



Central Coast Council  
Business Paper  
Ordinary Council Meeting  
**14 December 2020**





# COMMUNITY STRATEGIC PLAN 2018-2028

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

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

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

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

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

## RESPONSIBLE

**WE'RE A RESPONSIBLE COUNCIL AND COMMUNITY, COMMITTED TO BUILDING STRONG RELATIONSHIPS AND DELIVERING A GREAT CUSTOMER EXPERIENCE IN ALL OUR INTERACTIONS.** We value transparent and meaningful

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

 **Good governance and great partnerships**

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

There are 5 themes, 12 focus areas and 48 objectives

### COMMUNITY STRATEGIC PLAN 2018-2028 FRAMEWORK

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



# Meeting Notice

**The Ordinary Council Meeting  
of Central Coast Council  
will be held in the Council Chamber,  
2 Hely Street, Wyong on  
Monday 14 December 2020 at 6.30 pm,  
for the transaction of the business listed below:**

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Rik Hart  
**Acting Chief Executive Officer**

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

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14 December 2020 Ordinary Council Meeting

Trim Reference: F2020/00039 - D14302316

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 Administrator 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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14 December 2020 Ordinary Council Meeting

Trim Reference: F2020/00039 - D14302338



## **Summary**

Confirmation of minutes of the Ordinary Meeting of Council held on 30 November 2020 and of the Extraordinary Meeting of Council held on 2 December 2020.

## **Recommendation**

*That Council confirm the minutes of the Ordinary Meeting of Council held on the 30 November 2020 and the Extraordinary Meeting of Council held 2 December 2020.*

## **Attachments**

- |          |   |           |
|----------|---|-----------|
| <b>1</b> | Minutes - Ordinary Meeting - 30 November 2020     | D14327749 |
| <b>2</b> | Minutes - Extraordinary Meeting - 2 December 2020 | D14378587 |



Central Coast Council

## Ordinary Council Meeting

Held in the Council Chamber  
49 Mann Street, Gosford

30 November 2020

# MINUTES

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### **Present**

Dick Persson AM

### **In Attendance**

Rik Hart	Acting Chief Executive Officer
Malcolm Ryan	Chief Operating Officer
Boris Bolgoff	Director Roads, Transport, Drainage and Waste
Julie Vaughan	Director Connected Communities
Scott Cox	Director Environment and Planning
Jamie Loader	Director Water and Sewer
Natalia Cowley	Chief Financial Officer
Ricardo Martello	Executive Manager Innovation and Futures
Krystie Bryant	Executive Manager People and Culture

### **Notes**

The Administrator, Dick Persson AM, declared the meeting open at 6.30pm and advised in accordance with the Code of Meeting Practice that the meeting is being recorded.

The Administrator, Dick Persson AM acknowledged the traditional custodians of the land on which the meeting was being held, and paid respect to Elders past, present and emerging.

The Administrator, Dick Persson AM adjourned the meeting at 6.31pm and advised the meeting would resume following the conduct of the Public Forum.

The Public Forum commenced at 6.31pm with the speakers addressing the Council on each of the items below;

#### Item 5.5 – Sale of Council Operational Assets

- Ms Joy Cooper
- Ms Jane Smith
- Ms Maxine Daubert – Centre Director of Gosford Cubbyhouse Long Day Care Centre

Item 6.1 – Management of the Obstacle Limitation Surfaces (OLS) at Warnervale Aircraft Landing Area (ALA)

- Mr Laurie Eyes – President of Central Coast Airport Resistance Group Inc
- Mr Andrew Smith – President of Central Coast Aero Club
- Mr John Codrington – President of Your Central Coast Airport Association Inc

The Public Forum closed with the Ordinary Meeting resuming at 7.01pm.

### **Procedural Motion**

Time commenced: 7.02pm

Moved: Mr Persson AM

### **Resolved**

That Council consider item 6.1 – Management of the Obstacle Limitation Surfaces (OLS) at Warnervale Landing Area (ALA) and item 5.5 – Sale of Council Operational Assets at the beginning of the meeting.

## **1.1 Disclosures of Interest**

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Time commenced: 7.13pm

Moved: Mr Persson AM

### **Resolved**

1234/20 That Council receive the report on Disclosure of Interest and the fact that no disclosure was made be noted.

## **1.2 Confirmation of Minutes of Previous Meeting**

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Time commenced: 7.13pm

Moved: Mr Persson AM

### **Resolved**

1235/20 That Council confirm the minutes of the Ordinary Meeting of Council held on the 23 November 2020 and the Extraordinary Meeting of Council held 26 November 2020.

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

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Time commenced: 7.13pm

Moved: Mr Persson AM

**Resolved**

1236/20 That Council not go into Confidential Session.

**2.1 2020-21 Q1 Business Report**

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Time commenced: 7.14pm

Moved: Mr Persson AM

**Resolved**

1237/20 That Council note that the 2020-21 Q1 Business Report for Central Coast Council has been completed by 30 November 2020 as required and will be issued on Wednesday, 2 December 2020.

**2.2 Investment Report for September 2020**

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Time commenced: 7.15pm

Moved: Mr Persson AM

**Resolved**

1238/20 That Council receive the Investment Report for September 2020.

**2.3 Investment Report for October 2020**

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Time commenced: 7.16pm

Moved: Mr Persson AM

**Resolved**

1239/20 That Council receive the Investment Report for October 2020.

**3.1 Artificial Reefs**

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Time commenced: 7.16pm

Moved: Mr Persson AM

**Resolved**

1240/20 That Council receive and note the report on Artificial Reefs.

**3.2 Meeting Record of the Coastal Open Space System (COSS) Committee Meeting held on 20 October 2020**

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Time commenced: 7.18pm

Moved: Mr Persson AM

**Resolved**

1241/20 That Council receive the report on Meeting Record of the Coastal Open Space System (COSS) Committee meeting held 20 October 2020.

**4.1 Councillor Attendance and Expenses and Facilities Report to 30 October 2020**

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Time commenced: 7.18pm

Moved: Mr Persson AM

**Resolved**

1242/20 That Council receive and note this report.

**4.2 Audit Risk and Improvement Committee recruitment**

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Time commenced: 7.19pm

Moved: Mr Persson AM

**Resolved**

1243/20 That the Council resolve to establish the Interview Panel to select a new Audit Risk and Improvement Committee Independent External Members as set out in this Report.

**4.3 Draft Gifts and Benefits Policy and Procedures**

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Time commenced: 7.20pm

Moved: Mr Persson AM

**Resolved**

1244/20 That the draft Gifts and Benefits Policy (Attachment 1 to this report) be placed on public exhibition for a period of 28 days.

1245/20 That the draft Gifts and Benefits Policy (Attachment 1 to this report) and draft Gifts and Benefits Procedures (Attachment 2 to this report) be provided to Council's Audit Risk and Improvement Committee for its review and comment.

1246/20 That a further report be presented to the 8 March 2021 Ordinary Council Meeting Council to adopt the Gifts and Benefits Policy, for consideration of any submissions received.

**4.4 Draft Lobbying Policy**

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Time commenced: 7.21pm

Moved: Mr Persson AM

**Resolved**

1247/20 That the draft Lobbying Policy (Attachment 1 to this report) be placed on public exhibition for a period of 28 days.

1248/20 That the draft Lobbying Policy be provided to Council's Audit Risk and Improvement Committee for its review and comment.

1249/20 That a further report be presented to the 8 March 2021 Ordinary Council Meeting to adopt the Lobbying Policy and consider any submissions received.

**4.5 Governance Lighthouse report as at 30 September 2020**

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Time commenced: 7.21pm

Moved: Mr Persson AM

**Resolved**

1251/20 That Council note the Governance Lighthouse report as at 30 September 2020 as provided as an Attachment to this report.

**5.1 Tuggerah to Wyong Economic Corridor Strategy**

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Time commenced: 7.22pm

Moved: Mr Persson AM

**Resolved**

1252/20 That Council adopt the draft Tuggerah to Wyong Economic Corridor Strategy as amended in response to public exhibition as outlined in Attachment 1 to this report.

1253/20 That Council notify those persons who lodged submissions of Council's decision.

**5.2 Classification of Land at 40 Fairmont Boulevard, Lot 97 DP 1261646, Hamlyn Terrace**

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Time commenced: 7.25pm

Moved: Mr Persson AM

**Resolved**

1254/20 That Council note and accept that the land known as 40 Fairmont Boulevard, Lot 97 DP 1261646, Hamlyn Terrace has been classified community land pursuant to the Local Government Act 1993.

**5.3 Planning Proposal 81/2015 for 893 The Entrance Road, Wamberal**

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Time commenced: 7.25pm

Moved: Mr Persson AM

**Resolved**

1255/20 That Council note that this report will not be considered at the Council Meeting of 30 November 2020, as the applicant has withdrawn their application.

**5.4 Deferred item - Proposal to Purchase Land known as the Davistown Wetland**

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Time commenced: 7.25pm

Moved: Mr Persson AM

**Resolved**

- 1256/20 That Council note that this report will not be considered at the Council Meeting of 30 November 2020, to allow the land owners of Davistown Wetlands further time to discuss an alternative proposal with Council staff.

**5.5 Sale of Council Operational Assets**

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Time commenced: 7.05pm

Moved: Mr Persson AM

**Resolved**

- 1257/20 That Council resolve to sell the following properties for not less than market value as determined by an independent valuer;

- a) 200 Thompson Vale Road Doyalson 2262 (Lot 762 DP 746526)  
740 Thompson Vale Road Doyalson 2262 (Lot 32 DP 586913)  
740 Thompson Vale Road Doyalson 2262 (Lot 78 DP 755245)  
1550 Thompson Vale Road Doyalson 2262 (Lot 31 DP 586913)
- b) 15-23 Hely St Wyong 2259 (PT 1 Sec1 DP 3136)  
15-23 Hely St Wyong 2259 (PT 2 Sec1 DP 3136)  
15-23 Hely St Wyong 2259 (PT 3 Sec1 DP 3136)  
15-23 Hely St Wyong 2259 (PT 4 Sec1 DP 3136)  
15-23 Hely St Wyong 2259 (PT 5 Sec1 DP 3136)
- c) 49-51 Mann Street Gosford 2250 (Lot 1 DP 251476)  
49-51 Mann Street Gosford 2250 (Lot 1 DP 564021)  
53 Mann Street Gosford 2250 (Lot 3 DP 129268)  
55-57 Mann Street Gosford (Lot 2 DP 129268)  
59-71 Mann Street Gosford (Lot 1 DP 129268)

- 1258/20 That Council resolve to reclassify the following land from community to operational land and sell for not less than market value as determined by an independent valuer;

- a) 73 Mann Street Gosford (Lot B in DP 321076)  
75 Mann Street Gosford (Lot 2 in DP 543135)
- b) 126 Georgiana Terrace, Gosford (Lot 454 in DP 727721)

- 1259/20 That Council resolve to sell the following properties for not less than the purchase price paid by Council:

- a) 225 Sparks Road, Jilliby (Lot 15 DP 259530)  
671 Hue Hue Road, Jilliby (Lot 16 DP 259530)  
689 Hue Hue Road Jilliby, (Lot 17 DP 259530)  
701 Hue Hue Road Jilliby, (Lot 18 DP 259530)  
725 Hue Hue Road Jilliby, (Lot 4 DP 239704)  
725 Hue Hue Road Jilliby, (Lot 25 DP 259530)  
725 Hue Hue Road Jilliby, (Lot 26 DP 259530)  
749 Hue Hue Road, Jilliby (Lot 19 DP 259530)  
781 Hue Hue Road, Jilliby (Lot 6 DP 239704)  
791 Hue Hue Road, Jilliby (Lot 7 DP 239704)  
811 Hue Hue Road, Jilliby (Lot 8 DP 239704)
  - b) 140 Sparks Road Warnervale NSW 2259 (Lot 5 DP 239691)
- 1260/20 That Council authorise the Chief Executive Officer to finalise the terms of sale.
- 1261/20 That Council resolve, pursuant to section 55 (3) of the Local Government Act 1993, to procure the property sales agents for the first group of properties subject to a competitive quotation process in lieu of a formal open public tender.
- 1262/20 That the Chief Executive Officer establish a Property Advisory Committee consisting of two or three appropriately skilled and experienced external people to provide advice to achieve the best result for Council and provide probity advice.
- 1263/20 That a further report be provided regarding the following properties and any impacts with regard to affordable housing:
- a) 23-25 Ashton Ave, The Entrance 2261 (Lot 37 Sec 2 DP 14230)  
23-25 Ashton Ave, The Entrance 2261 (Lot 36 Sec 2 DP 14230)  
23-25 Ashton Ave The Entrance 2261 (Lot 24 Sec 2 DP 14230)
- 1264/20 That a further report be provided regarding the following properties and any impacts with regard to environment and community concerns:
- a) 219b Albany Street North Gosford 2250 (Lot 203 DP840680)  
219c Albany Street North Gosford 2250 (Lot 204 DP840680)
  - b) 219 Albany Street North Gosford 2250 (Lot 201 DP 840680), comprising Henry Wheeler Place (formerly Lots 7 & 10 DP 238231) and negotiating alternative arrangements for access and service easements with affected adjoining property owners.

**6.1 Management of the Obstacle Limitation Surface (OLS) at Warnervale Aircraft Landing Area (ALA)**

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Time commenced: 7.02pm

Moved: Mr Persson AM

**Resolved**

1265/20 That Council undertake the pruning of trees on the lands to the north of the Warnervale ALA to maintain an obstacle limitation surface of 3.3% to the north, in line with the guideline for night flight operations in the Civil Aviation Advisory Publication 92-1: Guideline for Aircraft Landing Areas (CAAP 92-1).

**6.2 Organisational Structure of Council**

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Time commenced: 7.27pm

Moved: Mr Persson AM

**Resolved**

1266/20 That Council determine, pursuant to s. 332(1) of the Local Government Act 1993, that the ongoing organisation structure of Council is approved as set out in this report.

**7.1 Deferred Item - Metro Cinema at Lake Haven - Rent Waiver**

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Time commenced: 7.30pm

Moved: Mr Persson AM

**Resolved**

1267/20 That Council adopt a 18% turnover rent from July 2020 to March 2021 in keeping with Council's obligations as landlord under the Retail and Other Commercial Leases (COVID-19) Regulation 2020 (NSW) and associated Mandatory Code of Conduct.

1268/20 That Council review the retail and commercial Mandatory COVID regulation in March 2021 and report back to Council on implication to Metro Lease if applicable.

1269/20 That Council extend the lease via a deed of variation for 2 years at the end of the lease.

- 1270/20 That Council resolve, pursuant to section 11(3) of the Local Government Act 1993, that this report and attachments remain confidential in accordance with section 10A(2)(d)(i) of the Local Government Act as it contains commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it and because consideration of the matter in open Council would on balance be contrary to the public interest as it would affect Council's ability to obtain value for money services for the Central Coast community.

**The Meeting** closed at 7.30 pm.



Central Coast Council

## Extraordinary Council Meeting

Held in the Council Chamber  
49 Mann Street, Gosford

2 December 2020

# MINUTES

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### **Present**

Dick Persson AM

### **In Attendance**

Rik Hart	Acting Chief Executive Officer
Boris Bolgoff	Director Roads, Transport, Drainage and Waste
Julie Vaughan	Director Connected Communities
Scott Cox	Director Environment and Planning
Jamie Loader	Director Water and Sewer
Natalia Cowley	Chief Financial Officer
Ricardo Martello	Executive Manager Innovation and Futures
Krystie Bryant	Executive Manager People and Culture

### **Notes**

The Administrator, Dick Persson AM, declared the meeting open at 3.04pm and advised in accordance with the Code of Meeting Practice that the meeting is being recorded.

The Administrator, Dick Persson AM acknowledged the traditional custodians of the land on which the meeting was being held, and paid respect to Elders past, present and emerging.

**1.1 Disclosure of Interest**

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Time commenced: 3.05pm

Moved: Mr Persson AM

**Resolved**

1/20 That Council receive the report on Disclosure of Interest and the fact that no disclosure was made be noted.

**2.1 Administrator's Minute - 30 Day Report and 2020-21 Q1 Business Report**

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Time commenced: 3.06pm

Moved: Mr Persson AM

**Resolved**

2/20 That Council note the tabling of the Administrator's 30-Day Interim Report.

3/20 That Council note the Administrator has today provided a copy of the report to the Minister for Local Government, Ms Shelley Hancock and the Deputy Secretary, Local Government, Planning and Policy, Mr Tim Hurst.

4/20 That Council receive Central Coast Council's Q1 Business Report on progress against Central Coast Council's 2020-21 Operational Plan.

5/20 That Council note that it is the opinion of the Responsible Accounting Officer that the Quarterly Budget Review Statement for Central Coast Council for the quarter ended 30 September 2020 indicates that Council's projected financial position at 30 June 2021 will be unsatisfactory at year end because the forecast year-end consolidated operating result before capital amounts for Council is a loss of \$115.1M. The loss of \$115.1M includes \$45M of one-off structural costs. Council is undertaking the following remedial actions: structural reduction in operating expenditure, seeking special rate variation approval from the Independent Pricing and Regulatory Tribunal, reducing capital expenditure, seeking bank loans, generating additional income and selling underperforming assets.

6/20 That Council approve the proposed budget amendments included in Central Coast Council's Q1 Business Report for 2020-21.

**The Meeting** closed at 3.33 pm.

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

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14 December 2020 Ordinary Council Meeting

Trim Reference: F2020/00039 - D14274094

## 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.

## Governance 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.*
- 2(i) alleged contraventions of any code of conduct requirements applicable under section 440.*

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:** Business Recovery Plan  
**Department:** Chief Financial Officer

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14 December 2020 Ordinary Council Meeting

Reference: F2020/00039 - D14267941  
Author: Michael Ross, Unit Manager, Procurement and Projects  
Executive: Natalia Cowley, Chief Financial Officer

### **Report Purpose**

At its Ordinary meeting held 26 October 2020, the Council resolved as follows:

- 1153/20 Each (fortnightly) Council meeting during the next 12 months will receive a report that details;*
- i. the financial position of council at that time*
  - ii. progress against the 100 day action plan*
  - iii. progress of the Forensic Audit, until completed*
  - iv. an outline of any other relevant strategy in response to the Financial Crisis and progress against those strategies*
  - iv. progress against any Performance Improvement Order that is in place.*

### **Executive Summary**

Due notice is given of this matter in accordance with Council's Code of Meeting Practice. The report and any relevant attachments will be provided prior to the Ordinary Meeting of 14 December 2020. The reason for providing this report as a late item is so that it can reflect as far as practicable the current situation with regard to Council's actions and response.

**Item No:** 2.2  
**Title:** Investment Report for November 2020  
**Department:** Chief Financial Officer

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14 December 2020 Ordinary Council Meeting

Trim Reference: F2004/06604 - D14262676

Author: Nitin Dang, Senior Accountant

Manager: Melissa McCulloch, Unit Manager Financial Services

Executive: Natalia Cowley, Chief Financial Officer

In accordance with clause 212 of the Local Government (General) Regulation 2005 the Responsible Accounting Officer must provide the Investment Reports to Council each month. As there is only one meeting in December 2020 the Investments Report for 30 November 2020 is to be provided at the meeting on 14 December 2020.

Due notice is given of this matter in accordance with Council's Code of Meeting Practice. The Investment Report for November 2020 will be provided prior to the Ordinary Meeting of 14 December 2020. The reason for providing this report as a late item is so that Council staff can include information on investments up to the last day of November 2020.

**Item No:** 2.3  
**Title:** Policy for Investment Management  
**Department:** Chief Financial Officer

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14 December 2020 Ordinary Council Meeting



Trim Reference: F2004/06604 - D13749454

Author: Devini Susindran, Financial Accountant Treasury and Taxation

Executive: Natalia Cowley, Chief Financial Officer

Investment Policy Guidelines issued by the Office of Local Governments recommends that the Council's Investment policy should be reviewed each year. Accordingly the Policy for Investment management has been reviewed and submitted to the Audit Risk and Improvement Committee for endorsement at its meeting on 10 December 2020. Once endorsed the policy will be presented at a Councils Ordinary meeting for adoption. As there is only one meeting in December The Policy for Investment Management needs to be presented at the meeting on 14 December 2020.

Due notice is given of this matter in accordance with Council's Code of Meeting Practice. The reason for providing this report as a late item is so that it can be presented to the Audit, Risk and Improvement Committee on 10 December 2020.



**Item No:** 3.1  
**Title:** Meeting Record of the Social Inclusion Advisory Committee meeting held 14 October 2020  
**Department:** Connected Communities

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14 December 2020 Ordinary Council Meeting

Reference: F2019/00090 - D14294230  
Manager: Glenn Cannard, Unit Manager, Community Partnerships  
Executive: Julie Vaughan, Director Connected Communities

### **Report purpose**

To note the Meeting Record of the Social Inclusion Advisory Committee meeting held 14 October 2020, and consider the recommendation to Council from the Committee regarding a replacement member following a resignation.

### **Connected Communities Recommendation**

- 1 That Council note the Meeting Record of the Social Inclusion Advisory Committee meeting held 14 October 2020 that is Attachment 1 to this report.*
- 2 That Council appoint Michael Schell as a voting community representative of the Social Inclusion Advisory Committee in light of Bert Cotte's resignation, and that the Terms of Reference (Attachment 2) be adopted accordingly.*

### **Context**

The Social Inclusion Advisory Committee held a meeting on 14 October 2020. The Meeting Record of that meeting is Attachment 1 to this report.

At a previous meeting held 11 August 2020, the Committee noted the resignation of one of the community representatives and requested staff liaise with the Chairperson to find a suitable representative after considering the original applications submitted.

Following this process, one of the original applicants was invited to attend the 14 October 2020 meeting as a guest to meet the Committee. After the applicant left the meeting, the Committee considered the matter and made the following recommendation to Council:

*That Council appoint Michael Schell as a voting community representative of the Social Inclusion Advisory Committee in light of Bert Cotte's resignation, and that the Terms of Reference be updated to reflect the change in membership.*

Staff support the Committee's recommendation and propose the change be made to the Terms of Reference as included at Attachment 2 to this report, shown in bold and italics.

### **3.1 Meeting Record of the Social Inclusion Advisory Committee meeting held 14 October 2020 (contd)**

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#### **Financial Considerations**

At its meeting held 19 October 2020, Council resolved the following:

*1036/20 That any motions put before Council for the remainder of this term of Council that have financial implications require the Chief Executive Officer to provide a report on how those additional costs will be met.*

This report has no financial implications as Advisory Group members are voluntary positions and receive no remuneration.

#### **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> | Social Inclusion Advisory Committee Meeting Record - 14 October 2020  | D14294194 |
| <b>2</b> | Terms of Reference - Social Inclusion Committee - Updated 12 Nov 2020 | D14295511 |

# Social Inclusion Advisory Committee Meeting Record 14 October 2020



Location:	Zoom Meeting	
Date:	14 October 2020	
Time	Started at: 4.02pm	Closed at: 6.05pm
Chair	Councillor Kyle MacGregor	
File Ref	F2019/00090	

**Present:**

Councillor Jillian Hogan, Councillor Kyle MacGregor, Jackie Klarkowski, Glitta Supernova, Deb Tipper

**Guests:**

Juan Iocco – Central Coast Pride, Michael Schell (joined 4.23pm, left 5.30pm)

**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 Community Planning and Funding, 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 Chris Holstein, Colette Baron, Joshua Maxwell, Julie Vaughan – Director Connected Communities

Councillor Kyle MacGregor welcomed the Advisory Group and completed an Acknowledgement of Country.

It was noted Michael Schell would be joining the meeting as a guest, with a view for the Advisory Group to consider recommending him for membership given the vacancy provided by Bert Cotte's resignation.

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**Item 2 Disclosure of Interest**


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Glitta Supernova declared a less than significant non-pecuniary interest with regard to Item 6 as Creative Director of Naughty Noodle Fun Haus. There was no conflict perceived by the Advisory Group.

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**Item 3 Confirmation of Previous Meeting Record**


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The Advisory Group confirmed the Meeting Record from 11 August 2020.

The Advisory Group reviewed the Action Log.

Social Inclusion Advisory Committee Meeting Record  
14 October 2020



Concerns raised regarding Action 22 (apprenticeships and youth employment) given recent announcements about Council's financial situation. Council is one of the largest employers on the Central Coast and members are worried about the impact the budget may have on youth. It was requested that an update be provided in light of current situation.

#### **Item 4 Social Inclusion Policy**

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Kerrie Forrest (Section Manager Community Planning and Services) spoke to the draft Social Inclusion Charter, which was circulated to Advisory Group members before the meeting for review. The Charter complements various strategies and policies already in place and provides an overarching structure for inclusion.

Feedback was invited from Advisory Group members regarding the draft Charter. The following was noted:

- Important to understand how Charter will be used once established. Intention is that once endorsed, all Council policies/projects would need to align with Charter. Suggested that this assertion be included in the Charter, as well as specific criteria/targets to ensure compliance and measure success.
- Further suggestions made regarding wording/language. Discussion held about difference between equality and equity – the latter of which is used in the Charter. Noted language used is in accordance with national standards.
- Need to address that our society is inherently inequitable (perhaps include this in preamble) and outline exactly what social inclusion is and why it's needed.
- Noted that improving social inclusion has significant economic value leading to quality health and wellbeing, increased employment opportunities, and ultimately greater outcomes for the region.
- Charter shouldn't just add bureaucratic layers – it should fit well with existing documents to reduce overlapping.
- Keen to see more mention of advocacy in the Charter, with view that Council take on a more active role in advocating for social inclusion on behalf of the community.
- Regarding ABS figures referenced – low numbers seem to indicate community isn't as diverse as suggested. Noted this may mean more support is needed, as disadvantaged groups are underrepresented.
- Important to ensure Charter is known to all staff, but effects are also experienced externally.

Given that some members were apologies for the meeting, it was requested that further time be provided to review the draft Charter. Staff confirmed they are happy for additional comments to be sent through.

**Action:** Advisory Group members to review draft Social Inclusion Charter and forward any further comments on to Advisory Group Support Officer for collating and sharing with staff for consideration.

#### **Item 5 Focus and Plan for Advisory Group**

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The Advisory Group discussed future direction and topics for focus.

The following key points were noted:

- Improvements still needed to Council's website as it is difficult to navigate and find info.
- Need to consider how to get info outside of Council in accessible manner (technology isn't always available for community so this shouldn't be only method). Staff confirmed various methods are

Social Inclusion Advisory Committee Meeting Record  
14 October 2020



- employed (letter box drops, noticeboards in shops and community centres, establishing communication trees). Staff welcome suggestions about how to better target areas of community.
- Noted Council received a grant for bushfire resilience funding following events at start of 2020. This was used to explore how to connect with remote communities in emergency situations.
- Communication (particularly with people who are unaware of services and historically haven't needed help) has been focus for Social Task Force.
- Ideal to promote Council presence at different fairs/events across Central Coast as this is a positive way to reach audiences. COVID has unfortunately impacted on opportunities for this.
- Members feel endorsing Social Inclusion Charter is important piece of work for the Advisory Group. Acknowledge a refined focus will be needed moving forward and would like to consider how to improve outcomes once the Charter has been established.

#### **Item 6                    Rainbow Community and Inclusivity**

Juan Iocco spoke to the Advisory Group about the Rainbow Community and inclusivity, in terms of his role with Central Coast Pride.

The following key points were noted:

- Connecting and collaborating are pivotal to ensuring happiness of community. The Arts and Culture sector has a strong platform to encourage this.
- Central Coast Pride partner with various organisations across the Central Coast to support the Rainbow Community and broader population.
- LGBTQI+ is more than just a gap – there is a dark history of serious issues on the Central Coast and it's important to now be able to advocate in this area.
- One of the biggest targets for Central Coast Pride is youth and their parents. Also focused on intersectionality (how someone's various social contexts intersect and contribute to level of disadvantage experienced).
- Noted that high number of gender varied people access Gender Centres outside of region. This could suggest there are insufficient services on the Central Coast or people don't feel accessing services locally.
- Language is very important with regard to inclusivity – education is key in this area. Central Coast Pride have worked with local Police regarding this, and noted inclusivity training can be extremely beneficial for large organisations such as Council.
- Unfortunately there isn't extensive data available for the Central Coast, but this is being collated.
- Coastal Twist Festival was considered a huge success – entertainment was inclusive of all (e.g. use of AUSLAN interpreters for people with hearing impairments). Surveys following Festival show attendee representation was 50/50 (LGBTQI+ / non-LGBTQI+).
- Good news story that Central Coast had high support for YES vote with regard to marriage equality – this reflects positively for community.
- Concerns that versions of 'gay conversion therapy' are still occurring in Central Coast schools, despite this being illegal in Australia. Contrast to other schools which are great at encouraging support and safe spaces for LGBTQI+ youth.
- Challenging that there is serious lack of resources available (namely skilled resources) to undertake a large amount of work. Support would be very welcome.

The Advisory Group commended Juan and Central Coast Pride for their commitment to inclusivity and support provided to the community.

Social Inclusion Advisory Committee Meeting Record  
14 October 2020



**Action:** Juan Iocco to provide list of resources for Advisory Group members to share with networks, with view to improve advocacy options and provide support.

#### **Item 7                    Update on Social Task Force**

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Belinda McRobie (Team Leader Community and Cultural Programs) provided a brief update on Council's Social Task Force, noting that further info will be shared at the next meeting.

The following key points were noted:

- Task Force established in response to COVID to provide a platform for regional leaders to work through the pandemic and address social trends being experienced.
- Membership includes external agencies (e.g. Central Coast Community Council, Uniting Care, local neighbourhood centres, homelessness services, local health districts etc) and internal members (staff and Councillors).
- Have met 7 times since May 2020.
- Some key challenges identified: communication and access to info for community, increasing social issues (e.g. unemployment, declining mental health, youth, isolation), and what will happen when Federal Government support (e.g. JobKeeper payments) reduces/ceases.
- Mapping project being undertaken to ensure people in need can access required services in area. This involves development of an accessible pinpoint platform.
- Other main project is marketing, which involves developing a plan about how to get key messages to the community, particularly in emergency situations.

#### **Item 8                    General Business and Close**

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The Advisory Group considered Michael Schell's application for membership and agreed to recommend Michael be appointed in accordance with the Terms of Reference.

**Recommendation:** That Council appoint Michael Schell as a voting community representative of the Social Inclusion Advisory Committee in light of Bert Cotte's resignation, and that the Terms of Reference be updated to reflect the change in membership.

The meeting closed at 6.05pm

**Next Meeting:**            **December 2020**  
   **Time TBC**  
   **Location TBC**

## Terms of Reference – Social Inclusion Advisory Committee

### 1. Role

Central Coast Council has an adopted Community Strategic Plan and Delivery Plan that will shape all activities and projects over the next four years. Council's Advisory Groups are an important mechanism for consultation, advice and feedback to Council and staff on implementation and review of the Community Strategic Plan.

The role of the Social Inclusion Advisory Committee (the Advisory Group) is to identify, examine, and formulate a collective response to the various social issues that affect the Central Coast community.

### 2. Responsibilities

The Advisory Group is responsible for providing advice and feedback to Council and staff on:

- Social issues that affect the Central Coast community.
- Approaches to address key social issues identified in the Community Strategic Plan.

### 3. Membership, Voting and Quorum.

#### Membership

Councillors:	Councillor Hogan	Voting Member
	Councillor Holstein	Voting Member
	Councillor MacGregor (Chair)	Voting Member
Community Members:	<del><b>Bert Cotte</b></del>	<del><b>Voting Member</b></del>
	Colette Baron	Voting Member
	Glitta Supernova	Voting Member
	Jackie Klarkowski	Voting Member
	Deb Tipper	Voting Member
	Joshua Maxwell	Voting Member
	<b>Michael Schell</b>	<b>Voting Member</b>

Council is seeking broad stakeholder representation for this committee, with the desired blend providing a mix of representatives with strategic insight through practical experience in localised community programs and initiatives. Community representatives shall be appointed by resolution of Council following advertisement for nominations.

Nominations are to be in writing and will be circulated in full to Councillors for evaluation and consideration. The Advisory Group is not involved in the evaluation or selection process, it is a matter for Council.

The staff holding the following Central Coast Council positions may attend Advisory Group meetings:

## Terms of Reference – Social Inclusion Advisory Committee

- Director, Connected Communities (or their delegate)
- Unit Manager, Community Partnerships
- Section Manager, Community Planning and Services
- Section Manager, Community and Cultural Development

Council officers will provide professional advice and administrative support. Employees of the Council are not subject to the direction of the Advisory Group or any members of it. Staff attendance is at the discretion of the Chief Executive Officer.

Non-staff members are appointed to the Advisory Group for the remainder of the current Council term, although membership can be altered at any time by a resolution of Council.

Membership can be withdrawn by resolution of Council.

If a member misses three consecutive meetings without apology, their membership may be withdrawn and their position deemed vacant.

### *Casual Vacancy*

A casual vacancy is caused by the resignation or death of a member or the withdrawal of membership. To fill a casual vacancy:

- The Advisory Group staff contact will report the vacancy to the Advisory Group and then to the next available Council meeting.
- If the member was nominated as a representative of an organisation, it will be recommended that the organisation be invited to nominate a replacement member.
- If the member was nominated as an individual, the original expressions of interest will be reviewed to identify an appropriate replacement member.
- Where there are no appropriate alternate nominations, expressions of interest will be called for to replace the member.
- Where the vacancy occurs within nine months of the end of the term of the Advisory Group the vacancy will not be filled.

### *Chairperson*

The Chairperson is a Councillor.

The Chairperson is to have precedence at the meeting and shall determine the order of proceedings, generally as set out in the Agenda.

It is not necessary that the Chairperson be a member of the Advisory Group.

Where the Mayor is appointed to be a delegate to an Advisory Group, it is not necessary that the Mayor be the Chairperson.

## Terms of Reference – Social Inclusion Advisory Committee

### *Convenor*

A Central Coast Council staff position shall be nominated as Convenor by the Chief Executive Officer. They will be a staff member responsible for coordinating the preparation of agendas, invitations and minutes.

The Director, Connected Communities (or their delegate) shall be the Convenor of the Central Coast Social Inclusion Advisory Committee.

### *Voting*

No formal voting rules apply.

As the Advisory Group has an advisory role, its recommendations are to be made by consensus. Where consensus cannot be reached, a vote may be taken at the request of the Chair. The vote will be carried by a majority of voting members. The meeting record will reflect this process.

Council is the decision making body and the Advisory Group provides recommendations for consideration.

The Advisory Group may agree to allow participation in meetings through conference calls and other technology.

As no formal voting rules apply, there is no proxy voting. The Quorum for a meeting is half the voting non-Councillor representatives and at least one Councillor\*. However, the Chairperson shall use their discretion to determine if a meeting should be postponed due to insufficient members being able to attend.

## 4. Meetings

- Meetings are held bi-monthly
- The Chairperson has the authority to call additional meetings
- The agenda and meeting papers will be distributed to members at least three days prior to the meeting
- Meetings will be recorded by the taking of minutes. The minutes are a record of agreed outcomes and do not record discussion.

## 5. Communications and reporting

The agendas and minutes of the Advisory Group will be stored as a permanent record of Council. All agendas and meeting records will be published on Council's website.

Where the Advisory Group recommends an action that is outside the delegation of staff to determine, a report will be provided to Council.

Staff will prepare the report that recommends that Council note the minutes of the Advisory Group. Reporting of Advisory Group recommendations to Council will be reported as

Page 3 of 4

\*Updated to reflect Council Resolution 1115/19 from 11 November 2019 Meeting (Page 3)

## Terms of Reference – Social Inclusion Advisory Committee

Committee Recommendations without change. Staff will also provide professional commentary on the Advisory Group’s recommendation where appropriate and provide a staff recommendation which may or may not align to that of the Group. The Council may, at its discretion, resolve to adopt some or all the Advisory Group’s recommendations and advice.

Where the Advisory Group has not recommended an action, the minutes will be reported to Council as an Information Report only.

### 6. Conduct

Members of the Advisory Group will be provided with Council’s adopted Code of Conduct. Conduct of members is expected to be consistent with the principles outlined in the Code of Conduct.

Members of the Advisory Group are not permitted to speak to the media or make representations on social media on behalf of the Advisory Group or Council unless approved by Council.



**Item No:** 3.2  
**Title:** Meeting Record of the Town Centre Advisory Group Meeting held on 15 September 2020  
**Department:** Connected Communities

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14 December 2020 Ordinary Council Meeting

Reference: F2019/00505 - D14295265  
Manager: Glenn Cannard, Unit Manager, Community Partnerships  
Executive: Julie Vaughan, Director Connected Communities

### **Report purpose**

To note the Meeting Record of the Town Centre Advisory Group Meeting held 15 September 2020.

### **Connected Communities Recommendation**

*That Council note the Meeting Record of the Town Centre Advisory Group Meeting held on 15 September 2020.*

### **Context**

The Town Centre Advisory Group held a meeting on 15 September 2020. The Meeting Record of that meeting is Attachment 1 to this report.

There are no recommendations for Council. It is noted that quorum was lost during this meeting due to the departure of a number of voting community member representatives. The Meeting Record is being reported for information only in accordance with the Terms of Reference. The delay in reporting this meeting record to Council is due to a hold up with the meeting record approval process.

### **Financial Considerations**

At its meeting held 19 October 2020, Council resolved the following:

*1036/20 That any motions put before Council for the remainder of this term of Council that have financial implications require the Chief Executive Officer to provide a report on how those additional costs will be met.*

The following statement is provided in response to this resolution of Council.

There are no financial implications associated with any discussions or actions resulting from this meeting.

## **3.2 Meeting Record of the Town Centre Advisory Group Meeting held on 15 September 2020 (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> | Town Centre Advisory Committee Meeting Record - 15 September 2020 | D14293579 |
|----------|---|-----------|

# Town Centre Advisory Committee Meeting Record 15 September 2020



Location:	Zoom Meeting	
Date:	15 September 2020	
Time	Started at: 3.02pm	Closed at: 4.04pm
Chair	Mayor Lisa Matthews	
File Ref	F2019/00505	

**Present:**

Mayor Lisa Matthews, Councillor Chris Holstein, Councillor Jane Smith (joined 3.36pm, left 3.56pm), Rod Dever (left 4.01pm), Juan Iocco, Matthew Lusted, Paula Martin, Brenton Pavier, Matthew Wales (left 3.28pm)

**Guests present:**

Katherine O'Regan – Sydney Business Chamber (joined 3.20pm, left 3.44pm)

**Council Staff present:**

Julie Vaughan – Director Connected Communities (joined 3.18pm), Jamie Barclay – Unit Manager Economic Development and Project Delivery, Glenn Cannard – Unit Manager Community Partnerships, Sue Ledingham – Unit Manager Community Engagement (joined 3.30pm), Kelly Drover – Advisory Group Support Officer

## **Item 1 Welcome, Acknowledgement of Country and Apologies**

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Apologies received: Robert Diaz, Matthew Hingerty

The Chairperson, Mayor Lisa Matthews declared the meeting open and completed an Acknowledgement of Country and Connection to Land Statement.

## **Item 2 Disclosures of Interest**

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The Chair called for any Disclosures of Interest. No disclosures were received.

## **Item 3 Confirmation of Previous Meeting Record**

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The Advisory Group confirmed the Meeting Record from 15 July 2020.

It was noted that in the Meeting Record under Item 7, the following was discussed:

*The Advisory Group discussed the following priority action areas for the remaining 12 months.*

- *Outdoor dining*
- *Shopfront activations (working with landowners and real estates)*

Town Centre Advisory Committee Meeting Record  
15 September 2020



- *Car parking*
- *How to get people back into the Town Centres*
- *Streetscaping*
- *What each of the Town Centres has identified as its unique selling point*

*The Advisory Group also discussed the need for staff to sit down with key people to look at what each individual Town Centre needs as the priority action areas can be very different for each Town Centre.*

The above discussion was not incorporated into the related action. It was requested that staff liaise with key people in the communities to discuss the items listed above.

