the Scheme and those that have <https://www.nationalredress.gov.au/institutions>. The publication of this list provides transparency for people who may be thinking about applying to the Scheme.

It is important to note that while this list covers institutions named by the Royal Commission, there are likely to be other institutions, which are not named, where abuse occurred. The Government also expects these institutions to be accountable for this abuse and join the Scheme.

**Attachments**

*Nil.*



**Item No:** 6.2  
**Title:** Notice of Motion - Jayden's Message, suicide prevention 2020  
**Department:** Councillor

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25 November 2019 Ordinary Council Meeting

Trim Reference: F2019/00041-003 - D13710514

Author: Greg Best, Councillor  
Jilly Pilon, Councillor  
Troy Marquart, Councillor

Councillors Best, Pilon and Marquart have given notice that at the Ordinary Meeting to be held on 25 November 2019 they will move the following motion:

- 1 That Council applauds young Jayden Delbridge for his strength, courage and leadership around Suicide Awareness and Prevention.**
- 2 That Council notes with grave concern the escalating trend around Suicide, the biggest killer of males between the ages of 15-21 years taking 3046 Australian lives annually (2018).**
- 3 That further to the wide range of community initiatives and support around this issue, Council embrace the upcoming September 2020 'World Suicide Prevention Day' initiative.**
- 4 That Council requests the Chief Executive Officer to provide a Report around current initiatives including the 'World Suicide Day Prevention' Program and necessary 2020 Budgetary Allocation requirements.**
- 5 That Council takes this opportunity to extend to all those that have been affected by Suicide our and indeed, our broader Community's, sincere condolences.**
- 6 That should any of this discussion create concerns for anyone listening to or watching this discussion that we encourage them to contact Lifeline on 131144.**

#### **Councillors Note**

Colleagues, I can bring to the Chamber a no more sensitive and important issue than that of the epidemic of suicide particularly here on the Coast. The numbers are escalating year on year and as we are all aware, suicide knows no bounds. From the outside there appears to be little rhyme or reason. In attempting to rationalise and come to terms with such an event, it simply leaves us hollow. Those that are left behind on the suicide grief treadmill stare down an empty black hole overflowing with questions. Google is not short on sobering statistics however where this situation draws into stark focus is when one recognises the toll that is

## **6.2 Notice of Motion - Jayden's Message, suicide prevention 2020 (contd)**

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emerging from the pressure of our online lives, gambling and experimental drugs that are associated with an emerging mental health epidemic. It is with this understanding that the challenges of suicide are ever present and growing. In my view, we must take stock and as my late father would say, "It costs nothing to be kind." Self esteem and encouragement are quite often the only prescriptions needed and I would like to take this opportunity to personally congratulate Jayden, the youngest Resident to ever address our Council, for his courageous poise and selfless contribution.

**World Suicide Prevention Day 2019 for Councillor background and my Councillor note**  
[Link](#)

### **Attachments**

*Nil.*



**Item No:** 6.3  
**Title:** Notice of Motion - The Missing Munmorah  
SK8Park  
**Department:** Councillor

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25 November 2019 Ordinary Council Meeting

Trim Reference: F2019/00041-003 - D13719414

Author: Greg Best, Councillor

Councillor Best has given notice that at the Ordinary Meeting to be held on 25 November 2019 he will move the following motion:

- 1** *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)*
- 2** *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)*
- 3** *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).*
- 4** *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.*



### Mayor's message

In the two years since the merger of the former Wyong and Gosford Councils, the new Central Coast Council has built a solid foundation. We're delivering services that the community values, putting in place bold and visionary policies, strategies and projects that will take this region forward, while we're working to bring systems and processes together at the back end and build Council's capability to deliver. I intend to keep building on this foundation over the next year.



Mayor Lisa Matthews

There is lots still to do. This year we will deliver \$236million in new and upgraded roads, parks, playspaces, sporting fields, drainage, shared pathways and other essential infrastructure. This is one of the largest capital works programs ever delivered on the Central Coast. Major projects we will deliver include a \$5.6million upgrade to Adcock Park, a \$1.9million regional skate park at Lake Munmorah and \$9.7million in major road upgrades for Eloora Road Long Jetty, Lake Road Tuggerah, The Ridgeway at Lisarow, Tumbi Creek Road, Tumbi Umbi. There are literally hundreds of projects, big and small, to be delivered right across the Coast for the benefit of everyone.

