

Central Coast Council
Agenda Paper
Ordinary Council Meeting
15 June 2021





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.



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 Tuesday 15 June 2021 at 6.30 pm,

for the transaction of the business listed below:

1	Pro	Procedural Items			
	1.1 1.2	Disclosure of Interest Confirmation of Minutes of Previous Meeting			
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	2.4	Consideration of Submissions and Adoption of the Draft Skatepark Strategy	24		
	2.5	Central Coast Affordable and Alternative Housing Strategy Implementation			
		Progress Report	30		
3	Con	fidential			
	3.1	Refinancing of Borrowings			

David Farmer

Chief Executive Officer

Item No: 1.1

Title: Disclosure of Interest

Department: Corporate Affairs

15 June 2021 Ordinary Council Meeting

Reference: F2021/00035 - D14633252

Central Coast Council

Recommendation

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

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 (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.

Item No: 1.2

Title: Confirmation of Minutes of Previous Meeting

Department: Corporate Affairs

15 June 2021 Ordinary Council Meeting

Reference: F2021/00035 - D14633258

Central Coast Council

Recommendation

That Council confirm the minutes of the Ordinary Meeting of Council held on 25 May 2021 and the Extraordinary Meeting of Council held on 1 June 2021.

Summary

Confirmation of minutes of the Ordinary Meeting of Council held on 25 May 2021 and the Extraordinary Meeting of Council held on 1 June 2021.

Attachments

Minutes - Ordinary Meeting 25 May 2021 <u>Click here for Attachment</u> D14651275
 Minutes - Extraordinary Meeting 1 June 2021 <u>Click here for Attachment</u> D14664284

Item No: 1.3

Title: Notice of Intention to Deal with Matters in

Confidential Session

Department: Corporate Affairs

15 June 2021 Ordinary Council Meeting

Trim Reference: F2021/00035 - D14633261



Recommendation

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

Item 3.1 - Refinancing of Borrowings

Reason for considering in closed session:

- 2(d) commercial information of a confidential nature that would, if disclosed:
 - (i) prejudice the commercial position of the person who supplied it.

That Council resolve, pursuant to section 11(3) of the Local Government Act 1993, that this report remain confidential in accordance with section 10A(2)(d)(i) of the Local Government Act as is 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.

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.

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,
- 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: Cemeteries Management System

Department: Corporate Affairs

15 June 2021 Ordinary Council Meeting

Reference: F2021/00035 - D14521776

Author: Irene Reid, Project Officer

Manager: Jamie Barclay, Unit Manager Development and Property

Executive: Natalia Cowley, Director Corporate Affairs and Chief Financial Officer

Recommendation

- 1 That Council enter into a contract with the preferred proponent identified in Confidential Attachment 1 for the supply and maintenance of a Cemeteries Management System for a period of 3 years.
- That Council approves the expenditure for the implementation of the Cemeteries Management System as a continuing project which forecasts the sum of \$361,049 in the 2021/22 draft Operational Plan, as well as \$80,000 over 2021/22 and 2022/23 draft operating budgets
- That Council resolve, pursuant to section 11(3) of the Local Government Act 1993, that Attachment 1 remains 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.

Report purpose

For Council to approve the expenditure for two financial years (FY 2021/2022 and FY 2022/2023) to enter a contract for the supply and maintenance of a Cemeteries Management System.

Executive Summary

This contract is for the supply and maintenance of a Cemeteries Management System. The program for system implementation is six months which will fall across both the 2020/2021 and 2021/2022 financial years. This project currently has an approved budget for the 2020/2021 financial year. The expenditure in 2021/22 and 2022/23 is forecast in the draft Operational Plan.

Project initiation and planning phases will be completed in 2020/2021; however, the system implementation is scheduled to commence in June 2021, with a go-live in December 2021.

The contract term will be three years. There is also the option of two three-year extensions subject to satisfactory performance and approval of the budget at the time. An open tender process identified Tenderer 2 (of the responses received) as detailed in Confidential Attachment 1. The identified successful proponent has been evaluated (capability and cost) as providing the best value for money to Council. The contract to be entered into is a Professional Services contract for the supply and maintenance of a Cemeteries Management System with an estimated contract value of \$293,300 over the three-year contract term (this includes \$177,900 System Implementation, \$35,400 for year 1 licencing, and \$80,000 for years 2-3 licencing).