**Action:** Updates on the following for all Town Centres to be addressed at future meetings:

- Outdoor dining
- Shopfront activations (working with landowners and real estates)
- Car parking
- How to get people back into the Town Centres
- Streetscaping
- What each of the Town Centres has identified as its unique selling point (thoughts from members)

The Advisory Group discussed the Action Log.

**Action Item 17:** *A joint meeting between the Tourism Committee, Employment and Economic Development Committee and Town Centre Advisory Committee to be arranged once face to face meetings can be held.*

The Advisory Group discussed the possibility of holding this joint meeting sooner rather than later, looking at options such as the Racecourse which has a COVID safe capacity of 105 people.

**Action:** Staff to investigate an opportunity to bring the Tourism Committee, Employment and Economic Development Committee and Town Centre Advisory Committee together in the near future and email Advisory Group members advising if this is a possibility.

#### **Item 4                    Sydney Business Chamber Update**

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Katherine O'Regan from Sydney Business Chamber provided the Advisory Group with an update on the challenges the CBD is facing and some of the initiatives they are working on to reinvigorate the city.

The Treasurer and Planning Minister recently announced a "summer summit" to explore ways to stimulate the economy over the busy New Year period despite the COVID-19 pandemic. Katherine has prepared a briefing note which highlights the following 4 topics:

- Improving confidence
- Providing support
- Enabling, facilitating and coordinating
- Looking to the future

Town Centre Advisory Committee Meeting Record  
15 September 2020



**Action:** Katherine to provide the briefing note to Paula Martin, to then be circulated by Advisory Group Support Officer to the Advisory Group members.

Mayor Lisa Matthews advised she will be hosting a Summertime 2020/21 Tourism and COVID Safety Roundtable discussion tomorrow with industry leaders, Central Coast Health and NSW Brisbane Water Local Area Command.

#### **Item 5 Chamber of Commerce Updates (Standing Item)**

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Matthew Wales – Peninsula Chamber of Commerce:

- Unfortunately, the decision was made to cancel the Oyster Festival due to current circumstances with COVID.
- Meetings have been held with Glenn Cannard and Shari Young regarding the Place Management process for the Peninsula.

Matthew Lusted – Wyong Chamber of Commerce:

- The Wyong Chamber held their AGM on 27 August 2020. All the restanding Board members were reappointed along with one new Board member. Gary Murphy spoke at the meeting.
- Tuesday 22 September 2020 there is a breakfast meeting at Kooindah Waters where the Kevin Faulks Award will be presented, the Chamber Award for service to the community.
- The Chamber have given a number of video presentations, including two given by president Matthew Lusted. One on Chamber membership which has remained very steady throughout the COVID period. During the 2019/20 period another 30 new businesses were signed up. The second video presentation was on the Southbank initiative.

Rod Dever – Gosford/Erina Chamber of Commerce:

- The Chamber held its first post COVID face to face event last week which included 100 people at the Entertainment Grounds. The Deputy Premier attended and spoke at the event.
- The Chamber has been successful in obtaining a NSW State Government Small Business Grant.
- Confidence is returning to a lot section, people are cautiously optimistic.
- Still experiencing supply chain issues (especially when the supply chain is coming out of Victoria).
- A lot of businesses won't be able to continue to operate once job keeper payments are cut.

Paula Martin – NSW Business Chamber:

- 554 businesses have registered for the Bigger Backyard program, with \$28 million pledged to spend with each other. Economic impact to the region is \$84 million. The campaign was extremely successful, and the program is now looking to be closed off and currently working with Council to run a celebratory event. Due to COVID this will now be a virtual BBQ event on 22 October.
- October is also Small Business month so there will be a number of activities from each of the Chambers and the COVID taskforce.

Juan Iocco:

- Spent the last 3½ months reinventing how things will look across the Coast, including bringing in partnerships with Large Corporates. In conversation with people like Adelaide Fringe and Melbourne Fringe and the Central Coast contingency will be happening later this year.
- Conversations have been held with Council on utilising spaces.
- In the next few weeks dates should be released for how things will look over the next 6 months.

Town Centre Advisory Committee Meeting Record  
15 September 2020



*With the departure of a number of voting community member representatives, in accordance with Section Three of the Terms of Reference, there were insufficient voting members present and the meeting could not proceed due to a lack of quorum.*

**Item 6                    Update on Place Plans (Action 15)**

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*This item could not be discussed due to the meeting losing quorum. Deferred to next meeting.*

**Item 7                    Update on Local Tourism Opportunities for Upcoming Holiday Season**

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*This item could not be discussed due to the meeting losing quorum. Deferred to next meeting.*

**Item 8                    General Business and Close**

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The meeting closed at 4.04pm

**Next Meeting:            Wednesday 18 November 2020  
3pm – 5pm  
Zoom Meeting**



**Item No:** 3.3  
**Title:** Consideration of Submissions and Adoption of the Graffiti Management Strategy  
**Department:** Connected Communities

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14 December 2020 Ordinary Council Meeting

Reference: F2020/00039 - D14005086  
Author: Kerrie Forrest, Section Manager, Community Planning and Services  
Manager: Glenn Cannard, Unit Manager, Community Partnerships  
Executive: Julie Vaughan, Director Connected Communities

### **Report purpose**

To consider the submissions received during the public exhibition period and adopt the final Central Coast Graffiti Management Strategy (Attachment 1). The report outlines proposed minor amendments to the Strategy in response to these public submissions.

### **Executive Summary**

A Draft Central Coast Graffiti Management Strategy has been developed to address the complex issue of graffiti. The Strategy has been informed by stakeholder input, evidence and best practice in graffiti management. It aims to outline the approach Council will take, in partnership with others, to effectively manage graffiti vandalism across the Central Coast. This Strategy replaces the former Gosford City Council's *Gosford City Graffiti Management Strategy 2012* and the former Wyong Shire Council's *Graffiti Management Strategy 2010* (reviewed 2015).

The Draft Central Coast Graffiti Management Strategy was placed on public exhibition from 17 August to 13 September 2020. Nineteen submissions were received and reviewed. In response to these submissions minor amendments have been made and the strategy has been finalised and is recommended for adoption.

### **Connected Communities Recommendation**

- 1 *That Council note that the Draft Graffiti Management Strategy was publicly exhibited from 17 August 2020 to 13 September 2020.*
- 2 *That Council consider the submissions received (Attachment 2) during the exhibition period.*
- 3 *That Council note and endorse the amendments recommended in this report.*
- 4 *That Council adopt the Central Coast Graffiti Management Strategy (Attachment 1) and make it available on Council's website.*

### 3.3 Consideration of Submissions and Adoption of the Graffiti Management Strategy (contd)

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#### Background

The *Draft Central Coast Graffiti Management Strategy 2021-2024* seeks to align and replace the former Gosford City Council's *Gosford City Graffiti Management Strategy 2012* and the former Wyong Shire Council's *Graffiti Management Strategy 2010* (reviewed 2015).

This new strategy takes successful aspects from each former strategy and is informed by evidence about what works, best practice in graffiti management and stakeholder input.

Graffiti is a complex issue that requires Council, community members and the police to work together to deliver a multi-faceted solution.

NSW crime statistics show that graffiti incidents have steadily declined on the Central Coast over the past 5 years (annual % change of -12% between July 2014 and June 2019)<sup>1</sup>.

However, graffiti reports to Council have been increasing. Graffiti is one of the most visible crimes and can impact on perceptions of safety and community pride<sup>2</sup>.

The Graffiti Management Strategy sets out the approach Council will take in managing graffiti, in partnership with others, and across the whole Central Coast.

The strategy is based on the below objectives:

- To create a sustainable, significant and measurable reduction in graffiti in the Central Coast Local Government Area
- To reduce the negative impacts of graffiti felt by the community and visitors and increase pride in local areas
- To increase community awareness and understanding of the issue
- To increase coordination in the management of graffiti in the Central Coast LGA
- To increase ease of reporting for the community
- To provide local residents with legitimate avenues to express themselves creatively.

The Strategy sets out practical steps towards achievement of these objectives, through five priorities:

- 1 Boost the rapid graffiti removal response
- 2 Value our partners in graffiti management
- 3 Make it easier to report graffiti (IT and communications)
- 4 Towards legitimate art
- 5 Prevention

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<sup>1</sup> NSW Bureau of Crime Statistics and Research: Number, trend and rate per 100,000 population of incidents of graffiti recorded by the NSW Police Force for selected Local Government Areas (LGAs)

<sup>2</sup> A survey conducted by the Australian Bureau of Statistics shows that 21 per cent of the respondents in NSW perceived graffiti to be a social disorder problem in their local area.

<http://www.crimeprevention.nsw.gov.au/Pages/cpd/protectcommunity/graffitivandalism/graffitivandalism.aspx>

### **3.3 Consideration of Submissions and Adoption of the Graffiti Management Strategy (contd)**

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Through the Strategy Council will:

- Provide a quicker and more coordinated response to graffiti on Council owned assets via establishment of a centralised graffiti management team and trial graffiti removal from commercial properties in some designated town centres
- Provide the community with easier ways to report graffiti by improving Council's customer portal for reporting issues, streamlining processes and providing clear communication on how to report graffiti
- Support the community and businesses to get involved in graffiti removal with distribution of free graffiti removal kits; induction, ongoing training and resources for graffiti removal volunteers and support for Graffiti Removal Day
- Provide better support for the Police to do their job through developing stronger partnerships and conducting community safety audits
- Provide innovative alternatives to graffiti management through the delivery of public art that enlivens places such as murals and other public art activations
- Deliver community education and prevention outcomes including an information toolkit on graffiti prevention for schools, awareness raising workshops and anti-graffiti messaging for young people

A detailed Action Plan is included in the Strategy.

#### **Current Status**

The Draft Central Coast Graffiti Management Strategy has been placed on public exhibition. Submissions received during this period have been reviewed and final amendments made to the document.

The Central Coast Graffiti Management Strategy is presented for adoption.

#### **Report**

As a result of submissions received during the public exhibition period there are three minor changes proposed to the draft Strategy. These changes include:

- Clarifying the process for reporting graffiti offences to Police on pages 9 and 10
- Replacing 'rapid response' with 'rapid removal response' on page 19
- Amending Action 4.1 to add the words 'with input from relevant stakeholders.'

A summary of the submissions and action taken is presented in Attachment 2. Whilst the submissions raised a number of issues, these have already been identified in the Strategy and addressed as part of the Action Plan.

### **3.3 Consideration of Submissions and Adoption of the Graffiti Management Strategy (contd)**

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#### **Consultation**

Feedback from the Community Strategy Plan indicated that 30% of residents disagreed that the area is clean and free of graffiti.

In 2018, targeted workshops and surveys were conducted with internal and external stakeholders to examine the successes and learning of the past 5 years.

External stakeholders included:

- Tidy towns groups who conduct rapid removal on private assets
- Rotary Central Coast who coordinate annual Graffiti removal day
- Crime prevention Officers from Tuggerah Lakes and Brisbane Waters Police Districts
- Juvenile Justice who manage offender rehabilitation programs

Internal stakeholders included:

- Facilities and Asset Management who own the targeted buildings
- Maintenance and Programmed Trades who remove graffiti off Council assets
- Customer Service
- Information Management and Technology
- other relevant business units and action owners

Councils across NSW were also consulted on what works for them in Graffiti Management.

Stakeholder's input has informed the actions in this strategy.

The Draft Graffiti Management Strategy was exhibited for a period of 28 days from 17 August to 13 September 2020. Exhibition activities included:

- Media release
- Social media posts
- Coast Connect e-newsletter

A total of 19 submissions were received with Your Voice Our Coast and ask@centralcoast.

#### **Financial Considerations**

At its meeting held 19 October 2020, Council resolved the following:

- 1036/20 That any motions put before Council for the remainder of this term of Council that have financial implications require the Chief Executive Officer to provide a report on how those additional costs will be met.*

### **3.3 Consideration of Submissions and Adoption of the Graffiti Management Strategy (contd)**

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The following statement is provided in response to this resolution of Council.

This strategy is designed to be implemented over four years in collaboration with community partners. The responsibility for the delivery of actions will be assigned to relevant Council business units through Service Unit Business Plans and resources will be allocated within ongoing annual business unit operational budgets.

The largest additional costs are associated with the proposed establishment of a centralised rapid removal team within the Facilities and Asset Management Unit (Action 1.1) and adopting a proactive approach to trial graffiti removal from private property in selected town centres (Action 1.2). External funding will be required to resource and implement these actions.

#### **Link to Community Strategic Plan**

Theme 1: Belonging

#### **Goal A: Our community spirit is our strength**

B-A3: Work together to solve a range of social and health issues that may impact community wellbeing and vulnerable people.

B-A4: Enhance community safety within neighbourhoods, public spaces and places

#### **Risk Management**

Community views are divided on how to address graffiti on the Central Coast. This strategy attempts to bridge these differing perspectives with a multi-faceted approach informed by evidence about what works, best practice in graffiti management and stakeholder input. Actions will be implemented across a range of Units. The risk management component of individual projects will be considered as part of project planning.

#### **Options**

- 1 Final adoption of the Central Coast Graffiti Management Strategy. This is the recommended option.
- 2 Further amend the Central Coast Graffiti Management Strategy. This is not recommended.

### **3.3 Consideration of Submissions and Adoption of the Graffiti Management Strategy (contd)**

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#### **Critical Dates or Timeframes**

Implementation of the Central Coast Graffiti Management Strategy will commence in 2021.

#### **Attachments**

- |          |  |           |
|----------|--|-----------|
| <b>1</b> | Central Coast Graffiti Management Strategy 2021-2024       | D14334019 |
| <b>2</b> | Public Exhibition Submissions on Draft Graffiti Management | D14333822 |



Central Coast Council

# Graffiti Management Strategy

2021 - 2024

November 2020



MacKenzie Reserve Mural  
Artist: Margot Hislop  
Budgewoi Placemaking Anti-Graffiti Project  
Central Coast Council 2018

### Acknowledgement of Country

We acknowledge the traditional owners of the land on which we live and pay our respects to Elders past and present.



Central Coast Graffiti Management Strategy 2021 - 2024

Author: Community Partnerships Unit

Date: November 2020

Version Final

Approved by: Central Coast Council

Date of Approval: November 2020

Assigned review period: 3 years

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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 2550

**E** ask@centralcoast.nsw.gov.au

**W** www.centralcoast.nsw.gov.au

#### COVER IMAGE: The MacKenzie Reserve Mural 2018 Artist: Margot Hislop

This Council-owned amenities building is located in MacKenzie Reserve Budgewoi. Due to its partially hidden location and the blank walls the building was tagged with graffiti weekly. This reflected poorly on the local community and the park as a safe place and required costly regular cleaning. Being very active in land management and environmental issues the Budgewoi community gave this issue a high priority by advocating to Council for a creative solution and becoming involved in the subsequent mural installation which was contracted and managed by Council. The building was not graffitied for the two subsequent years after installation and very rarely following that period. Any subsequent graffiti has been easily removed with water due to the use of full colour printed aluminium panel sprayed with an anti-graffiti coating placed on the entire area of the walls.

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# 1 Tackling Graffiti on the Central Coast

Central Coast Council is serious about graffiti management. This strategy sets out the approach Council will take in managing graffiti, in partnership with others, and across the whole Central Coast. This strategy is based on evidence about what works, best practice in graffiti management and stakeholder input.

Central Coast Council intends to centralise graffiti management within a new rapid removal team which will coordinate removal of graffiti across all Council assets. We will also work in partnership with Police, volunteer groups, Chambers of Commerce, business groups and the community to reduce graffiti, reverse the negative impacts of graffiti and build community pride.

NSW crime statistics show a steady and consistent decline over the past 5 years for graffiti incidents recorded by NSW Police Force (annual % change of -12% between July 2014 and June 2019)<sup>1</sup>. However, graffiti reports to Council have been increasing. This may be partially due to increased awareness of how to report graffiti. Graffiti remains a complex and expensive problem for local government, the community and law enforcement agencies. Graffiti is one of the most visible crimes and can impact on perceptions of safety and community pride<sup>2</sup>.

Rapid and consistent removal of graffiti is considered best practice and is a key aspect of this strategy. A new centralised team is to be set up and resourced within the Facilities and Asset Management Unit (subject to external funding) to coordinate graffiti management across Council. The strategy also includes proven prevention methods, such as crime prevention through environmental design, public art and diversionary programs that will be implemented by other parts of Council. Council will also improve its communications with the public about graffiti and make it easier to report and respond to graffiti incidents.

We all want a community where residents have respect for property and a strong feeling of community pride and belonging; where our public spaces are of a high quality and are well used; where our neighbourhoods and public areas have reduced graffiti and feel safe. This Graffiti Management Strategy sets out practical steps towards achievement of this goal, through the following 5 priorities:

1. Boost the rapid graffiti removal response
2. Value our partners in graffiti management
3. Make it easier to report graffiti (IT and communications)
4. Towards legitimate art
5. Prevention

Actions focused on these priorities are outlined in the Action Plan in section 7.

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<sup>1</sup> NSW Bureau of Crime Statistics and Research: Number, trend and rate per 100,000 population of incidents of graffiti recorded by the NSW Police Force for selected Local Government Areas (LGAs)

<sup>2</sup> A survey conducted by the Australian Bureau of Statistics shows that 21 per cent of the respondents in NSW perceived graffiti to be a social disorder problem in their local area.

<http://www.crimeprevention.nsw.gov.au/Pages/cpd/protectcommunity/graffitivandalism/graffitivandalism.aspx>

## 1.1 Background

The former Gosford City Council adopted the *Gosford City Graffiti Management Strategy* in 2012. The former Wyong Shire Council adopted the *Graffiti Management Strategy* in 2010 and reviewed it in 2015. The *Draft Central Coast Graffiti Management Strategy 2021-2024* replaces these previous strategies, taking successful aspects from each of them. Key stakeholders were engaged as part of the consultation process to examine the successes and learnings of the past 5 years. Stakeholder's input has informed the actions in this strategy and is summarised in Section 4.2 and Appendix 1.

Feedback from Council's Community Strategic Plan engagement also supports the need for systematic and innovative responses to graffiti management with most residents calling for public art, education, rapid removal and partnerships.

## 1.2 Objectives

Graffiti is a community problem and Council is only part of the solution. Addressing graffiti in our community requires collaboration and this strategy identifies and supports a holistic approach to its management. Strong partnerships between Council's internal business units, the community and Police will deliver the best outcomes. The below objectives have set the agenda of the strategy and will inform reporting:

- To create a sustainable, significant and measurable reduction in graffiti in the Central Coast Local Government Area
- To reduce the negative impacts of graffiti felt by the community and visitors and increase pride in local areas
- To increase community awareness and understanding of the issue
- To increase coordination in the management of graffiti in the Central Coast LGA
- To increase ease of reporting for the community
- To provide local residents with legitimate avenues to express themselves creatively

Through this strategy Central Coast Council will:

- provide a quicker and more coordinated response to graffiti on Council owned assets and trial graffiti removal from commercial properties in some designated in town centres
- provide the community with easier ways to report graffiti
- support the community and businesses to get involved in graffiti removal
- provide better support for the Police to do their job
- provide innovative alternatives to graffiti through the delivery of public art that enlivens places
- deliver community education and prevention outcomes

## 2 Understanding Graffiti

There are different types of graffiti and different motivations driving those who are involved. For the purpose of this strategy, graffiti is that which does not have the consent of the property owner. Public art is a legal form of creative expression and exists with the consent of the property owner. Public art may have stylistic similarities to graffiti, depending on the owner's taste. The term 'graffiti' refers to the illegal activity of graffiti vandalism and the terms 'graffitists' refers to those who engage in the illegal activity.

There is a common perception that graffiti is undertaken by young males from low socioeconomic backgrounds. Australian research has found that most offenders are in fact between the ages of 12 and 15 years and from high-level income families. Their motivations range from feelings of rebellion, boredom and revenge through to the search for recognition, fame, self-expression and artistic enjoyment. On the Central Coast, while young people are responsible for most of the tagging, anecdotal evidence suggests that those doing the more elaborate graffiti 'pieces' are often adults in paid employment.

A **tag** is the signature or nickname of the graffiti vandal, usually written in one colour. Tags are not confined to spray paint; they may be written in permanent marker pens, shoe-polish or etched on glass. The majority of graffiti on the Central Coast is tagging.

A **throw-up** is a more elaborate tag. It usually has two or more colours and three-dimensional style lettering. A throw-up can be done quickly and repeatedly, just like a tag. Throw ups are not only applied with spray paint and can be posters, stickers and stencils.

A **piece** (short for masterpiece) is a picture that has been painted free hand. They contain at least three colours and take longer to paint. A piece in an obvious place will gain the graffitist respect from other graffitists because standing and painting in a clear line of sight is a great risk. Similarly, a work in a place that is extremely difficult or dangerous to get to also gain a lot of respect.

While all graffitists engage in tagging, only the more serious will develop enough skill to complete a piece. It is not uncommon for writers to move on from graffiti to formal art schooling and make a living from their creativity. Some continue to tag illegally in conjunction with their legal careers, while others move on entirely to more traditional forms of art. A tag, throw up or piece cannot always be aligned with a specific graffitist, as they can be mastered and replicated by other people, making conviction difficult for Police.

**Public and community art** is characterised by place and permission. It is a creative work that is installed in the public domain with the consent of the property owner. This type of art can be delivered in various mediums including aerosol, and acrylic paint direct to surface. It can be temporary or permanent. Community participation is critical to all forms of public and community art. Most commissioned works are developed in consultation with local residents and under the supervision of a professional artist. Buy-in from people creates a sense of ownership and naturally creates caretakers of the work. Murals are a more traditional form of public art. They are often used as place-making opportunities which reflect the cultural make-up and aspirations of the local area.

## 2.1 Incidence and cost of Graffiti

There are two sources of information on the incidence of graffiti: crime statistics which reflect reports to Police and reports to Council. There are significant differences in these data sets.

**Crime statistics record graffiti offences prosecuted:** According to the NSW Bureau of Crime Statistics and Research (BOSCAR 2020) graffiti offences in the region have declined steadily over the past 5 years. In 2018/19 there were 271 graffiti incidences recorded by the Police Force in the Central Coast Local Government Area, down from 626 in 2013-14. In 2018/19 graffiti rates for the Central Coast were slightly higher than the NSW average (79.2 compared to 66.8 per 100,000 population BOCSAR 2020). Graffiti offences reported to Police most commonly relate to offences committed on residential properties (27%) or outdoor/public places (21.4%). While graffiti offences on business/commercial and residential properties have decreased significantly, there has been little reduction in graffiti in outdoor/public spaces.

Crime statistics show that there are clear hotspots for graffiti reports to Police. Of the 94 Central Coast suburbs data is collected for, there are 5 suburbs that account for 41% of the graffiti offences reported to Police. These are:

1. Lake Haven (11.8% of offences),
2. Bateau Bay (10%)
3. Gosford (7.4%),
4. Woy Woy (6.6%) and
5. Blue Haven (5.2%).

In 2018/19, graffiti offences recorded increased for Bateau Bay, Lake Haven, Killarney Vale and The Entrance; while offences were down for Wyong, Lake Munmorah and Umina Beach compared to the year before. In 2018/19, the months of January and March had the highest numbers of graffiti incidents reported.

**Reports to Council record requests for graffiti removal:** The numbers of graffiti incidents reported to Council are higher than crime statistics because they relate to individual occurrences of graffiti and do not require an offender to have been caught. These figures include reports of vandalism, as well as graffiti. In 2019, there were 1394 reports to Council about incidences of graffiti and vandalism. This is up from 802 reports in 2018. Reports peaked between September and November. The top 5 graffiti hotspots for reports to Council in 2019 were:

1. Budgewoi (5.8% of reports to Council),
2. Bateau Bay (5.2%),
3. Killarney Vale (4.3%),
4. Berkeley Vale (4.2%) and
5. Blue Haven (3.7%).

Only Bateau Bay and Blue Haven appear in the top 5 for both crime statistics and reports to Council.

Almost half of the reports to council came via email (46.8%) but reports via the customer portal have increased from only 12.6% in 2018 to 28.9% in 2019.

Graffiti has historically been an underreported crime. This is largely because reporting is not straightforward and there is often a time lag before a response can be seen. A key action of this strategy is to streamline and promote the reporting process to make it easier for Central Coast residents. Better reporting will result in better data on the incidence of graffiti.

**Estimated cost of removal:** It has not been possible to track the full cost to Council of graffiti removal. This is partly because many parts of Council are involved in removing graffiti from their own assets, including Water and Sewer, Roads and Drainage, Facilities and Asset Management and Community Partnerships. It is also difficult to track because the cost of removing graffiti historically has not been differentiated from the cost of general cleaning or maintenance in some parts of Council.

Over the past 3 years, the direct graffiti removal cost for Central Coast Council was recorded as over \$627,000, with the highest spends on public amenities, sportsgrounds, and local roads. However, we know that this figure does not cover all graffiti removal and is a gross underestimate. One of the actions of this strategy is to centralise graffiti management within one unit of Council and improve Council's ability to capture graffiti related expenditure, beyond just removal, so the full cost to Council is known.

## 2.2 Who is involved in managing graffiti?

Graffiti is complex because there are many stakeholders involved in graffiti management and many victims of graffiti offences. This strategy aims to provide some clarity on the role of Council and other stakeholders in relation to graffiti management.

Stakeholder	Role
Council	<ul style="list-style-type: none"> <li>• Removing graffiti from Council assets</li> <li>• Under legislation Council is not responsible for removing graffiti from assets it does not own<sup>3</sup> or fences adjoining a Council owned park or reserve<sup>4</sup>.</li> <li>• Promoting Crime Prevention Through Environmental Design (CPTED) principles in new developments through Development Applications and existing developments where crime and safety is a concern</li> </ul>

<sup>3</sup> The [Graffiti Control Act 2008](#) outlines the conditions under which a local council can remove graffiti. Council can only remove graffiti from private property if it has the consent of the owner and Council will be liable for the cost of removal and any damage as a result of carrying out the graffiti removal. If Council does not have consent, it can only remove graffiti that is visible from a public place and can be removed without going onto private land. The landlord must be advised of the work in a reasonable time and the cost of removal and any damage must be paid for by Council. These restrictions mean that it is not generally feasible for Council to undertake graffiti removal from private property or use rate payers funds for this purpose.

<sup>4</sup> The [Dividing Fences Act 1991 No 72](#) states that local councils do not have any liability or rights in regards to fences associated with public reserves or public parks. Therefore, graffiti removal from those fences is not Council's role.

	<ul style="list-style-type: none"> <li>• Supporting the community to report graffiti</li> <li>• Providing information to the community and businesses on how to protect themselves from graffiti and remove it from their own property</li> <li>• Supporting volunteer groups to remove graffiti in a safe way</li> <li>• Supporting Police to do their work through sharing information and joint community safety activities with Police</li> <li>• Educating people about the impacts of graffiti</li> <li>• Providing public art initiatives and youth diversionary programs</li> <li>• Supporting establishment of Community Safety Committees as required</li> </ul>
Police	<ul style="list-style-type: none"> <li>• Recording reports of graffiti offences made via PoliceLink (131444)</li> <li>• Investigating graffiti offences</li> <li>• Prosecuting offenders in an appropriate way</li> </ul>
Chambers of Commerce and Business	<ul style="list-style-type: none"> <li>• Supporting local businesses</li> <li>• Option to participate in Community Safety Committees</li> <li>• Reporting graffiti</li> <li>• Removing graffiti from their own business premises</li> </ul>
Community Members	<ul style="list-style-type: none"> <li>• Reporting graffiti</li> <li>• Removing graffiti from their own property</li> <li>• Option to participate in Community Safety Committee</li> </ul>
Other asset owners e.g. Ausgrid, Telstra Transport NSW etc.	<ul style="list-style-type: none"> <li>• Removing graffiti from their own assets</li> </ul>
Volunteer Graffiti Removal Groups	<ul style="list-style-type: none"> <li>• Undergo induction and ongoing training to access chemicals for graffiti removal</li> <li>• Removing graffiti with owners' permission using free kits/paint</li> <li>• Option to participate in Community Safety Committees</li> </ul>

## 3 The Evidence on Graffiti Management Approaches

Key approaches to Graffiti Management include:

- Enforcement (by Police)
- Rapid Removal
- Crime Prevention Through Environmental Design
- Education
- Public Art

Below is an outline of the evidence for and against different approaches to graffiti management.

### 3.1 Enforcement

Engaging in graffiti is an offence under the *Graffiti Control Act 2008*. NSW Police is the agency responsible for enforcement and prosecution in relation to graffiti offences. Enforcement, infringement and prosecution are not the role of Council.

However, Council will seek to develop stronger partnerships with Police and determine how Council can best support the role of Police in enforcement, including through Community Safety Committees and reporting of graffiti incidents.

NSW Police request that the community report graffiti incidents by calling PoliceLink on 131 444 or logging it through the NSW Police Force Community Portal (<https://portal.police.nsw.gov.au/>). Once reported, you receive a Police Report Number and can then submit photos as evidence with the Police number. This helps Police with intelligence gathering on malicious damage offences. These contacts will be advertised in communications to the community.

An investigation was undertaken into the previous Wyong Shire program which offered a reward for any information that led to the successful conviction of a graffiti offender. The program was not successful. It did not lead to any convictions and no rewards were given during the time of its operation. This program involved publishing images of individuals captured on CCTV in an attempt to identify graffiti offenders. At the time concerns were raised about people being wrongly identified, victimisation including of those who were wrongly identified and vigilante behaviour. This program also raises serious privacy issues, especially if photos are published of people aged under 18 and or people who did not have any involvement in the graffiti incident. The *Privacy Act 1988 (Cwlth)* states that images of children, where they can be identified, should not be published on the Internet without the consent of both the child and their parent or guardian. Therefore, this action cannot be pursued as it would place Council in breach of legislation.

Only one other Council was found to offer a reward program. Dubbo City Council has a similar program offering a reward for information that leads to a conviction. It has been running for 6 years and only one reward has been issued in that time. On the basis that

reward programs have led to no convictions on the Central Coast and only one elsewhere, that it could put Council in breach of privacy legislation and because prosecution sits clearly under the jurisdiction of Police, reward programs have not been included in this strategy.

### 3.2 Rapid Removal

The term **rapid removal** refers to removing graffiti within a short period of time (usually 48 hours) after a report is made. Rapid and consistent removal of graffiti is considered best practice in reducing the incidence of graffiti<sup>5</sup>. This approach has been found to be effective because it limits exposure time of graffiti and this in turn reduces recognition from peers and motivation to commit the crime in the first place. Police in NSW, Victoria and WA and the Australian Crime Commission all recommend rapid removal as a key priority in graffiti management<sup>6</sup>. It is included as a key theme in this strategy.

Rapid removal is supported by the 'broken windows' theory<sup>7</sup>, which suggests that the presence of graffiti can make people feel less safe and trigger a general increase in crime. An unkempt environment sends a message that no one is in charge and can invite criminal behaviour. Graffiti that is not removed may therefore attract more graffiti. By removing graffiti quickly, property owners can prevent more graffiti and the escalation into more serious crime. Although this theory was developed in 1982, there is a range of more recent research reaffirming its ongoing relevance<sup>8</sup>.

An independent evaluation of the WA Police 'Tough on Graffiti Strategy 2011-2015' found that while rapid removal of graffiti was particularly effective, on its own it was not sufficient to deter particularly determined graffiti offenders. Other evidence-based initiatives such as Crime Prevention through Environmental Design (CPTED) are also required to achieve the marked reduction in graffiti offences that was achieved in WA. For rapid removal to be effective, the following issues need to be addressed:

1. Rapid removal is appropriately resourced: there are dedicated, budgeted resources for graffiti removal and agreed level of service (see Action 1.1 – Council is establishing a centralised well-resourced graffiti removal team)
2. The community know how to report graffiti and the message gets quickly to those responsible for removal so timeframes can be met (see Actions 3.1 and 3.2 – Council

<sup>5</sup> <https://www.goodbye-graffiti.wa.gov.au/Local-Government/Rapid-Removal>

<sup>6</sup> [https://www.police.nsw.gov.au/community\\_portal/help/intentional\\_damage\\_or\\_graffiti](https://www.police.nsw.gov.au/community_portal/help/intentional_damage_or_graffiti)  
<https://www.crimeprevention.vic.gov.au/resources/graffiti-in-victoria>

Morgan A, Anderson J & Boxall H. 2014. *Tackling property damage: A guide for local commerce groups, councils and police*. Research in practice No. 35. Canberra: Australian Institute of Criminology. <https://aic.gov.au/publications/rip/rip35>

<sup>7</sup> Wilson and Kelling (1982) "Broken Windows: Police and neighbourhood Safety" [https://media4.manhattan-institute.org/pdf/atlantic\\_monthly-broken\\_windows.pdf](https://media4.manhattan-institute.org/pdf/atlantic_monthly-broken_windows.pdf)

<sup>8</sup> Engel C., Kube S., Kurschilgen M. Can we manage first impressions in cooperation problems? An experimental study on "Broken (and Fixed) Windows". *Max Planck Institute for Research on Collective Goods*, 2011/05  
<https://www.sciencedaily.com/releases/2011/04/110412100728.htm>

is developing an easier and more efficient graffiti reporting tool and we will inform the community about how to use it)

3. There is clarity about who is responsible for removing which graffiti:
  - a. Council is responsible for removing graffiti from Council assets (Council's new reporting tool will help people identify who is responsible for removing graffiti from non-Council assets)
  - b. Other asset owning organisations, such as Ausgrid, Roads and Maritime Services, Telstra, Australia Post, NBN and Transport NSW, are responsible for removing graffiti from their own assets (unless a specific agreement has been made).
  - c. Private home owners and business property owners are responsible for removing graffiti from their own properties (see Action 1.3 – Council will continue to provide free graffiti kits to local residents and businesses)
  - d. Contractors and volunteer groups can be engaged to assist with removing graffiti, where they have permission from the asset owner.

Under the previous *Gosford City Graffiti Management Strategy*, Gosford City Council agreed to remove illegal graffiti from private assets, if:

- It could be seen from a main public road, public park or other public land
- Removal could be safely undertaken from public space without requiring entry onto private property
- Removal could be undertaken without the aid of scaffolding or other specialised lifted equipment, and
- Removal could be undertaken safely with limited traffic control equipment

While some graffiti was removed under this provision, the requirements of the [Graffiti Control Act 2008](#) and convoluted rules around the program meant that the circumstances in which graffiti could be removed were very limited. This created ongoing confusion about the criteria for removal and led to unrealistic community expectations about what Council would and would not do. There was also insufficient resourcing to undertake this work and Council resources had to be diverted away from other work to remove graffiti from privately owned buildings.

Removing graffiti from private assets also puts Council at risk because current legislation requires Council to pay compensation for any damage to private property as a result of graffiti removal<sup>9</sup>.

**Therefore, Central Coast Council will not remove graffiti from private property in general but will consider undertaking a trial to remove graffiti from commercial**

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<sup>9</sup> Graffiti Control Act 2008 outlines the conditions under which a local council can remove graffiti. <https://www.legislation.nsw.gov.au/#/view/act/2008/100/part4>

**properties within the defined boundaries of 5 principal Town Centres where consent has been provided (Action 1.2).**

This trial is in acknowledgement of the importance of maintaining civic space in town centres and the negative impact that graffiti can have on businesses and community confidence in the safety and security of places.

To support the community to manage graffiti, Central Coast Council will:

- Continue to provide residents and business owners with free graffiti removal kits and advice on how to protect their assets.
- Continue to support Graffiti Removal Volunteer Groups through the provision of training and equipment.

**Thanks to the Graffiti Removal Volunteer Groups!**

Community volunteer groups have been working hard, removing graffiti from our communities. Tidy Town Groups, Rotary and business groups have been supported by Council through the provision of bulk removal chemicals, paint, safety equipment and regular training.

A partnership has also been developed with Juvenile Justice as part of their Community Service Order program, where offenders remove graffiti from key hotspots and bus stops. Council also supports Central Coast Rotary groups for Graffiti Removal Day each October. This annual campaign has become an effective platform to promote all of Council's anti-graffiti strategies.

It is anticipated that the volunteer contribution of these groups will reach \$400,000 by the year 2020 (\$25 per hour | Volunteering Australia).

In the past, funding was provided to community groups to purchase a trailer for graffiti removal activities. This was ultimately unsuccessful as difficulties arose in relation to access to water when on the road, control of runoff, storage of the trailer and access by volunteers, ongoing costs (e.g. registration), and volunteers who were willing to operate the trailer on an ongoing basis. While this may be worth considering in specific circumstances, it has not been included as a component of this strategy. Council can support the community with aligned projects as part of the Community Grants Program.

### 3.3 Crime Prevention through Environmental Design

Crime prevention through environmental design (CPTED) is about deterring criminal behavior through thoughtful design of buildings and physical spaces. Through a range of strategies, opportunities to commit crime can be reduced, the risk of getting caught can be increased and the effort involved in committing a crime can be increased. These strategies aim to influence offender's decisions so they decide not to commit the crime in the first place. Strategies range from small alterations (like moving a bin so it doesn't provide an impromptu ladder) to full scale architectural design (e.g. design that reinforces private

territory and ensures that there are few places to hide). Ideally CPTED concepts are incorporated into the design stage of a development but can also be applied to existing places where crime and safety is a concern. CPTED strategies include:

- **Street lighting** to maximise the risk to offenders of getting caught
- **Planting vegetation** along public facing fences to reduce the visibility of potential graffiti surfaces, reducing exposure and the perceived benefit of committing the crime
- **Choice of fencing** that is difficult to tag, such as railing or hedge fencing
- **Public art** to build community pride and ownership and to minimise potential graffiti walls
- **Activating spaces** with people, to reduce opportunities for crimes to be committed without being detected and encourage appropriate behaviour.

Council will continue to promote CPTED principals through the DA process and in design and activation of community facilities and other Council buildings and spaces (Action 5.1).

CCTV has been introduced in some locations to good effect. It can be an effective crime deterrent, an efficient means of surveillance and a good source of forensic data. However, there are issues that need to be considered before introducing CCTV, such as the legislative requirements, privacy issues, how footage can and cannot be used, who monitors it, cost and whether it would be more effective to address the underlying issues through diversionary programming. CCTV in isolation is not the solution but it could be one of a suite of actions to address graffiti. Council's use of CCTV has been further considered through the draft CCTV Strategy.

#### **Case study: Reducing graffiti through activating places**

Recently the residents of Maple Circle at Watanobbi partnered with Council to remove graffiti in their local reserve. Together a community garden was planned and benches were installed. This increased the foot traffic and natural surveillance of the area. It also created more ownership by the community, a greater sense of safety and less graffiti.

### 3.4 Education

Community education is usually included in graffiti management strategies. This can include education for young people about the impacts of graffiti. Research has found that graffiti offenders may not view their actions as criminal because "they don't hurt anyone and graffiti can be easily removed"<sup>10</sup>. Challenging young people on these views can be effective and lead to a light bulb moment. Education can also be directed to businesses and the community on how to prevent graffiti (e.g. Crime Prevention Through Environmental Design,

<sup>10</sup> Arthur Vasquez, Lynne M. Vieraitis. "It's Just Paint": Street Taggers' Use of Neutralization Techniques. *Deviant Behavior*, 2016; 37 (10): 1179 <https://www.sciencedaily.com/releases/2016/09/160908120959.htm>

rapid removal) and how the community can report graffiti. Effective education programs can be run in conjunction with public art programs that build the skills of young people to participate in legitimate art<sup>11</sup>. Education can also be directed to parents to assist them in identifying whether their children are participating in illegal graffiti<sup>12</sup>.