We will continue to deliver these projects hand-in-hand with our community. That is why you will be consulted every step of the way on the design and delivery of these projects. Thanks to you, we now have significant strategies in place including the Pedestrian and Mobility Plan and Bike Plan. 1300 projects will be delivered under these Plans over the next ten years. Projects that will complete the missing links around our waterways and connect our community to each other, services and places. Shared Pathways deliver huge health and economic benefits for our community and by the end of ten years you will be able to walk, push a pram, cycle or scooter right around the Coast. That is a vision I want to see realised.

To get the best results, we need to continue to work collaboratively with our NSW and Commonwealth counterparts. I'll be making that a real point of emphasis over the next 12 months, and together with my fellow Councillors, will be a strong advocate for the Central Coast.

### Water-wise Whizzy's back

Whizzy is back! A fun character with a serious message during last decade's Millennium Drought, Whizzy the Water Drop is back to help Central Coast residents save water as another drought dries up our dams.

Mascot Whizzy was a popular personality with young and old alike at a time when the storage in our main dam dropped as low as 10 per cent.

Now, with dam levels once again falling and Level 1 water restrictions on the horizon, Whizzy is calling on all residents to use water wisely by "living to 150". That means if each of us makes a few simple changes in the way we use water, we'll use less than 150 litres per person each day.

Central Coast residents developed great water-saving behaviours during the last drought, but after rain replenished our dams, we relaxed a bit. On average, every resident now uses about 180 litres of water every day. If we each reduce our use by the equivalent of just three buckets per day, we'll "live to 150".

It's only a small amount per person but adds up to a big amount for the Coast – the equivalent of four Olympic-sized swimming pools each day.

Whizzy has a few tips to help us save water:

- keep showers to four minutes or less – every minute in the shower uses 9-18 litres of water
- turn off the tap when brushing your teeth
- water gardens before 10am or after 4pm using a watering can or a handheld hose with a nozzle
- fix leaking taps
- check your rainwater tank is functioning properly.

To help Coast residents save water, we've launched a website full of useful tips. You can even get involved by submitting a water-saving tip. Each month we're giving away a \$50 Bunnings gift card for the best tip.

To find out how you can save water or submit a water-saving tip, visit [centralcoast.nsw.gov.au/lovewater](http://centralcoast.nsw.gov.au/lovewater)

Love water: use it wisely!



Wyong Office: 2 Hely St / PO Box 20 Wyong NSW 2259  
Gosford Office: 49 Mann St / PO Box 21 Gosford NSW 2250

P 1300 463 954 | E [ask@centralcoast.nsw.gov.au](mailto:ask@centralcoast.nsw.gov.au) | W [centralcoast.nsw.gov.au](http://centralcoast.nsw.gov.au) | ABN 73 149 644 003

### Attachments

1	Notice of Motion - Regional Rollout of council's Skate Park Facilities	D11910718
2	Lake Munmorah Progress Association memo	D13719519
3	Site Maps	D13720581

13 May 2015

To the Ordinary Council Meeting

Councillor

## **7.1 Notice of Motion - Regional Rollout of Council's Skate Park Facilities**

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TRIM REFERENCE: F2014/01266 - D11910718

MANAGER:

AUTHORS: Greg Best; Councillor  
Adam Troy; Councillor

Councillors G Best and A Troy have given notice that at the Ordinary Council Meeting to be held on 13 May 2015 they will move the following Motion:

- “1 That Council note the recent welcomed response to Council's announcement to significantly expand its regional skate park facilities rollout.
- 2 That Council recognise the need to balance the rollout of such facilities as equitably as possible across the shire.
- 3 That Council note that the asset life of the current Lake Munmorah skate facility has now reached its end and that this location is no longer Council's preferred option.
- 4 That Council request the General Manager to investigate and consult with the local community and key stakeholders to identify the most suitable location for this facility.
- 5 That arising from the Council's recent adoption of the skate strategy 2014, Council further request the General Manager to report on proposals and options that will provide improved resource equity to the shire's northern skate facilities. The report should also address the possibility of installing CCTV cameras to provide improved safety to users and reduce the incidents of antisocial behaviour in and around such facilities.”

### **ORDINARY MEETING HELD ON 13 MAY 2015**

An AMENDMENT was MOVED by Councillor VINCENT:

- 1 That Council investigate the design and construction of a skate board facility in the North of the Shire on similar scale to the skate board facility proposed for Bateau Bay.
- 2 That Council consider the future funding for this facility in a 2015/16 quarterly budget review or the 2016/17 Annual Plan.
- 3 That an indicative funding allocation of 1.5 million be proposed for the design and construction of the skate board park facility.

**The AMENDMENT lapsed for want of a SECONDER.**

**RESOLVED unanimously on the motion of Councillor BEST and seconded by Councillor WEBSTER:**



- 493/15 *That Council note the recent welcomed response to Council's announcement to significantly expand its regional skate park facilities rollout.*
- 494/15 *That Council recognise the need to balance the rollout of such facilities as equitably as possible across the shire.*
- 495/15 *That Council note that the asset life of the current Lake Munmorah skate facility has now reached its end and that this location is no longer Council's preferred option.*
- 496/15 *That Council request the General Manager to investigate and consult with the local community and key stakeholders to identify the most suitable location for this facility.*
- 497/15 *That arising from the Council's recent adoption of the skate strategy 2014, Council further request the General Manager to report on proposals and options that will provide improved resource equity to the shire's northern skate facilities. The report should also address the possibility of installing CCTV cameras to provide improved safety to users and reduce the incidents of antisocial behaviour in and around such facilities.*

## RESOURCES

Council recently adopted the Skate Strategy in December 2014, this identified the objectives, principles and strategic actions for the skate parks across the Shire. The current capital works program in the draft Strategic Plan identified the following allocation:

2015/16	Construction of regional level Sk8 facility at EDSACC, Bateau Bay. - \$2,250,000 Complete Lakehaven and Hedor St Reserve TOUKLEY. - \$200,000
2016/17	Upgrade/renew Lake Munmorah - \$50,000
2017/18	Upgrade Berkeley Vale and Gwandalan - \$200,000
2018/19	Upgrade Ourimbah - \$50,000

Staff can deliver the report requested in item 5 within existing resources, noting that reprioritisation of projects may need to occur.

## COUNCILLORS NOTE

I have received numerous representations over the years around such facilities and indeed the provision of sporting opportunities in our shire's north, particularly for our youth. The recent opening of the LM netball courts and Council's formal resolution to further deliver netball facilities at Tunkuwallin Hall Gwandalan are excellent examples of Council working with the community to deliver much needed facilities to our shire's north.

Whilst this matter has been raised by colleagues in the local media, unfortunately to date they have not chosen to bring it to the Chamber where a real difference can be made. It is with this understanding that I take this opportunity, on behalf of the local community, to formally draw to Council's attention the need to address the Lake Munmorah skate park facility as it nears the end of its asset life.

**Attachment 1**      **Notice of Motion - Regional Rollout of council's Skate Park Facilities**

Council should rightfully be proud of the significant rollout of our skate park facilities, particularly over the last 20 years. On joining Council in 1995, there were absolutely no opportunities for our youth to enjoy formalised skating activities. In fact, Council of the day frowned on such pursuits. We have travelled a long way and now better understand the needs of our youth.

However, I am mindful of the need for us to act as equitably as possible and rollout such facilities across the shire. Understandably, Councillors will know that often there are constraints around population centres, demographics, geographics and transport corridors. These all play an important part in the selection criteria and can sometimes skew the distribution. Nevertheless, in my view it is patently obvious that we now need to address the Lake Munmorah facility and as soon as possible.



**From:** SD&GM Durie [REDACTED]  
**Sent:** Thursday, 31 October 2019 10:18 PM  
**To:** Greg Best [REDACTED]  
**Subject:** Lake Munmorah Regional Skate Park