Education must be targeted to the right people and use the right techniques. Graffiti education programs have been run previously on the Central Coast. Feedback suggests that some of these programs have not engaged young people in an effective way (e.g. trying to look and speak like they are part of the culture but not convincing young people). Also, some programs have targeted young people too late (e.g. in year 9), when targeting children in year 5 is more likely to prevent them becoming graffiti offenders. Some programs have been expensive to run, and it has been difficult to demonstrate outcomes. A new approach to education about the impacts of graffiti will be trialled in this strategy including the development of a toolkit for schools to use on graffiti education<sup>13</sup> (Action 5.2), along with ongoing creative development opportunities for emerging artists in legitimate art forms (Action 4.2).

### 3.5 Public Art

Many graffitiists view graffiti as a means of self-expression. Research shows that the pleasure of creating this 'art' can be redirected towards legal initiatives such as public art projects. Art projects can engage disenfranchised people, give them a means of expression and build their sense of pride and belonging. Young people who are more connected to their place often feel safer in their local area, feel more positive about their own wellbeing, have greater levels of personal resilience, and stronger social connections to local community members and organisations. Legitimate outlets that build a sense of belonging can remove the need for people to express themselves illegally. There are some very successful recent examples of public art as a means of graffiti reduction in Victoria<sup>14</sup>, as well local examples on the Central Coast.

Graffiti culture also has strict rules about defacing the work of others when it is of quality. Therefore, properties that are painted by talented artists will not be tagged by others as a sign of respect. There are many examples on the Central Coast where the installation of public art has eliminated graffiti on walls that were previously the site of ongoing graffiti. CPTED principles can also be weaved into public art initiatives: activating a place through art can bring foot traffic, thereby increasing surveillance of that site.

<sup>11</sup> E.g. Melton Graffiti Preventative Education and Street Art Activation program <https://www.crimeprevention.vic.gov.au/in-your-community/featured-projects/graffiti-prevention-grants-featured-project/video-case-study>

<sup>12</sup> See an example of a Parent's Guide to Graffiti at [www.goodbyegrffiti.wa.gov.au/Schools/A-Guide-for-Parents-and-Guardians](http://www.goodbyegrffiti.wa.gov.au/Schools/A-Guide-for-Parents-and-Guardians)

<sup>13</sup> A similar resource can be seen at [www.goodbyegrffiti.wa.gov.au/Schools/Teaching-Resources](http://www.goodbyegrffiti.wa.gov.au/Schools/Teaching-Resources)

<sup>14</sup> Warrnambool <https://www.crimeprevention.vic.gov.au/grants/graffiti-prevention-grants/case-study-what-are-you-looking-at>; Bairnsdale <https://www.crimeprevention.vic.gov.au/grants/graffiti-prevention-grants/case-study-bairnsdale-aboriginal-arts>

Legal or practice walls for graffiti have been used previously on the Central Coast and across NSW. These were all removed from the former Wyong Shire Council area as they were not widely supported. Gosford City Council had successful legal graffiti practice walls. One legal practice wall is still in use at Green Point and is self-monitored by graffiti artists (if this site is lost due to the redevelopment of this park an alternative site will be investigated). These walls were successful because they were part of a holistic program led by an artist that included:

- Mentoring and skills development by a respected artist
- Adoption of rules by the group on the use of the wall and doing graffiti elsewhere (which supported a culture of peer mentoring)
- Education on the impacts of graffiti
- Visiting high standard street art sites in other places

Research suggests that these are the elements that have made legal walls successful in other Council areas too<sup>15</sup>. In addition, legal walls should be located in highly visible places that are not connected to anything else (building or carpark) and with bins nearby. This ensures passive surveillance and prevents risk of overspray and littering. Sports fields are a popular choice for legal walls. There are also examples of successful walls being temporary structures as part of activations, such as Blacktown Council's Youth Week. A previous legal wall at Niagara Park was decommissioned but has experienced ongoing graffiti, probably because it is in a partly hidden location.

Public art will continue to be a key strategy used across the Central Coast for making places inviting, building community pride and reflecting local identity and local stories (Action 4.1). Public art can help connect people to place and prevent or reduce graffiti<sup>16</sup>. Through public art projects, such as graffiti-based murals, opportunities will be provided for graffiti artists and young people to be engaged.

#### **Case study: Placemaking with Public Art**

Between 2014 and 2017 a total of 27 community murals were installed in the former Wyong Local Government Area. These programs included a combination of community participation and anti-graffiti fabrication. The cost to council to remove graffiti from 2012 to 2013 (before the murals were installed) was \$168,000 and the cost from 2015 to 2016 (after the murals were installed) was \$96,035, which is a saving of \$71,965 and decrease in graffiti of 43%.

<sup>15</sup> E.g. Northern Beaches Council-<https://www.northernbeaches.nsw.gov.au/services/youth/opportunities>; Liverpool Council at Casula Powerhouse tanks, Wollongong Council-<https://www.facebook.com/Wollongong.Youth.Centre.Graffiti.Wall/>

<sup>16</sup> See examples: Inner West <https://www.innerwest.nsw.gov.au/live/living-arts/public-art-and-placemaking/current-public-art-projects>; Waverley [https://www.waverley.nsw.gov.au/recreation/arts\\_and\\_culture/bondi\\_beach\\_sea\\_wall](https://www.waverley.nsw.gov.au/recreation/arts_and_culture/bondi_beach_sea_wall)

## 4 Community Expectations

### 4.1 Community Strategic Plan

The most recent region wide community engagement undertaken by Central Coast Council has been for the development of the *One Central Coast Community Strategic Plan (CSP) 2018-2028*. Graffiti and litter were identified as an issue by the community during this process. The community reported graffiti as a priority area for Council, with 30% of residents disagreeing that the area is clean and free of graffiti. It was highlighted that reduction of graffiti requires a whole of community solution and their feedback included the following:

- Better education, promotion and awareness of initiatives and resources is needed
- More investment in creative responses such as public art and legal walls
- Rapid removal is very effective in reducing graffiti
- Streamline the reporting process for property owners
- More investment in CCTV and partnerships with police
- School holidays are when more graffiti is evident

### 4.2 Community Engagement

A series of community engagement activities were undertaken at the end of 2018 to inform the development of the Graffiti Management Strategy. Consultation was conducted in reference to reporting, prevention, education and removal. The aim of the engagement was to prioritise and align former activities and set the future agenda. Data was captured in qualitative and quantitative formats and is presented in Appendix 1.

Four targeted workshops were held with 45 attendees, both internal and external to Council operations, and 25 stakeholder surveys were completed. Individuals and groups were targeted for their experience in the field of graffiti management, locally including Tidy Towns Groups who conduct rapid removal on private assets, Rotary Central Coast who coordinate annual Graffiti Removal Day, Juvenile Justice who manage offender rehabilitation programs, Police and Youth Services. Internal Council business units included Assets and Infrastructure who own targeted buildings, Customer Service who receive reports and complaints, Information Systems who manage reporting software and Maintenance and Programmed Trades who remove graffiti. Findings assisted Council to test actions and ensure that recommendations are effective and supported.

Further consultation with internal and external stakeholders was undertaken in 2019.

### 4.3 What we have achieved so far...

While graffiti continues to be a problem on the Central Coast, a significant impact has been made through recent interventions. This is reflected in crime statistics which show a steady decline in graffiti offences over the past 5 years (BOSCAR 2020). Successful interventions, delivered in recent years in partnership with the community and business, have included:

- Free graffiti removal kits provided to residents to clean graffiti from private property, available from libraries and customer service centres across the Central Coast

- Support for volunteer graffiti removal groups with the provision of chemicals, equipment, paint and training
- Partnership with Juvenile Justice Community Service Order program where offenders remove graffiti from hotspots and bus stops
- Support for and resourcing of the annual Graffiti Removal Day in partnership with Rotary
- Public and community art programs in hot spot areas
- Installation of lighting and CCTV in community facilities and in town centres
- Community and school-based education programs and marketing campaigns about how to report, prevent and remove graffiti
- Community 'paint outs' and defensive hedge planting projects (green screening)
- Capital works program to render community facilities for ease of removal and use of anti-graffiti coating where appropriate
- Public art placemaking programs
- Graffiti information and a 'Report an Issue' form added to the Council website
- Dedicated graffiti officer to remove graffiti from Council-owned facilities
- Practice walls and legal artist walls in a moderated program to change behaviour and provide pathways into legitimate art
- External funding secured to cover some of the above activities

#### **The Northern Wyong Shire Graffiti Forum**

In March 2009, the Northern Wyong Shire Graffiti Forum was formed to bring together all key stakeholders to connect and share information and ideas on graffiti management. The forum involved Police, business, community organisations, volunteer groups and Council. The work of this group led to the development of the first Wyong Shire Graffiti Management Strategy.

The Forum was established by San Remo Neighbourhood Centre which was already playing an active role in graffiti management and providing free graffiti removal kits to local residents.

At a Council meeting on 9th February 2011, the Councillors resolved to recognise "the significant efforts to date by staff and the Northern Wyong Graffiti Forum in their endeavour to address the Shire's graffiti situation". Achievements included: development of bus shelter posters, supplying graffiti removal kits, contributing to the development of the Wyong Shire Graffiti Strategy, taking part in National Graffiti Action Day and the rapid removal program.

## 5 The focus moving forward

Effective graffiti management contributes to the *One Central Coast Council (Community Strategic Plan) 2018 – 2028* objective of “Belonging”, specifically:

A1 - Working within our communities to connect people, build capacity and create solutions to local initiatives

A3 - Working together to solve a range of social and health issues that may impact community wellbeing and vulnerable people

A4 - Enhancing community safety within neighbourhoods, public spaces and places

There are 5 key priorities underpinning this Graffiti Management Strategy:

1. Boosting our rapid removal response
2. Valuing our partners in graffiti management
3. Making it easier to report graffiti (IT and communications)
4. Towards legitimate art
5. Prevention

Priority actions are outlined in **Section 7: Action Plan**.

## 6 Monitoring and Evaluation

Each unit within Council will be required to report on progress against the actions they lead on a quarterly basis with an annual review.

Outcomes will be measured through qualitative feedback from stakeholders and quantitative reports from digital analytics, crime data from the Local Area Command the Bureau of Crime Statistics and Research, as well as annual expenditure on maintenance efforts.

Outcomes:

- Community are aware of how to report an issue
- Reporting process is streamlined and user friendly
- Council removes offensive graffiti from Council assets within 48 hours: *'Offensive' includes offensive language (e.g. swear words, racist or degrading language, or threats), offensive images (e.g. sexual imagery or body parts, images that are violent, frightening or otherwise disturbing)*
- Council has a more coordinated and efficient process for graffiti removal
- Reduction in Council assets with long term graffiti
- Reduction in assets with long term graffiti in Principal Town Centres (Gosford Wyong, Terrigal, The Entrance and Woy Woy)
- Volunteer groups are active and safe
- The community understand what Council is doing to address graffiti
- Young people understand the negative impacts of graffiti
- Graffiti rates on the Central Coast continue to decline
- Residents and businesses understand how rapid removal and prevention strategies can reduce the incidence of graffiti

A 3-yearly review of the Strategy will take place in 2023/4 where the overall impact of the Strategy will be evaluated and new developments in the field of reporting, removal, education and prevention will be taken into consideration.

## 7 Action Plan

<b>Priority Area 1:</b>	<b>Boosting our Rapid Response</b>
<b>Rationale:</b>	Rapid removal is considered the most effective action to combat graffiti. Council will centralise its graffiti removal operations to become more responsive. Council is only responsible for removing graffiti from Council assets but will trial a program to remove graffiti from commercial properties in the Principal Town Centres of Gosford, Wyong, Terrigal, The Entrance and Woy Woy.

<b>Action 1.1: Centralise a well-resourced graffiti removal team at Central Coast Council</b>		
This team will be responsible for receiving all incoming reports of graffiti and responding quickly to remove graffiti from any Council asset. Rather than having different parts of Council responsible for different aspects of removal, this team will hold the budget and the resources for all removal from Council assets.		
<b>Lead:</b> Facilities and Asset Management Unit - Central Coast Council (CCC)		
<b>Year one</b>	<b>Year two</b>	<b>Year three</b>
Establish a centralised Graffiti Removal Team within Facilities and Asset Management, composed of 2 teams each with one truck and 2 staff (i.e. total of 2 trucks and 4 staff), or a minimum of 2 staff as stage 1.  (External funding will be required to resource and implement)	Continue operation of the centralised Graffiti Removal Team	Continue operation of the centralised Graffiti Removal Team
Develop processes and procedures for the new team, (including prioritisation criteria) and how the team will interact with other relevant units	Review the operation of centralised Graffiti Removal Management Team and improve systems as required	Review the centralised Graffiti Removal Management Team and improve systems as required
Ensure systems direct all graffiti requests to this new centralised team		

<b>Action 1.2: Proactive approach to graffiti management in Town Centres</b> Develop a proactive approach to graffiti management in the 5 Principal Town Centres that includes a trial to remove graffiti from commercial properties within the boundaries of these centres and where consent is provided		
<b>Lead:</b> Facilities and Asset Management Unit – CCC OR Community Partnerships Unit (Place Management Team) – CCC; Community Partnerships Unit (Enterprise and Activation) - CCC		
Year one	Year two	Year three
Trial a program to remove graffiti from commercial properties within the boundaries of the 5 principal town centres, defining criteria for removal and approvals required.  (External funding will be required to resource and implement)	Evaluate trial program to remove graffiti from commercial properties in Principal Town Centres	Review and implement agreed approach for graffiti removal in Town Centres
Develop and distribute graffiti information packages to interested businesses and commercial property owners including: <ul style="list-style-type: none"> <li>• advice on preventing graffiti,</li> <li>• how to report it,</li> <li>• the importance of rapid removal</li> <li>• graffiti removal kit application</li> </ul>	Distribute graffiti information packages to businesses in Major Town Centres	Continue distribution of graffiti packages to businesses in Town Centres (Principal and Major)
Develop a strategy to engage real estate agents and absent landlords in Town Centres to explain the importance of maintaining Town Centre amenity and requesting their commitment to rapid removal of graffiti on their properties	Implement strategy to engage real estate agents and absent landlords in Town Centres to explain the importance of maintaining Town Centre amenity and requesting their commitment to rapid removal of graffiti on their properties	Implement strategy to engage real estate agents and absent landlords in Town Centres to explain the importance of maintaining Town Centre amenity and requesting their commitment to rapid removal of graffiti on their properties

<p><b>Action 1.3: Free graffiti removal kits</b>                  Equip home owners and business owners to remove graffiti from their own assets by providing free graffiti removal kits.</p>		
<p><b>Lead:</b> Community Partnerships Unit (Community and Cultural Programs Team) - CCC  <b>Partners:</b> Libraries, Learning and Education Unit (Library Services Team) - CCC; home owners; business owners</p>		
Year one	Year two	Year three
Continue to promote the availability of graffiti removal kits for residents and businesses and facilitate access to these kits through libraries	Promote the availability of graffiti removal kits for residents and facilitate access to these kits through libraries	Promote the availability of graffiti removal kits for residents and facilitate access to these kits through libraries
Review the effectiveness of graffiti removal kits after 12 months using a feedback survey for residents and businesses who have used the kits	Annual review of graffiti removal kits	Annual review of graffiti removal kits
Investigate opportunity to partner with a hardware or paint company to provide discounted paint to residents and businesses who have been hit with graffiti	Implement partnership with paint or hardware company to provide discounted paint to residents and businesses hit by graffiti	Continue partnership with paint or hardware company to provide discounted paint to residents and businesses hit by graffiti

<b>Priority Area 2:</b>	<b>Valuing our partners in graffiti management</b>
<b>Rationale:</b>	Graffiti is a community problem and Council is only part of the solution. Council values the commitment and dedication of our partners in the management of graffiti. Therefore, Council will continue to support and work with graffiti removal volunteer groups, Police, the Chambers of Commerce, Corrective Services and Juvenile Justice.

<b>Action 2.1: Support Volunteer Groups</b>		
Work with volunteer groups to develop a strengthened Volunteer Program that better supports and values the work of our graffiti removal volunteers		
<b>Lead:</b> Community Partnerships Unit (Community and Cultural Programs Team) - CCC		
<b>Partners:</b> People Development and Expertise (Work Health and Safety Team and Learning and Development Team) - CCC; Graffiti removal volunteer groups; Community Partnerships Unit (Community Planning and Funding Team) - CCC		
<b>Year one</b>	<b>Year two</b>	<b>Year three</b>
Develop revised induction and ongoing training for graffiti removal volunteers	Implement new induction and training program for volunteer groups	Review induction and training program for volunteer groups
Support volunteers to take action on Graffiti Removal Day	Support volunteers to take action on Graffiti Removal Day	Support volunteers to take action on Graffiti Removal Day
Develop 'Adopt a Spot' program for volunteer groups		
Promote Council's grant program to assist with costs for Volunteer groups, e.g. community projects, reimburse insurance costs, buy personal protective equipment, chemicals, paint etc.		

<b>Action 2.2: Strengthen the partnership with Police</b>		
Police are responsible for enforcement of graffiti offences. Council cannot undertake this role but can provide Police with support and information to make enforcement as effective as possible.		
<b>Lead:</b> Community Partnerships Unit (Place Management Team) – CCC;		
<b>Partners:</b> Brisbane Water Police District; Tuggerah Lakes Police District; Community Partnerships Unit (Enterprise and Activation Team) – CCC		
Year one	Year two	Year three
Work with Police and other key stakeholders (e.g. Chambers of Commerce) to carry out Community Safety Audits as required, specifically CPTED audits in Town Centres	Work with Police to carry out Community Safety Audits as required	Work with Police to carry out Community Safety Audits as required
Re-establishment a working group with Police on community safety including graffiti management	Develop Community Safety Plan, that includes graffiti management, with Police	Implement Community Safety Plan

<b>Action 2.3: Formalise partnerships with Corrective Services and Juvenile Justice</b>		
Work with Corrective Services and Juvenile Justice to develop and/or continue programs where offenders are involved in removing graffiti		
<b>Lead:</b> Community Partnerships (Community and Cultural Development Team) - CCC		
<b>Partners:</b> Corrective Services; Juvenile Justice; Community Partnerships Unit (Enterprise and Activation Team) - CCC		
Year one	Year two	Year three
Formalise the partnership with Juvenile Justice to conduct offender graffiti removal programs with a focus on Town Centres (Principal and Major), with consideration given to applying for a NSW Crime Prevention grant to streamline these graffiti removal programs.	Continue to work with Corrective Services and Juvenile Justice on graffiti removal and education about the impacts of graffiti	Continue to work with Corrective Services and Juvenile Justice on graffiti removal and education about the impacts of graffiti
Formalise the partnership with Corrective Services to conduct offender graffiti removal programs with a focus on Town Centres, and with an educational element	Support reestablishment of the 'De-Tag' program with PCYC, including provision of resources and space	

<b>Priority Area 3:</b>	<b>Making it easier to report graffiti (IT and communication)</b>
<b>Rationale:</b>	<p>Reporting graffiti was a key theme during the stakeholder consultations and it needs to be easier. Effective reporting of graffiti allows for quick removal and reduced prevalence. Current reporting processes are not user-friendly. Council will improve its customer portal and behind the scenes systems to make reporting easier and more efficient .</p> <p>Council also needs to get better at informing the community about what we are doing about graffiti, how to report it and how people can get involved.</p>

<b>Action 3.1: Better systems for reporting of graffiti</b>		
Research and implement an improved system for customers to report graffiti. This will start with improving Council's customer portal for reporting issues and streamlining the behind the scenes systems and processes to speed up Council's response time.		
<b>Lead:</b> Community Engagement Unit (Customer Experience Section) – CCC; Financial Performance Unit - CCC		
<b>Partners:</b> Information Management and Technology Unit – CCC; Community Partnerships Unit – CCC; Facilities and Asset Management Unit – CCC; Brisbane Water Local Area Command; Tuggerah Lakes Local Area Command		
<b>Year one</b>	<b>Year two</b>	<b>Year three</b>
Develop a new, more user-friendly online customer portal for reporting issues to Council. For graffiti, this will include google map pinpointing, ability to upload photos and will be easy to use on mobile devices. It will also help customers determine if the asset is not owned by Council and should be directed elsewhere	Customer journey mapping for graffiti reporting (reflecting new centralised team) to understand pain points and opportunities for improved service, especially closing the loop back to the customer when the graffiti has been removed or where the report is forwarded onto another agency	Review graffiti reporting systems and consider options for better information sharing with Police
Behind the scenes improvements to Council's customer relations IT system (CX System Phase 2). These changes will deliver a better customer experience, and improve workflow to	Review changes to CX Portal to ensure a consistently better customer experience.	Monitoring online graffiti requests and sharing results with relevant units as required

designated Council business units to action requests		
Develop method for capturing financial data on all actions related to graffiti across Council	Monitoring and annual reporting on cost of graffiti management and rate of graffiti reports by the community	Monitoring and annual reporting on cost of graffiti management and rate of graffiti reports by the community

<p><b>Action 3:2: Communicating about graffiti</b>                  Ensure that the community know what Council is doing to manage graffiti. Provide clear and accessible information for the community about how to report graffiti and how they can take action themselves</p>		
<p><b>Lead:</b> Community Partnerships Unit (Community and Cultural Programs Team) – CCC; Community Engagement Unit (Communications Team) – CCC; Facilities and Asset Management Unit - CCC</p> <p><b>Partners:</b> Community Engagement Unit (Digital and Website Team) – CCC;</p>		
<b>Year one</b>	<b>Year two</b>	<b>Year three</b>
Develop a strategic communications plan that covers all aspects of graffiti management and all modes of communication: (e.g. centralised team, faster response, graffiti kits for residents)	Implement year 2 of strategic communications plan	Implement year 3 of strategic communications plan
Update information on the website to provide clear information about how to report graffiti, what else we are doing about graffiti and how people can get involved	Review and update information on the graffiti management website	Review and update information on the graffiti management website
Implement year 1 of strategic communications plan	Review effectiveness of the communications plan	Review effectiveness of the communications plan
Establish a program to encourage all Council outdoor staff to report graffiti	Internal communications to encourage all Council outdoor staff to report graffiti	Internal communications to encourage all Council outdoor staff to report graffiti

<b>Priority Area 4:</b>	<b>Towards legitimate art</b>
<b>Rationale:</b>	<p>Public art projects can engage disenfranchised young people, give them a means of expression that is legal and build their sense of pride and belonging.</p> <p>Due to strict rules in graffiti culture about defacing the work of others, public art in graffiti hotspots can also prevent further graffiti. Public art can attract people to places, thereby increasing surveillance of that site, reducing inappropriate behaviour and creating informal caretakers.</p> <p>Council provides opportunities for creative people to build skills in legitimate art forms, providing an alternative to illegal forms. This aligns with the professional development pathways outlined in the Central Coast Cultural Plan, and skills development and recognition of young artists in the Youth Strategy.</p>

<b>Action 4.1: Activating spaces through public art</b>		
Council will continue to work with the community on public art projects across the Coast to prevent or reduce graffiti in accordance with the Public Art Policy and procedure (to be adopted in year 1)		
<b>Lead:</b> Community Partnerships Unit (Community and Cultural Programs Team; Enterprise and Activation Team)		
<b>Partner:</b> Community Partnerships Unit (Youth Services Team) –CCC		
<b>Year one</b>	<b>Year two</b>	<b>Year three</b>
Volunteer groups identify graffiti hotspots for creative community projects (e.g. like fence painting in Watanobbi) or Council projects	Volunteer groups identify graffiti hotspots for community or Council projects	Volunteer groups identify graffiti hotspots for community or Council projects
With the community and other partners, plan and implement public murals or other activations at chosen sites to prevent or reduce graffiti (such as Urban Gallery murals and art work on NBN nodes)	With the community, plan and implement public murals and other activations at chosen sites to prevent or reduce graffiti (Urban Gallery)	With the community, plan and implement public murals and other activations at chosen sites to prevent or reduce graffiti
Develop location and management criteria for graffiti practice walls and investigate potential sites with input from relevant stakeholders	Implement graffiti practice walls in carefully selected locations in combination with art programs in Action 4.	Explore opportunities for live murals and live public art at events, e.g. Love Lanes

<b>Action 4.2: Pathways for creative development in legitimate art</b> Council provides a range of creative skills development opportunities for emerging artists to enable them to pursue legitimate art forms		
<b>Lead:</b> Community Partnerships Unit (Youth Services Team and Community and Cultural Programs Team) – CCC; Leisure and Lifestyle Unit (Arts and Culture Section) - CCC		
Year one	Year two	Year three
Continue to support creative pathways through programs such as Maliga, Emerge, Exposure and Idea to Screen, as well options to display art through Springboard, Central Coast Battle of the Bands and Discovered	Continue to support creative pathways through programs such as Maliga, Emerge, Exposure and Idea to Screen, as well as options to display art through Springboard, Central Coast Battle of the Bands and Discovered	Explore new opportunities to support creative pathways for young people
Link established practitioners with emerging artists to mentor them in creative skills development and activate specific sites to reduce illegal graffiti (possible link with actions in 5.2)	Link established practitioners with emerging artists to mentor young people in creative skills development and activate specific sites	Link established practitioners with emerging artists to mentor young people in creative skills development and activate specific sites
Acknowledge and celebrate the work of young artists through Council galleries, exhibitions and theatres etc.	Acknowledge and celebrate the work of young artists through Council galleries, exhibitions and theatres etc.	Acknowledge and celebrate the work of young artists through Council galleries, exhibitions and theatres etc.
Art developed through youth programs will be considered for public art activations in Action 4.1	Art developed through youth programs will be considered for public art activations in Action 4.1	Art developed through youth programs will be considered for public art activations in Action 4.1

<b>Priority Area 5:</b>	<b>Prevention</b>
<b>Rationale:</b>	Graffiti can be prevented through design, education and awareness and diversionary programs. Many prevention actions have been included in other sections of this strategy.

<b>Action 5.1: Crime Prevention Through Environmental Design (CPTED)</b>		
CPTED is an effective means of increasing community safety and the perception of community safety. Council promotes CPTED principles through the DA process and through designed of its own buildings and places. Council will also support others to understand and implement CPTED principles.		
<b>Lead:</b> Development Assessment Unit – CCC; Strategic Planning Unit – CCC; Open Space Unit – CCC; Facilities and Asset Management Unit - CCC; Community Partnerships Unit – CCC		
<b>Partners:</b> Graffiti removal volunteer groups, businesses		
<b>Year one</b>	<b>Year two</b>	<b>Year three</b>
Consider and implement CPTED principles in the DA process and make educational resources on CPTED available	Implement CPTED principals in DA process	Implement CPTED principals in DA process
Commit to the use of CPTED principles in the design of Council buildings and spaces	Council staff to use CPTED principles in designing Council buildings and spaces	Council staff to use CPTED principles in designing Council buildings and spaces
Provide advice and information on grant funding to community groups and businesses who want to implement CPTED strategies (businesses could only access grants if partnered with a not-for profit).	Provide advice and information on grant funding to community groups and businesses who want to implement CPTED strategies (businesses could only access grants if partnered with a not-for profit).	Provide advice and information on grant funding to community groups and businesses who want to implement CPTED strategies (businesses could only access grants if partnered with a not-for profit).
Volunteer Groups and Community Safety Committees to identify graffiti hotspots for a green screening program	Implement a green screening program on appropriate public spaces	Implement a green screening program on appropriate public spaces
As per Action 2.2, work with Police to carry out CPTED audits in Town Centres	As per Action 2.2, work with Police to carry out CPTED audits in Town Centres	As per Action 2.2, work with Police to carry out CPTED audits in Town Centres
	Develop CCTV Policy and procedures to improve	Implement CCTV Policy and procedures

	coordination and effectiveness of Council CCTV	
<b>Action 5.2: Educating young people about the impacts of graffiti</b>		
<p><b>Lead:</b> Libraries, Learning and Education Unit (Learning Community Section) – CCC; Community Partnerships Unit (Youth Services Team) – CCC;</p> <p><b>Partners:</b> Community Partnerships Unit (Community and Cultural Programs Team); Police; legitimate artists; youth sector</p>		
<b>Year one</b>	<b>Year two</b>	<b>Year three</b>
Develop an Information Toolkit for schools on Graffiti Prevention to help them run awareness raising workshops and include graffiti messaging in other community education projects	Develop a Parent’s Guide to Graffiti, to help parents identify if their child is involved in graffiti	
Explore social media opportunities (e.g. Instagram) for anti-graffiti messages for young people	Implement anti-graffiti social media messaging for young people	Implement anti-graffiti social media messaging for young people

## 8 Appendix 1

### 8.1 Engagement Summary

The following section outlines the community engagement that informed the development of the strategy. Stakeholders were asked about the areas of reporting, prevention, education and removal. The aim of the engagement was to prioritise and align former activities and set the future agenda. Data was captured in qualitative and quantitative formats and is presented below. Four targeted workshops were held to 45 attendees, both internal and external to Council operations and 25 stakeholder surveys were completed.

#### 8.1.1 Workshop Dates

<i>External:</i>	Blue Haven Community Centre	18 September 2018
<i>External:</i>	Peninsular Community Centre	21 September 2018
<i>External/Internal:</i>	Security, Council, Rangers and Police (SCRAP)	4 October 2018
<i>Internal:</i>	Wyong Civic Centre	18 June 2018

#### 8.1.2 Stakeholder List

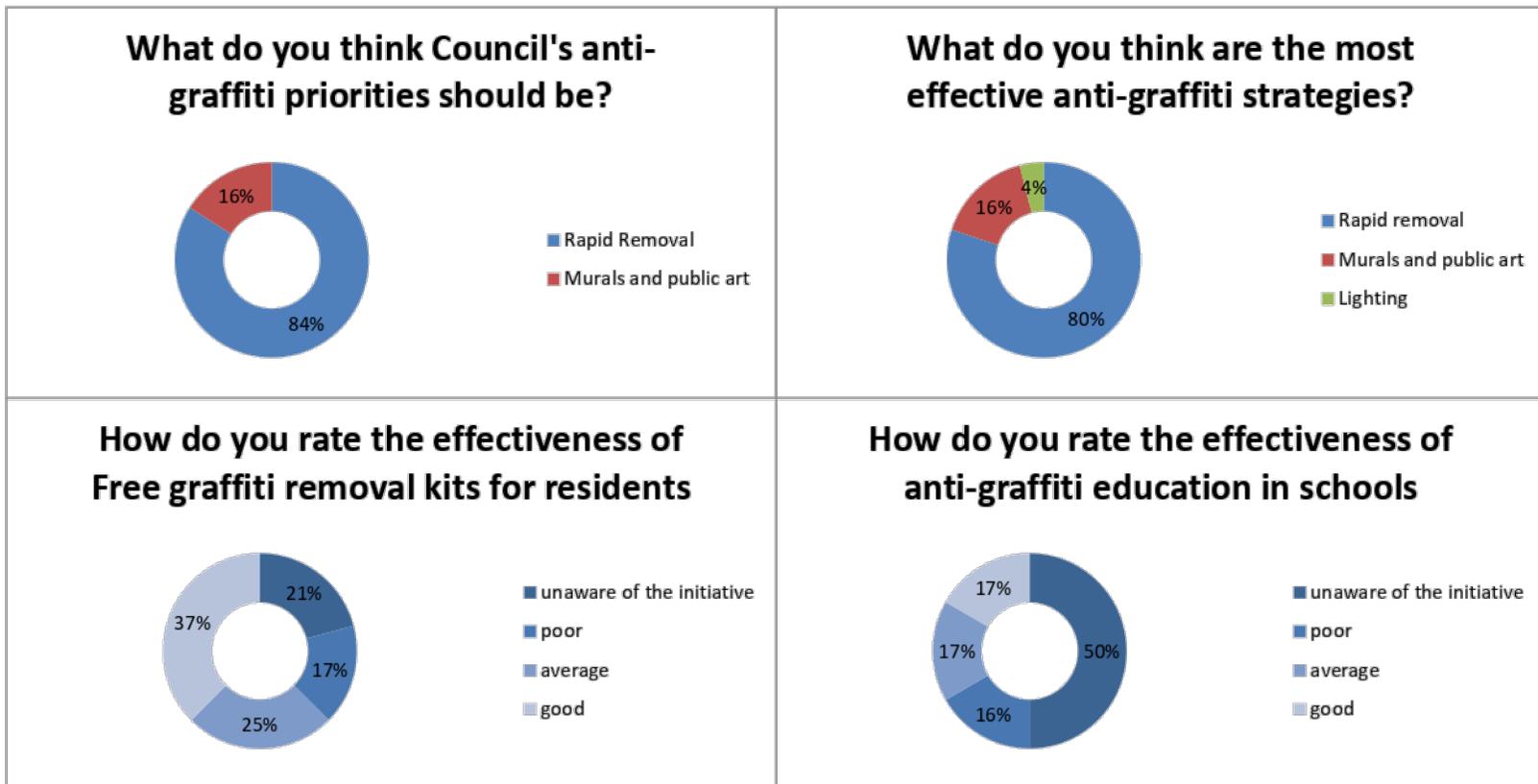
Internal Review: April/May 2019

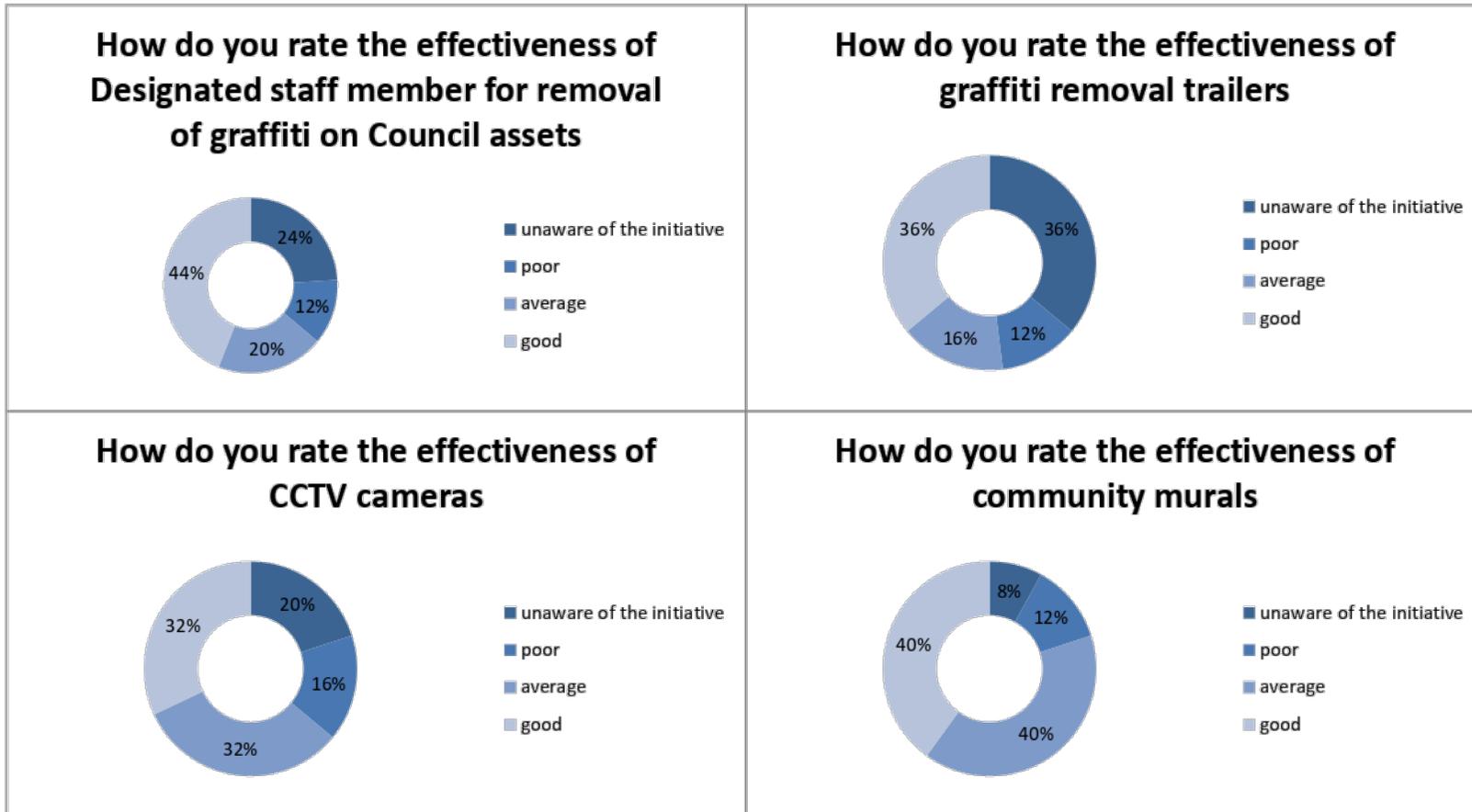
Kim Radford – Unit Manager Facilities and Asset Management	Shari Young – Activation and Enterprise Officer
Peter Donohue – Section Manager Building Maintenance	Steve Knee – Team Leader Youth Services
Ellen Suarez – Coordinator Customer Experience	Jennifer Dias – Youth Development Officer
Reuben Das – Customer Experience Officer	
Ellen Bridge - Community and Cultural Development Officer	Chris King – Section Manager Arts and Culture
Chris Kelly – Safety Partner	Tim Braham – Team Leader Art Galleries
Brett Sherar – Unit Manager Open Space and Recreation	Stephen Dignam – Unit Manager Roads Maintenance
Daniel Garland – Communications Officer	Rhonda Wagenaer – Accountant
Mellissa McKee – Financial Controller	

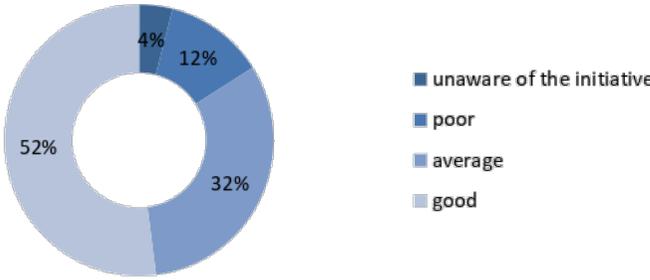
<b>Stakeholders involved in 2018 workshops</b>			
Rotary North Gosford	Graham Black	Section Manager Building Maintenance	Peter Donohue
Rotary Woy Woy	John Greenaway	Team Leader Community Planning & Funding	Stuart Slough
Rotary Woy Woy	Vic Brown	Painter in charge: Maintenance & Programmed Trades	Matt O'Brien
Gosford Juvenile Justice Case Worker	Ian Rumbel	Team Leader Youth Services	Steve Knee
Gosford Juvenile Justice Case Worker	Paul Sharpe	Youth Development Officer	Jennifer Dias
Evolution Youth Services	Melinda Clarke	Team Leader Bookings Community Infrastructure	Andrew Rowland
Coast Community Connections	Louise Mason	Communications and Marketing	Jenny Tinworth
Brisbane Water SC President	Nicole Mottlee	Section Manager Community Infrastructure	Jayne Shewan
Tuggerah Lakes Local Area Command	Beth Hawker	Unit Manager Community Partnerships	Glenn Cannard
Summerland Point, Tidy Towns	Peter Craft	Section Manager Community Partnerships & Planning	Kerrie Forrest
Summerland Point, Tidy Towns	John Maine	Team Leader Community & Cultural Programs	Ainslie Whitburn
Summerland Point, Tidy Towns	Laurie Williams	Team Leader Stores	Glenn Perkins

San Remo Tidy Towns	Keith Sedmen	Environmental Health: Compliance and Health	Cameron Hilaire
San Remo Tidy Towns	Gordon Silk	Knowledge Management Officer	Sandra Smith
San Remo Tidy Towns	Patricia Silk	Facilities Contact Officer: Project Systems	Naomi Brazier
San Remo Tidy Towns	John Carpenter	Section Manager Contracts and Projects	Warren Murphy
Norah Head Residents Association	Ralph Peters	Team Leader Restorations	Dick Irving
Youth Off The Streets	Sharon Mizzi	Parking Station Attendant	Mark Hannaford
Manning Park Tidy Towns	Andrew Whitbourne	Maple Circle	Carol Jones
Manning Park Tidy Towns	Neil Young	Maple Circle	Wendy Walsh
Manning Park Tidy Towns	Ian Carr	Department of Premier and Cabinet	Tracey Wearne
Brisbane Water Local Area Command	Vivienne Crawford	CCLHD Security	Phillip Menge
Imperial Centre/GBID	Deb Warwick		