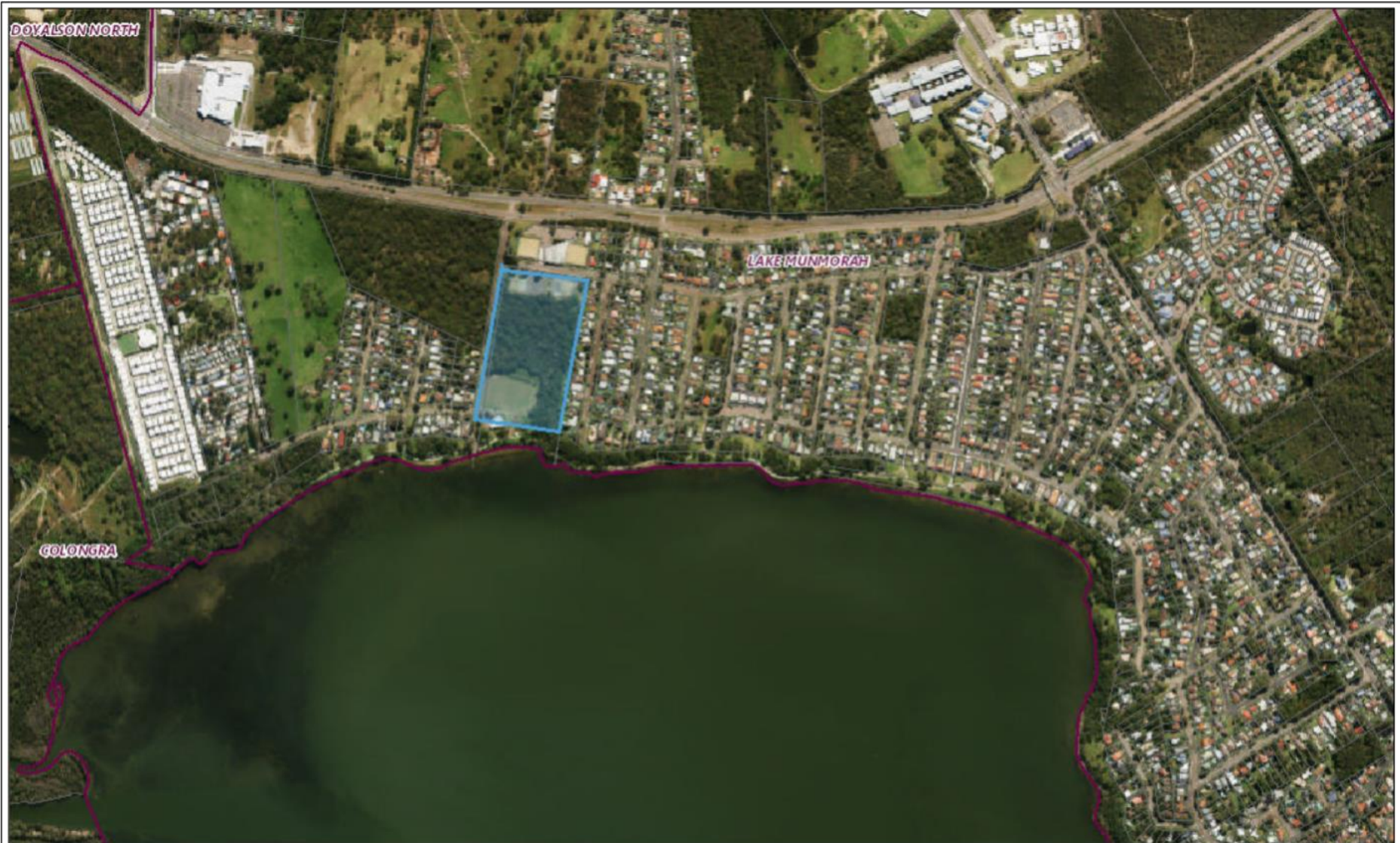
Dear Mr. Best,

Reference is made to the recent Mayor's Message where the construction of a \$1.9 million regional skate park at Lake Munmorah would be delivered this year. The Lake Munmorah Progress Association is very concerned that not one sod of soil has been turned and in fact Council staff recently advised that the project is officially "on hold". It is understood that the location of the project has posed a problem in respect of its tenure. By way of background, you will recall that this project was first initiated by yourself through a "Notice of Motion", which was unanimously resolved on the 13<sup>th</sup> May 2015. At a subsequent Council meeting on 23<sup>rd</sup> September 2015, a staff recommendation to fund the project to the value of \$1 million, was accepted. The preferred site at the time was at the corner of Colongra Bay Road and the Pacific Highway. At a subsequent meeting with former Council Director Mike Dowling, the Association was assured that this site would be accepted. However, it is understood that the Colongra Bay Road site was subsequently overlooked due to its apparent conservation value. The Progress Association continued to support the Colongra Bay Road site due to its close proximity to the existing skate park and the benefit of passive surveillance from the Bowling Club. Concern was also raised that the proposed site on Tall Timbers Road is on "Crown Land".

It would be appreciated if you would raise this issue in the Chamber and seek an assurance that funding will be carried forward, if it is not expended this financial year.

Regards Stuart Durie  
Secretary / on behalf of the Association.