8.1.3 Summary of Stakeholder Comments





<p style="text-align: center;"><b>How do you rate the effectiveness of graffiti removal day</b></p>  <table border="1" data-bbox="884 494 1131 646"> <thead> <tr> <th>Rating</th> <th>Percentage</th> </tr> </thead> <tbody> <tr> <td>unaware of the initiative</td> <td>4%</td> </tr> <tr> <td>poor</td> <td>12%</td> </tr> <tr> <td>average</td> <td>32%</td> </tr> <tr> <td>good</td> <td>52%</td> </tr> </tbody> </table>	Rating	Percentage	unaware of the initiative	4%	poor	12%	average	32%	good	52%	<p><b>Survey respondents were also asked to submit open-ended questions in relation to their experience at the coal face.</b> Over half reported rapid removal as most effective initiative, followed by Community Service Order programs and painting exposed fences in bright colours.</p> <p>Respondents were asked how they felt about current strategies to which they responded in order of priority; community murals and public art, charge offenders under the Graffiti Control Act, graffiti removal promotion all year round, green screening projects and strategies to increase reporting.</p>
Rating	Percentage										
unaware of the initiative	4%										
poor	12%										
average	32%										
good	52%										
<p>Respondents commented that existing initiatives could be more effective with graffiti removal on the agenda all year rather than just once, greater attention to hotspot sites, green screening projects and better partnerships with police.</p> <p>Respondents were also asked for recommendations to Council for implementation. One third requested that the reporting system be upgraded, followed by being more active in removing graffiti and outdoor staff to report as core business.</p>	<p>Respondents were surveyed for feedback on the current graffiti reporting system and how it could be improved to which advice was for Council to be more active in promotion, educate on how to use it correctly, upgrades to software, and staff to be upskilled.</p> <p>Respondents were surveyed for feedback on the current graffiti removal kits and how it could be improved to which advice was for more training in the use of chemicals, assets owner contacts information to be shared, kits to be more freely distributed based on need, better partnerships with police and dissemination of information about the program.</p>										



## Graffiti Management Strategy 2021 - 2024

Central Coast Council  
2 Hely St / PO Box 20 Wyong NSW 2259  
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)  
[centralcoast.nsw.gov.au](http://centralcoast.nsw.gov.au)  
ABN 73 149 644 003

November 2020

Submissions received during public exhibition of the draft Central Coast Graffiti Management Plan 2021 - 2024

Submission number	Detail of Submission	Action Taken
1	<p>1. Boosting Our Rapid Response: I would commend a focussed graffiti removal team with specialist knowledge, associated budget and also having access to a full asset database for Council assets which would identify which have anti-graffiti coating e.g. legal murals so that these are not painted out when graffiti can be hit pressure washed off items that have been protected by 'graffiti-guard'. This happened recently to a water and sewage asset that was proactively painted with a community mural and coated in graffiti guard, but when tagged (several years after the initial mural) was painted over rather than maintained and have the tags high pressure washed off. Also, the rapid removal of offensive graffiti is critical to a fair and just society.</p> <p>2. Valuing our Partners in Graffiti Management: The action plan seems to have covered the most pertinent aspects of this graffiti management strategy.</p> <p>3. Making it easier to Report Graffiti: The action plan seems to have covered the most pertinent aspects of this graffiti management strategy.</p> <p>4. Towards Legitimate Art: Could this include the ability for business property owners to be able to nominate their property for legal murals, such as occurred at the Wamberal shops, where shop owners were supported to engage (and pay for) a legal mural that remains untagged 15 years later! The inclusion of a broad range of</p>	<p>Noted. No change to Strategy Addressed in Action 1.1</p> <p>Council will continue to review and test anti-graffiti treatments for public artworks.</p> <p>Noted</p> <p>Noted</p> <p>Businesses can create murals on their own property with the relevant approvals.</p>

Submission number	Detail of Submission	Action Taken
	<p>stakeholders and people knowledgeable of graffiti and street art practice and culture are essential in the determination of location and maintenance of any legal practice and active use walls e.g. Green Point's Sun Valley park legal wall. There are many aerosol artists that now prefer to be able to create pieces and need the time and capacity that a legal wall facility enables. This is especially true for those people who practised graffiti when under 18 and now, being older, with adult responsibilities and children seek to practise the cultural aspects of the creative art form of aerosol art in a legitimate way as a creative expression. This relates to 4.2 'pathways for creative development in legitimate art.</p> <p>5. Prevention: 5.1 include the CPTED principles in all DA approvals, especially those of significant size. The consideration of a 3% levy for public art to be a component of significant development DA's e.g. unit blocks, housing estates, council facilities, shopping centres and industrial areas would be a great initiative to both reduce illegal graffiti and to support public art creation and installation on the Central Coast (e.g. Deepwater Plaza in Woy Woy or the new underpass at the Woy Woy railway crossing).</p>	<p>Amend action 4.1 Develop location and management criteria for graffiti practice walls and investigate potential sites "with input from relevant stakeholders".</p> <p>Noted. No change to Strategy. Addressed in Action 5.1 Consideration of a levy on DAs for public art may be considered separately to this strategy as part of the review of Council's Public Art Policy.</p>
2	<p>1. Boosting Our Rapid Response: I think this is wonderful. If only I could believe it will happen, as Council sometimes takes months even years or never, to come and clean graffiti after it's been reported. E.g. Gilbert St water storage tank at Toowoomb Bay, street signs front and rear, bus stops. A zero tolerance approach needs to be adopted and Council crews when they are out on the road need to report as well so that it's not always left to the public to report. Many more workers will need to be employed if you believe that you will remove graffiti more rapidly. The Council teams who go around cleaning the graffiti should be able to clean it off without a report by the public. I've seen Council workers cleaning it off certain surfaces and then leave without cleaning other Council infrastructure</p>	<p>Noted. No change required.</p> <p>Addressed in Action 3.2 Addressed in Action 1.1</p>

Submission number	Detail of Submission	Action Taken
	<p>(as it most likely wasn't reported). To fund these Council clean up teams , I suggest a graffiti removal levy be added to all rate notices and also ask for a referendum by rate payers to vote on if they believe Council should remove graffiti from boundary fences (as council owns the outside side of the fence) that are visible from roads or parks that the public are forced to look at as they pass by. Put pressure on Telstra to remove graffiti from their property in the central coast area , as Telstra are the worst at rapid removal. Rapid response by Council would be much more easily achieved if clear coat protection was applied to all Council street signs and park signs and buildings and bus stops. This would be a large cost initially, but it would make it more cost effective and quicker for the rapid removal to be achieved. Council workers should be trained in the use of spray guns as this would improve the amounts they could cover quickly.</p> <p>2. Valuing our Partners in Graffiti Management: Volunteers are partners in graffiti management and should be valued and listened to more. Myself and other volunteers spend hundreds of hours a year cleaning and reporting graffiti vandalism. Volunteers who remove graffiti off their own properties or other private properties or council property (because council takes so long) could be offered reductions of Council rates where they can show they have helped to improve the Coast's graffiti problem. Yes, Council needs to work more closely with the other infrastructure providers, State Rail, Telstra, RMS and Ausgrid. Local town centre management should be made to work closely with these partners and report to them and push for rapid removal by these partners to clean up their town area. A zero-tolerance approach to graffiti vandalism must be adopted to achieve the coast looking beautiful again and is the only cure for this scourge on society that assault our eyes every day. Corrective services, criminals doing community service and work for the dole should be made to clean off the graffiti and all the partners in graffiti removal should allow this to take place. If there were large groups</p>	<p>It is not possible to add a graffiti removal levy to rates. Rules on boundary fences are set by the Dividing Fences Act 1991 – and is outside of Council's jurisdiction. Council provides information on its website about how to report graffiti to other asset owners and to Police. The Graffiti Management Strategy is based on the expectation that the whole community has a role to play in reporting graffiti. Graffiti will not be removed unless the asset owners are aware of it through reports from the public. Council will continue to review and test anti-graffiti treatments.</p> <p>Noted. No change to Strategy. Council values and appreciates the service that graffiti removal volunteers provide to the community. Council provides resources and support to graffiti removal volunteers – addressed in Action 2.1</p> <p>Council currently works proactively with businesses in Town Centres. Council also provides information on its website about how to report graffiti to other asset owners and to Police. Working with Corrective Services is addressed in Action 2.3</p>

Submission number	Detail of Submission	Action Taken
	<p>(social distancing in Covid times) of these people under supervision moving systematically through each suburb, the Central Coast would soon be looking so good.</p> <p>3. Making it easier to Report Graffiti:                      AUSGRID are the leaders in this and should be used as an example to Council of how to make this process easier for people wanting to report graffiti. Ausgrid actually read the section of the report where you can add a comment. E.g. Ausgrid have a map where you can click on a pole or any piece of their equipment and then in the comments you could write “also in this street there are 20 poles and 2 green substations “ and they will come and do them all !!!! Within 2 days using only one report from a community member, showing that they value your time. The current reporting system with Council only allows one photo at a time and even if you write in the comments “extensive graffiti at this park “ Council will only clean what is in the photo provided and ignore what you highlighted in the comments Section. Newspaper ads and tv ads are needed to encourage residents to report and show them how easy it is to do so. It may also help to deter vandalism attacks if the vandals new the whole community were behind the reporting and how easy it is to report them .</p> <p>4. Towards Legitimate Art:                      I agree that the art on buildings is good only if it’s covered by clear coat anti-graffiti paint to allow easy removal of the graffiti without removing the art work . E.g. under Budgewoi bridge an aboriginal mural painted by a local school has graffiti tags over the top of it. The vandals don’t always respect the murals and clear coat is always needed to protect the beautiful art.</p> <p>5. Prevention:                      Signs need to be placed on Council infrastructure (with clear coat protection) stating what the fine is for graffiti vandalism and that the area is under CCTV surveillance and what the reward is for anyone giving information that leads</p>	<p>Noted. No change to Strategy.                      Addressed in Action 3.1</p> <p>Addressed in Action 1.1</p> <p>Addressed in Action 3.2</p> <p>Noted. No change to Strategy.                      Council will continue to review and test anti-graffiti treatments for public artworks.</p> <p>Noted. No change to Strategy.                      Addressed in Actions 5.1 and 3.2</p>

Submission number	Detail of Submission	Action Taken
	<p>to conviction of a graffiti vandal eg. of this can be found in Port Stephens where there is minimum graffiti. Education in the schools is a good idea as well as tv ads stating how much graffiti costs the state of NSW a year and a “Dob In a Graffiti vandal” campaign (similarly to “report a tosser“ campaign) The ads could show the effects of graffiti on the community (increases in crime in graffiti areas, increased cost of living, feeling unsafe ,decrease in tourism and therefore jobs). The ads and education campaign for schools need to show that the vandals once caught will be made to remove their own graffiti as part of their sentence. Graffiti vandals also need to be shown on the ads. Council rangers should be employed at night to patrol graffiti hotspots and CCTV cameras installed at graffiti hotspots as deterrent and therefore prevention e.g. Slade Park Budgewoi pumping station, bridges and parks.</p>	<p>Prosecution is the role of Police, not Council.</p> <p>Addressed in Action 5.2 and 3.2</p> <p>Hotspots will be addressed through safety audits with community and Police in Action 2.2, proactive Town Centre strategies in Action 1.2 and CCTV addressed in Action 5.1</p>
3	<p>1. Boosting Our Rapid Response: Yes, faster the better, removing graffiti as soon as it appears on all Council owned structures. Unfortunately, other areas not owned by Council will remain targets. Unfortunately, anything can be a target to taggers.</p> <p>2. Valuing our Partners in Graffiti Management: Yes, it's not just Council property involved, all structural amenities, bus shelters, power poles, private property, all owners should have a graffiti removal policy, and provide budgets to have graffiti removed.</p> <p>3. Making it easier to Report Graffiti: Reporting made easier yes. More residents may come on board to report graffiti once they find it easier, but some don't care enough to worry about reporting the problem, and just accept it.</p> <p>4. Towards Legitimate Art:</p>	<p>Noted. No change to Strategy. Addressed in Action 1.1</p> <p>Noted. No change to Strategy. Addressed in Action 1.1</p> <p>Noted. No change to Strategy Addressed in Action 3.1</p>

Submission number	Detail of Submission	Action Taken
	<p>Some older structures owned by council are graffiti targets, and I'm in favour of anything that will serve graffiti targets. Better planning on how we build in the future. Colourbond fences for example.</p> <p>5. Prevention: Education at schools, in your face anti-graffiti programs, culprits caught tagging clean up under supervision as part of their punishment plus name and shame. Police to take a more active approach. Complex it is there's no real solution as far as I can see, other than keep at it as long as possible.</p>	<p>Noted. No change to Strategy Addressed in Action 5.1</p> <p>Noted. No change to Strategy. Addressed in Actions 5.2, 3.2 and 2.3 Prosecution is the role of Police, not Council.</p>
4	<p>1. Boosting Our Rapid Response: There is no rapid response! There is graffiti on the rear of every large road within 500m of the Shelly Beach roundabout. I have repeatedly reported it but with zero result in having it removed. One sign has now had graffiti on it for 2 years. These obvious graffiti covered signs are on main roads, visible and within walking distance of the Long Jetty Depot but it's is never removed. Unless you actually harass Council, the graffiti is simply not removed and attracts more. There is also a causeway/waterway in this same area , either side of Wyong road where the fencing facing the council property is covered in graffiti and nothing is done to remove it - Council staff from the Long Jetty depot would drive past this every single day. This seems to be true of a lot of council policy now - they may only repair, weed or clean it after numerous complaints.</p> <p>2. Valuing our Partners in Graffiti Management: Nothing to value as the graffiti in The Entrance/Long Jetty area is just getting worse.</p> <p>3. Making it easier to Report Graffiti:</p>	<p>Noted. No change to Strategy. Addressed in Action 1.1</p> <p>Noted.</p>



Submission number	Detail of Submission	Action Taken
	<p>3. Making it easier to Report Graffiti: No comment</p> <p>4. Towards Legitimate Art: Give the talented local artists some space, alley ways are perfect and most other graffiti crimes are minimised as they will not going over another artists work. Look at Melbourne, it is a tourist attraction within itself</p> <p>5. Prevention: No comment</p>	<p>Noted. Addressed in Actions 4.1 and 4.2</p>
7	<p>1. Boosting Our Rapid Response: Ok</p> <p>2. Valuing our Partners in Graffiti Management: Waste of time and money. If caught they must be punished severely or their parents, I know them there not afraid of consequences. They laugh at their friend’s punishment. Mandatory laws should be in place. You’re losing the fight.</p> <p>3. Making it easier to Report Graffiti: OK</p> <p>4. Towards Legitimate Art: So so</p> <p>5. Prevention: OK</p>	<p>Noted.</p> <p>Noted. No change to Strategy. Prosecution is the role of Police, not Council.</p> <p>Noted.</p> <p>Noted.</p> <p>Noted.</p>
8	<p>1. Boosting Our Rapid Response: Graffiti should be removed in 24 to 48hrs. This time includes Sundays and Public holidays. without exception. You may need to do this 2 or 3 times.</p>	<p>Noted. No change to Strategy Addressed in Action 1.1</p>

Submission number	Detail of Submission	Action Taken
	<p>Photograph and keep records of date and time etc and report it immediately to the police. Improve lighting and clear trees and bushes as required.</p> <p>2. Valuing our Partners in Graffiti Management: Central Coast Council have been great in the past, however, some assistance with the cost of chemicals would be great.</p> <p>3. Making it easier to Report Graffiti: No problems use the Police Assistance Line.</p> <p>4. Towards Legitimate Art: Let those people who like legitimate art, "Do it on their own Buildings".</p> <p>5. Prevention: Improve lighting, Improve visibility, quick removal 24/48hrs. Courts to treat offenders seriously.</p>	<p>Addressed in Action 5.1</p> <p>Noted. Council values and appreciates the service that graffiti removal volunteers provide to the community. Council provides resources and support to graffiti removal volunteers – addressed in Action 2.1</p> <p>Noted.</p> <p>Noted.</p> <p>Noted. No change to Strategy. Addressed in Actions 2.2 (safety audits), 5.1 (CPTED) and 1.1 (rapid removal)</p>
9	<p>1. Boosting Our Rapid Response: My comment applies to a section you do not have here - and you should -how do we deal with graffiti? It is as if you have all the answers - and you don't. For example, on Avoca Drive at Green Point there is a concrete retaining wall which has been there for yonks. Periodically graffiti is painted on that wall. Subsequently that is covered over with white paint. Over the decades we have built up a series of white rectangles along the length of that strip of concrete. Is that graffiti removal? Does anybody involved in this have the slightest sense of the aesthetics here? This example merely indicates a lack of imagination. I appreciate the effectiveness of power cleaning of graffiti that is now being employed - but I am suggesting a rapid response to the practice of tagging -</p>	<p>Noted. No change to Strategy.</p> <p>Addressed in Action 1.1</p>

Submission number	Detail of Submission	Action Taken
	<p>small graffiti which if left seems to attract further examples. Imagine a situation where the attention of your department is drawn to a very recent tagging situation. One of your workers inspects it, uses his phone to photograph it - proceeds to the nearest paint shop and using his photo the attendant identifies the shade of the original background colour and mixes a can of spray paint which when sprayed onto that tag - hey presto - you've disappeared it. Ok - sounds an expensive approach - is it? First you can quickly erase that moron's tag - so often that moron can mentally celebrate that tag day after day - for months to come attracting all the other little morons to emulate on the same site. Secondly that spray paint may well be appropriate for other future responses rapid responses as there are a few really common Colourbond Fence colours. Oh yes and concrete... Thirdly - OK you build up initially a few expensive cans of paint - but you will develop a collection that may well be used in the future for similar background paint covering. Just a thought.</p> <p>I would say in conclusion that having written to appropriate authorities for decades about graffiti reduction I congratulate you on your approach - ain't perfect - but you're on your way and when I look at how other advanced countries allow their cities and towns to remain so disfigured by graffiti and see how it is dealt with here - well done!</p> <p>2. Valuing our Partners in Graffiti Management: No comment</p> <p>3. Making it easier to Report Graffiti: No comment</p> <p>4. Towards Legitimate Art: No comment</p> <p>5. Prevention:</p>	

Submission number	Detail of Submission	Action Taken
	No comment	
10	<p>We own 120 Wyong Road, Killarney Vale which is a Commercial building and we pay a lot of money for rates. We are fed up with our building and others in the shopping centre being constantly graffitied. Each time it is very expensive to have it removed.</p> <p>Every time we report it to the Police nothing is done. They have a hard job without having to spend time on sheer vandalism.</p> <p>Recently the graffiti was so big and black on our brickwork it was impossible to remove it. We had to have it painted over. Previously we had the bottom part of the wall painted with anti-graffiti stain, but it didn't help getting the graffiti off. This cost us \$1000.</p> <p>I would like the hearts removed and the person charged. When young people are involved, they should be fined and if their parents have to pay it, they might take control of their children who do this especially in school holidays</p>	<p>Noted. No change to Strategy.</p> <p>Prosecution and punishment are the role of Police and the Justice System, not Council.</p>
11	<ol style="list-style-type: none"> <li>1. Boosting Our Rapid Response: See below</li> <li>2. Valuing our Partners in Graffiti Management: See below</li> <li>3. Making it easier to Report Graffiti: See below</li> <li>4. Towards Legitimate Art: See below</li> <li>5. Prevention:</li> </ol>	<p>Noted. Support for CCTV and education. No change to Strategy.</p>



Submission number	Detail of Submission	Action Taken
13	<p>1. Boosting Our Rapid Response: I think that it's important that you are focusing on boosting a rapid response in regard to Caring for the Local Community.</p> <p>2. Valuing our Partners in Graffiti Management: No comment</p> <p>3. Making it easier to Report Graffiti: No comment</p> <p>4. Towards Legitimate Art: As an Artist I believe this is the most vital ingredient in helping not only prevent graffiti management but introducing a positive reflection of our community. I have been grateful to be a part of the arts and painting collaboratively on murals within Sydney. I have seen areas such as the Inner West, Newcastle and the Blue Mountains gain so much through having Public Art (Murals, Street Art and Artistic Graffiti).</p> <p>5. Prevention: There are areas within the local community that have empty walls, abandoned buildings and properties that are an easy target for tagging. If you were to commission local artists and get the creative community involved this would likely not only give the Central Coast beautiful artwork but give the area a feeling of safety. I also believe having well respected artists in the graffiti and street artist community will more than likely prevent tagging. You can't control what people do but you can give them an opportunity for an outlet of expression.</p>	<p>Noted. Support for rapid removal and legitimate art actions. No change to Strategy. Addressed in Action 1.1</p> <p>Noted. Addressed in Actions 4.1 and 4.2</p> <p>Noted. Addressed in Actions 4.2 and 4.2</p>
14	<p>1. Boosting Our Rapid Response: No comment</p> <p>2. Valuing our Partners in Graffiti Management:</p>	<p>Noted. Support for legal graffiti walls. No change to Strategy.</p>

Submission number	Detail of Submission	Action Taken
	<p>No comment</p> <p>3. Making it easier to Report Graffiti: No comment</p> <p>4. Towards Legitimate Art: Graffiti has been around since the 80s and it's not going anywhere it's only getting started its a young art form.</p> <p>Graffiti is seen in different ways by different people some people don't notice it some don't mind it some like and some hate it.</p> <p>Now graffiti vandalism cannot be controlled but it can be slowed down by having graffiti legal walls put up. By having legal walls, the young kids can have fun on the and not get in trouble and the older people can practice their art without getting in trouble.</p> <p>I want our community to see that graffiti is not always vandalism. It is art.</p> <p>Graffiti isn't for everyone and not everyone likes the art form but not everyone likes Picasso.</p> <p>So please put legal walls up.</p> <p>5. Prevention: No comment</p>	<p>Noted.</p> <p>Addressed in Action 4.1</p>
15	<p>1. Boosting Our Rapid Response: At the end of Lucinda St, Killarney Vale, Salt Water Creek, just before a bridge, is a wooden walkway, built on the foreshore with signs showing the birdlife, and other signs showing maps of the lake and a nice seat to sit on. They have all been graffitied.</p>	<p>Noted. No change to Strategy.</p>

Submission number	Detail of Submission	Action Taken
	<p>The heart graffiti symbol, I suspect is a female, this person has been drawing the heart symbol for a year or more now, all over the whole of the Central Coast, on trees, street signage, everything.</p> <p>IT IS GOOD NEWS, it will be addressed.                      If there was a HOT LINE phone number, citizens knew of, so that any new graffiti could be notified immediately, and action implemented to be ERASED immediately . Most people do not carry turps or whatever one uses to wipe it off, when they are out and about.....It is all about graffiti egos.</p> <p>2. Valuing our Partners in Graffiti Management:                      No comment</p> <p>3. Making it easier to Report Graffiti:                      No comment</p> <p>4. Towards Legitimate Art:                      No comment</p> <p>5. Prevention:                      No comment</p>	<p>Addressed in Actions 1.1, 3.1 and 3.2</p>
16	<p>As you know the war on graffiti has been a long fight of 20 years or more with no one winning. I know there are new models of work in this space where youth, artists, academics, youth workers have proposed that it is time to re-think the "war on graffiti" and to acknowledge that zero-tolerance and eradication policies are not working. There is some really exciting work looking at graffiti policy and legislation in a different way, engaging young people and artists in this process is an approach which yields measurable positive impacts. If there is scope/interest for us to chat at another time and perhaps partner in a couple of new projects based on data from the region, identified / high impact particular sites and space across the</p>	<p>Noted. Support for legitimate art action is included in the Strategy.</p>

Submission number	Detail of Submission	Action Taken
	<p>region, it would be a terrific opportunity to collaborate on something innovated and never tried before - low cost and high impact for Council. We have already begun discussions prior to the Strategy exhibition release on a couple of small and some larger art projects as NNFH is interested in building an art mentoring program built around proactive development of spaces for street art, partnering with Telco, energy, Roads and Maritime ongoing.</p> <p>Very pleased to see focus moving forward is working with communities , I don't believe your community engagement included any art, creative or youth groups - If any thoughts and information support your objectives then terrific, just some broad comments on things that stood out for me:</p> <ul style="list-style-type: none"> <li>• Achievements do not include any creative collaborations - I do see the word "art programs" - I am referring to more proactive ongoing work - engaging with Public Art placemaking programs - Is this draft reaching the youth, schools, creative groups demographic?</li> <li>• Point 5 "focus moving forward"             <ul style="list-style-type: none"> <li>o point 1: wording from "rapid response" to "rapid removal" might be more contemporary and align with an action</li> <li>o point 3: " Making it easier to report graffiti (IT and communications) " language could be changed to "Multifaceted reporting" - again takes it from aspirational into action and also instils modern and intentional capacity to receive information</li> </ul> </li> <li>• Priority Area 2: Valuing partners - youth and arts do not feature is this something that would add value?</li> </ul> <p>Would be great to see something stronger commitment to</p> <ul style="list-style-type: none"> <li>• Mural projects, collaborative approaches with community involvement</li> <li>• community education</li> </ul> <p>Questions:</p>	<p>Council has supports in place for the community to drive these types of activities. For example, town centre activations and grants programs.</p> <p>The Graffiti Management Strategy is an alignment of the graffiti strategies of the former Gosford City and Wyong Shire Councils. It is based on community and group feedback from Council’s graffiti management and public art programs with the most recent consultation focussed on targeted groups involved in graffiti management. Implementation of the Graffiti Management Strategy will involve ongoing engagement with the community including creative and youth groups on a project basis. Council art activities will include community development focused art programs like the current Urban Gallery project.</p> <p>Page 19 – Change ‘rapid response’ to ‘rapid removal response’</p> <p>Youth and arts are addressed in Actions 4.1 and 4.2</p> <p>Addressed in Actions 4.1 and 4.2</p> <p>Addressed in actions 3.2 and 5.2</p>

Submission number	Detail of Submission	Action Taken
	<p>1. For my own knowledge can I ask with Northern Wyong Shire GRAFFITI forum - is there any youth, creatives involved there? -</p> <p>2. Do we currently have Anti-graffiti policies and practices to protect public infrastructure ?</p> <p>3. Does this draft commit to any Anti graffiti practices such as mural painting programs?</p> <p>Out of scope for the draft and just thinking out loud for the 3 of us and potential side project as I know evidence-based recommendations shows social and economic impact of graffiti on public infrastructure; (and the below is data/project work Naughty Noodle would love to conduct and is well placed:</p> <ul style="list-style-type: none"> <li>• That research is conducted into community opinion and perceptions of different forms of graffiti writing and street art to better inform policy development.</li> <li>• That the impact of high-quality graffiti murals and aerosol artists to increase both social and economic value in the community be encouraged and recognised.</li> <li>• That time and space be provided to produce legal graffiti murals on public infrastructure to enhance the aesthetics of the infrastructure and to increase ownership of, and engagement with, young people and artists in public space.</li> <li>• That mural painting programs are supported within a creative service environment (e.g.: NNFH) to act as both an engagement tool as well as enhance the artistic development of young graffiti artists</li> </ul>	<p>This forum is no longer in existence The Graffiti Management Strategy, Council’s CCTV strategy, place management and town centre strategies and safety audits will combine to protect public infrastructure.</p> <p>Addressed in Actions 4.1. and 4.2</p> <p>Addressed in Actions 4.1. and 4.2</p> <p>Addressed in Actions 4.1. and 4.2</p>
17	<p>1. Boosting Our Rapid Response: No comment</p> <p>2. Valuing our Partners in Graffiti Management: No comment</p> <p>3. Making it easier to Report Graffiti: No comment</p>	<p>Noted. Support for legal graffiti walls. No change to Strategy.</p>

Submission number	Detail of Submission	Action Taken
	<p>4. Towards Legitimate Art: Please include walls for legitimate art at all the skate parks with messages like "Make your mark on this part of the park, make it smart art". Just a thought.</p> <p>5. Prevention: No comment</p>	Addressed in Action 4.1
18	<p>3. Making it easier to report graffiti: I understand it is more focused on the Councils processes as you state and working with volunteers. In saying that, are we able to get the PoliceLink No. 131444 in the report, where it's mentioned your draft report under Police. Graffiti offences can be reported to Police via Policelink. The victim or person reporting will be issued a Police report number, they can be given. This is also for intelligence purposes for our District for reports of Graffiti offences (Malicious Damage). Educating the community to report offences to Police. Persons reporting are encouraged to take photos of the graffiti and after getting a Police report number can forward via email to link to the report. Role of Police: -investigating graffiti offences -Prosecuting offenders in an appropriate way ADD: Report Graffiti offences to Police. PoliceLink. Ph. 131444. As we can't investigate offences if they haven't been reported to Police. I would make this the first dot point.</p>	Noted. Clearer references to PoliceLink number will be made in the Strategy and encourage people to report to PoliceLink.
19	<p>4. Towards legitimate art I am part of the Peninsula Business and Tourism Partners in Ettalong. Obviously, there is graffiti in Ettalong, just opposite the post office. Our idea to overcome the random spray paintings is to create a competition so that artist can be creative and win a prize. We do have via our art gallery, Waterline Gallery, a number of artists on hand who like to judge... After a while, the wall can be painting white again for a fresh start of competition.</p>	Noted. Support for legitimate art actions. No change to Strategy.  Council has supports in place for the community to drive these types of activities. For example, town centre activations and grants programs.

Submission number	Detail of Submission	Action Taken
	This would be a drawcard for visitors, gives young artist a new meaning of life and might be a talking point for the Peninsula. Is this something that council would support/fund. There might be a Banksy in the waiting.	Council also runs a number of arts programs based on community development principles such as the current Urban Gallery program.



**Item No:** 4.1  
**Title:** Draft Central Coast Local Environmental Plan and  
Draft Central Coast Development Control Plan -  
Supplementary Report  
**Department:** Environment and Planning

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14 December 2020 Ordinary Council Meeting

Reference: F2016/02118-005 - D14262852  
Author: Rodney Mergan, Senior Strategic Planner  
Scott Duncan, Section Manager, Land Use and Policy  
Breanne Bryant, Acting Section Manager, Urban Planning and Development  
Jenny Mewing, Principal Strategic Planner  
Manager: Shari Driver, Unit Manager, Strategic Planning  
Executive: Scott Cox, Director Environment and Planning

### **Report Purpose**

To seek Council endorsement to finalise and adopt the draft Central Coast Local Environmental Plan (CCLEP) and Central Coast Development Control Plan (CCDCP).

### **Executive Summary**

- Following amalgamation of the former Gosford City and Wyong Shire Councils it was resolved in November 2016 to prepare a consolidated Local Environmental Plan (LEP) and Development Control Plan (DCP) for the Central Coast.
- A planning Proposal was prepared by Council and lodged with Department of Planning, Industry and Environment (DPIE) in March 2017 to consolidate the existing environmental planning instruments (EPIs) applicable to the Central Coast Local Government Area (LGA). These include the Standard Instrument LEPs being Gosford Local Environmental Plan 2014 (GLEP 2014) and Wyong Local Environmental Plan 2013 (WLEP 2013), as well as deemed EPIs, being, Interim Development Order No. 122 (IDO 122), Gosford Planning Scheme Ordinance (GPSO) and Interim Development Order No. 146 (IDO 146).
- A draft DCP was also prepared to support the CCLEP and consolidates the Gosford DCP 2013 and the Wyong DCP 2013.
- The Planning Proposal was assessed and supported by DPIE to proceed and a Gateway Determination was issued in October 2017.
- The CCLEP has been prepared as a Digital Environmental Planning Instrument and is a digital mapping Pilot Project for DPIE in conjunction with Council. This is a catalyst project for the rest of NSW moving to digital LEP mapping.
- Extensive consultation was undertaken with agencies, the community and Councillors and included public exhibition of 56 days between 6 December 2018 to 28 February 2019.
- There were 756 public submission received during exhibition. All submissions have been considered and the findings of the agency consultation, public exhibition and

#### **4.1 Draft Central Coast Local Environmental Plan and Draft Central Coast Development Control Plan - Supplementary Report (contd)**

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recommended amendments to the draft CCLEP and CCDCP are outlined in Attachments 3, 4 and 5.

- The report on the outcomes of exhibition was first tabled for consideration (but deferred) by Council at the 9 December 2018 Ordinary Council Meeting (see the report at Attachment 2).
- Further information was provided to Councillors and the deferred report was reconsidered at the 9 March 2019 Ordinary Council Meeting (see the report at Attachment 1).
- Finalisation of the CCLEP and CCDCP were further deferred at the 9 March 2020 meeting for a number of actions, including additional Councillor briefings and considerations.
- These actions have now been undertaken and considered as detailed in this report and its attachments.
- In response to public submissions and Councillor input those lands identified as 'Deferred Matters' under GLEP 2014 will remain deferred under the CCLEP and be rezoned following the Environmental Lands Review. Other key changes proposed to the CCLEP and CCDCP as a consideration of submissions and Council consultation include, but are not limited to:
  - Retention of 8.5m maximum building height in the former Gosford LGA R2 Low Density Residential zone;
  - Retention of the 550m<sup>2</sup> minimum lot size where it currently applies in the former Gosford LGA to the R2 Low Density Residential zone
  - Retention of current DCP 3.1 Floodplain Management controls
- This report proposes to consolidate the two Standard Instruments LEPs and DCPs from the two former councils, Gosford and Wyong. This would result in the CCLEP applying to approximately 95% of the LGA.
- There are three remaining deemed EPs that are proposed to be consolidated following the Central Coast wide Environmental Lands Review (as per the comprehensive 'road map' included in Attachment 6).

Relevant planning discussion, preceding Council reports and evaluation of the matters raised by Council when consideration of the CCLEP was deferred on 9 March 2020 are appended to this report. This includes the assessment of submissions received through agency and public consultation.

As Council has not been delegated authority to make this LEP, endorsement of the proposal will require a submission to be provided to DPIE requesting that the draft CCLEP be made.

The CCLEP is a critical step for Council to deliver its Comprehensive LEP and it is therefore recommended that Council adopt the CCLEP and CCDCP.

#### **4.1 Draft Central Coast Local Environmental Plan and Draft Central Coast Development Control Plan - Supplementary Report (contd)**

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##### **Environment and Planning Recommendation:**

- 1 *That Council adopt the draft Central Coast Local Environment Plan (CCLEP) and Central Coast Development Control Plan (CCDCP) as amended in response to issues raised during the public exhibition in line with the changes as shown in Attachment 5.*
- 2 *That Council request The Department of Planning, Industry & Environment (DPIE), under Section 3.36 of the Environmental Planning and Assessment Act 1979 (EP&A Act), to defer the inclusion of lands currently identified as Deferred Matters under Gosford Local Environmental Plan 2014 (GLEP 2014) from CCLEP.*
- 3 *That an Environmental Lands Review and Planning Proposal to review the Deferred Matters under Gosford Local Environmental Plan 2014 (GLEP 2014) be commenced and that this project be given a high priority on the Strategic Planning Unit's work program.*
- 4 *That Council resolve that the Chief Executive Officer (CEO) or Acting CEO may make other minor alterations to the planning proposal, draft CCLEP and draft CCDCP as deemed necessary.*
- 5 *That Council advise all those that made a submission of the decision.*

##### **Report**

A summary of the background and strategic assessment for the project is provided in Attachment 6. The previous reports to Council, including the outcomes of agency and public consultation are provided in Attachments 1 to 4 inclusive.

Attachment 7 lists the items from the Council resolution of 9 March 2020 and specifically addresses Council's concerns regarding the draft CCLEP and draft CCDCP i.e.:

- retention of the 550m<sup>2</sup> minimum lot size on land zoned R2 Low Density Residential in the former Gosford Local Government Area (LGA); and
- retention of the current controls for the 'Deferred Matters' lands in response to community concerns until such time as an Environmental Lands Review has been conducted.

##### **Financial Considerations**

At its meeting held 19 October 2020, Council resolved the following:

#### **4.1 Draft Central Coast Local Environmental Plan and Draft Central Coast Development Control Plan - Supplementary Report (contd)**

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1036/20 *That any motions put before Council for the remainder of this term of Council that have financial implications require the Chief Executive Officer to provide a report on how those additional costs will be met.*

The following statement is provided in response to this resolution of Council.

The adoption of the CCLEP and CCDCP will not commit any finances from Council and will lead to consistency and certainty of planning controls for the Central Coast as well as organisational efficiencies.

#### **Link to Community Strategic Plan "One – Central Coast" (CSP)**

The CSP defines the community's vision and roadmap for the future. The plan, prepared with extensive community input, establishes themes and focus areas which set key directions and priorities for the sustainable growth of the Central Coast. The draft CCLEP and CCDCP support the themes of the CSP.

Theme 3: Green

#### **Goal E: Environmental resources for the future**

G-F1: Protect our rich environmental heritage by conserving beaches, waterways, bushland, wildlife corridors and inland areas, and the diversity of local native species.

Theme 4: Responsible

#### **Goal G: Good governance and great partnerships**

R-I4: Provide a range of housing options to meet the diverse and changing needs of the community and there is adequate affordable housing.

Theme 4: Responsible

#### **Goal G: Good governance and great partnerships**

R-I1: Preserve local character and protect our heritage and rural areas including concentration of development along transport corridors and around town centres and east of the M1.

#### **Risk Management**

The draft CCLEP and CCDCP consolidation will assist in removing complexity in lodging and assessing applications for development across the Central Coast LGA and will simplify the planning process for staff, the development industry and the community.

#### **Critical Dates or Timeframes**

#### **4.1 Draft Central Coast Local Environmental Plan and Draft Central Coast Development Control Plan - Supplementary Report (contd)**

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The current Gateway Approval from DPIE indicates that Council is required to complete this Planning Proposal by 26 February 2021 and Council is required to inform DPIE by December 2020 if this timeframe cannot be met. As per the provisions of the EP&A Act, DPIE may take action to make the draft CCLEP immediately if meaningful progress is not being made.

#### **Conclusion**

The process of consolidating Council's environmental planning instruments and development control plans commenced soon after the amalgamation of the former Wyong Shire and Gosford City Council in 2016 and is a critical stage in delivering a Comprehensive LEP. Over a four-year period, there has been extensive public, agency and Council consultation. The recommended deferral of items identified in Attachment 2 is an acknowledgement that additional work and studies are required (in a sequenced manner as per the Comprehensive 'road map') to ensure that impacts have been adequately considered on an evidence-basis before appropriate policy settings are recommended. This is also appropriate to meld into the Interim LSPS process and anticipated review of the Central Coast Regional Plan as part of a broader program of work which is underway either by Council or the NSW Government.

#### **Attachments - Provided Under Separate Cover (Link)**

<b>1</b>	CCLEP and CCDCP Council Report 9 March 2019	D13750345
<b>2</b>	CCLEP and CCDCP Council Report 9 December 2019	D13711205
<b>3</b>	CCLEP and CCDCP Agency Consultation Submission Summary and Responses	D14385084
<b>4</b>	CCLEP and CCDCP Public Exhibition Summary and Responses	D14385088
<b>5</b>	CCLEP and CCDCP Summary of Proposed Amendments (post-exhibition)	D14385678
<b>6</b>	CCLEP and CCDCP Background Information, Strategic Assessment and Roadmap for the Central Coast Comprehensive LEP/DCP Project	D14385679
<b>7</b>	CCLEP and CCDCP Council Resolutions, Responses and Actions	D14385676



**Item No:** 4.2  
**Title:** Coastal Zone Management Plan and Emergency Action Sub Plan  
**Department:** Environment and Planning

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14 December 2020 Ordinary Council Meeting

Reference: F2020/00037 - D14187400  
Author: Ben Fullagar, Section Manager, Coastal Protection  
Manager: Luke Sulkowski, Unit Manager, Environmental Management  
Executive: Scott Cox, Director Environment and Planning

### **Report purpose**

To provide information to Council in response to resolutions from its Ordinary Meeting of 20 July 2020 for item 'Update: Wamberal and North Entrance'.