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Central Coast Council  
 111-113, Pitt Street, Wollongong, NSW Australia 2522  
 Phone: 02 4320 3333 Fax: 02 4320 7000



**MAP EXTRACT**  
 Scale 1:9,860

Note: Data is not survey accurate.  
 Scale is representation only

Project: The Central Coast Regional Council, 111-113, Pitt Street, Wollongong, NSW 2522, Australia

Client: The Central Coast Regional Council

Date: 11/11/2011

Scale: 1:9,860

Author: [Name]

Project: The Central Coast Regional Council, 111-113, Pitt Street, Wollongong, NSW 2522, Australia

Client: The Central Coast Regional Council

Date: 11/11/2011

Scale: 1:9,860

Author: [Name]







**Item No:** 6.4  
**Title:** Notice of Motion - Tuggerah Lakes  
Intergovernment Rescue Action Plan  
**Department:** Councillor

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25 November 2019 Ordinary Council Meeting

Trim Reference: F2019/00041-003 - D13720552

Author: Jilly Pilon, Councillor  
Troy Marquart, Councillor  
Rebecca Gale Collins, Councillor

Councillors Pilon, Marquart and Gale Collins have given notice that at the Ordinary Meeting to be held on 25 November 2019 they will move the following motion:

- 1 That Council request the Chief Executive Officer seek to vary the terms of the Federal \$4.7 million grant so that it be applied to fund the recommendations of the State-funded Expert Panel.**
- 2 That Council redirects its current Tuggerah Lakes strategy to comply with recommendations of the Expert Panel.**
- 3 That should further funding be required, Council allocate funding in its future budgets and negotiate grant funding with Federal and State Governments to facilitate works recommended by the Expert Panel.**

### **Councillors Note**

At the recent Federal and State elections, Liberal Governments acknowledged long term degradation of our Tuggerah Lakes system and committed significant funds and expertise to their remediation.

The NSW Government has committed \$200,000 to appoint an Expert Panel with a range of skills in the areas of ecology and water quality.

The Australian Government has committed \$4.7 million to Tuggerah Lakes remediation.

The 2 projects – if coordinated – could “kick start” a long-term revitalization of our Tuggerah Lakes system.

### **Attachments**

*Nil.*



**Item No:** 6.5  
**Title:** Notice of Motion - Davistown Wetlands Acquisition  
**Department:** Councillor

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25 November 2019 Ordinary Council Meeting

Trim Reference: F2019/00041-003 - D13720641

Author: Troy Marquart, Councillor  
Jilly Pilon, Councillor  
Rebecca Gale Collins, Councillor

Councillors Marquart, Pilon and Gale Collins have given notice that at the Ordinary Meeting to be held on 25 November 2019 they will move the following motion:

- 1 That Council request the Chief Executive Officer advise (at the following Ordinary Council meeting) what actions Council has undertaken to exercise the function and intent of the Davistown Wetlands Acquisition fund and policy since the original establishment of the Central Coast Council**
- 2 That Council requests the Chief Executive Officer, or his suitably qualified agent, to enter into negotiations with the vendor of the Davistown Wetlands parcels to purchase the land in whole or in part to the extent the funds make possible and that these negotiations commence at the earliest opportunity and be concluded within 3 months, considering the \$1,436,049.00 held by Council is directly for the purpose of acquisition;**
- 3 That Council request the Chief Executive Officer to provide a brief report to be presented to Council detailing the actual outcome of the negotiation process and a plan to execute the acquisition be presented to Councillors for consideration at the conclusion of negotiations.**

### **Councillors Note**

Davistown Wetland parcels are held in private ownership and in late 2017 these parcels were offered for sale causing an extreme level of community concern.

The previous Gosford Council established both a policy to acquire these wetland parcels and a direct mechanism to fund this purchase, in the form of an acquisition fund. Numerous Federal and State Government grants are available to maintain and improve the wetlands in question which would facilitate inter connectivity with the local community. The wetlands need to be in public ownership to obtain such grants.



## **6.5 Notice of Motion - Davistown Wetlands Acquisition (contd)**

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Central Coast Council has recently confirmed that the sum of \$1,436,049.00 is currently held in the mentioned fund to specifically facilitate the purchase of wetlands in Davistown, fully funded by the sale of Council owned residential land at Davistown.

The above wording was presented to Council on the 27th of August 2017. Unfortunately the tabled wording was amended by alternate Councillors and this amended wording became the successful motion. This "watering down" of the original intent has failed and the residents of Davistown are still anxiously waiting in late 2019, for a positive outcome that has been long promised. I urge all Councillors to support this motion in the noted form, so the \$1,436,049.00 sum can be used for the original purpose and the betterment of Davistown residents.

### **Attachments**

*Nil.*



**Item No:** 6.6  
**Title:** Notice of Motion - Identification and allocation of necessary resources to progress the Wyong Employment Zone  
**Department:** Councillor

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25 November 2019 Ordinary Council Meeting

Trim Reference: F2019/00041-003 - D13721548

Author: Kyle MacGregor, Councillor

Councillor MacGregor has given notice that at the Ordinary Meeting to be held on 25 November 2019 he will move the following motion:

- 1 That Council note the strategic significance of the development of the Wyong Employment Zone (WEZ) to our local economy and the delivery of potentially up to 15 000 local full time jobs on the Central Coast and the expansion of our gross regional product (GRP) by up to 30%.**
- 2 That Council recognise the opportunities that exist around the development of smart manufacturing, renewable energy technology, food manufacturing, warehousing, logistics and freight, robotics, computers, data and information technology services, health, education and community facilities, and other highly profitable enterprises and businesses of the future to develop their business in the WEZ and on the Central Coast in general.**
- 3 That Council request the Chief Executive Officer organise a workshop to be held on or before our February budget planning weekend with key staff and councillors working collaboratively together to identify and plan to develop this key strategic economic area for the Central Coast.**
- 4 That Council request the Chief Executive Officer at the workshop identify what is required to progress the WEZ project and to consider relevant budgetary allocations to kickstart this essential project for the Central Coast. That this workshop consider issues and options around servicing of identified sites and land, bio security legislation, economic impact of the project on the local economy and any other relevant issues identified by council staff that are required to be addressed in order to develop these key employment lands for the ultimate benefit of the people of the Central Coast.**

#### **Attachments**

*Nil.*



**Item No:** 6.7  
**Title:** Notice of Motion - Protection of Porters Creek Wetland  
**Department:** Councillor

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25 November 2019 Ordinary Council Meeting

Trim Reference: F2019/00041-003 - D13721569

Author: Jane Smith, Councillor

Councillor Smith has given notice that at the Ordinary Meeting to be held on 25 November 2019 she will move the following motion:

- 1 That Council request the Chief Executive Officer to define the area to be protected as those areas identified as Coastal Wetland and Coastal Wetland proximity areas in accordance with the State Environmental Planning Policy (SEPP) Coastal Management (2018) and any other adjacent associated native vegetation communities located on land owned by Central Coast Council (generally located on and defined by the E2 or E3 zoned land), excluding;**
  - the current airport runway of 1,196m in length, which is within the maximum length of 1,200m as per Cl. 8(1) of the Warnervale Airport (Restrictions) Act 1996. This includes the current width including flyover areas.**
  - the area currently zoned as the education precinct and industrial/business zone**
  - the minimum width of road reserve to provide for the future construction of the proposed Link Road**
  - easements to allow for planned water and sewer infrastructure, roadworks, utilities and future stormwater to service the Wyong Employment Zone and Warnervale Education and Business Precinct need to be considered when applying any Conservation Agreement over land within Porters Creek Wetland. These should be designed to have the least impact on the environmental values of Porters Creek Wetland.**
  
- 2 That Council request the Chief Executive Officer to 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 request the Chief Executive Officer to include management of the Porters Creek Wetland as part of the Conservation Agreement and consider options in terms of the OLS (Obstacle Limitation Surface) that have the least impact on vegetation.**

- 4 ***Note that Council can also seek future Biodiversity Stewardship Agreements on land included in the Conservation Agreement***
- 5 ***That Council request the Chief Executive Officer proceed with the minimum number of subdivisions required to achieve recommendation 2.***
- 6 ***That Council request the Chief Executive Officer prioritise the actions required to implement this resolution including allocating resources, as identified in resolution 844/19, to ensure completion by end of March 2020.***
- 7 ***That Council request the Chief Executive Officer keep the Coasts and Catchments Committee Tuggerah Lakes informed of the progress.***

### **Councillors Note**

The significance of Porters Creek Wetland is something that has been highlighted by both the former Wyong Council and the current Central Coast Council. This has included education activities and products, and recognition of its significance in maintaining the health of Tuggerah Lakes.