### **Executive Summary**

The responsibilities for NSW Government agencies and other organisations during emergencies are guided by the *State Emergency and Rescue Management Act 1989*, The State Emergency Plan 2018, the NSW Recovery Plan 2016 and the Local Emergency Management Plan. The SERM Act outlines roles and responsibilities for all emergency management in New South Wales.

The NSW State Emergency Service (NSW SES) is the designated combat agency for management of floods, tsunami and storms, including severe storms which cause coastal erosion. The NSW SES prepares the State Storm Plan, State Flood Plan and State Tsunami Plan, which are subplans to the EMPLAN. The Emergency Operations Controller (EOCON) has responsibility for operations where no specific combat agency is nominated.

Under the *Coastal Management Act 2016*, Council is progressively working on developing new Coastal Management Programs (CMPs) for the Central Coast in accordance with the steps outlined in the NSW Coastal Management Manual. These CMP's will replace Council's existing Coastal Zone Management Plans (CZMPs). CMPs are prepared through a five staged process. These are currently underway for the Hawkesbury – Nepean Estuary (including Broken Bay and Brisbane Water), the Open Coast and Coastal Lagoons areas and the Tuggerah Lakes Estuary. Community consultation and engagement is to be undertaken as the plans are developed. The partner Councils including Central Coast Council have endorsed the Hawkesbury - Nepean CMP Scoping Study with a forward program that includes an estimated completion date of late 2022. The Stage 1 Scoping Studies for the Open Coast and Coastal Lagoons and the Tuggerah Lakes Estuary Coastal Management Programs are currently under development and are due for completion in late 2020. This will identify the scope and forward program for development of these two CMPs with staff currently developing strategies to be completed by the end of 2021 when existing CZMPs will no longer remain in force.

### Environment and Planning Recommendation

*That Council note the report on the Coastal Zone Management Plans and Emergency Action Sub Plan for Wamberal - Terrigal Beach.*

### Background

At its ordinary meeting on 20 July 2020, Council resolved:

- 674/20 *That Council acknowledge the distress of residents currently impacted by the severe weather experienced over the past week resulting in severe erosion along the coastline, in particular, Wamberal and North Entrance beaches.*
- 675/20 *That Council note a community meeting was held yesterday with Wamberal residents who are currently directly impacted by the local emergency.*
- 676/20 *That Council, together with the relevant agencies, will be holding an information session with affected residents of the North Entrance on Tuesday.*
- 677/20 *That Council acknowledge the event has been declared a local emergency and as such NSW Police, as the Local Emergency Operations Controller (LEOCON), is leading in the coordination efforts of State Emergency Services, Council and other government agencies responding to the local emergency. The work on the ground is a collaborative approach from all government agencies involved in the local emergency response efforts, particularly:*
- *NSW State Emergency Service;*
  - *Department of Public Works,*
  - *Department of Family and Community Services;*
  - *NSW Fire and Rescue;*
  - *Council staff;*
  - *and other key emergency services*
- 678/20 *That Council continue to liaise with emergency service agencies to provide assistance to Wamberal and North Entrance residents affected.*
- 679/20 *That Council will not take regulatory action in respect of any coastal protection works carried out at Wamberal and The Entrance North, as part of this current emergency response phase in the next four weeks, by a person which has been designed and approved by a qualified coastal engineer and certified as not likely to have a significant adverse impact on other land, and which are not more than is reasonably required for protection of the person's property.*

*The Council is not thereby approving such work as it is not the consent authority and not representing that such works will be effective to protect the subject property or not adversely affect other properties.*

- 680/20 *That Council note that any such works will be carried out at the expense of affected residents.*
- 681/20 *That Council request a full list of regulatory responsibilities of each of the government agencies involved in the response efforts.*
- 682/20 *That Council call on the NSW Government to declare a natural disaster for the Central Coast that would mean residents who have been impacted by the recent event can seek assistance and support to recover. Funding would also be made available to Council to repair infrastructure impacted by the storms.*
- 683/20 *That Council call for a meeting with the NSW Premier, Minister for Planning, Minister for the Environment, NSW Coastal Council, relevant State Members of Parliament, NSW Police, NSW State Emergency Services, Central Coast Council Chief Executive Officer, relevant Council staff, Mayor and interested Councillors to fast track and resolve agreed actions.*
- 684/20 *That Council request that the NSW Government provide an update on the Wamberal Beach Management Options: Cost Benefit and Distribution Analysis Report finalised August 2017, including fast tracking the recommendations of that report.*
- 685/20 *That Council requests Council staff provide a status on the Coastal Management Program required under the Coastal Zone Management Plan, including what actions Council staff are currently implementing under the Emergency Action Sub Plan.*
- 686/20 *That Council produce a factsheet for the public on the recovery efforts and make available on council website and social media outlets.*

This report addresses resolutions 681/20, 682/20, 684/20, 685/20 and 686/20.

**681/20      *That Council request a full list of regulatory responsibilities of each of the government agencies involved in the response efforts.***

The responsibilities for NSW Government agencies and other organisations during emergencies are guided by *the State Emergency and Rescue Management Act 1989 (SERM ACT)*, The State Emergency Plan 2018, the NSW Recovery Plan 2016 and the Local Emergency Management Plan. The *SERM Act* outlines roles and responsibilities for all emergency management in New South Wales. The Act specifies:

## **4.2 Coastal Zone Management Plan and Emergency Action Sub Plan (contd)**

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- that emergency management committees are established at the state, regional and local levels
- that emergency management plans (EMPLANs) are prepared and reviewed at the state, regional and local level
- arrangements for controlling emergency operations, and
- responsibilities of emergency operations controllers.

Arrangements established by the *SERM Act* are explained in Emergency Management Arrangements for NSW (NSW Government 2016a) and on the NSW Emergency [website](#).

The NSW State Emergency Management Plan 2018 (EMPLAN) (NSW Government 2018) describes the NSW approach to emergency management, the governance and coordination arrangements, and roles and responsibilities of agencies. The plan is supported by hazard specific subplans and functional area supporting plans.

Consistent with the *SERM Act*, the objectives of the EMPLAN are to:

- a) provide clarity as to command and control, roles and coordination of functions in emergency management across all levels
- b) emphasise risk management across the full spectrum of prevention, preparation, response and recovery
- c) emphasise community engagement in the development and exercise of plans as well as in their operational employment
- d) ensure that the capability and resourcing requirements of these responsibilities are understood.

The NSW State Emergency Service (NSW SES) is the designated combat agency for management of floods, tsunami and storms, including severe storms which cause coastal erosion. The NSW SES prepares the State Storm Plan, State Flood Plan and State Tsunami Plan, which are subplans to the EMPLAN. The Emergency Operations Controller (EOCON) has responsibility for operations where no specific combat agency is nominated.

(Source: [Guideline for preparing a coastal zone emergency action subplan](#), NSW Government 2019).

Multiple NSW Government agencies and Central Coast Council have defined and legislated responsibilities during the response to the coastal erosion events such as those that occurred on the Central Coast during July 2020.

The responsibilities of each agency relevant to the coastal erosion events include:

### *NSW Police*

- Appointed Local Emergency Operations Controller (LEOCON)
- Powers to take safety measures including closure of roads and places
- Destruction/shoring up of premises
- Shutting off/disconnection of gas and/or electricity

### *NSW State Emergency Service (SES)*

- To act as the combat agency for damage control for storms and to co-ordinate the evacuation and welfare of affected communities
- SES use the release of a "Severe Weather Warning for Damaging Surf" or "Severe Weather Warning for Storm Tides" from the Bureau of Meteorology as a primary test of whether or not they should be involved in a potential coastal erosion event.

### *Department of Communities and Justice – During emergency services*

- Provision of key welfare services to meet the immediate needs of disaster affected people
- Key welfare services may include: immediate financial assistance, emergency accommodation, catering, material aid, personal support, multi-faith chaplaincy and disaster relief grants.

### *Fire and Rescue NSW*

- During flood and storm provide assistance to the NSW State Emergency Service (SES).
- Assist the SES with the evacuation of at-risk communities

### *Environmental Protection Authority*

- Protect the environment during emergency response and recovery operations
- Provide advice on environmentally sound and lawful practices for the disposal of wasters or contaminated materials resulting from an emergency.

### *Public Works*

- Direct the State's engineering resources to emergency response operations
- Co-ordinate the supply of goods and service in response

### *Central Coast Council*

- Council provided resources to support the LEOCON.
- Council activated the Local Emergency Operations Centre at Kariong to allow agencies to take critical actions to manage the immediate safety risks at Wamberal and North Entrance.
- Council provided support to the State Emergency Services (SES) during the response phase.
- Council followed the LEOCON's direction for recovery operations, coordinating the Local Recovery Committee.

The specific requirements of Council in response to a Coastal Erosion Event at Wamberal are detailed within the Coastal Erosion Emergency Action Sub-plan for Wamberal and Terrigal. These actions are presented in response to resolution 685/20 of this report. It is important to note that these are considered by Council staff in response to an event despite any emergency declaration, opening of the Emergency Operations Centre by the lead agency (NSW SES), or directions issued upon Council by the LEOCON under the *SERM Act*.

Attachment 1 of this report provides more detail of responsibilities for each organisation.

**682/20** *That Council call on the NSW Government to declare a natural disaster for the Central Coast that would mean residents who have been impacted by the recent event can seek assistance and support to recover. Funding would also be made available to Council to repair infrastructure impacted by the storms.*

Central Coast Council is required to advise Resilience NSW of any damage that has occurred to Essential Public Assets and preliminary cost estimates as soon as possible after a storm event. Following the coastal erosion event at Wamberal beach and North Entrance beach from the 16 July 2020 onwards, Council submitted the required Natural Disaster Assessment Form on 30 July 2020 to Resilience NSW for consideration of natural disaster declaration under the Disaster Recovery Funding Arrangements.

On 12 October 2020, Resilience NSW advised that there is no natural disaster declaration for the Central Coast and that it was assessed as ineligible for reimbursement under the Disaster Recovery Funding Arrangements (DRFA). A natural disaster declaration for the event dated from 25 July was extended to the Central Coast, due to damage to public road assets meeting the required cost impact threshold, but this was not related to the coastal erosion event dated from 16 July and the impacts to Wamberal and The Entrance North beaches.

**684/20** *That Council request that the NSW Government provide an update on the Wamberal Beach Management Options: Cost Benefit and Distribution Analysis Report finalised August 2017, including fast tracking the recommendations of that report.*

The Wamberal Beach Management Options: Cost Benefit and Distribution Analysis Report 2017 was prepared for the then Office of Environment and Heritage (OEH). This report provided a preliminary cost benefit analysis (CBA) for the eight options identified in the Gosford Beaches Coastal Zone Management Plan (CZMP) for Wamberal Beach. The 2017 report does not include recommendations that are able to be reported on by the NSW Government.

The OEH CBA considered the economic merits of the different protection and management scenarios that are identified in the Gosford Beaches CZMP compared to the 'business as usual' or 'base case'. The work undertaken for the 2017 report was an initial step to inform preliminary considerations around potential cost sharing arrangements and associated funding models to implement protection works. None of the eight options considered in

2017 had been progressed to either a fully developed concept or detailed design stage. Detailed costings were not available to inform the economic modelling completed for the study. Further, some value assumptions applied to the study have changed, partly since approaches in the field of coastal economic assessment and modelling have advanced considerably since 2017.

In order to provide a more robust, complete and contemporary understanding of the options to address coastal erosion at Wamberal Beach, in 2020 Council engaged consultants to undertake a coastal management study for Wamberal Beach. This will be completed by the NSW Government's Manly Hydraulics Laboratory (MHL) working with the Water Research Laboratory of the University of New South Wales and the Balmoral Group Australia, an engineering and economic consulting firm. The study will provide up-to-date options to more sustainably manage the erosion threat over the longer term, in the context of contemporary understanding of coastal dynamics, comprehensive cost benefit analysis for each of the Wamberal Beach options will be completed through the 2020 study, along with preparation of concept designs and community consultation.

**685/20 That Council requests Council staff provide a status on the Coastal Management Program required under the Coastal Zone Management Plan, including what actions Council staff are currently implementing under the Emergency Action Sub Plan.**

Under the Coastal Management Act 2016, Council is progressively working on developing new Coastal Management Programs (CMPs) for the Central Coast in accordance with the steps outlined in the NSW Coastal Management Manual. These CMP's will replace Council's existing Coastal Zone Management Plans (CZMPs). The existing CZMP's are:

- Tuggerah Lakes Estuary Management Plan (EMP) (Certified 2006);
- Wyong Coastal Zone Management Plan (CZMP) (2011);
- Gosford Lagoons CZMP (2015);
- Gosford Beaches CZMP (2017) (Certified 2017);
- Brisbane Water CZMP (2012);
- Pearl Beach Lagoon CZMP (2014) (Certified 2018).

Central Coast Council staff also support the implementation of actions in the following plans:

- Lake Macquarie CZMP (2015);
- Lower Hawkesbury EMP (2009).

CMPs are prepared through a five staged process. These are currently underway for the following areas with community consultation and engagement to be undertaken as the plans are developed:

- Hawkesbury – Nepean - Coastal Management Program (including Brisbane Water Estuary) (Stage 1 Scoping Study complete)

## **4.2 Coastal Zone Management Plan and Emergency Action Sub Plan (contd)**

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- Open Coast and Coastal Lagoons – Coastal Management Program (Stage 1 Scoping Study underway)
- Tuggerah Lakes Estuary – Coastal Management Program (Stage 1 Scoping Study underway)

The Hawkesbury – Nepean - Coastal Management Program is being delivered by a number of partner Councils with Hornby Shire Council acting as the lead Council for the project. The management area includes the Broken Bay beaches and the Brisbane Water estuary. The partner Councils have endorsed the Scoping Study with a forward program that includes an estimated completion date of late 2022.

The Scoping Studies for the Open Coast and Coastal Lagoons and the Tuggerah Lakes Estuary Coastal Management Programs are currently under development and are due for completion in late 2020. This will identify the scope and forward program for development of these two CMPs with staff currently looking at options to complete by the end of 2021 where possible.

Council's progress with the CMPs is consistent with other coastal councils in NSW. To date the CMP for Stockton Beach by Newcastle City Council and the CMP for the Lake Illawarra by Wollongong and Shellharbour Councils are the only CMPs that have been certified in NSW.

The Open Coast and Coastal Lagoons CMP will supersede the existing Gosford Beaches Coastal Zone Management Plan (CZMP) that applies to beaches between Patonga and Forrester's Beach. CZMPs were prepared under previous legislation and guidelines.

Certified CZMPs will cease to have effect from 31 December 2021 with only certified CMPs being recognised from that time. There is however no requirement for councils to complete CMPs by 2021.

For Wamberal and Terrigal beaches, the current Gosford Beaches CZMP includes twenty-six management actions. Examples of actions being progressed or completed by Council include:

- Monitoring of the performance of existing seawalls at The Haven and Terrigal including through annual stability surveys, six-monthly beach profile and sand volume surveys, photo-monitoring and bi-annual LiDAR (Light Detection and Ranging) surveys. (Ongoing – results reported to Advisory Committee)
- Council has undertaken pre and post storm photo monitoring of the beaches in using drones and supported by LiDAR. (Ongoing)
- Removal of old seawall structure at the southern end of Terrigal Beach in 2018. (Complete)
- Bush regeneration works including weeding and fencing has been undertaken at 'The Ruins', at Ocean View Drive Reserve and on the southern side of Wamberal Lagoon. (Ongoing)

## 4.2 Coastal Zone Management Plan and Emergency Action Sub Plan (contd)

- A review of the entrance management guidelines for the mechanical opening of Terrigal Lagoon have been completed as part of the Gosford Lagoon and Creek Entrance Management Review. (Complete)
- The Gosford Development Control Plan (DCP) 2013 incorporates floor level heights for new development applications. (Complete – existing DCP provides for this)
- Sand scraping and the management of lagoon openings has continued to maintain public access along the southern end of Pacific Street, Terrigal, reducing the need to acquire an area of private land to provide public access.
- Council commenced working with the NSW Government in May 2020 to undertake a coastal engineering and economics study for the coastal erosion issues at Wamberal Beach. The NSW Government established the Wamberal Seawall Advisory Taskforce following the coastal emergency of July 2020 to help Central Coast Council develop a long-term solution to manage beach erosion at Wamberal.

The Gosford Beaches CZMP includes the Coastal Erosion Emergency Action Subplan for Wamberal-Terrigal Beach as Appendix 2. The CZMP and Subplan were prepared under the former *Coastal Protection Act 1979* that has been repealed and replaced by the *Coastal Management Act 2016*. Under the Coastal Management Act the certified Gosford Beaches CZMP continues to have effect until the end of 2021. Council is currently underway preparing the new Coastal Management Programs to replace the existing Coastal Zone Management Plans.

The *Coastal Management Act 2016* outlines that:

1. A coastal management program must:
  - (e) if the local council's local government area contains land within the **coastal vulnerability** area and beach erosion, coastal inundation or cliff instability is occurring on that land, include a coastal zone emergency action subplan.

Currently the State Environmental Planning Policy (Coastal Management) 2018 (SEPP) does not include any mapped coastal vulnerability areas. The NSW Government has provided guidance to Councils for the identification of coastal vulnerability areas during the development of the Coastal Management Programs and ultimately a Planning Proposal should Council propose to amend the mapped areas under the SEPP.

Both the former *Coastal Protection Act* and current *Coastal Management Act* outline that Coastal Zone Management Plans/Coastal Management Programs including the Emergency Action Subplans must not contain "matters dealt with in any plan made under the *State Emergency and Rescue Management Act 1989* in relation to the response to emergencies". This is to avoid any duplication or confusion with regard to emergency planning and response.

## 4.2 Coastal Zone Management Plan and Emergency Action Sub Plan (contd)

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Therefore, the Emergency Action Subplan for Wamberal-Terrigal is separate to the NSW EMPLAN and Storm Subplan and contains actions for Council to undertake coastal monitoring, communication and activities to maintain the public areas for the safety of the community.

The actions to be undertaken by Council in The Coastal Erosion Emergency Action Subplan for Wamberal-Terrigal Beach fall within three categories. With the categories and specific actions for Council listed below:

- *Pre-storm actions which include:*
  - Information about the intended emergency response identified in the subplan is available on Council's website.
  - A communication strategy to advise the community of an impending coastal erosion emergency was prepared for the recent Wamberal emergency. This was in addition to information about emergency readiness that is promoted on Council's website, social media and advertisements on buses.
  - Current contact details are maintained for Council and non-Council personnel who are involved in co-ordinating actions under the subplan
  - Monitoring weather and wave condition forecasts as well as beach erosion is done via cameras at Wamberal and Terrigal Lagoons, daily inspections by staff, lagoon water level monitoring and monitoring of forecasts issued by the Bureau of Meteorology.
  - Warning signage, barriers and para-webbing are carried by beach teams with additional stock being kept at Council's depots.
  - Council's Emergency Management staff maintain communication with State Emergency Service (SES) and other relevant agencies.
  
- *Actions during a storm include:*
  - Council monitors environmental conditions and beach behavior including sand movement occurs via cameras at Terrigal and Wamberal Lagoons, established photo-monitoring points and regular drone surveillance.
  - Daily inspections assess the need for barriers and safety signage as well for closing beaches or beach accesses.
  - Daily inspections assess the need to remove beach fencing, signage and bins where they are threatened by coastal erosion.
  - Obtaining coastal engineering and geotechnical advice for public assets. (Noting that during this emergency at Wamberal and The Entrance) this was undertaken by NSW Engineering Services under the EMPLAN for the private and public properties at risk).
  - Council provided direct assistance to the Local Emergency Operations Controller and the Incident Management Team the emergency at Wamberal

## **4.2 Coastal Zone Management Plan and Emergency Action Sub Plan (contd)**

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- Regular communication was provided to the community via media briefings, media releases, a dedicated website which was regularly updated, preparation of FAQs and social media posts.
- *Post storm actions*
  - Access to affected areas of Wamberal-Terrigal Beach was controlled with the use of barriers and signage for community safety.
  - Regular communication was provided to the community via media briefings, media releases, a dedicated website which was regularly updated, preparation of FAQs and social media posts.
  - Debris was removed from the beach following the completion of temporary emergency toe protection works. The beach cleaning program continues where possible.
  - Repairs to beach fencing and dunes will occur progressively at appropriate locations
  - Monitoring environmental conditions and beach behavior including sand movement occurs via cameras at Terrigal and Wamberal Lagoons, established photo-monitoring points and regular drone surveillance will continue.

**686/20 That Council produce a factsheet for the public on the recovery efforts and make available on council website and social media outlets.**

A dedicated Council webpage for the Coastal Emergency and Recovery was established including Frequently Asked Questions (FAQ's) for both The Entrance North and Wamberal. In addition, social media posts were regularly provided to update the community.

### **Consultation**

No external consultation was required in the development of this report.

### **Financial Considerations**

At its meeting held 19 October 2020, Council resolved the following:

- 1036/20 That any motions put before Council for the remainder of this term of Council that have financial implications require the Chief Executive Officer to provide a report on how those additional costs will be met.*

The following statement is provided in response to this resolution of Council.

The report is provided as an update of information for Council in response to their previous resolutions. There are no financial implications arising from the recommendations of this report.

**Link to Community Strategic Plan**

Theme 3: Green

**Goal F: Cherished and protected natural beauty**

F1: Protect our rich environmental heritage by conserving beaches, waterways, bushland, wildlife corridors and inland areas, and the diversity of local native species.

**Risk Management**

There are no identified risks arising from the recommendations of this report.

**Options**

No other options have been provided in relation to this report with the intent of the report to provide information to Council in response to their prior resolutions.

**Critical Dates or Timeframes**

There are no critical dates or timeframes arising from the recommendations of this report.

**Attachments**

- 1 Roles and Responsibilities Emergency Management D14267173

**Roles and Responsibilities Emergency Management**

**1. Central Coast Council**

*State Emergency and Rescue Management (SERM) Act 1989: Part 2 Division 3 Section 32 and the Local Emergency Management Plan (EMPLAN)*

- Councils to provide executive support for Local Emergency Management Committee and Operations Controller
  - (1) A council is to provide executive support facilities for the Local Emergency Management Committee and the Local Emergency Operations Controller in its area.

**NSW State EMPLAN 2018**

- Council is required to provide executive support for the LEMC and the LEOCON in its area. These officers are termed Local Emergency Management Officers.
- Given the principle that emergency management and risk management should be conducted at the lowest effective level, Local Government has a key role across the PPRR spectrum. The Office of Local Government is a member of the SEMC.
- Local government roles include:
  - convening Local Emergency Management Committees and Recovery Committees
  - working with State agencies to identify and prioritise risk mitigation options
  - undertaking an all-hazards approach to emergency risk management
  - working with insurers to minimise disaster risk exposure.
- Recognising that Local Councils have many other tasks to perform, State agencies support Councils with resources, personnel and advice.

**NSW Recovery Plan 2016**

Local Council

- Local Council plays a key role in managing local recovery, providing services and assistance to the community and advice to State Government.
- Local Council chairs the Local Recovery Committee, when a Recovery Coordinator is not appointed.
- Local Council provides Executive Support to the Local or Regional Recovery Committee.

- Local Council provides the Recovery Centre Manager and Administrative Support to the Recovery Centre, where established.
- Local Council provides expertise and local knowledge to inform the Local Recovery Committee.

**Recovery Coordination Team**

- The Recovery Coordination Team coordinates the recovery operations of the State Government and provides advice, support, guidance and resources to assist the efforts of the Local Recovery Committee and the Local Council. This includes facilitating the establishment of the Recovery Centre and/or Mobile Recovery Services.
- The SERCON directs the establishment of a Recovery Coordination Team in the affected region. This may be co-located with the Local Council or in another appropriate location.

**Recovery Process**Low Severity Event

- Recovery operations are locally led by the affected Local Council and relevant local agencies.

Medium Severity Event

- The affected Local Council requires assistance from the State to provide resourcing, support and advice regarding recovery operations.
- The transition from formal recovery structures is staged and conducted in consultation with the Local Council and Local Recovery Committee and in conjunction with an appropriate communications strategy.
- Where events require additional State support to the ongoing recovery process, this is formalised through the establishment of a Memorandum of Understanding (MOU) between the State Government and the Local Council(s). The MOU will outline:
  - Any ongoing funding agreements;
  - Roles and responsibilities in relation to ongoing recovery funding;
  - Timeframes and milestones;
  - Reporting requirements; and
  - Ongoing State Government engagement and consultation.

**2. NSW Police Force or Directing Officer**

*Ref SERM Act 1989*

- Definitions used:

'Danger area' means the area specified by a directing officer as the area in which an emergency is causing or threatening to cause injury or death.

Directing officer means:

- the Minister, or
  - the State Emergency Operations Controller, or
  - a police officer of or above the rank of sergeant, or
  - a police officer of a class prescribed by the regulations for the purpose of this definition.
- 
- Section 61 - Power to take other safety measures.  
Briefly these powers are:-
    - (a) closure of roads
    - (b) closure of places
    - (c) destruction/shoring up of premises
    - (d) shutting of supply of substances
    - (e) shutting off/disconnection of gas and/or electricity
    - (f) taking possession/removal/destruction of any material or thing - dangerous or interfere with operation
  - The exercise of these powers directing officer is subject to very stringent conditions and are as follows:
    - the powers only apply in danger area/s or any part of a danger area,
    - appropriate consultation, wherever practicable, and consideration should be given to environmental, heritage, cultural and historical conservation concerns prior to the exercise of these powers. These agencies may be accessed through the appropriate functional area co-ordinator or the local council. (See paragraph 31).
    - shutting off any supply should only occur to single premises and in consultation with the occupier and/or supply authority.

**3. NSW State Emergency Service**

*Ref: NSW State Emergency Services Act 1989*

Functions of Service

(1) The State Emergency Service has the following functions:

*(aa) to protect persons from dangers to their safety and health, and to protect property from destruction or damage, arising from floods, storms and tsunamis,*

*(a) to act as the combat agency for dealing with floods (including the establishment of flood warning systems) and to co-ordinate the evacuation and welfare of affected communities,*

*(b) to act as the combat agency for damage control for storms and to co-ordinate the evacuation and welfare of affected communities,*

*(c) to act as the combat agency for dealing with tsunamis and to co-ordinate the evacuation and welfare of affected communities,*

*(d) as directed by the State Emergency Operations Controller, to deal with an emergency where no other agency has lawful authority to assume command of the emergency operation,*

*(e) to carry out, by accredited SES units, rescue operations allocated by the State Rescue Board,*

*(f) to assist the State Emergency Operations Controller to carry out emergency management functions relating to the prevention of, preparation for and response to, and to assist the State Emergency Recovery Controller to carry out emergency management functions relating to the recovery from, emergencies in accordance with the State Emergency and Rescue Management Act 1989,*

*(g) to assist, at their request, members of the NSW Police Force, Fire and Rescue NSW, the NSW Rural Fire Service or the Ambulance Service of NSW in dealing with any incident or emergency,*

*(h) to maintain effective liaison with all emergency services organisations,*

*(i) to carry out such other functions as may be assigned to it by or under this or any other Act, or by the State Emergency Operations Controller or the Minister.*

*(2) The functions of the State Emergency Service are to be exercised in accordance with the State Emergency and Rescue Management Act 1989 and, in particular, with the requirements under*

*the State Emergency Management Plan or any state of emergency under that Act.*

#### **4. Department of Communities and Justice (formerly Dept of Community Services)**

*Ref: NSW Welfare Services Functional Area Supporting Plan 2018*

During emergency operations, provide welfare services to disaster affected people. Inclusion of the NSW Department of Justice Disaster Welfare Services Unit and five Community Partner Agencies which are Australian Red Cross, The Salvation Army, Adventist Development and Relief Agency (ADRA), Anglicare, and Uniting Church in Australia.

##### Role of Welfare Services Functional Area

- The role of the WSFA is outlined in EMPLAN and detailed in this Plan. The role includes the provision of Key Welfare Services to meet the immediate needs of disaster affected people (children, adults, and/or families) and the provision of Disaster Relief Grants for eligible applicants.
- The WSFA is coordinated at the State level by OEM DWS. Coordination and delivery of disaster welfare services at District and Local level is the responsibility of FACS. The delivery of welfare services occurs with the assistance of non-government organisations.
- The Key Welfare Services that are delivered by the WSFA are:
  - a) Immediate financial assistance – The provision of immediate financial assistance to disaster affected people who are without, or who cannot access the financial resources to assist themselves to meet their immediate needs of food, clothing and shelter. Immediate financial assistance is provided when in-kind services are not available or appropriate. Coordinator – Family and Community Services (FACS)
  - b) Emergency accommodation - The provision of emergency accommodation services (through commercial accommodation providers) to disaster affected people and to WSFA agency members. Coordinator – Adventist Development and Relief Agency (ADRA)
  - c) Catering - The provision of emergency catering to disaster affected people and WSFA agency members. Coordinator – The Salvation Army
  - d) Material aid – The sourcing, assembly and distribution of material aid supplies when requested by the WelFAC. This includes basic clothing, towels, nappies and personal items. FACS will resource the purchase of Material Aid. Coordinator - ANGLICARE
  - e) Personal support - The provision of personal support to disaster affected people. Coordinator – The Australian Red Cross (NSW)

- f) Multi-faith Chaplaincy – The provision of spiritual support and comfort to disaster affected people by the Disaster Recovery Chaplaincy Network (DRCN). Coordinator – The Uniting Church in Australia
- g) Disaster Relief Grants – The provision of financial assistance to eligible people affected by natural disasters, as a contribution towards essential household items and structural repairs. Eligibility criteria include low income and assets, no insurance, and the affected property being the applicant's primary place of residence. Coordinator – Office of Emergency Management (Disaster Welfare Services Branch).

## **5. Fire & Rescue NSW**

*Ref: 2010 State DISPLAN*

Fire and Rescue NSW is responsible for the following functions:

- a) in relation to Fire Districts, Fire and Rescue NSW is the designated Combat Agency for taking all practicable measures for preventing and extinguishing fires and protecting and saving life and property in case of fire in any fire district.
  - a. provide assistance to the NSW Rural Fire Service in accordance with Local Mutual Aid Agreement and Memorandum of Understanding.
- b) is the designated Combat Agency for hazardous materials incidents, marine oil spills and emergencies on all land and inland and coastal waterways in NSW, except State Waters, specifically for taking all practicable measures:
  - i. for protecting and saving life and property endangered by hazardous material incidents; and
  - ii. for confining or ending such an incident; and
  - iii. for rendering the site of such an incident safe.
  - iv. provide fire control services by:
    - dealing with outbreaks of fire and the rescue of persons in fire endangered areas;
    - taking such measures as may be practicable to prevent the outbreak of fires; and
    - on land and inland waterways, dealing with the escape of hazardous materials or a situation, which involves the imminent danger of such an escape.

- c) provide Primary and Secondary Accredited General Land Rescue Units as determined by the State Rescue Board.
- d) in accordance with Major Structure Collapse Sub Plan provide, control and deploy USAR Task Force(s) as directed by SEOCON or Deputy SEOCON.
- e) assist in any other response or recovery operations for which the Fire Brigades' training and equipment is suitable, for example, the provision of emergency water supplies and pumping equipment.
- f) during flood and storm provide assistance to the NSW State Emergency Service (NSW SES) in accordance with the Memorandum of Understanding between FRNSW and NSW SES.
- g) provide a liaison officer to the LEOC or Combat Agency Operations Centre as appropriate.
- h) inform the LEOCON of the existence of incidents.

## **6. Environmental Protection Authority**

*Ref: 2010 State DISPLAN*

The EPA is responsible for the following functions:

- a) protect the environment during emergency response and recovery operations.
- b) coordinate scientific support for the on-scene Controller during operations to combat pollution within New South Wales.
- c) advise and coordinate scientific and technical support to the Fire & Rescue NSW during land and inland water based hazardous materials emergency response operations.
- d) advise the Combat Agency, and other Functional Areas or Organisations involved in the emergency, on environmentally sound and lawful practices for the disposal of wastes or contaminated materials resulting from an emergency.
- e) direct and coordinate clean-up of hazardous materials which pose a threat to the environment.
- f) conduct post response operations investigations following incidents or emergencies involving hazardous materials.
- g) conduct assessment and provide advice, in consultation with the Health Services Functional Area, on mitigation and recovery from ongoing environmental impacts, particularly those that may have an adverse impact on public health or amenity.
- h) direct or coordinate, in consultation with the Engineering and Transport Services Functional Areas, disposal of hazardous materials that pose a threat to the environment.

- i) consider the impact of and, where necessary, amendment to administrative requirements, and consider waiving relevant levies to facilitate the timely and safe disposal of waste.

## **7. Public Works**

*Ref: 2010 State DISPLAN*

Department of Finance, Services & Innovation is responsible for the following functions:

- a) direct the State's engineering resources for emergency response operations.
- b) provide Engineering Services support to combat agencies and other functional areas or organisations involved in emergencies.
- c) coordinate the supply of goods and services in response to an emergency.
- d) coordinate the State's engineering resources for emergency recovery operations including:
  - i. establish recovery centre facilities as requested by the State Emergency
  - ii. Recovery Controller, including property procurement, lease management and fit-out;
  - iii. coordinate temporary repairs to public buildings and infrastructure;
  - iv. recommend priorities for reconstruction/recovery of public buildings and infrastructure;
  - v. coordinate, monitor and report on repair, reconstruction and relocation of public buildings and infrastructure; and coordinate maintenance of tarpaulins installed as part of emergency repairs coordinated by NSW SES.
- e) coordinate the clean-up assistance program with local government and the Welfare Services Functional Area.
- f) review Household Structural Repair Grants under the NSW Disaster Relief Scheme and manage the engineering aspects of these grants.
- g) provide specialist Engineers to support Urban Search and Rescue Task Forces.



**Item No:** 4.3  
**Title:** Activities of the Development Assessment & Environment and Certification Units - July to September 2020 - Quarter 1  
**Department:** Environment and Planning

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14 December 2020 Ordinary Council Meeting

Trim Reference: F2020/00039 - D13964376

Author: Sara Foster, Unit Manager Business Support and Systems

Executive: Scott Cox, Director Environment and Planning

### **Report Purpose**

To inform Council of development applications determined (in the period from 1 July to 30 September 2020) where there has been a variation in development standards under an Environmental Planning Instrument. This is a requirement under *Planning Circular PS 2-002 – ‘Variation to Development Standards’*. The report also provides a summary of development activity for the quarter.

### **Executive Summary**

The development activity report is a quarterly report to Council, highlighting development activity, statistics and trends for the Central Coast. The report also provides information regarding development applications determined where there has been a variation in standards in an Environmental Planning Instrument (as is required by *Planning Circular PS 2-002 – ‘Variation to Development Standards’*)

For the July to September 2020 quarter, 841 development applications were lodged, and a total of 718 development applications were determined. The estimated value of applications determined was \$262m. There were 17 development applications that required a variation to standard within an Environmental Planning Instrument.

Current median processing times for development applications is 36 days for the first quarter of 2020-21 (Net Calendar Days). Data held on the NSW ePlanning Portal reports the current state average for NSW Councils is 59 days. The total number of development applications outstanding at the end of the quarter was 619.

### **Environment and Planning Recommendation**

*That Council notes the report on Activities of the Development Assessment & Environment and Certification Units - July to September 2020 - Quarter 1.*

## **Background**

The *Central Coast Regional Plan 2036* (CCRP) provides the over-arching strategy for development for the Central Coast region. The CCRP forecast that approximately 41,500 new dwellings were required to accommodate the expected growth of over 75,500 people by 2036. In 2019 the Department of Planning Industry & Environment released updated population projections, adding another 14,350 persons, taking the growth for the 25-year period (2016–41) to just over 95,000 new residents. This is the equivalent of approximately 2,088 homes per year for the 25-year life of the plan.

Since the commencement of the CCRP in 2016, 11,293 additional dwellings have been approved; this is the equivalent of 2,258 dwelling approvals per year since the commencement of the plan. These dwellings include secondary dwellings, detached dwellings, dual-occupancies, seniors living, multi-dwelling housing and units within residential flat buildings.

## **Housing Approvals**

During the July to September 2020 quarter, a total of 718 development applications were determined. Of these applications:

- 698 were determined by Council staff under delegation (691 by approval)
- 20 were determined by another body, such as the Hunter Central Coast Regional Planning Panel or Central Coast Local Planning Panel (15 by approval)

Of these applications 170 resulted in the approval of new residential dwellings (including secondary dwellings, detached dwellings, dual-occupancies, seniors living, multi-dwelling housing and units within residential flat buildings) with 268 new individual dwellings approved in the July to September 2020 quarter. Further details of the determination pathways are included as Attachment 1 to the report.

## **Net Median Turnaround Times**

The net median turnaround time for all development applications (including s.4.55) determined by Council during the July to September 2020 Quarter was 36 calendar days.

## **Subdivision Lots Released**

The following lot releases have occurred in the July to September 2020 quarter:

<b>Type</b>	<b>Number of Lots Released</b>
Commercial/Industrial	11
Residential	221
<b>Total</b>	<b>232</b>

\*There were 5 lots effected by boundary realignments/consolidations

### 4.3 Activities of the Development Assessment & Environment and Certification Units - July to September 2020 - Quarter 1 (contd)

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#### Other Approvals and Certificates

Type	Number Determined	Number Approved
Building Information Certificates	52	51
Construction Certificates issued by Council	159	159
Complying Development Certificates issued by Council	33	33

#### Variations to Development Standards

Each quarter Councils are required to report to the Department of Planning & Environment, development applications that have been granted consent involving a variation to relevant development standards. The following consents were granted in the July to September 2020 period, which included a variation to a development standard within WLEP, GLEP, or IDO 122:

- 14 Development applications by Central Coast Staff
- 3 Development Applications by Local Planning Panel
- 0 development applications by Regional Planning Panel

A copy of the variation to development standard register for the July to September 2020 quarter is attached to the report.

#### Pre-lodgement Meetings

Council offers formal 'pre-lodgement' meetings for prospective applicants. For the July to September 2020 quarter 19 pre-lodgement meetings were held, with a total estimated development value of \$43.5 million.

#### Link to Community Strategic Plan

Theme 4: Responsible

#### Goal I: Balanced and sustainable development

I3: Ensure land use planning and development is sustainable and environmentally sound and considers the importance of local habitate, green corridors, energy efficiency and stormwater management.

#### Attachments

- |   |   |           |
|---|---|-----------|
| 1 | Development Activity - July to September 2020               | D14358393 |
| 2 | Development Standards Variations 1 July - 30 September 2020 | D14246620 |

**Development Activity for July to September Quarter****Development Applications Determined under delegation by Council Staff**

Type:	Number Determined	Number Approved	Estimated Value of Approved Development \$
Residential – Single new dwelling, Residential – New Second Occupancy, Residential – Alterations and Additions Residential – New Multi-Unit	448	444	\$94,554,109
Residential – Seniors Living, Residential Other	6	6	\$1,021,750
Commercial / Retail / Office / Tourist/ Community Facility	24	24	\$14,290,753
Industrial and Infrastructure	26	25	\$3,201,448
Subdivision only	13	13	\$2,455,000
Mixed	3	3	\$659,700
Other	38	37	\$1,817,138
Section 4.55	140	139	N/A
<b>Total</b>	<b>698</b>	<b>691</b>	<b>\$117,999,898</b>

**Development Applications received by Council but determined other than under staff delegations**

Determined by	Number Determined	Number Approved	Estimated Value of Approved Development
Local Planning Panel *	14	10	\$9,996,930
Regional Planning Panel *	4	3	\$26,991,746
Other (including LEC)	2	2	\$32,900
<b>Total</b>	<b>20</b>	<b>15</b>	<b>\$37,021,576</b>

\* For the July to September Quarter, all Development Applications determined by the Local & Regional Planning Panel were determined in accordance with staff recommendations.