The Tuggerah Lakes Estuary Management Plan recommends managing catchment habitats that are important for the estuary. For Tuggerah Lakes, the health of some catchment habitats has implications for estuarine health and diversity. Fringing and catchment wetlands are known to contain levels of sediments and nutrients that wash into them from the catchment. Loss of such wetlands means that these pollutants end up further downstream and require expensive removal from the stormwater system (e.g. Porters Creek Wetland).

These habitats also provide "green corridor" links between the catchment and the estuary. This link is becoming increasingly tenuous and limits animal migration to and from the estuary. It is far more cost effective to protect and manage these habitats in the first place. This has both ecological and water quality significance, particularly if the essential features of existing wetlands are lost.

Porters Creek Wetland also has biodiversity significance. It is the single largest coastal wetland in the region and provides habitat for many species. A survey undertaken in 1999 recorded 168 species of plants, macroinvertebrates from 70 families, 62 bird species including 9 migratory species, and 25 mammal species including 7 species of bats.

Central Coast Council has a number of resolutions relating to the permanent protection of Porters Creek Wetland

<b>Date</b>	<b>Reference</b>	<b>Resolution</b>
27 Nov, 2017	763/17	That Council permanently protect all of the Porters Creek wetland owned by Council and south of the current runway,

Date	Reference	Resolution
		from development for biodiversity, emergency drinking water supply and protection of the water quality into the Tuggerah Lakes Estuary.
	764/17	That Council staff prepare a report to protect the Porters Creek Wetland, as per item 8, and the report be brought back to council for approval on the 26 <sup>th</sup> February meeting.
12 Mar, 2018	152/18	That Council request that the Acting Chief Executive Officer <ol style="list-style-type: none"> <li>a. arrange for a meeting (attended by the Mayor, the Acting Chief Executive Officer, Director Assets Infrastructure and Business and Director Environment and Planning) to meet with staff from the Office of Environment and Heritage, Department of Planning and other relevant stakeholders to identify mechanisms to permanently protect Porters Creek Wetland; and</li> <li>b. report the outcomes of these investigations to Council no later than the Ordinary Meeting of 23 April, 2018</li> </ol>
10 Dec, 2018	1248/18	That the Chief Executive Officer initiate a process to reclassify the public land in the Porters Creek Wetland (identified as the SEPP14 Wetland) that is classified as Operational Land to the classification of community land.
	1249/18	Engage a consultant with expertise in wetlands and their management to: <ol style="list-style-type: none"> <li>a. Initiate a Biodiversity Stewardship Agreement process</li> <li>b. investigate a declaration of Porters Creek Wetland as a wetland of international importance (eg. Ramsar wetland)</li> <li>c. liaise with NPWS and if appropriate, prepare a submission for declaration of Porters Creek wetland as a protected area under the National Parks and Wildlife Act</li> <li>d. provide draft planning text to be included in an LEP and /or DCP to ensure that activities, including development, in the catchment do not negatively impact on the environmental values of Porters Creek Wetland</li> <li>e. Consider any measures that would minimise current impacts from surrounding areas.</li> </ol>
	1250/18	That the Chief Executive Officer provide an update to Council on this resolution by June 2019.
9 Sept, 2019	842/19	That Council receive and note the report on Permanent Protection of Porters Creek Wetland – Outcome of Consultant’s Investigations.

## 6.7 Notice of Motion - Protection of Porters Creek Wetland (contd)

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<b>Date</b>	<b>Reference</b>	<b>Resolution</b>
	843/19	That Council refer the item to the Catchments and Coast Committee - Tuggerah Lakes for a detailed briefing and consideration of the Consultant's report.
	844/19	That Council request the Chief Executive Officer to consider allocating funds, from the unallocated budget as a result of savings from the Emergency Services Levy increase. for the implementation of actions to protect Porters Creek Wetland and other priority actions identified in the Tuggerah Lakes Estuary Management Plan (TLEMP).
	845/19	That Council request the Chair of the Catchments and Coast Committee – Tuggerah Lakes - convene an extraordinary meeting by the end of September 2019 to consider the consultant's report and priority actions from the TLEMP for implementation.

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An extraordinary meeting of the Catchments and Coast Committee – Tuggerah Lakes was convened on 26 September, 2019 for the purpose of consideration of this item. The item was further discussed at the Catchments and Coast Committee – Tuggerah Lakes held on 7 November, 2019. This notice of motion seeks to take forward the recommendation from the Committee.

### **Attachments**

*Nil.*