### State Significant Development (SSD) Applications involving New Dwellings

There are a number of circumstances under which new dwellings may be approved, but for which Central Coast Council is not the assessing or determining authority. This includes State Significant Development Applications for which applications are made directly to the Department of Planning Industry & Environment and where either the Minister (or Ministers delegate) or the Independent Planning Commission are the consent authority.

There have been two recent concept approvals of note which have gained concept approval in the July to September quarter 2020. Although these are at concept approvals at this stage (and further applications will be required for subsequent/detailed stages), they are worth noting for their potential to deliver significant new dwelling offer to the region:

- The 'Gosford Alive' (Lederer) Proposal - this application relates to the redevelopment of properties at 136 – 146 and 148 Donnison Street Gosford including five towers ranging in height from 18 to 27 storeys (including podium). The proposed development is a mixed-use scheme with residential, commercial and retail uses, and proposes an estimated 727 dwellings (comprising a mix of 1, 2 and 3-bed apartments). The concept application was approved by the Independent Planning Commission on 25 September 2020; and
- The 'Central Coast Quarter' (St Hilliers) Proposal – this application related to development of properties at 26 and 32 Mann Street Gosford. This is a mixed-use development comprising hotel accommodation, residential and commercial land uses across three phases of the development. Estimated to include 295 dwellings (mix of 1, 2 and 3 bedroom apartments). The concept application was approved by the Independent Planning Commission on 24 August 2020.

### SSD Determined by the IPC within the July to September Quarter

State Significant Development Determined by IPC	Status	Value
The 'Gosford Alive' (Lederer) Proposal 136 – 146 and 148 Donnison Street, Gosford	SSD Concept and stage 1 demolition Determined by the IPC on 25 September	\$345m
The 'Central Coast Quarter' (St Hilliers) 26 and 32 Mann Street, Gosford	SSD Concept Determined by the IPC on 24 August	\$150m
Residential Flat Building – Affordable Housing	Part 4 Development Application Determined by the IPC on 15 July	\$10m
ET School Australia Imperial Centre Site, Gosford	SSD Determined by the IPC on 22 September	\$2.86m

## Determined by Council Staff

Council DA Reference #	Address	Category of development	Environmental planning instrument	Zoning of land	Development standard to be varied	Justification of variation	Extent of variation	Date DA determined	Determination Level
011.2018.000 55362.003	LOT: 37 DP: 15390, 370, Orange Grove RD, BLACKWALL, 2256	Other	GLEP 2014	R2 LOW DENSITY RESIDENTIAL	Clause 4.4 - Floor Space Ratio	The maximum permissible floor space ratio of 0.62:1 or a 24% variation. This variation was deemed reasonable because a significant part of the structure was located underground and the additional floor space did not impact on the overall size, scale and bulk of the development. The current proposal is entirely consistent with this reasoning and only includes an additional gross floor area of 11.8m2. increasing the floor space ratio to 0.648:1, a 29.6% variation. This additional floor area is located within the approved buildings footprint and is infill of an already approved terrace. The bulk and scale of the building will remain essentially unchanged.	29.6%	22/07/2020	Council Staff
011.2020.000 57995.002	LOT: 209 DP: 26647, 84, Copacabana DR, COPACABANA, 2251	Residential - New second occupancy	GLEP 2014	R2 LOW DENSITY RESIDENTIAL	Clause 4.3 - Height of Buildings	Slope of site means it would be difficult to meet standard and there will be no impact on amenity of neighbours The proposal has building heights generally less than 8.5m, apart from a small section of roof that has a building height of 8.975m.	Variation of 5.6% to the development standard	25/09/2020	Council Staff
011.2020.000 58051.001	Lot: A DP: 411273, 16, Ash ST, TERRIGAL, 2260	Residential - Single new dwelling	GLEP 2014	R1 GENERAL RESIDENTIAL	LEP Clause 4.3(2) Maximum	Height variation - Consistent with adjoining development given the R1 higher density zone, site area, shape and slope makes compliance with the numerical standard difficult. Floor Space Ratio variation - Consistent with adjoining development considering the higher density R1 zoning. Variation contained within basement garage.	1. Height Variation 9.6%. 2. Floor Space Ratio Variation 8%.	28/09/2020	Council Staff
011.2020.000 58074.001	LOT: 183 DP: 7524, 35, Heath RD, HARDYS BAY, 2257	Residential - Single new dwelling	GLEP 2014	R2 LOW DENSITY RESIDENTIAL	4.3 Height of Buildings	Slope of land	18.83%	01/09/2020	Council Staff

Council DA Reference #	Address	Category of development	Environmental planning instrument	Zoning of land	Development standard to be varied	Justification of variation	Extent of variation	Date DA determined	Determination Level
011.2020.000 58209.001	LOT: 2 DP: 20373, 56, Kurrayba AVE, TERRIGAL, 2260	Residential - Alterations & Additions	GLEP 2014	R2 LOW DENSITY RESIDENTIAL	Clause 4.3 Height of Buildings	Floor levels are established by the existing dwelling and the topography of the site is very steeply sloping.	24%	30/07/2020	Council Staff
011.2020.000 58216.001	LOT: 61 DP: 238335, 46, Hilltop RD, WAMBERAL, 2260	Residential - Alterations & Additions	GLEP 2014	R2 LOW DENSITY RESIDENTIAL	Clause 4.3 Height of Building	The reason for the variation is that the site is burdened by sloping topography and existing building levels that makes it more difficult to achieve a complying design within the current controls.	8.2%	19/08/2020	Council Staff
011.2020.000 58308.001	LOT: 743 DP: 30049, 13, Oceano ST, COPACABANA, 2251	Residential - Single new dwelling	GLEP 2014	R2 LOW DENSITY RESIDENTIAL	Clause 4.3 - Height of Buildings	The proposed extent of variation is minor and there will be no impact on the amenity of neighbours.	0.096	06/07/2020	Council Staff
011.2020.000 58311.001	LOT: 3 DP: 17934, 6, Melbourne ST, EAST GOSFORD, 2250	Residential - New multi unit	GLEP 2014	R1 GENERAL RESIDENTIAL	Floor Space Ratio (FSR) Cl. 4.4(2A)(c)	The proposal represents a minor departure of 34.32m <sup>2</sup> or 9% from the development standard and the additional GFA as a will not be readily perceptible externally, and will not unreasonably contribute to building bulk or result in adverse impacts on the neighbourhood streetscape or the amenity of surrounding properties.	Gross Floor area of 414.62m <sup>2</sup> resulting in a variation of 34.32m <sup>2</sup> or 9% to the FSR Dev standard.	23/09/2020	Council Staff

Council DA Reference #	Address	Category of development	Environmental planning instrument	Zoning of land	Development standard to be varied	Justification of variation	Extent of variation	Date DA determined	Determination Level
011.2020.000 58326.001	LOT: 135 DP: 10057, 26, Beach ST, ETTALONG BEACH, 2257	Residential - Single new dwelling	GLEP 2014	R1 GENERAL RESIDENTIAL	Clause 4.4 Floor Space Ratio	<p>Required floor space ratio is 0.5:1. Proposed floor space ratio is 0.55:1. This is a 10% variation. The proposal includes an additional garage with rear lane access. The additional floor space entailed with the rear garage is part of a considered design response to allow secured off street parking.</p> <p>The additional floor area can be attributed to the single storey rear garage. The garage is not visible from the street, does not effect size, scale and bulk, solar access or privacy. The rear garage also provides additional off street parking and storage. The proposed development is not considered to have a significant impact on the surrounding built environment or the amenity of adjoining premises and is supported for approval.</p>	Required FSR is 0.5:1. Proposed FSR is 0.55:1. This is a 10% variation.	02/07/2020	Council Staff
011.2020.000 58659.001	LOT: 105 DP: 9359, 147, Avoca DR, AVOCA BEACH, 2251	Residential - Single new dwelling	GLEP 2014	R1 GENERAL RESIDENTIAL	Clause 4.3 - height of buildings	Due to Coastal processes there is a minimum Floor level set for the building which elevated from existing ground levels.	0.073	23/09/2020	Council Staff

Council DA Reference #	Address	Category of development	Environmental planning instrument	Zoning of land	Development standard to be varied	Justification of variation	Extent of variation	Date DA determined	Determination Level
011.2020.000 58697.001	LOT: 3 DP: 377789, 14, Springwood ST, BLACKWALL, 2256	Residential - New multi unit	GLEP 2014	R1 GENERAL RESIDENTIAL	Clause 4.1B Minimum Lot Size for Attached Dwellings	The primary constraint in the development of this site is its narrow 17m site width. Any development on the site will occupy most of the full width of the site to provide for vehicle driveways and associated manoeuvring areas plus provide sufficient width for a dwelling ..Compliance with the site density provision of the GLEP 2014 will not alter the developments appearance as the narrow width of the lot will create the appearance of there being an overdevelopment of the site. Whether two units or three units the same issue will apply as a result of the narrow width of the lot. Amalgamation of lots is not possible as the neighbours have given no indication that they wish to be included in any development.	4.6%	22/09/2020	Council Staff
011.2020.000 58734.001	LOT: 10 DP: 260595, 78, Anniversary AVE, TERRIGAL, 2260	Residential - Single new dwelling	GLEP 2014	R2 LOW DENSITY RESIDENTIAL	4.3 - Height	The steep gradient of the land make strict compliance difficult to achieve.	10%	15/09/2020	Council Staff
011.2020.000 58966.001	LOT: 3 DP: 17477, 62, View PDE, SARATOGA, 2251	Residential - Alterations & Additions	GLEP 2014	R2 LOW DENSITY RESIDENTIAL	Clause 4.3/Height of Buildings	The slope of land means it would be difficult to meet standard and there will be no impact on amenity of neighbours.	4%	25/09/2020	Council Staff
DA/605/2020	Lot 239 DP 21163, 29, Lord ST, SHELLY BEACH, 2261	Residential - Single new dwelling	WLEP 2013	R2 LOW DENSITY RESIDENTIAL	Clause 3.1 Setback	The proposal seeks a reduced primary road setback of 6.0 metres in lieu of the required 7.4 metres. This represents a variation shortfall of 1.4 metres or approx. 19%	0.19	44063	Council Staff

## Determined by Local Planning Panel

Council DA Reference #	Address	Category of development	Environmental planning instrument	Zoning of land	Development standard to be varied	Justification of variation	Extent of variation	Date DA determined	Determination Level
011.2018.000 54122.001	LOT: 16 DP: 14946, 34, Brisbane Water DR, KOOLEWONG, 2256	Residential - New multi unit	GLEP 2014	B1 NEIGHBOURH OOD CENTRE	4.3 and 4.4	The variations comply with the objectives of the development standards and the B1 zoning of the land. The variations do not result in a significant impact on adjoining properties nor impact the future development of adjoining sites.	15.4 % to height and 15.56% to FSR	10/08/2020	Local Planning Panel
011.2020.000 57912.001	LOT: 36 DP: 270882, 14, Balgara RS, NARARA, 2250	Subdivision Only	GLEP 2014	R2 LOW DENSITY RESIDENTIAL	Clause 4.1A of the Gosford LEP 2014	The variation is submitted to allow for the proposed strata subdivision, which will formalise the approved cluster housing development (Existing Use Rights) and enable each dwelling to be contained within their respective lots and allow for typical ownership and tenure arrangements for this type of development. The proposed lots sizes vary between 93sqm and 147sqm, resulting in a maximum variation to the development standard of 457sqm.	457sqm or 83%.	03/09/2020	Local Planning Panel
011.2020.000 58092.001	Lot: D DP: 162659, 73, Caroline ST, EAST GOSFORD, 2250	Subdivision Only	GLEP 2014	R2 LOW DENSITY RESIDENTIAL	Clause 4.1 Minimum subdivision lot size.	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 future building envelopes leaves space for the construction of dwellings in accordance with Council's DCP. -The variation will not adversely affect the amenity of the immediate locality. -The subject site has particular circumstances in relation to the precedents that have taken place in the area for this type of development.	The percentage variation of the minimum lot size is 17.6%.	20/08/2020	Local Planning Panel



**Item No:** 4.4  
**Title:** Council Representatives to Regional Planning Panel  
**Department:** Environment and Planning

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14 December 2020 Ordinary Council Meeting

Reference: F2011/02277 - D14314206  
Author: Andrew Roach, Unit Manager, Development Assessment  
Executive: Scott Cox, Director Environment and Planning

### **Report purpose**

To recommend alternate membership arrangements for the Hunter Central Coast Regional Planning Panel (HCCRPP) whilst Council is under suspension pursuant to section 438I of the *Local Government Act 1993*.

### **Executive Summary**

The Hunter Central Coast Regional Planning Panel (HCCRPP) deals with development applications of regional significance. The current Council nominees to the HCCRPP include four Central Coast Councillors (two nominated panel members and two alternates). Given that the Council, by order pursuant to Section 438I of the *Local Government Act 1993*, has been suspended for a period of three (3) months, the Office of Local Government has advised that the nominated Councillors can no longer sit on the HCCRPP.

This report recommends alternate Council nominees to the HCCRPP for the period of Council suspension, be selected from the current membership of the Central Coast Local Planning Panel (being one 'expert' panel member, and one 'community' representative panel member, as well as one alternate 'expert' and one alternate 'community' representative).

### **Environment and Planning Recommendation**

- 1 *That Council appoint the following representatives as Central Coast Council nominees to the Hunter Central Coast Regional Planning Panel Council:*
  - Greg Flynn (Panel Nominee - from 'expert' Local Planning Panel list)*
  - Anthony Tuxworth (Panel Nominee from 'community' Local Planning Panel list)*
  - Stephen Leathley (Alternate Nominee from 'expert' Local Planning Panel list)*
  - Lynette Hunt (Alternate Nominee from 'community' Local Planning Panel list)*
- 2 *That this representation on the Hunter Central Coast Regional Planning Panel be for the period of Council suspension under the provision of the Local Government Act 1993.*

### Background

The Hunter Central Coast Regional Planning Panel (HCCRPP) deals with development applications referred to the Panel in accordance with *State Environmental Planning Policy (State & Regional Development) 2011*.

The current Central Coast Council nominees to the HCCRPP were endorsed at the Ordinary Meeting of Council on 12 February 2020 with four Central Coast Councillors nominated to sit on the Panel (two nominated panel members and two alternates). Given that Central Coast Council, by order pursuant to section 438I of the *Local Government Act 1993*, has been suspended for a period of three (3) months, the Office of Local Government has advised that the nominated Councillors can no longer sit on the HCCRPP.

It is considered appropriate that Council nominate alternate membership to the HCCRPP during the period of Council suspension.

### Report

The *Sydney District & Regional Planning Panels Operating Procedures* (the Operating Procedures) provides that the Council/or the Minister can alter their Panel representatives and alternate members at any time.

It is recommended that the most appropriate alternative representation to the HCCRPP would be by nominating existing members of the Central Coast Local Planning Panel (which also operates across the region) to also sit as Council nominees to the HCCRPP. A discussion of this approach is included in *Attachment 1*.

The recommended nominees to the HCCRPP are:

- Greg Flynn (Panel Nominee from the professional members list)
- Stephen Leathley (Alternate Nominee from the professional members list)
- Anthony Tuxworth (Panel Nominee from the community members list)
- Lynette Hunt (Alternate Nominee from the community members list)

### Consultation

A summary of consultations is included as *Attachment 2*.

### Financial Considerations

At its meeting held 19 October 2020, Council resolved the following:

- 1036/20 *That any motions put before Council for the remainder of this term of Council that have financial implications require the Chief Executive Officer to provide a report on how those additional costs will be met.*

#### **4.4 Council Representatives to Regional Planning Panel (contd)**

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The following statement is provided in response to this resolution of Council:

Council already pays the sitting fees/attendance for Council nominees to the Hunter Central Coast Regional Planning Panel. The alteration of members will not have a material impact on expenditure. Further comment on Panel Member Remuneration is included in *Attachment 3*.

#### **Link to Community Strategic Plan**

Theme 4: Responsible

#### **Goal 1: Balanced and sustainable development**

R-12: Ensure all new developments are well planned with good access to public transport, green space and community facilities and support active transport.

#### **Risk Management**

Whilst the Department of Planning Industry and Environment have confirmed that, even without Council representation, the HCCRPP can form a quorum and continue operating, the impact of not having appropriate Council representation in the decision-making process represents key governance and reputational risks, may undermine the integrity of the development assessment process and erode community confidence in decision making.

#### **Options**

The broad options are:

- 1 Do nothing – leave the current Councillor representation on the HCCRPP (not recommended).
- 2 Cease the current (Councillor) membership to the HCCRPP and not appoint alternate nominees (not recommended).
- 3 Cease the current (Councillor) membership to the HCCRPP and appoint alternate nominees (this is the recommendation of this report).

#### **Critical Dates or Timeframes**

There are no 'hard' dates for the selection of revised Panel members.

#### **Attachments**

- |          |                                 |           |
|----------|---------------------------------|-----------|
| <b>1</b> | Selection of Nominees to HCCRPP | D14359520 |
| <b>2</b> | Consultation                    | D14359521 |
| <b>3</b> | Remuneration                    | D14371445 |

### **Reason for Nomination from Local Planning Panel**

This attachment includes discussion in relation to the decision making process for the selected members.

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Council officers have undertaken review of options for alternate membership, and it is recommended that the most appropriate alternative representation to the HCCRPP would be by nominating existing members of the Central Coast Local Planning Panel (which also operates across the region) to also sit as Council nominees to the HCCRPP.

This recommendation is made for a number of reasons:

- Each member of the Local Planning Panel has been through a selection and vetting process as part of their appointment to the Central Coast Local Planning Panel;
- Professional members to the Central Coast Local Planning Panel were required to demonstrate expertise in urban design, urban planning or other related field and were selected by Council from a pool of approved candidates provided by the Department of Planning Industry & Environment. Not only have these panel members already been vetted by the Department of Planning Industry & Environment as suitable for Panel representation based on their qualifications and experience, they have also undertaken appropriate background and probity checks for professional/expert panel members - including criminal, financial and academic checks;
- The community panel members to the Central Coast Local Planning Panel were selected through an Expression of Interest and selection process in accordance with the NSW Government *Guidance for Councils on Appointing Panel Members*. These Panel members have been evaluated against key criteria, including: being current residents of the local government area, having an understanding of issues of concern to the local community, basic understanding or planning policy (local environmental plan, development control plan, and the like), being committed to the operational procedures of the Planning Panel and capacity to attend meetings. Council also undertook required background and probity checks for in accordance with the *Guidance for Councils on Appointing Panel Members* including a check against the public register of real estate agents, bankruptcy records check and national police check.
- The Local Planning Panel membership has been relatively recently completed (endorsed at the Ordinary Meeting of Council, 11 May 2020); and
- Each of the Local Planning Panel members are familiar with the operating environment and framework for determination Panels as well as the procedure pertaining to development assessment generally and should make an easy transition to being Councils representatives on the Hunter Central Coast Regional Planning Panel.

The *Environmental Planning & Assessment Act 1979*, at *Clause 2.13(4)* requires that at least one of Council's nominees '... is to be a person who has expertise in at least one area of *planning, architecture, heritage, the environment, urban design, land economics, traffic and transport, law, engineering or tourism*'. For this reason, it is recommended that one nominee (and alternate) be selected from the Local Planning Panel 'expert/professional' panel membership, as these members of the Local Planning Panel have demonstrated these skills through the selection process and been endorsed as such by the Department of Planning Industry & Environment who maintain the list of approved 'professional panel members' across NSW.

It is recommended that the second panel nominee (and alternate) be selected from the list of existing Local Planning Panel community representatives, as these Panel members have been selected entirely because they represent community interests in the determination of development applications.

## **Consultation**

This Attachment includes a summary of:

1. Consultation with external agencies; and
  2. Consultation with Local Planning Panel members
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### Consultation with Office of Local Government

The Office of Local Government has advised that, given that Central Coast Council, by order pursuant to section 438I of the *Local Government Act 1993*, has been suspended for a period of three (3) months, the nominated Councillors can no longer sit on the Hunter Central Coast Regional Planning Panel (verbal advice, 2 November 2020).

### Consultation with Department of Planning Industry & Environment

The Department of Planning, Industry & Environment have requested formal written confirmation of both the cessation of membership of elected Councillors, and the nomination of alternate members in accordance with the provisions of the *Environmental Planning & Assessment Act, 1979* and the Operating Procedures (email advice, 21 October 2020).

The Department of Planning, Industry & Environment Council (Planning Panels Secretariat) have also confirmed that, even in the event that Councillors are removed from the Panel membership without replacement, the Panel is still capable of achieving a quorum and carrying on with required business in the interim, without Council representation.

### Consultation with Local Planning Panel Membership

Council officers have consulted (via email, 17 November 2020) with each of the current professional and community members of the Central Coast Local Planning Panel to determine interest and availability to also sit as Councils nominee/s to the Hunter Central Coast Local Planning Panel.

A summary of their responses is included on the following page.

## Summary of Local Planning Panel member responses:

<b>Professional LPP Panel Member</b>	<b>Response</b>
Greg Flynn	Available and would accept nomination to HCCRPP
Stephen Leathley	Available and would accept nomination to HCCRPP
Linda McClure	Available and would accept nomination to HCCRPP
Garry Fielding	No response
Sue Francis	Not available as a result of perceived conflicts of interest
Grant Christmas	Available and would accept nomination to HCCRPP
<b>Community LPP Panel Member</b>	<b>Response</b>
Anthony Tuxworth	Available and would accept nomination to HCCRPP
Lynette Hunt	Available and would accept nomination to HCCRPP
Paul Dignam	Not available due to other commitments
Scott McGrath	No response
David Kitson	Available and would accept nomination to HCCRPP
Stephen Glen	Available and would accept nomination to HCCRPP
Geoffrey Mitchell	Not available due to other commitments
Glenn Watts	Available and would accept nomination to HCCRPP
Mark Elsey	Available and would accept nomination to HCCRPP

## Panel Remuneration

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At its meeting held 19 October 2020, Council resolved the following:

*1036/20 That any motions put before Council for the remainder of this term of Council that have financial implications require the Chief Executive Officer to provide a report on how those additional costs will be met.*

The following statement is provided in response to this resolution of Council:

Council already pays the sitting fees/attendance for Council nominees to the Hunter Central Coast Regional Planning Panel. In accordance with the resolution the Ordinary Meeting of Council of 12 October 2020, the remuneration paid to each nominee when exercising their functions as member of the Hunter Central Coast Local Planning Panel was set at \$700 per nominee (\$1,400 per meeting).

Council staff have sought appropriate guidance on remuneration for Panel members, including discussion with the Department of Planning Industry & Environment, noting that the current nominees to the Panel are elected Councillors and the recommended revised Panel members are selected from expert and community panel representation on the Local Planning Panel.

In the event that Council nominees to the HCCRPP are not be elected Councillors, but rather selected from the list of professional and community representatives from the Local Planning Panel as recommended, the remuneration of the Panel nominees must be in accordance with the *Ministerial Directions – Remuneration Determination for Planning Panel Members*, 23 February 2018. This Ministerial Direction provides the minimum remuneration for Panel members of Local Planning Panels. This would require the payment of \$2,000 per meeting based on attendance of one professional panel member and one community panel member.

As such, there is a net increase cost of \$400 to Council per meeting, if the recommended approach and remuneration is accepted.

It is worth noting that throughout the 2020 calendar year there has been a significant number of Regional Planning Panel meetings, as officers of the Council and the Panel sought to clear a large backlog of applications. Moving into 2021, it is anticipated that the number of meetings will be significantly less (as a result of a significant shortening of the list of matters being determined by the Panel, as a result of the clearing of a significant number throughout 2020). As such, the slight increase in sitting fee costs will likely be more than compensated by significantly fewer meetings for the upcoming 12 months.

The current budget arrangements for Panel attendance would not be significantly impacted by this proposed approach.



**Item No:** 4.5  
**Title:** RZ/2/2015 Planning Proposal - Parraweena Road, Gwandalan  
**Department:** Environment and Planning

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14 December 2020 Ordinary Council Meeting

Reference: RZ/2/2015 - D13771971  
Author: Rianan Rush, Senior Strategic Planner  
Manager: Breanne Bryant, Acting Section Manager, Urban Planning and Development  
Executive: Scott Cox, Director Environment and Planning

### **Report Purpose**

To recommend endorsement of a Planning Proposal for a new Gwandalan Town Centre (the proposal) by rezoning land and adopting a new chapter in the Development Control Plan (DCP) - Gwandalan Centre for land at part Lot 1 DP 1043151 (Council owned) and Lot 20 DP 1089946 (privately owned) Parraweena Road, Gwandalan.

### **Executive Summary**

This report provides an assessment of the merits of a Planning Proposal to rezone land from IN2 Light Industrial and RE1 Public Recreation to B2 Local Centre, R1 General Residential and R2 Low Density Residential. During community and agency consultation only one public submission was received. The matters raised have been addressed in the site-specific DCP as follows:

- Require the provision of a Gwandalan town square and village green in the proposed B2 Local Centre zone
- Enable a transition between the environmental land and the residential land with setbacks, vegetation and screening
- Restrict the maximum building height to 11 metres
- Require a Biodiversity report for proposed development
- Require a road intersection on Summerland Road aligned with the main access of adjoining development

There were no objections from State Government Agencies in relation to the proposal. On 1 October 2020, the Department of Planning, Industry and Environment (DPIE) directed Council to determine this proposal (as well as a number of others) by 31 December 2020. Hence, this report recommends the Proposal and the DCP changes be supported due to:

- 1 The proposal has strategic merit;
- 2 The three inconsistencies with Ministerial Directions are minor;
- 3 The DCP provisions address concerns raised during consultation; and
- 4 The proposal is consistent with the gateway determination

**Environment and Planning Recommendation**

- 1 *That Council endorse the Planning Proposal as exhibited to rezone part Lot 1 DP 1043151 and Lot 20 DP 1089946 Parraweena Road, Gwandalan to R2 Low Density Residential, R1 General Residential and B2 Local Centre under Wyong Local Environmental Plan 2013 or the Central Coast Local Environmental Plan (whichever is in effect) and forward to DPIE to make the plan.*
- 2 *That Council note the removal of Council's plan making delegation for this proposal.*
- 3 *That all those who made a submission be notified of the decision.*
- 4 *That Council adopt the site-specific Development Control Plan Chapter – Gwandalan Centre as Chapter 6.31 within Wyong Development Control Plan 2013, and as Chapter 5.56 within the Central Coast Development Control Plan (when it comes into effect), which shall come into effect upon notification of the plan.*
- 5 *That Council commence the reclassification of part Lot 1 DP 1043151.*

**Context**

On 12 August 2015, Council resolved to prepare this proposal to amend *Wyong Local Environmental Plan 2013* (WLEP 2013). DPIE granted an extension to the Gateway Determination which expires on 31 December 2020. No further extension will be granted.

The following legal advice has been obtained in relation to council-owned land that forms part of the proposal:

*Lot 1 DP 1043151 is owned by Central Coast Council ('Lot 1'). Lot 1 was dedicated to Council in 1987 for the purpose of a road landscape buffer and is likely to be subject to a public trust for this purpose. Lot 1 was reclassified as operational land under Schedule 4 Part 1 of WLEP 2013, which means that the land continues to be affected by the public trust. If the proposed rezoning proceeds, Lot 1 will no longer be needed for the purpose of a road buffer. If Council proposes to sell Lot 1, the public trust will need to be removed via a land reclassification process before the land can be sold.*

The reclassification does not form part of this planning proposal and will be pursued as a separate process including a public hearing.

**Consultation**

The Proposal, draft DCP chapter and relevant supporting information were exhibited for 28 days between 18 March 2020 and 15 April 2020. Council received one public submission during the exhibition period which raised various issues for consideration (see Attachment 2). The Proposal has been assessed against the relevant SEPPs, and Section 9.1 Ministerial Directions and is inconsistent with Directions 1.1 Business and Industrial Zones, 4.1 Acid

Sulfate Soils, and 4.4 Planning for Bushfire Protection. Council staff consider these inconsistencies are minor, a more detailed assessment is provided in Attachment 4.

### **Delegation**

DPIE requested that Council not use its local plan making delegations and as such have issued an amended Gateway Determination dated 26 November 2020, which revokes Council's plan making delegation previously issued on 30 September 2015 (see Attachment 5). This will allow DPIE to commence legal drafting and ensure the plan is finalised by 31 December 2020. Following endorsement of the proposal by Council, the proposal will be forwarded to DPIE for legal drafting and issuing of Parliamentary Counsel opinion. The plan will then be made by DPIE as delegate of the Minister for Planning and Public Spaces.

### **Financial Considerations**

There are no financial implications or costs as a result of making the plan.

### **Link to Community Strategic Plan**

Theme 4: Responsible

### **Goal I: Balanced and sustainable development**

I4: Provide a range of housing options to meet the diverse and changing needs of the community and there is adequate affordable housing.

### **Options**

- 1 Refuse to endorse the planning proposal contrary to the recommendation; or
- 2 Support the planning proposal as recommended; or
- 3 Defer the decision. However, if Council does not consider this Planning Proposal by 31 December 2020, then DPIE will make the decision.

### **Critical Dates or Timeframes**

The critical date is 31 December 2020 as set by DPIE (see Attachment 1)

### **Conclusion**

The Planning Proposal is considered to have strategic merit and it is recommended that Council support finalisation of the Planning Proposal and adopt the new DCP Chapter 6.31/5.56 Gwandalan Centre to be incorporated into WDCP 2013 and the new CCDCP. The proposal will enable the creation of a new centre at Gwandalan to service the new land releases in this area as well as the existing population.

**Attachments**

<b>1</b>	Letter DPIE - Planning Proposal Acceleration Program	D14291197
<b>2</b>	Table of Submissions - RZ/2/2015	D14290146
<b>3</b>	Development Control Plan for Gwandalan Centre - DCP 2013 - Chapter 6.31	D14290131
<b>4</b>	Supplementary Information Report RZ-2-2015	D14308607
<b>5</b>	Gateway Extension and Covering Letter RZ-2-2015 PP_2015_WYONG_009_00	D14367032



Planning,  
Industry &  
Environment

IRF20/4503

1 October 2020

Mr Gary Murphy, General Manager

Email: [ask@centralcoast.nsw.gov.au](mailto:ask@centralcoast.nsw.gov.au)

Dear Mr Murphy

On 15 July 2020 the Premier announced the Planning System Acceleration Program to reform the NSW planning system. The reforms, which streamline and simplify the planning system, will unlock productivity, keep people in jobs and support sustained economic recovery from the Covid-19 pandemic.

A key part of the reform program involves delivering improved processes for determining and finalising planning proposals more efficiently to cut the time taken to finalise rezoning decisions by 33%. This will provide greater clarity to local government and the community, and more certainty to proponents and investors.

Going forward our intention is that planning proposals should generally take 1 year and no more than 2 years to complete. This has been shown to be achievable in many cases where applications are supported by enough evidence to justify strategic and site-specific merit, and when proposals are aligned to a strong strategic planning framework.

Further information about changes and improvements to existing processes such as online lodgement via the NSW Planning Portal will be provided to councils as part of ongoing communication about the planning reform program.

To ensure the new system achieves these outcomes we must first clear the backlog of planning proposals that have remained under consideration for an extended period.

A review of current proposals identified a number that have been delayed or, are yet to be finalised after more than four years. To address these, the Department is commencing a focused program to work with councils to finalise these proposals by 31 December 2020. Following the initial focus on proposals lodged more than four years ago the program will start to address those that are between two – four years old.

I am aware that many councils are working to improve planning assessment timeframes. This includes eligible councils with long standing proposals applying to the Public Spaces Legacy Program. The Department will work with all councils to help finalise the long standing proposals.



Planning,  
Industry &  
Environment

Central Coast Council has the following planning proposals that we will initially be working with you to finalise by 31 December 2020:

- PP\_2013\_GOSFO\_004\_03
- PP\_2013\_WYONG\_013\_02
- PP\_2015\_WYONG\_002\_01
- PP\_2015\_WYONG\_009\_03
- PP\_2016\_CCOAS\_005\_001
- PP\_2016\_GOSFO\_002\_04
- PP\_2016\_GOSFO\_003\_01
- PP\_2016\_WYONG\_005\_01

Daniel Simpkins, Director Hunter & Central Coast Region, will contact you in the coming days to establish a project plan and timeframe for finalising the above proposals.

Should Council have any immediate questions regarding the finalisation program please discuss these with Dan Simpkins during this initial discussion.

Alternatively, you can contact Dan Simpkins on 02 9373 2820 or [daniel.simpkins@planning.nsw.gov.au](mailto:daniel.simpkins@planning.nsw.gov.au)

We look forward to working with Council to deliver this program as a major step towards improving and streamlining the plan making process.

Yours sincerely



**Marcus Ray**  
**Group Deputy Secretary**  
**Planning and Assessment**

Agency	Submission Date	Advice	Response
<b>Pre-exhibition (2015)</b>			
<b>Darkinjung Local Aboriginal Land Council (DLALC)</b>	26 October 2015	Requested an Aboriginal Cultural Heritage Site Survey be undertaken noting a number of registered Aboriginal Cultural Heritage Sites within the vicinity.	An Aboriginal Cultural Heritage Report was prepared and submitted to Council. The report was referred to DLALC.
<b>Guringai Tribal Link</b>	N/A	No comments received prior to or during public exhibition.	N/A.
<b>Roads and Maritime Services</b>	22 October 2015	No objection. The proposed rezoning is generally consistent with zoning adjoining the subject sites and will not result in significant impacts to the classified (State) road network.	Noted.
<b>Transport for NSW (TfNSW)</b>	28 October 2015	No objection subject to provision for pedestrian and bicycle linkages and facilities, and provision of bus stops and shelters.	Noted.
<b>Mine Subsidence Board</b>	14 October 2015	No objection.	Noted.

Agency	Submission Date	Advice	Response
<b>Pre-exhibition (2015)</b>			
<b>NSW Department of Industry - Resources and Energy</b>	9 December 2015	The site is situated within the Swansea North Entrance Mine Subsidence District and any residential or commercial development within the site will need to comply with building guidelines stipulated by the Mine Subsidence Board. The subject area is covered by Consolidated Coal Lease (CCL) 707 held by Lake Coal Pty Ltd. The site is located within the Newcastle Coalfield and overlies the Late Permian Newcastle Coal Measures. The Wallarah Seam has been mined beneath this area. A development proposal of the previous operator included underground mining of the Fassifern Seam beneath this area. Therefore, the possibility of future secondary workings within the Fassifern Seam beneath this site cannot be discounted.	
<b>NSW Rural Fire Service (RFS)</b>	27 November 2015	Request for a Bushfire Assessment.	A Bushfire Assessment was undertaken and submitted to Council.
<b>Office of Environment and Heritage (now BCD)</b>	19 October 2015	Request a Flora & Fauna Survey and Aboriginal Cultural Heritage Assessment.	An Aboriginal Cultural Heritage Assessment and Flora and Fauna Survey was prepared and submitted to Council.

Agency	Submission Date	Advice	Response
<b>Pre-exhibition (2015)</b>			
<b>Environmental Protection Authority (EPA)</b>	N/A	No advice received.	N/A.

Agency	Submission Date	Advice	Response
<b>During Public Exhibition (2020)</b>			
<b>Darkinjung Local Aboriginal Land Council (DLALC)</b>	N/A	No submission received.	An Aboriginal Cultural Heritage Report was prepared and submitted to Council. The report was referred to DLALC, however no submission was received.
<b>Environmental Protection Authority (EPA)</b>	3 April 2020	No objection. Potential land use conflicts between the proposed centre and the nearby sewerage treatment plant due to operational noise and odour issues. Noise from traffic generation on nearby residences. No details on future waste management in the PP. Development should maintain, improve and restore water quality and waterways.	Relevant controls have been placed in the site-specific DCP to address potential issues.
<b>NSW Rural Fire Service (RFS)</b>	14 April 2020	No objection. The NSW Rural Fire Service has reviewed the information provided advises that the issues raised in the correspondence dated 15 August 2019 remain applicable to the subject proposal and future developments. All future developments will be	Any future development matters will be assessed against the requirements of Planning for Bush Fire Protection 2019.

Agency	Submission Date	Advice	Response
<b>During Public Exhibition (2020)</b>			
		subject to the provisions of <i>Planning for Bush Fire Protection 2019</i> as the document has now been adopted. This includes, but is not limited to, the application of the required minimum asset protection zones specified in Appendix 1 of <i>Planning for Bush Fire Protection 2019</i> , which differ from those specified in <i>Planning for Bush Fire Protection 2006</i> .	
<b>Department of Planning, Industry and Environment- Biodiversity and Conservation Division (BCD – former OEH)</b>	9 April 2020	No biodiversity objections in relation to the proposal. However, some aspects of the ecological assessment including information provided on survey methods and effort are not in accordance with the Biodiversity Assessment Method (BAM) and associated guidelines. BCD recommended that at development application stage council assesses the project against the requirements of the BAM and relevant survey guidelines to ensure adequacy of the assessment.	Relevant controls have been placed in the site-specific DCP.
<b>Transport for NSW (TfNSW)</b>	20 April 2020	TfNSW requested an updated Traffic Impact Assessment accounting for the Kanangra Drive/Pacific Highway intersection.	Discussions were undertaken between Council, DPIE and TfNSW to determine a path forward to resolve RMS objection. It has been agreed that the planning proposal can be finalised without the revised Traffic Impact Assessment and that this can be completed post-finalisation in order to meet DPIE's 31 <sup>st</sup> December deadline. The proponent has since submitted a revised traffic impact assessment, and this is currently under review by TfNSW.

Agency	Submission Date	Advice	Response
<b>During Public Exhibition (2020)</b>			
<b>Subsidence Advisory NSW (SANSW)</b>	30 April 2020	<p>SANSW advised that the subject area is in the Swansea North Entrance Mine Subsidence District. Records indicate the site is undermined by workings in the Wallarah Seam at 150m depth of cover and part of the site is undermined by mine workings in the Great Northern Seam at 195m depth of cover. The proposed site also overlies a Mining Lease held by Great Southern Energy (Delta Coal). SA NSW have been advised by Delta Coal there is potential for future coal extraction, however future mining under the site is unlikely. Under the integrated development provisions of the Environmental Planning and Assessment Act 1979, development within a district requires approval from Subsidence Advisory NSW (SA NSW). Future subdivision applications or building applications that exceed SA NSW's nominated surface development guidelines will be assessed in accordance with our subdivision and merit assessment policies, which are available on the SANSW website. It should be noted that mine subsidence mitigation measures may be required for future development, as detailed in these polices.</p>	Future subdivision and building applications will be referred to SANSW.

Public Submissions	Submission Date	Comments	Response
<b>During Public Exhibition (2020)</b>			
<b>DFP Planning Pty Ltd</b>	22 April 2020	<p><u>Land Use Conflict</u></p> <p>Besides potential health and amenity impacts arising on future residents in the area from the industrial uses existing, future residential uses on the site can also result in inhibiting the efficient use of the industrial land, through potential noise, odour and other amenity related complaints. Due to the <i>E4 Environmental Living</i> zoning of land to the east, a landscaped buffer setback area would assist in any future developments creating a transition to the E4 zone.</p> <p><u>Bushland Character and Landscaping</u></p> <p>As per the ecological report the existing vegetation contains multiple hollow-bearing trees (which provide for native fauna habitat) and glider feed trees. To satisfy the Ecological Consultants recommendations, it is judicious for an indicative subdivision allotment layout to be prepared and submitted to Council as part of the PP showing 'tree retention where possible'. This should also be supported by commentary from the Ecological Consultant.</p> <p>The indicative layout must also show how building envelopes could be sited within each lot to minimise</p>	<p>The DCP has been amended to require a setback on the northern and eastern boundaries to manage land use conflicts and between the industrial area and introduce appropriate urban transitioning to the environmental living zone.</p> <p>This issue can be appropriately addressed at the development application stage.</p>

Public Submissions	Submission Date	Comments	Response
<b>During Public Exhibition (2020)</b>			
		<p>flora and fauna impacts whilst also maintaining the bushland character of the area. Providing this information at the PP stage and included in the future Gwandalan DDCP chapter rather than in any future development application would provide greater certainty that the recommendations are even achievable before any rezoning takes place.</p> <p>Whilst the proposed draft DCP chapter contains controls to require landscape plans to <i>'demonstrate how the development maintains and enhances the bushland setting and identify opportunities to retain existing trees'</i>, there is no assurance that vegetation would be retained to the maximum extent possible.</p> <p><u>Acoustic Impacts</u></p> <p>Specific acoustic fencing controls should be included in the DCP requiring the eastern boundary of the site to be fenced accordingly, so as to afford acoustic privacy and levels of amenity currently enjoyed by the long-established residents of the locality to the east of the site.</p>	<p>The DCP requires integration of any acoustic fences or barriers with the design of boundary fencing and landscaping.</p>

Public Submissions	Submission Date	Comments	Response
<b>During Public Exhibition (2020)</b>			
		<p><u>Site Contamination</u></p> <p>A preliminary site contamination report prepared by Forum Consulting Engineers accompanied the PP and states:</p> <p><i>Forum considers that further investigations and/or appropriate remediation of the identified potential sources of contamination should be undertaken. These investigations may include, but are not limited to, the following:</i></p> <ul style="list-style-type: none"> <li>• <i>Sampling and analysis of fill material in the northern portion of the site to determine the vertical and lateral extent of fill material and any potential contamination;</i></li> <li>• <i>The removal and disposal of surficial soils impacted by paint spills;</i></li> <li>• <i>The removal and disposal of fill stockpiles;</i></li> <li>• <i>The removal and disposal of asbestos material.'</i></li> </ul> <p>The recommendations above make it clear that without additional site contamination investigations the full extent of contamination of the site is unknown. Furthermore, without knowing what additional contaminants may be present on site, there is no way to determine if the site can even be remediated to be suitable for future residential use. This would mean that there is no way for Council to</p>	<p>Based on advice from internal staff, a detailed contamination assessment can be conditioned and undertaken at subdivision stage and is not required at the rezoning stage. Additional requirements have been included in the DCP to reflect this.</p>



Public Submissions	Submission Date	Comments	Response
<b>During Public Exhibition (2020)</b>			
		<ul style="list-style-type: none"> <li>The concept plans show a dead-end road in the north-east portion of the site.</li> </ul> <p>A concept subdivision design addressing the above matters is considered prudent and should be submitted to Council as part of the PP showing compliance is able to be achieved with <i>Planning for Bush Fire Protection 2019</i>. This is particularly important in light of the APZ needed and the ecological sensitivity of the site. This could then also form part of the DDCP and give greater certainty to ability to develop each future site created.</p>	

# CHAPTER 6.31 GWANDALAN CENTRE

## INTRODUCTION

The purpose of this Chapter is to provide site specific guidelines for the carrying out of centre development on land to which this Chapter applies.

The site is located along Kanangra Drive, Gwandalan on the corner of Summerland Road. The North Wyong Shire Structure Plan identified a potential new centre in this area, subject to local planning and the site is located in close proximity to a number of proposed residential subdivisions. The centre will contain a mix of uses including commercial, retail, community and residential uses to service the increased population.

This Chapter has been prepared to provide guidance for the development of the site in a manner consistent with the North Wyong Shire Structure Plan and Council's Community Strategic Plan.

## Objectives of this Chapter

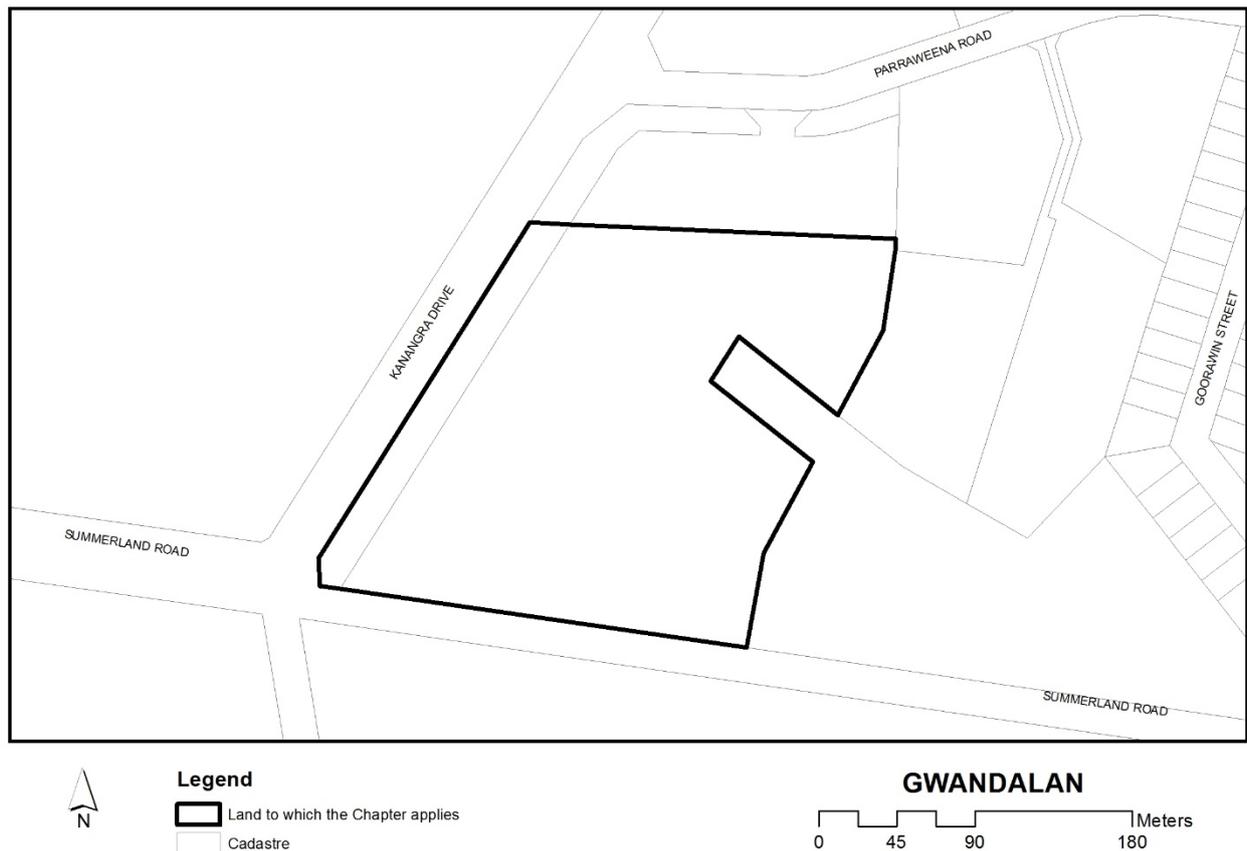
### OBJECTIVES

- To provide site specific development controls for the development of a new centre on the subject land comprising commercial, retail, community and residential uses.
- To encourage the orderly development of the land for the purposes permitted under B2 Local Centre Zone, R1 General Residential Zone, and R2 Low Density Residential Zone
- To guide new centre development while reinforcing the existing hierarchy of commercial centres
- To ensure development responds to the environmental characteristics of the area
- To control the siting and scale of development on the land, and provide adequate service areas
- To ensure traffic and transport arrangements provide for the safe and efficient movement of vehicles
- To provide for adequate service areas
- To provide a mix of dwelling types that are compatible with centre development
- To ensure that the land is adequately serviced

### REQUIREMENTS

#### *Land to which this Chapter Applies*

- a This Chapter applies to land as shown edged heavy black on Figure 1.



## Relationship to other Chapters and Policies

This Chapter should be read in conjunction with other relevant Chapters of this Development Control Plan and other Policy Documents of Council, including but not limited to:

- a Chapter 2.1 – Dwelling Houses, Secondary Dwellings and Ancillary Development
- b Chapter 2.3 – Dual Occupancy Development
- c Chapter 2.4 – Multiple Dwelling Residential Development
- d Chapter 2.6 – Signage
- e Chapter 2.11 – Parking and Access
- f Chapter 3.1 – Controls for Site Waste Management
- g Chapter 3.6 – Tree and Vegetation Management
- h Part 4 – Subdivision
- i Chapter 5.1 – Retail Centres
- j Council’s Civil Works Specification
- k Flora and Fauna Guidelines for Development
- l Waste Control Guidelines

## DEVELOPMENT PRINCIPLES

Supplementary to the submission requirements of Part 4 - Subdivision, the following is required to be addressed and/or provided with any subdivision application for land to which this plan applies.

### Subdivision Design

#### OBJECTIVES

- To ensure that any future development of the site is sympathetic to site constraints.
- To encourage subdivision design of high quality, which controls and mitigates potential environmental impacts arising from development.
- To provide for appropriate servicing and avoid negative amenity impacts for staged subdivisions.
- To ensure that any subdivision design meets the appropriate standards of Council.

#### REQUIREMENTS

- a Applications for subdivision of the site must demonstrate how the application addresses the provisions of Part 4 – Subdivision, in addition to any other requirements of this Chapter.
- b Applications for small lot subdivision in the R1 zone are to include an integrated design proposal that has regard to housing design, mix, siting, street layout, services and subdivision pattern.
- c Applications for subdivision are to provide supporting designs, plans, layouts and specifications for any additional water, sewer, stormwater and/or traffic infrastructure required to service the development. Any such infrastructure is to be provided in accordance with Council's Civil Works Design Guidelines and Construction Specifications, at the expense of the developer.
- m Applications for subdivision must be supported by a staging plan (if applicable) which:
  - i nominates selected routes for construction traffic access which minimises impacts upon completed stages where possible; and
  - ii enables the provision of services for completed stages, including provision of turning circles for road-based services (e.g. garbage trucks).

### Building Height and Setbacks

#### OBJECTIVES

- To ensure that building height is appropriate to the use and locality
- To ensure building setbacks provide for adequate spatial separation from surrounding areas and provide sufficient area for quality landscaping and noise attenuation

#### REQUIREMENTS

- a A maximum building height of 11 metres applies across the B2 Local Centre zone.
- b Architectural façade and roof treatments may be considered to project beyond this height, where it can be demonstrated that there is merit in doing so
- c Building heights across the site will need to address the scale of development to each road frontage and how they will impact on existing development

- d A landscape setback of 10m to Kanangra Drive is to be observed. This setback must not include any above natural ground level signage, car parking, servicing or other structures
- e A landscape setback of 5m to Summerland Road is to be observed
- f Any application for subdivision is to provide for appropriate setbacks from the adjoining industrial and residential uses to address noise and amenity impacts.

## Traffic, Parking and Safety

### OBJECTIVES

- To ensure traffic and transport arrangements provide for the safe and efficient movement of vehicles and pedestrians by applying the principles of movement and place.

### REQUIREMENTS

- a Any application for subdivision of the site must be supported by a Traffic Study prepared in accordance with the Austroads Guide to Traffic Management AGTM03-09 Traffic Studies and analysis and AGTM 12-09 Traffic Impacts of Developments, which is to include, but is not limited to:
  - i Current traffic counts for the Kanangra Drive / Summerland Road intersection inclusive of all planned and approved developments.
  - ii The anticipated additional vehicular traffic generated from the proposed development.
  - iii The distribution on the road network of the trips generated by the proposed development. It is requested that the predicted traffic flows are shown diagrammatically to a level of detail sufficient for easy interpretation.
  - iv Consideration of the traffic impacts on existing and proposed intersections and the capacity of the local and classified road network to safely and efficiently cater for the additional vehicular traffic generated by the proposed development. The study shall also give consideration to the cumulative traffic impacts of other proposed and approved developments in the area.
  - v Identifying the necessary road network infrastructure upgrades that are required to maintain existing levels of service and road safety on both the local and classified road network. In this regard, preliminary concept drawings shall be submitted with the development application for any identified road infrastructure upgrades. However, it should be noted that any upgrades on the classified road network will need to be to the satisfaction of Roads and Maritime Services and Council.
  - vi Traffic analysis of any major relevant intersections, using SIDRA or similar traffic model, including:
    - Current traffic counts and 10-year traffic growth projections at 1.5% per annum (inclusive of proposed and approved developments in the area),
    - Electronic input/output data files for Roads and Maritime Services and Council review.
- b Subdivision layouts are to be designed to ensure:
  - i all residential lots are accessed from an internal road network separate to the retail component
  - ii multiple access and egress points from Kanangra Drive are discouraged
  - iii there is provision in residential streets for appropriate turning circles for waste collection, where required

- iv road/street lengths and intersections provide for adequate site distances and incorporate appropriate safety and speed management controls;
  - v road/street lengths and intersections discourage unsafe vehicle manoeuvres;
  - vi there is appropriate pedestrian connectivity and efficient servicing by busses. Documentation is to be provided which demonstrates consultation with the local Bus Company has been undertaken and the proposed network is serviceable by busses.
  - vii carparking is designed and provided for in accordance with the requirements of Chapter 2.11 – Parking and Access
- 
- a A four-way controlled intersection is to be provided on Summerland Road that aligns with the proposed main access of the adjoining development to the south (Lot 111 DP 1234514). The intersection is to provide for a pedestrian/cycle crossing point at a location with a strong desire line between the two developments
  - b Any proposed access from Summerland Road is to be located at a minimum of 80 metres from the existing roundabout
  - c Cycleways and/or shared pathways and footpaths are to be provided within the site and located to provide logical and coherent linkages to adjoining residential areas, community and open space facilities and public transport connection routes or stops
  - d A bus stop/shelter is to be provided, having regard to access and movement of buses to and from the site
  - e Provision shall be made for safe and direct pedestrian pathways and crossing facilities within the carpark, leading to the shopping centre entry, and along the property frontage facing Kanangra Drive and Summerland Road, to minimise pedestrian and vehicular conflicts
  - f The design and construction of roads, drainage, cycleways and or shared pathways and pedestrian paths is to be in accordance with Part 4 Subdivision of this DCP, Council's Civil Works Design Guidelines and Construction Specifications and any relevant Austroads Standards. Documentation is required which demonstrates how overland flows and drainage associated with roadworks will be managed to a standard acceptable to Council
  - g All access, manoeuvring and loading is to comply with the requirements of Development Control Plan 2.11 - Parking and Access and are to have regard to pedestrian pathways and pedestrian safety
  - h All loading and servicing areas shall be clearly identified for each proposed use and are to be separate from general parking and circulation areas and away from shopping centre customer pedestrian desire lines where serviced by Medium Rigid Vehicles (MRV) or larger. Any reversing manoeuvres for MRV's or larger are only to occur in designated and isolated loading and service areas
  - i Loading and service areas, where serviced by MRV's or larger, shall not be visible from Kanangra Drive. Where necessary they shall be suitably screened with the assistance of landscaping
  - j On site vehicular turning facilities are to be provided to enable all vehicles to exit the site in a forward direction.
  - k Internal traffic circulation of the retail component is to be designed to accommodate the swept path of the largest vehicle entering and exiting the site
  - l Queuing for any service station or other drive-through developments are not to impede general parking operations or queue back onto circulation or entry roads or the adjacent road network.
  - m Provision shall be made for set down/picking up areas, Taxi Zone, Mini Bus parking and disabled parking within the development site at appropriate locations.

- n Road Safety Audits will be required to be undertaken to identify potential road hazards for all road users. These audits are required to be undertaken (at minimum) at the feasibility and detailed design stage of the subdivision planning. A pre-opening audit may be required, subject to the scale of the proposed development. Signage and pavement marking plans are to be provided for all internal and external areas and submitted to the Local Traffic Committee for its consideration, prior to approval by Council

## Urban Design and Amenity

### OBJECTIVES

- To support the role of the new centre by enhancing site amenity and creating an active public domain
- To achieve comfortable street environments for pedestrians in terms of lighting, human scale, sense of enclosure and provision of street trees
- To ensure development is of a scale and nature that is compatible with the surrounding environment and provides appropriate street edge definition within the site
- To ensure site permeability including clear and direct through site links for pedestrians

### REQUIREMENTS

- a A town square and village green is to be provided in the B2 Local Centre zone to support the role of the site as a new centre with a minimum area of 0.5ha.
- b Retail or commercial premises are to provide for an open-air forecourt entry that has pedestrian linkages to the town square and village green
- c Retail or commercial premises are to be sited to provide a strong edge definition along the western frontage of the site along Kanangra Drive
- d Large retail or commercial floor spaces not requiring continuous and direct connection to the street (e.g. supermarkets) should be “wrapped” by smaller commercial buildings to avoid blank walls and create an active street frontage.
- e Retail premises, including large format retail premises (supermarkets and discount department stores) will have pedestrian access to the public domain, and will present visual interest to the public domain through active frontages and articulated building facades with recessing or projecting architectural elements
- f Through site pedestrian links between buildings in the commercial zone are to be provided and detailed within the landscape plan.
- g The site design is to demonstrate how the public domain is the main focal point for the commercial centre
- h A simple, high quality and durable palette of paving materials and street furniture is to be used to unify the Centre’s public domain
- i Development is to provide suitable street lighting levels in key pedestrian areas
- j The development is to be designed and managed so that it does not result in an unreasonable adverse acoustic impact on surrounding and nearby residential properties

## Biodiversity, Landscaping and Solar Access

### OBJECTIVES

- To maintain and enhance the bushland or treed character of the area
- To avoid and minimise impacts to biodiversity
- To retain significant trees for the urban amenity, microclimate, scenic, air and water quality, and the social benefits that they provide
- To ensure that landscaping is appropriately integrated into the overall design
- To soften views to the site from Kanangra Drive and provide visual interest along the western edge of the site
- To ensure landscaping is in scale with and provides for the softening and screening of the building form
- To ensure solar access to residential properties and public spaces is provided.

### REQUIREMENTS

- a The applicant is to demonstrate appropriate avoid and minimise measures following Stage 2 of the Biodiversity Assessment Method Operational Manual to reduce impacts to biodiversity and is to provide a Biodiversity Development Assessment Report.
- b At Development Application Stage, threatened flora survey design and effort should be in accordance with NSW Guide to Surveying Threatened Plants (OEH, 2016) and Survey Guidelines for Australia's Threatened Orchids (DoE, 2013).
- c A landscape plan prepared by a suitably qualified landscape professional is to be submitted with any application for development which demonstrates how the landscaping has been integrated into the overall design. The landscape plan is to show a theme for the development and justify the species and materials selected, including their location
- d The landscape plan is to demonstrate how the development maintains and enhances the bushland setting and identify opportunities to retain existing trees, including a scenic vegetated buffer along the western boundary
- e The landscape plan is to demonstrate an appropriate transition between the R2 Low Density Residential zone and the adjoining E4 Environmental Living Zone through provision of appropriate setbacks, vegetation and screening.
- f Landscaping is to link buildings and to provide a constant theme or image, including the retention of significant trees and vegetation
- g Development is to make provision for adequate landscaped buffer areas between the commercial uses, residences and adjoining industrial development
- h Building setbacks and carparking areas are to be appropriately landscaped to enhance the natural features of the site and soften hardstand areas
- i Appropriate landscaping is to be provided within the western boundary setback

- j Any provision for parking adjoining the town square, village green and forecourt is to be buffered by appropriate landscaping
- k Development is to incorporate landscaping that screens or softens non-active facades or building elements
- l Appropriate species are to be chosen to ensure that sight distance for motorists/pedestrians is not compromised
- m Any application for development is to provide solar access to residential properties and the public domain areas in the commercial zone to Council's satisfaction

## Aboriginal Heritage

### OBJECTIVES

- To protect the Aboriginal Cultural Heritage of the site.

### REQUIREMENTS

- a Development is to be undertaken in accordance with the *Due Diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales, 2010*
- b Prior to any building excavation or physical works commencing on the site further sub-surface investigation is recommended to fully determine the site's Aboriginal cultural heritage significance.
- c An application for an Aboriginal Heritage Impact Permit (AHIP) should be made prior to development and cover all lands subject to development. The AHIP must be granted prior to the commencement of any works requiring ground disturbance.
- d All future ground disturbance activities on the site are subject to a chance finds procedure. If unexpected Aboriginal objects are identified, all works should cease, and the heritage consultant notified.

## Site Facilities

### OBJECTIVES

- To provide appropriate site facilities for retail, commercial and residential uses in a way that minimises impacts on the streetscape and public domain
- To provide adequate site facilities, including garbage and recycling areas to all developments
- To provide adequate service areas and access for developments that are integrated into the overall design

### REQUIREMENTS

- a Waste collection and storage areas, mail boxes and external storage facilities must be sited and designed as an integral element of the building design. Screened enclosures are to be provided to waste receptacles external to the building

- b Waste minimisation and recycling best practice shall apply to the development in accordance with Chapter 3.1 – Site Waste Management
- c Loading docks, service areas and garbage storage should not be visible from any public place and should be suitably screened from pedestrian thoroughfares, roads and parking areas, and adjacent properties

## Sewer and Water Supply

### OBJECTIVES

- To ensure the efficient and effective provision of services to the site

### REQUIREMENTS

- a The site is to be connected to reticulated water and sewer and all services are to be located underground
- b Existing sewerage and water supply easements traversing the site are to be retained in any future development or alternative arrangements made, only if it can be demonstrated that the alternative arrangements will maintain current servicing standards
- c Proposed schematic layouts of water, sewer and stormwater drainage systems are to be submitted with any development application

## Drainage, Stormwater and Water Cycle Management

### OBJECTIVES

- To apply water sensitive urban design principles and practices to avoid erosion and increases in stormwater runoff, and to maintain stream stability, water quality and protect the receiving environments
- To reduce flood risk in urban areas and downstream water bodies.
- Preserve pre-development hydrology regimes and receiving environments to ensure the protection, and maintain the integrity of significant ecosystems, vegetation and fauna habitats.
- To ensure the integrity and functionality of existing stormwater management devices and systems within the vicinity of the site.
- To provide water quality and quantity control measures that are cost effective and affordable, with consideration given to ongoing maintenance costs.

### REQUIREMENTS

- a Any application for subdivision is to address erosion in relation to any direct and indirect impacts to the adjoining E2 Environmental Zone and the E4 Environmental Living Zone, including impacts to the drainage line and downstream impacts
- b Any application for subdivision is to consider the need for land rehabilitation in relation to land downstream that is affected by indirect erosion from the proposed development.
- c Any application for subdivision is to include a Stormwater Management Plan. The plan is to be included in a written report with plans detailing stormwater quality control measures, management of stormwater runoff, hydrology management measures, waterway stability management measures and

potable water saving measures that are to be implemented on the site. Such measures and management techniques/routines are to be designed and sized to a standard acceptable to Council.

## Advertising and Signage

### OBJECTIVES

- To encourage well designed and suitably positioned signs which contribute to the aesthetic and legibility of the shopping centre while respecting the amenity of the residential area and the safety of motorists and pedestrians
- To provide signs that complement the architectural style and use of buildings and which do not result in light overspill or glare from artificial illumination
- To consider the visual quality of the public domain in the design and illumination of signage

### REQUIREMENTS

- a All signage is to comply with Chapter 2.6 –Signage. A Signage Strategy is to be submitted as part of the development application. The Signage Strategy shall identify the number and location of proposed signs, and demonstrate how the signs will be integrated into the design of the development
- b Signage is to be consistent on all buildings in terms of format, colour and location and roof top signage is to be prohibited on all buildings
- c The overspill from artificial illumination or sun reflection is to be minimised for new development which is adjacent to existing residential areas. Any development application is to demonstrate that the development will not result in lighting glare or overspill from artificial illumination
- d Signs are not to reduce the required sight distance for motorists

## Bushfire Management

### OBJECTIVES

- To minimise the risk of bushfires on life, property and the environment.
- To enable appropriate bushfire protection without unreasonably compromising the biodiversity and landscape values of the area.

### REQUIREMENTS

- a Any application for subdivision is to include a Bushfire Risk Management plan. The plan is to be consistent with the provisions and requirements of Planning for Bushfire Protection 2019 (PBP 2019) and is to include (but not limited to):
  - Provision of Asset Protection Zones in accordance with PBP 2019
  - Access to be provided in accordance with the design specifications set out in PBP 2019
  - Services to be provided in accordance with PBP 2019

## Noise

### OBJECTIVES

- To ensure that nearby residents do not have their amenity unduly impacted upon by noise and light emissions from future development for centre purposes on the land.

### REQUIREMENTS

- a Development on the subject land will be required to meet the requirements of the EPA Industrial Noise Policy (EPA, 2000) & Noise Policy for Industry (2017), and the *NSW Road Noise Policy 2011* in evaluating appropriate noise attenuation measure that need to be incorporated into site design to protect sensitive receptors.
- b Any application for subdivision is to be accompanied by a noise impact assessment that assesses potential operational noise impacts from the nearby sewerage treatment plant and adjoining industrial uses.
- c A report by a suitably qualified acoustic consultant shall be submitted with any development application which should address the following issues:
  - i integration of any acoustic fences or barriers with the design of boundary fencing and landscaping;
  - ii ensure that adjoining residential areas are protected from any noise emanating from the site, including during construction as well as future operation (including both fixed and movable noise sources);
  - iii treatment of loading areas to ensure their operation remains within the Environmental Protection Authority noise emission criteria;
  - iv use of devices to reduce noise emissions from any plant and equipment and loading areas as necessary.

## Odour Impacts and Land Contamination

### OBJECTIVES

- To ensure that land proposed for development does not present a risk to future occupants.
- To ensure that odours from the Gwandalan sewerage treatment plant do not impact on residential amenity

### REQUIREMENTS

- a An appropriately qualified consultant shall be engaged to carry out a detailed site investigation report to determine the level of contamination of a site and to prepare a remedial action plan prior to the issuing of any Subdivision Certificate.
- b An appropriately qualified consultant shall be engaged to carry out the remedial actions outlined in the remedial action plan and provide validation that the site is suitable for residential use prior to the issue of any Subdivision Certificate.
- c Residential development is to be sited outside the 1 OU sewerage treatment plant odour contour, and all development is to consider odour impacts at the development application stage.
- d Any application for subdivision is to consider odour impacts from the adjoining industrial uses.

## **Development Staging and Construction Management**

### **OBJECTIVES**

- To ensure the orderly development of the land and assist in the coordinated programming and provision of necessary infrastructure
- To ensure that construction on the site is undertaken in an environmentally responsible manner

### **REQUIREMENTS**

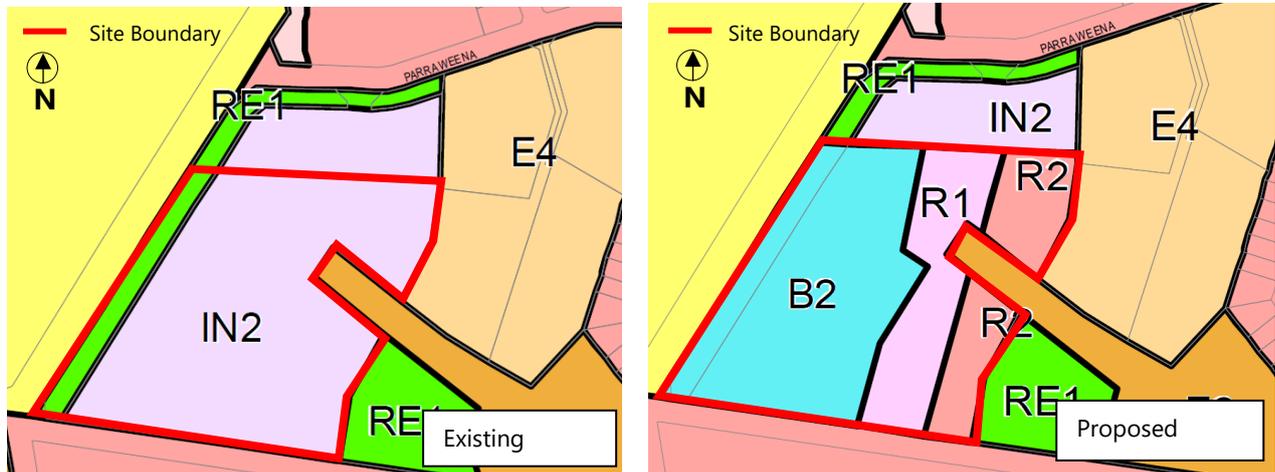
- a The development is to be staged in a manner that provides for adequate servicing and infrastructure including sewer, water, waste, and traffic movement
- b Construction access should have regard to environmental impacts including noise, traffic, and damage to new assets
- c During construction, on-site management will need to be carried out in accordance with Council's Civil Works – Design Guideline and Construction Specification

During construction, appropriate measures are to be implemented to ensure that there is no impact on the adjoining E2 Environmental Conservation land, including to the existing drainage line

## Supplementary Information - Gwandalan Planning Proposal

### The Proposal

The primary purpose of the Planning Proposal is to rezone the subject land from IN2 Light Industrial and RE1 Public Recreation to R2 Low Density Residential, R1 General Residential and B2 Local Centre to enable a mix of commercial and residential development on the site.



**Figure 1: Existing and Proposed Zoning**

A preliminary concept plan has been prepared by the applicant to illustrate likely layout, building siting and potential land uses. These include a supermarket, retail shops, medical centre, childcare centre, service station, village green, residential housing and other ancillary uses (see Figure 2).

The Planning Proposal as exhibited was supported by site specific development controls as a new chapter to *Wyong Development Control Plan 2013* (WDCP 2013) and *Central Coast Local Development Control Plan* (CCDCP) to address environment and biodiversity, amenity, built form, servicing and traffic management.

The draft DCP Chapter:

- Requires a Biodiversity Development Assessment Report and threatened flora survey
- Requires appropriate transitioning between the R2 Low Density Residential zone and the adjoining E4 Environmental Living Zone through provision of appropriate setbacks, vegetation and screening.
- Requires the provision of a four-way controlled intersection on Summerland Road that aligns with the proposed main access of the adjoining development,
- Requires the provision of a town square and village green in the B2 Local Centre zone, and
- Restricts height in the B2 Local Centre zone to 11 metres.

It is also proposed to amend the minimum lot size map on land proposed to be rezoned R2 Low Density Residential to 450m<sup>2</sup>.

## Site Description

The site is currently vacant and contains some remnant native vegetation. The site slopes from west to east with the head of a drainage line apparent to the south-east. The site consists of mainly open woodland with scattered trees and a generally cleared understory.



**Figure 2: Proponent's preliminary concept plan**

The vegetation on the site is generally degraded due to previous industrial use and unauthorised recreational use. The proposal predominately relates to Lot 20 DP 1089946 which is approximately 4.7 Ha in size. The proposal also includes Council owned land comprising part Lot 1 DP 1043151 currently zoned RE1 Public Recreation with an area of 4715 m<sup>2</sup>.



**Figure 3: Locality Aerial photograph with sites identified in orange**

The site is currently classified as operational land under Wyong Local Environmental Plan 2013 and is subject to existing trusts or restrictions. The site will require reclassification to discharge existing trusts or restrictions if Council is to sell the parcel of land in accordance with Council resolution 779.15 below.

### Background

At its Ordinary Meeting held on the 12 August 2015, Council resolved:

- 785/15      *That Council prepare a planning proposal to amend Wyong Local Environmental Plan 2013, pursuant to Section 55 of the Environmental Planning and Assessment (EP&A) Act 1979 to rezone the land to a combination of B2 Local Centre, R1 General Residential and R2 Low Density Residential.*
- 786/15      *That Council forward the planning proposal to the Department of Planning and Environment accompanied by a request for a gateway determination, pursuant to Section 56 of the EP&A Act 1979.*
- 787/15      *That Council request the General Manager to apply to accept plan making delegations for the rezoning.*
- 788/15      *The Council request the General Manager commence negotiations for the potential sale if required of part of Lot 1 DP1043151 and part of Lot 3 DP 740701 to the owner of Lot 20 DP 1089946, noting that any decision to sell*

*that land will require a specific resolution of the Council.*

- 789/15 *That Council request the General Manager to negotiate and publicly exhibit a draft Voluntary Planning Agreement to facilitate the sale of part of Lot 1 DP 1043151 and part of Lot 3 DP 740701 to the owner of Lot 20 DP 1089946 (if required).*
- 790/15 *That Council undertake community and government agency consultation in accordance with the requirements of the gateway determination. The consultation process is to include a public hearing for the reclassification of part Lot 3 DP 740701 from Community Land to Operational Land as required under the Local Government Act 1993.*
- 791/15 *That Council prepare appropriate Development Control Plan provisions and amend Section 94 Contributions Plans (if required) to support the development of the land subject to this Planning Proposal.*
- 792/15 *That Council consider a further report on results of the community consultation.*

### **Strategic Merit and Statutory Compliance**

The assessment of the Planning Proposal has identified that the rezoning has strategic merit for the following reasons:

- The Planning Proposal is consistent with the Central Coast Regional Plan 2036 (CCRP) as it:
  - Improves housing choice, and provides housing around a local centre
  - Delivers housing in new release areas that are best suited to building new communities
  - Maximises the use of existing infrastructure,
  - Enhances the network of centres by encouraging business and infrastructure investment, and improves access to and through centres
- The site is identified as a 'potential new centre' under the North Wyong Shire Structure Plan 2012 (NWSSP). The NWSSP identifies a new Centre at Gwandalan as providing employment opportunities and the potential for a variety of housing near this centre. The NWSSP also identifies significant potential residential land releases in the area in the long term.

- The proposal is consistent with Council's Local Strategic Planning Statement in planning for future urban areas. The proposal ensures development is provided in an orderly manner and will provide a commercial anchor for surrounding larger land release areas.

The following priorities outlined in the LSPS are applicable to this Planning Proposal.

<b>Centres and Corridors</b>		
<b>5</b>	<b>Priority</b>	<b>Assessment</b>
	Future planning that enables the development of active and liveable centres.	The proposal will enable development of a new centre at Gwandalan that provides amenity and liveability, as well as pedestrian and cycle links.
<b>Housing</b>		
<b>8</b>	<b>Priority</b>	<b>Assessment</b>
	Provide for the housing needs of our growing region	The planning proposal seeks to provide a range of housing types permitted in the R1 General Residential Zone and R2 Low Density Residential Zone which would meet the changing needs of the community.
<b>10</b>	<b>Priority</b>	<b>Assessment</b>
	A consistent and balanced approach to land use planning and development supporting the directions and goals of the Central Coast Regional Plan	The proposal is consistent with State Government strategic directions in the Central Coast Regional Plan and North Wyong Shire Structure Plan.

The Planning Proposal has been assessed against the relevant SEPPs, and Ministerial Section 9.1 Directions. The Planning Proposal is inconsistent with the following Ministerial Section 9.1 Directions:

#### 1.1 Business and Industrial Zones

In the instance of the inconsistency of the Planning Proposal with Ministerial Section 9.1 Direction 1.1 Business and Industrial Zones, the inconsistency is of minor significance for the following reasons:

- The proposal encourages employment growth in suitable locations through the implementation of actions that are consistent with a relevant strategy the *North Wyong Shire Structure Plan 2012 (NWSSP)*.
- The *NWSSP* identifies the subject site as the potential location for a new commercial centre and also identifies significant areas of industrial land to be released in the Lake Munmorah area.
- Since the industrial subdivision of the site was approved by Council in 2005 the only industrial use approved for the site was mobile home manufacturing which has since

vacated. Attempts have been made to promote the industrial subdivision but local demand has been absorbed by the existing industrial development to the north of the site.

- The *NWSSP* also identifies approximately 94 Ha of employment land in Precinct 16 (approximately 7km away) which are better located with direct access to the Pacific Highway. The future rezoning of these areas can be expected to easily offset the loss of the 4.7 Ha of industrial land on this site.
- In issuing a Gateway Determination the (former) Department of Planning and Environment indicated that, "inconsistencies with S 117 Direction 1.1 Business and Industrial Zones is of minor significance".

#### 4.1 Acid Sulfate Soils

The eastern edge of the site is identified as category 5 under Council's Acid Sulfate Soils Map. Given the majority of the site is not mapped, and the likelihood of discovering Acid Sulfate Soils is potentially low, a preliminary Acid Sulfate Soils assessment could be undertaken at the subdivision design stage. The inconsistency is considered to be of minor significance.

#### 4.4 Planning for Bushfire Protection

Council's Bushfire Prone Land mapping indicates that the entire site is bushfire prone. A Bushfire Assessment report was referred to the Rural Fire Service (RFS) who considers that the existing circumstances are not consistent with the 9.1 Ministerial Direction. However, RFS are satisfied that the direction can be satisfactorily addressed with an appropriate subdivision design, and the inconsistency is therefore of minor significance.

The Planning Proposal is consistent with the remaining relevant statutory and strategic planning considerations and is considered suitable for finalisation.

### **Consultation**

The Planning Proposal, draft DCP chapter and relevant supporting information and studies were publicly exhibited for a total of 28 days between 18 March 2020 and 15 April 2020.

The exhibition was undertaken in accordance with the Gateway Determination (as amended) the DP&E's *A Guide to Preparing Local Environmental Plans* and the *Environmental Planning and Assessment Act 1979* (EP&A Act).

The exhibition material was available on Council's Your Voice Our Coast website during the above dates. Notice of the exhibition was placed in the Central Coast Express Advocate on 18 March 2020.

Council received one (1) submission during the exhibition period which raised the following issues for consideration (without objecting or supporting the proposal):

- Land Use Conflict
- Bushland Character and Landscaping

- Acoustic Impacts
- Site Contamination
- Drainage
- Bushfire

### **Land Use Conflict**

- 1 *There is an apparent conflict between the industrial zoned land to the north and the residential components of the PP. The draft DCP chapter has not identified a specific landscape setback area being required between the IN2 zoned land and the proposed R1 and R2 zoned land. Besides potential health and amenity impacts arising on future residents in the area from the industrial uses existing, future residential uses on the site can also result in inhibiting the efficient use of the industrial land, through potential noise, odour and other amenity related complaints.*

#### Comment

The preliminary concept plan provided is indicative only to demonstrate how the new centre could be located on the site. It is anticipated this design will change to some extent in response to more detailed assessment of site constraints and as further design work is undertaken.

A new control has been incorporated into the DCP in response to the submission. In order to manage potential conflicts between the industrial and residential uses, the site specific DCP requires that a report be prepared by a suitably qualified acoustic consultant and submitted with any development application and is to address integration of any acoustic fences or barriers with the design of boundary fencing and landscaping.

The DCP also requires development on the subject land to meet the requirements of the Environmental Protection Authority Industrial Noise Policy (EPA, 2000) in evaluating appropriate noise attenuation measure that need to be incorporated into site design to protect sensitive receptors.

Requiring a prescriptive setback within the site specific DCP may unnecessarily restrict an appropriate and efficient subdivision design layout for the site, when a more rigorous assessment of potential impacts can be undertaken during the detailed design phase.

- 2 *In relation to land to the east (zoned E2 Environmental Conservation, E4 Environmental Living and RE1 Public Recreation) a specific screen vegetated or landscaped setback area between future residential development and this land is required.*

*The road (including the road reserve) provides physical separation from the proposed future residential zones and the RE1 Public Recreation zoned land however there is no such buffer provided to land zoned E2 Environmental Conservation (the E2 zone) and E4 Environmental Living (the E4 zone). Due to the E4 Environmental Living zoning of land to the east, a landscaped buffer setback area would assist in any future developments creating a transition to the E4 zone. This is specifically prudent considering the current vegetation on the site.*

#### Comment

The site-specific Development Control Plan has been amended and now requires an appropriate transition between the R2 Low Density Residential zone and the adjoining E4 Environmental Living Zone through provision of appropriate setbacks, vegetation and screening.

### **Bushland Character and Landscaping**

- 1 *The Ecological Assessment report submitted with the PP makes the following recommendations about the existing vegetation on the site:*

*'Tree retention is highly encouraged wherever feasible within the scope of the development, noting the limitations posed by residential construction and development. Emphasis should be placed upon the retention of Angophora inopina and hollow-bearing trees. Such trees should be identified by finer design planning prior to construction and be clearly marked on site to ensure retention'*

*The existing vegetation contains multiple hollow-bearing trees (which provide for native fauna habitat) and glider feed trees. To satisfy the Ecological Consultants recommendations, it is judicious for an indicative subdivision allotment layout to be prepared and submitted to Council as part of the PP showing 'tree retention where possible'.*

#### Comment

The ecological assessment recommends that hollow-bearing trees be identified by finer design planning prior to construction, not at the planning proposal stage. The preliminary concept plan provided is indicative only to demonstrate how the new centre could be located on the site. It is anticipated this design will change to some extent in response to more detailed assessment of site constraints and as further design work is undertaken. Market demand and other financial considerations will also influence the final subdivision layout.

### **Acoustic Impacts**

- 1 *Specific acoustic fencing controls should be included in the DDCP requiring the eastern boundary of the site to be fenced accordingly, so as to afford acoustic privacy and levels of amenity currently enjoyed by the long established residents of the locality to the east of the site.*

#### Comment

The site-specific DCP requires the integration of any acoustic fences or barriers with the design of boundary fencing and landscaping. A report by a suitably qualified acoustic consultant is required as part of any development application and is to demonstrate that adjoining residential areas are protected from any noise emanating from the site, including during construction as well as future operation.

### **Site Contamination**

- 1 *Further investigations are needed to ascertain the full extent of contamination on the site and if it is able to be satisfactorily remediated for residential purposes.*

*Without additional site contamination investigations the full extent of contamination of the site is unknown. Furthermore, without knowing what additional contaminants may be present on site, there is no way to determine if the site can even be remediated to be suitable for future residential use. This would mean that there is no way for Council to be satisfied that SEPP 55 requirements can be complied with at this point in time and accordingly, the PP cannot be supported.*

Comment

Council staff have advised that there has been no historic land use activities that would warrant significant contamination (only surficial from illegal dumping), and that the level of contamination can be resolved/remediated to a condition that is suitable for the proposed use.

In accordance with Ministerial Direction 2.6(4) Council is satisfied that the land will be suitable after remediation for all the purposes for which land in the zone concerned is permitted to be used, and that the land will be so remediated before the land is used for that purpose.

The site-specific DCP requires a detailed site investigation report to determine the level of contamination of a site and any necessary remedial action plan prior to the issuing of any Subdivision Certificate.

**Drainage**

- 1 *Future drainage requirements for the development of the site are addressed via the DDCP chapter. However, [should] include reference to both the E2 Environmental Conservation Zone and the E4 Environmental Living Zone.*

Comment

The site-specific DCP has been amended to include both the E2 Environmental Conservation Zone and E4 Environmental Living Zone.

**Bushfire**

- 1 *A concept subdivision design ... is considered prudent and should be submitted to Council as part of the PP showing compliance is able to be achieved with Planning for Bush Fire Protection 2019. This is particularly important in light of the APZ needed and the ecological sensitivity of the site. This could then also form part of the DDCP and give greater certainty to ability to develop each future site created.*

Comment

RFS have reviewed the proposal and are satisfied that all requirements under Planning for Bushfire Protection 2019 can be met at the subdivision application stage.

**Government Agency Consultation**

*Biodiversity Conservation Division (BCD)*

A number of targeted ecological surveys were undertaken in 2016 and 2018, and an Ecological Assessment Report (EAR) was prepared as part of the investigative studies for the planning proposal.

DPIE also conducted an ecological survey of the site in 2019 as part of the Central Coast Strategic Conservation Planning project. DPIE advised Council that during the survey an Endangered orchid *Cryptostylis hunteriana* was detected on the site. The EAR notes that a targeted survey was conducted for this ground orchid in the known flowering period, however none were detected. Council's ecologist has advised that this species may only flower once every 2-3 years and only for a couple of weeks (in November-December).

DPIE and BCD advised Council that they are unable to disclose to Council which part of the site is affected by the endangered orchid. Council's ecologist has raised concerns with BCD that impacts have not been adequately avoided or considered in the Ecological Assessment Report. BCD raised no objection to the Planning Proposal, however noted that some aspects of the ecological assessment including information provided on survey methods and effort were not in accordance with the Biodiversity Assessment Methodology (BAM) and associated guidelines. BCD recommends that Council assess the development against the requirements of the BAM and relevant survey guidelines at the development application stage. Council's ecologist generally supported the proposal and noted that appropriate avoid and minimise measures will need to be addressed at the Development Application stage. The site-specific DCP requires the following:

- The applicant is to demonstrate appropriate avoid and minimise measures following Stage 2 of the Biodiversity Assessment Method Operational Manual to reduce impacts to biodiversity and is to provide a Biodiversity Development Assessment Report.
- At Development Application Stage, threatened flora survey design and effort should be in accordance with NSW Guide to Surveying Threatened Plants (OEH, 2016) and Survey Guidelines for Australia's Threatened Orchids (DoE, 2013).

#### *NSW Rural Fire Service*

The NSW Rural Fire Service (RFS) raised no objection to the Planning Proposal subject to a requirement that future subdivision of the land complies with *Planning for Bush Fire Protection 2019*, which includes provision of Asset Protection Zones (APZ), access and servicing requirements. Relevant amendments have been made to the draft DCP chapter to reflect the submission from the RFS and satisfy Section 9.1 Ministerial Direction 4.4 *Planning for Bushfire Protection*.

#### *Environmental Protection Authority*

The Environmental Protection Authority raised no objection to the Planning Proposal provided noise and odour impacts from the nearby Sewerage Treatment Plant were addressed. Relevant amendments have been made to the draft DCP chapter to reflect the submission from the EPA, including the requirement to site development outside of the odour contour, and the requirement for a noise impact assessment at the subdivision application stage.

#### *Subsidence Advisory NSW*

Subsidence Advisory NSW raised no objection to the Planning Proposal noting that future subdivision applications or building applications that exceed SA NSW's nominated surface development guidelines will be assessed in accordance with our subdivision and merit assessment policies.

#### *Transport for NSW*

The proponent has submitted a revised Traffic Impact Assessment which has been reviewed by TfNSW, who are satisfied that any outstanding issues can be addressed as part of a traffic report related to future site Development Applications.

#### **Internal Consultation**

The Planning Proposal, draft DCP chapter and supporting documentation was referred to relevant internal units within Council including:

- Development Engineering
- Environmental Strategies
- Local Planning and Policy
- Development Assessment
- Water Services and Design
- Environment and Public Health
- Roads Assets Planning and Design

There were no objections to the planning proposal and any issues raised by relevant units were able to be addressed within the site-specific DCP.

#### **Outcomes of Consultation**

The site-specific DCP has been amended to reflect comments received from public and state agency submissions.

#### Social Impacts

The finalisation and implementation of the Planning Proposal would support meeting ongoing local housing needs. All social / community services would have capacity for the small increase in population resulting from the Planning Proposal.

The land was originally acquired for the purposes of a road buffer. There would be a loss of approximately 4000m<sup>2</sup> of public recreation land as a result of the proposal, however, due to the nature of the lot this land cannot be effectively utilised by the community for active recreation. There is some loss to the use of land for passive recreation, however the DCP requires that a landscape plan be prepared to demonstrate how development maintains and enhances the bushland setting and identifies opportunities to retain existing trees, including a scenic vegetated buffer along the western boundary. The proposal also provides for a village green which will assist in offsetting the loss of public recreation land.

### Environmental Impacts

The Planning Proposal was subject to biodiversity assessment which concluded that impacts would be acceptable at the local scale. The draft DCP Chapter further addresses impacts to biodiversity by requiring avoid and minimise measures to be addressed at the development application stage.

The proposal was referred to the Biodiversity and Conservation Division of DPIE who were satisfied with the biodiversity assessment.

### Traffic Impacts

A revised TIA has been submitted by the proponent noting that the additional trips from the proposed mixed-use development can be accommodated at the nearby intersections without noticeably affecting intersection performance, delays or queues. The TIA also noted that there is not significant intersection performance loss on the signalised intersection of Pacific Highway with Kanangra Drive. Council is currently awaiting advice from TfNSW on the revised Traffic Impact Assessment.



Planning,  
Industry &  
Environment

PP\_2015\_WYONG\_009\_00/(OBJ15/13405)

Mr Rik Hart  
Acting Chief Executive Officer  
Central Coast Council  
PO Box 20  
WYONG NSW 2259

Attn: Rianan Rush - Senior Strategic Planner

Dear Mr Hart

**Planning proposal PP\_2015\_WYONG\_009\_00 – Alteration of Gateway Determination**

I refer to correspondence from Council in relation to revisions to the above planning proposal to rezone land to enable commercial and residential development at 44W, 50W and 60 Parraweena Road, Gwandalan.

As delegate of the Minister for Planning and Public Spaces, I have determined in accordance with section 3.34(7) of the *Environmental Planning and Assessment Act 1979* to alter the Gateway determination dated 30 September 2015 (since altered) for PP\_2015\_WYONG\_009\_00.

The Alteration of Gateway determination is enclosed.

I have also revoked Council's plan making delegation previously issued on 30 September 2015.

If you have any questions in relation to this matter, I have arranged for Mr Dylan Meade, Principal Planning Officer, Central Coast and Hunter Region to assist you. Mr Meade can be contacted on 4904 2718.

Yours sincerely



26/11/2020

**Dan Simpkins**  
**Director, Central Coast and Hunter Region**  
**Planning and Assessment**

Encl: Alteration of Gateway Determination



**Planning,  
Industry &  
Environment**

## **Alteration of Gateway Determination**

***Planning proposal (Department Ref: PP\_2015\_WYONG\_009\_00)***

I, Director, Central Coast and Hunter Region at the Department of Planning, Industry and Environment, as delegate of the Minister for Planning and Public Spaces, have determined under section 3.34(7) of the *Environmental Planning and Assessment Act 1979* to alter the Gateway determination dated 30 September 2015 (since altered) for the proposed amendment to the *Wyong Local Environmental Plan 2013* as follows:

1. Delete "condition 11"

and replace with

a new condition 11 "The timeframe for completing the LEP is by 31 December 2020."

2. Add "condition 12"

"Council is not authorised to be the local plan making authority and the Written Authorisation to Exercise Delegation issued on 30 September 2015 is now revoked."

Dated 26<sup>th</sup> day of November 2020.



**Dan Simpkins  
Director, Central Coast and Hunter Region  
Planning and Assessment  
Department of Planning, Industry and  
Environment**

**Delegate of the Minister for Planning and  
Public Spaces**

PP\_2015\_WYONG\_009\_00 (OBJ15/13405)



**Item No:** 5.1  
**Title:** Minutes of the Audit, Risk and Improvement Committee held on 17 June 2020  
**Department:** Governance

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14 December 2020 Ordinary Council Meeting

Reference: F2018/00028-002 - D14295757  
Author: Kelly Drover, Advisory Group Support Officer  
Manager: Shane Sullivan, Unit Manager Governance and Business Services  
Executive: Krystie Bryant, Executive Manager, People and Culture

### **Report purpose**

To note the Minutes of the Audit, Risk and Improvement Committee (ARIC) Meeting held on 17 June 2020 provided for the information of Council.

### **Executive Summary**

The Audit, Risk and Improvement Committee held a meeting on 17 June 2020 (confirmed 6 November 2020) These Minutes are being provided as resolved by Council on 24 February 2020 when the ARIC Charter was amended to include the following:

*All meeting minutes that are approved by the Committee will be reported to the next available Council Meeting for information purposes*

At the meeting the Committee considered a number of matters as provided in the standard agenda including the Chief Internal Auditor's progress report and four year work program. The Committee also received a report by an external consultant on the operation of Council's Holiday Parks.

The Committee also received a presentation by Grant Thornton on Financial Planning after COVID-19.

It is recommended that Council note the report on the Minutes.

### **Governance Recommendation**

*That Council note the Minutes of the Audit, Risk and Improvement Committee held on 17 June 2020 as attached.*

## 5.1 Minutes of the Audit, Risk and Improvement Committee held on 17 June 2020 (contd)

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### Context

The Audit, Risk and Improvement Committee (ARIC) was established by Council Resolution on 26 April 2017. The ARIC is part of Council's governance framework by providing Council with independent oversight, objective assurance and monitoring of Council's audit processes, internal controls, external reporting, risk management activities, compliance of and with Council's policies and procedures, and performance improvement activities.

The ARIC held a meeting on 17 June 2020. The Minutes of that meeting are at Attachment 1 to this report. These minutes were confirmed by the Committee at the 6 November 2020 ARIC Meeting.

### Financial Considerations

At its meeting held 19 October 2020, Council resolved the following:

*1036/20 That any motions put before Council for the remainder of this term of Council that have financial implications require the Chief Executive Officer to provide a report on how those additional costs will be met.*

The following statement is provided in response to this resolution of Council.

There are no financial consequences for Council in accepting the ARIC minutes.

### Link to Community Strategic Plan

Theme 4: Responsible

#### **Goal G: Good governance and great partnerships**

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

### Attachments

- 1 ARIC Minutes - 17 June 2020 D14048770



**Central Coast Council**

Minutes of the  
**Audit Risk and Improvement Committee**  
**Meeting of Council**

Held via Zoom on 17 June 2020 commencing at 2.06pm

**Present**

Dr Colin Gellatly  
John Gordon  
Carl Millington  
Councillor Jane Smith

**Apologies**

Councillor Jeff Sundstrom

**In Attendance**

Gary Murphy	Chief Executive Officer
Boris Bolgoff	Director Roads, Transport, Drainage and Waste
Krystie Bryant	Executive Manager People and Culture
Mark Margin	Acting Chief Information Officer (joined 3.26pm, left 3.45pm)
Carlton Oldfield	Acting Chief Financial Officer
Emma Roberts	General Counsel (joined 3.13pm, left 3.29pm)
Tina Baker	Chief Internal Auditor
Lilly Mojsin	Senior Internal Ombudsman (joined 2.57pm, left 3.25pm)
Michael Ross	Unit Manager Strategic Procurement (joined 4.37pm, left 4.45pm)
Shane Sullivan	Unit Manager Governance and Business Services
Jade Maskiewicz	Assistant Internal Ombudsman
James Taylor	Section Manager Governance
Kelly Drover	Advisory Group Support Officer
Cassie Malone	Audit Office of NSW
David Daniels	Audit Office of NSW
Penny Corkill	Account Manager, Centium, IA Co-Sourced Partner
Danielle Franjic	Grant Thornton (joined meeting 3.45pm, left 4.35pm)
Michael Kazzi	Grant Thornton (joined meeting 3.45pm, left 4.35pm)

**Minutes of the Audit Risk and Improvement Committee Meeting of Council 17 June 2020 contd****Welcome, Acknowledgement of Country and Apologies**

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Gary Murphy, Chief Executive Officer (CEO) opened the meeting, welcomed attendees and completed an Acknowledgement of Country.

Apologies Received: Councillor Jeff Sundstrom

**1 APPOINTMENT AND ELECTION OF ARIC CHAIR****1.1 Reappointment of ARIC External Independent Members and new Councillors**

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The CEO advised of the appointment of two new Councillor representatives on the Committee, Councillor Jane Smith and Councillor Jeff Sundstrom, along with the resolution of Council from the 27 April 2020 Ordinary Meeting to reappoint the three Independent Members, Colin Gellatly for one year, John Gordon for two years and Carl Millington for three years.

**1.2 Election of Audit, Risk and Improvement Committee Chairperson**

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The CEO handed over to James Taylor to act as Returning Officer for the Election of the Chairperson.

Nominations from the three Independent External Members were called. One nomination was received for Colin Gellatly and he was duly elected Chairperson.

**Resolution**

**64/2020(ARIC) *That the Committee resolve to appoint Colin Gellatly as Chairperson of the Committee for the period of his reappointment, ceasing on 27 April 2021.***

**65/2020(ARIC) *That the Committee recommend that this report be made publicly available as the nature or content of this report do not fall within any listed exceptions, pursuant to Clause 78 of the Audit, Risk and Improvement Committee Charter.***

**2 INTRODUCTION****2.2 Disclosures of Interest**

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**Resolution**

**66/2020(ARIC) *That the Committee receive the report on Disclosures of Interest noting that there were no Disclosures of Interest.***

**67/2020(ARIC) *That the Committee recommend that this report be made publicly available as the nature or content of this report do not fall within any***

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**Minutes of the Audit Risk and Improvement Committee Meeting of Council 17 June 2020 contd**

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*listed exceptions, pursuant to Clause 78 of the Audit, Risk and Improvement Committee Charter.*

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**2.3 Confirmation of Minutes of Previous Meeting**

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**Resolution**

**68/2020(ARIC)** *That the Committee confirm the minutes of the previous meeting held on 17 March 2020 noting that they were reported to Council on Monday 11 May 2020.*

**69/2020(ARIC)** *That the Committee recommend that this report and the supporting papers to this report be made publicly available as the nature or content of the report do not fall within any listed exceptions, pursuant to Clause 78 of the Audit, Risk and Improvement Committee Charter.*

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**2.4 Outstanding Action Items**

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**Resolution**

**70/2020(ARIC)** *That the Committee notes the report.*

**71/2020(ARIC)** *That the Committee recommend that this report and the supporting papers to this report be made publicly available as the nature or content of this report do not fall within any listed exceptions, pursuant to Clause 78 of the Audit, Risk and Improvement Committee Charter.*

**3 INTERNAL AUDIT**

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**3.1 CIA Quarterly Progress Report**

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**Resolution**

**72/2020(ARIC)** *That the Audit, Risk and Improvement Committee receive the Chief Internal Auditor's Report.*

**73/2020(ARIC)** *That the Committee recommend that this report be made publicly available as the nature or content of this report do not fall within any listed exceptions, pursuant to Clause 78 of the Audit, Risk and Improvement Committee Charter.*

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Minutes of the Audit Risk and Improvement Committee Meeting of Council 17 June 2020 contd

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**3.2 Management Actions Arising from IA and NSW Audit Office Reports**

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**Resolution**

**74/2020(ARIC) That the Audit, Risk and Improvement Committee receive the report on the implementation of management actions arising from IA reviews.**

**75/2020(ARIC) That the Audit, Risk and Improvement Committee support a process to require management to submit a remediation project plan along with management responses to IA reports, to indicate how the identified issues will be addressed, in what timeframe and how this will be managed in line with the operational activities of the unit.**

**76/2020(ARIC) That the Audit, Risk and Improvement Committee hold an In-Camera meeting with the Chief Executive Officer to discuss Management Actions.**

**77/2020(ARIC) That the Committee recommend that:**

- a. this report and Appendices 1 be made publicly available as the nature or content of this report do not fall within any listed exceptions, pursuant to Clause 78 of the Audit, Risk and Improvement Committee Charter.**
- b. pursuant to Clause 78 of the Audit, Risk and Improvement Committee Charter, that the Audit, Risk and Improvement Committee assign a 'confidential' privacy marking to Appendices 2 and 3 to this report and not release them to the public for the reasons that they contain information that could compromise the "security of Council, Council Officials and Council property".**

**3.3 IA Balanced Scorecard Measures Cover Report**

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**Resolution**

**78/2020(ARIC) That the Audit, Risk and Improvement Committee receive the Chief Internal Auditor's Balanced Scorecard Report.**

**79/2020(ARIC) That the Committee recommend that this report be made publicly available as the nature or content of this report do not fall within any listed exceptions, pursuant to Clause 78 of the Audit, Risk and Improvement Committee Charter.**

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Minutes of the Audit Risk and Improvement Committee Meeting of Council 17 June 2020 contd

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**3.4 IA Four Year Work Programme & 2020/21 Operational Plan**

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**Resolution**

**80/2020(ARIC) That the Audit, Risk and Improvement Committee approve the IA Four Year Work Programme and 2020/21 Operational Plan, in accordance with section 39 of their Charter. Approval of the IT General Control Validation Review (scheduled for Feb-Mar 2021) is subject to the work being conducted by the NSW Audit Office and further discussions between the Chief Internal Auditor and NSW Audit Office.**

**81/2020(ARIC) That the Committee recommend that this report be made publicly available as the nature or content of this report do not fall within any listed exceptions, pursuant to Clause 78 of the Audit, Risk and Improvement Committee Charter.**

**3.5 Resourcing of the Internal Audit Function**

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**Resolution**

**82/2020(ARIC) That the Audit, Risk and Improvement Committee receive this report on Internal Audit resourcing.**

**83/2020(ARIC) That the Committee note the resourcing options provided and consider Option 2 as preferable, however noting it is a matter for the Chief Executive Officer to determine.**

**84/2020(ARIC) That the Committee make a recommendation that this report be made publicly available, pursuant to Clause 78 of the Audit, Risk and Improvement Committee Charter.**

**85/2020(ARIC) That pursuant to Clause 78 of the Audit, Risk and Improvement Committee Charter, the Audit, Risk and Improvement Committee assign a 'confidential' privacy marking to the supporting paper to this report and recommend that the supporting paper not be release to the public for the reasons that they contain information that contains personal information relating to salaries and costs for particular roles/officers.**

**4 EXTERNAL AUDIT**

**4.1 Review by External Consultant on Holiday Parks**

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**Resolution**

**86/2020(ARIC) That the Audit, Risk and Improvement Committee receive the report on Holiday Parks by external consultant.**

**Minutes of the Audit Risk and Improvement Committee Meeting of Council 17 June 2020 contd**

**87/2020(ARIC) That the Committee request an update in 12 months' time on the implementation of the 14 recommendations supported by staff.**

**88/2020(ARIC) That the Committee request outcomes for actions be included in the internal audit and external audit actions.**

**89/2020(ARIC) That pursuant to Clause 78 of the Audit, Risk and Improvement Committee Charter, the Audit, Risk and Improvement Committee assign a 'confidential' privacy marking to the report and recommend that this report not be release to the public for the reasons that it contains Commercial information of a confidential nature that would, if disclosed, confer a commercial advantage on a competitor of Council.**

**4.2 Audit Office 2020 Annual Engagement Plan (AEP) (Confidential Item)**

David Daniels from the NSW Audit Office provided the Committee with an update on the progress of the Audit.

**Resolution**

**90/2020(ARIC) That the Committee note the NSW Audit Office 2020 Annual Engagement Plan (AEP).**

**91/2020(ARIC) That pursuant to Clause 78 of the Audit, Risk and Improvement Committee Charter, the Audit, Risk and Improvement Committee assign a 'confidential' privacy marking to the report and recommend that this report not be release to the public for the following reasons:**

- a as they contain information about matters affecting the security of Council, Council Officials and/or Council property; and**
- b as on balance it would not be in the public interest to make this information available as Council does not disclose to the public any information from the NSW Audit Office to ensure the efficacy of its investigating, auditing or reporting functions.**

**5 GOVERNANCE**

**5.1 Report from the Office of the Internal Ombudsman**

Shane Sullivan and James Taylor left the meeting and were not present for this item.

**Resolution**

**92/2020(ARIC) That the Committee receive the report on Report from the Office of the Internal Ombudsman.**

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Minutes of the Audit Risk and Improvement Committee Meeting of Council 17 June 2020 contd

**93/2020(ARIC)** *That pursuant to Clause 78 of the Audit, Risk and Improvement Committee Charter, the Audit, Risk and Improvement Committee assign a 'confidential' privacy marking to the report and recommend that this report not be release to the public for the reasons that the report contains personal information that could compromise the security of Council, its officers and its property.*

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**5.2 Update on Internal Ombudsman IT Investigation Recommendations**

**Resolution**

**94/2020(ARIC)** *That the Committee receive the 'Update on Internal Ombudsman IT Investigation Recommendations' report.*

**95/2020(ARIC)** *That pursuant to Clause 78 of the Audit, Risk and Improvement Committee Charter, the Audit, Risk and Improvement Committee assign a 'confidential' privacy marking to this report and recommend that this report not be release to the public for the reasons that it contains information that could compromise the security of Council, its officers and its property.*

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**5.3 Audit, Risk and Improvement Committee Charter Update**

**Resolution**

**96/2020(ARIC)** *That the Audit, Risk and Improvement Committee approve the revised ARIC Charter.*

**97/2020(ARIC)** *That the Committee make a recommendation that this report be made publicly available as the nature or content of this report do not fall within any listed exceptions, pursuant to Clause 78 of the Audit, Risk and Improvement Committee Charter.*

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**5.4 Review of Actions - Council resolution**

**Resolution**

**98/2020(ARIC)** *That the Committee note the actions taken in response to the Council resolution of 28 October 2019 and that a further report is to be provided to Council.*

**99/2020(ARIC)** *That the Committee recommends that this report and the supporting papers to this report be made publicly available as the nature or content of the report do not fall within any listed exceptions, pursuant to Clause 78 of the Audit, Risk and Improvement Committee Charter.*

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**Minutes of the Audit Risk and Improvement Committee Meeting of Council 17 June 2020 contd**

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**5.5 Governance and Risk activities update**

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**Resolution**

**100/2020(ARIC) That the Committee note the report of Governance and Risk activities.**

**101/2020(ARIC) That pursuant to Clause 78 of the Audit, Risk and Improvement Committee Charter, the Audit, Risk and Improvement Committee assign a 'confidential' privacy marking to this report and recommend that this report not be release to the public for the reasons that it contains information about matters affecting the security of Council, Council Officials and/or Council property.**

**5.6 OLG draft Risk Management and Internal Audit Framework for Local Councils**

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**Resolution**

**102/2020(ARIC) That the Committee note the assessment of Council's status against the Office of Local Government's draft Risk Management and Internal Audit Framework for Local Councils.**

**103/2020(ARIC) That the Committee note that representatives from the Office of Local Government will be attending a Councillor Briefing on Monday 29 June 2020 at 4.30pm to which the Committee members are also invited.**

**104/2020(ARIC) That pursuant to Clause 78 of the Audit, Risk and Improvement Committee Charter, the Audit, Risk and Improvement Committee assign a 'confidential' privacy marking to this report and recommend that this report not be release to the public for the reasons that it contains information about matters affecting the security of Council, Council Officials and/or Council property.**

**5.7 COVID-19 Council Actions**

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**Resolution**

**105/2020(ARIC) That the Committee note the report.**

**106/2020(ARIC) That the Committee recommends that this report and the supporting papers to this report be made publicly available as the nature or content of the report do not fall within any listed exceptions, pursuant to Clause 78 of the Audit, Risk and Improvement Committee Charter.**

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 Minutes of the Audit Risk and Improvement Committee Meeting of Council 17 June 2020 contd
 

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**5.8 Self-Assessment Survey Action Plan**


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**Resolution**

**107/2020(ARIC) That the Committee receive this report and endorse the draft Action Plan.**

**108/2020(ARIC) That the Committee recommends that this report and the supporting papers to this report be made publicly available as the nature or content of the report do not fall within any listed exceptions, pursuant to Clause 78 of the Audit, Risk and Improvement Committee Charter.**

**5.9 Update on Legal Matters (Confidential Item)**


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**Resolution**

**109/2020(ARIC) That the Audit, Risk and Improvement Committee receive the report on Update on Legal Matters.**

**110/2020(ARIC) That pursuant to Clause 78 of the Audit, Risk and Improvement Committee Charter, the Audit, Risk and Improvement Committee assign a 'confidential' privacy marking to the report and supporting papers and recommend that this report and supporting papers not be release to the public as:**

- a they may contain confidential advice or confidential communications concerning litigation or legal matters that may otherwise be privileged from production on the grounds of legal professional privilege.**
- b further, on balance, it would not be in the public interest to make this information available as it may compromise Council's ability to ensure the optimum outcome for the community.**

**6 IM&T**
**6.1 Update from IM&T on Integration of Core Systems**


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Mark Margin (Acting Chief Information Officer) provided the Committee with an update on the integration of core systems.

**6.2 Cyber Security Update**


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**Resolution**

**111/2020(ARIC) That the Committee receive the report on Council's Cyber Security.**

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Minutes of the Audit Risk and Improvement Committee Meeting of Council 17 June 2020 contd

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**112/2020(ARIC) That an update on Project Red be provided at the next Audit, Risk and Improvement Committee Meeting.**

**113/2020(ARIC) That pursuant to Clause 78 of the Audit, Risk and Improvement Committee Charter, the Audit, Risk and Improvement Committee assign a 'confidential' privacy marking to the report and supporting papers and recommend that this report and supporting papers not be release to the public as they contain information about matters affecting the security of Council, Council Officials and/or Council property.**

## **7 FINANCE**

### **7.1 Presentation by Grant Thornton: Financial Planning after COVID-19**

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Danielle Franjic (Senior Manager) and Michael Kazzi (Consultant) from Grant Thornton Australia provided the Committee with a confidential presentation on Financial Planning after COVID-19.

Councillor Smith abstained from voting on this item.

#### **Resolution**

**114/2020(ARIC) That the Audit, Risk and Improvement Committee:**

- a. endorses the fact that the process has been undertaken by Council;**
- b. notes the thoroughness in which it has been prepared; and**
- c. recommends that there be a feedback loop within the process so the progress can be tracked.**

### **7.2 Audit Office Final Management Letter for Year Ended 30 June 2019**

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#### **Resolution**

**115/2020(ARIC) That the Committee note the Final Management Letter for Year Ended 30 June 2019.**

**116/2020(ARIC) That pursuant to Clause 78 of the Audit, Risk and Improvement Committee Charter, the Audit, Risk and Improvement Committee assign a 'confidential' privacy marking to the report and supporting papers and recommend that this report and supporting papers not be released to the public as:**

- a they contain information about matters affecting the security of Council, Council Officials and/or Council property; and**

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 Minutes of the Audit Risk and Improvement Committee Meeting of Council 17 June 2020 contd
 

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- b as on balance it would not be in the public interest to make this information available as Council does not disclose to the public any information from the NSW Audit Office to ensure the efficacy of its investigating, auditing or reporting functions.*

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 7.3 Finance Update April 2020
 

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## Resolution

*117/2020(ARIC) That Council receive the report on Finance Update April 2020.*

*118/2020(ARIC) That the Committee recommendation that this report be made publicly available as the nature or content of this report do not fall within any listed exceptions, pursuant to Clause 78 of the Audit, Risk and Improvement Committee Charter.*

## 8 GENERAL BUSINESS

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 8.1 Contingent Workforce Engagement Report
 

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## Resolution

*119/2020(ARIC) That the Audit, Risk and Improvement Committee receive the report regarding Contingent Workforce Engagement.*

*120/2020(ARIC) That the Committee requests an update on the Contingent Workforce Engagement to the next ARIC meeting.*

*121/2020(ARIC) That the Committee request further clarification regarding the Body Hire Arrangements in the Former Wyong Shire Council.*

*122/2020(ARIC) That the Committee recommendation that this report be made publicly available as the nature or content of this report do not fall within any listed exceptions, pursuant to Clause 78 of the Audit, Risk and Improvement Committee Charter.*

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 8.2 Performance Improvement Order
 

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Councillor Smith raised the matter of correspondence received from the Planning Secretary (DPIE) indicating that a Performance Improvement Order could be issued by the Department if certain criteria were not met. Councillor Smith queried whether this should be something that the *Audit, Risk and Improvement Committee* should consider.

## Resolution

*123/2020(ARIC) That the Audit, Risk and Improvement Committee recommend advice be sought from Councils' Legal Team about the contents of the letter.*

**Minutes of the Audit Risk and Improvement Committee Meeting of Council 17 June 2020 contd**

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**8.3 Project Update**

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The CEO provided a brief update on the Regional Library project and the Mardi to Warnervale Pipeline project.

**Resolution**

***124/2020(ARIC) That the Committee request an update be provided at the next meeting on the Regional Library Project and the Mardi to Warnervale Pipeline project.***

***125/2020(ARIC) That the Committee request an update be provided at the next meeting on IPART's recent announcements on Sydney Water and Hunter Water and what this means for future determinations.***

**8.3 Timing of Meetings**

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The matter of moving meetings to mornings on a Tuesday or Wednesday was discussed.

Staff will investigate options for a Wednesday morning meeting in October and communicate back to the Committee.

**The Meeting** closed at 4.55 PM.

**Next Meeting:** October 2020  
Time and Location TBC



**Item No:** 6.1  
**Title:** Meeting Record of the Heritage Advisory Committee meeting held 7 October 2020  
**Department:** Innovation and Futures

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14 December 2020 Ordinary Council Meeting

Reference: F2018/00102 - D14248369  
Author: Rebecca Cardy, Heritage Officer  
Manager: Shari Driver, Unit Manager, Strategic Planning  
Executive: Ricardo Martello, Executive Manager Innovation and Futures

### **Report purpose**

To inform Council of the Meeting Record from the Heritage Advisory Committee meeting held 7 October 2020. It is recommended that the Meeting Record be noted.

### **Innovation and Futures Recommendation**

*That Council note the report on Meeting Record of the Heritage Advisory Committee meeting held 7 October 2020.*

### **Context**

These meeting records are regularly reported to Council as per the Terms of Reference. The Meeting Record is in Attachment 1 and there are no actions for Council to consider.

### **Financial Considerations**

At its meeting held 19 October 2020, Council resolved the following:

*1036/20 That any motions put before Council for the remainder of this term of Council that have financial implications require the Chief Executive Officer to provide a report on how those additional costs will be met.*

There are no financial implications arising from receiving the Committee's Meeting Record.

### **Link to Community Strategic Plan**

Theme 4: Responsible

### **Goal G: Good governance and great partnerships**

**6.1 Meeting Record of the Heritage Advisory Committee meeting held  
7 October 2020 (contd)**

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

**Attachments**

- 1** Heritage Advisory Committee Meeting Record - 7 October 2020      D14248347

# Heritage Advisory Committee Meeting Record 7 October 2020



Location:	Zoom Meeting	
Date:	7 October 2020	
Time	Started at: 3.33pm	Closed at: 4.55pm
Chair	Councillor Jane Smith	
File Ref	F2018/00102	

**Present:**

Councillor Kyle MacGregor, Councillor Jane Smith, Warren Andrews, Margot Castles, Gary Dean, Sandra Hunt-Sharman, Verena Mauldon, Kreenah Yelds (joined 3.42pm)

**External Representatives present:**

Richard Waterhouse, Lucy King (GML Heritage - joined 4.02pm, left 4.52), Claire Nunez (GML Heritage - joined 4.04pm, left 4.52), Lisa Trueman (GML Heritage - joined 4.02pm, left 4.52)

**Council Staff present:**

Scott Duncan – Section Manager Local Planning and Policy, Rebecca Cardy – Heritage Officer, Zoie Magann – Advisory Group Support Officer

**Item 1 Welcome, Acknowledgement of Country and Apologies**

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Apologies received: Councillor Louise Greenaway, Councillor Jeff Sundstrom, Councillor Doug Vincent, David Benwell, Walter Billington, Prue Wyllie, Tracey Howie (Guringai Tribal Link)

Councillor Jane Smith declared the meeting open and completed an Acknowledgement of Country and Connection to Land statement.

**Item 2 Disclosure of Interest**

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Councillor Jane Smith declared a less than significant non-pecuniary interest for Items 3 and 5 as a board member of the Marine Discovery Centre, which was mentioned as part of the Heritage Trail discussion.

**Item 3 Confirmation of Previous Meeting Record**

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The Advisory Group confirmed the Meeting Records from 4 September 2019 and 1 July 2020. An informal meeting was also held 26 August 2020 to discuss Heritage Trail opportunities – the notes from this were circulated to Advisory Group members via email.



The Advisory Group discussed the Action Log, noting most actions are now complete. There is one pending action regarding information to be shared from National Parks and Wildlife Services.

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**Item 4 Calga Cultural Landscape Heritage Listing**

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*Tracey Howie (Guringai Tribal Link) was no longer able to attend the meeting due to unforeseen circumstances so this item was deferred.*

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**Item 5 Update on Heritage Trails**

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Rebecca Cardy (Heritage Officer) provided an update on Heritage Trails, following the informal meeting held 26 August 2020.

The following key points were noted:

- Maritime heritage is a key point of difference for the Central Coast region which could be beneficial to leverage.
- Keen to employ drives and trails which could be marketed through an app, where people can filter options for exploration based on their interests.
- Proposal is not to reinvent the wheel, but to create connections between existing spaces.
- Conversations have also been held with Gosford Foundation Trust Management Committee. Heritage Trails are being considered as a project for support by the Trust Management Committee.
- Prototype of Heritage Near Me App (Heritage NSW) was shown to Advisory Group for their information.
- MidCoast Stories (partnership between MidCoast Council and NSW Government) is a good example of how heritage info can be presented. Link here: <https://midcoaststories.com/>

**Action:** Another informal meeting (workshop) to be held for interested Advisory Group members with regard to progress of the Heritage Trails. Members from the Gosford Foundation Trust Management Committee to be invited to join workshop.

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**Item 6 Heritage Gap Analysis Presentation and Discussion**

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Lisa Trueman (GML Heritage) provided a presentation on the Heritage Gap Analysis which is currently being undertaken.

The following key points were noted:

- Project is running alongside to heritage nominations review being undertaken by David Scobie Architects.
- GML Heritage is reviewing existing studies, strategies, policies and processes to identify gaps. This will be complemented by community consultation. Recommendations to fill identified gaps and opportunities will be prepared as part of the final Gap Analysis.
- The Gap Analysis will be a primary document used for the preparation of the Central Coast Heritage Strategy and Action Plan. The Heritage Strategy and Action Plan will provide strategic direction for the Council's heritage program over the next 10 years and will include a priority list of projects. The strategy will provide opportunities for identification of funding and grant opportunities.
- Project commenced May 2020, expected to produce final report in early 2021.



- Key areas for focus have been identified and some further studies recommended to better understand these areas. Recommended studies include:
  - Combined thematic history for the Central Coast
  - Aboriginal Heritage Study
  - Archaeological Study
  - Landscape Heritage Study
  - Community Heritage Engagement Strategy
  - Central Coast Regional Interpretation Strategy.
- Lisa invited feedback from Advisory Group members on various items. The following was noted:
  - Favourite Heritage Places in LGA: Fairview Homestead and the Dubbo Gully area, agricultural landscapes such as Yarramalong Valley, Norah Head Lighthouse, South Gosford Precinct, Point Frederick Cemetery, rock art sites including one above Mangrove Creek, Hawkesbury River and Peat Island, Calga Cultural Landscape, Old Great North Road, Woy Woy War Memorial, St Paul's Church Kincumber, Shipbuilders walk Kincumber, Henry Kendall Cottage and landscape, archaeological sites, *Gosfordia* lung fish, tree tunnels in rural areas, Coastal Open Space System (COSS) lands.
  - Main opportunities for Heritage: community knowledge is vast, Aboriginal Heritage Study and Landscape Heritage Study would provide needed direction and certainty.
  - Challenges to achieving opportunities: cost (budget is required to implement recommendations).
  - Community engagement: important to gain interest from younger generations (need to consider how this can be achieved), ensure varied approaches and different platforms (one size doesn't fit all), explore engagement opportunities in schools.
- Concern raised that local histories often only include Aboriginal stories as a precursor to the story of colonisation. Noted importance of ongoing representation of Aboriginal stories and their continuity through histories.

**Action:** Presentation to be circulated with key questions highlighted for further input from Advisory Group members. Advisory Group members will have two weeks to provide comments.

#### **Item 7                    General Business and Close**

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It was agreed the Advisory Group should start forward planning with regard to events in 2021 such as Heritage Week.

**Action:** Staff to collate key dates of events (e.g. Heritage Week) for Advisory Group members to consider with regard to future planning.

The meeting closed at 4.55pm

**Next Meeting:**            **January 2021 (TBC)**  
                                      **4pm – 6pm**  
                                      **Location TBC**