Background

Council is responsible for 13 cemeteries across the LGA. The cemeteries are currently managed in two different systems, Pathway and Authority. Two of the cemeteries are managed by an external contractor, under a lease arrangement, and the remaining cemeteries managed by council staff. The proposed solution is to manage all cemeteries from the new system.

The Property and Rating Project will see the Authority system transitioned into Pathway with Authority retired. Pathway is not an appropriate system to continue cemetery management for the following reasons:

- The number of lengthy manual processes and information held outside of the system is high risk.
- The inability to access real-time and up to date data affects the quality of decision making and service provision by the cemeteries team. There is a potential for non-compliance with the relevant legislation, due diligence in the management of assets and services are impacted due to the number of manual processes.
- Lack of data consolidation and inability to share data in real time with staff/partners there is no provision for online accessibility or mapping for the community and stakeholders.
- Business processes are lengthy, repetitive and at risk of error.
- It does not provide the full suite of requirements for business needs and limits the ability to operate and introduce new assets and revenue streams.
- There is no ability for the support and management of cemetery specific assets.
- It has limitations in restricting access to customer information and potentially other Council systems to the Lessee.

There are a number of systems available which are specifically fit for purpose and provide the full range of cemetery management and operational functions required to enhance and support the Council cemeteries into the future. The implementation of a dedicated and Fit for Purpose Cemetery Management System was a recommendation of the Capacity Study and Cemeteries Business Strategy and is a key Strategic Action in the Cemeteries Business Plan for the 2020/2021 year.

Current Status

Following approval of the Contract Plan for CPA/3362 for the supply and maintenance of a Cemeteries Management System a request for tender was issued in December 2020 and closed in January 2021, and is now pending award.

Award of the tender is scheduled for June 2021, with a commencement date in June 2021. The implementation stage of the project will continue until December 2021.

Consultation

Councils Cemeteries Manager has been consulted throughout the initiation and planning stages of the project and is a member of the evaluation panel.

The Architecture Scoping document was developed in consultation with key IT stakeholders and approved by the former Head of Architecture.

Information Management and Finance are also represented in the Project Control Group.

Financial Considerations

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

1108/20 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.

Tender development, Installation, configuration, data migration and first year license costs are to be covered by the adopted 2020/21 IT Capex Project Budget and is in the draft 2021/22 Operational Plan.

The first year of licensing costs are covered with the project costs. The licensing costs from year 2 onwards is to be paid for by the Economic Development and Property Unit operational budget.

Operational savings were included across the board for the section to cover the cost of this licensing. A new system will provide the ability to introduce a range of new revenue streams. Many of these are related to memorialisation offerings that we have been unable to previously provide due to restrictions with the current operating system. It is anticipated that the increase in revenue will offset the licensing costs per year for future years. A range of new fees and charges are to be introduced for the 2021/2022 year as well to increase revenue.

There will also be employee savings in terms of time - savings in operational processes will mean that staff are able to work on the implementation of new revenue streams etc. as they

come online. CCC will be able to pick up more of the operational activity that is currently on hold due to the inability to resource those activities.

The table below shows the breakdown of Capital and Operational expenditure for this project:

Financial	Budget Item	Funding	Budget
Year		Source	Amount
2020/2021	Project Resources	Capital	\$64,339
	System Implementation (initial	Project	\$15,000
	payment)	25837	
2021/2022	System Implementation	Capital	\$162,900
	(remaining payments)	Project	
	Year 1 Licencing	25837	\$35,400
	Vendors for Data Migration from		\$35,049
	legacy systems		
	Project Resources		\$48,361
2021/2022	Year 2 Licencing	Operational	\$40,000
		budget	
2022/2023	Year 3 Licencing	Operational	\$40,000
		budget	
	Total Capital budget		\$361,049
	Total Operational budget		\$80,000

Link to Community Strategic Plan

Theme 4: Responsible

Goal G: Good governance and great partnerships

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

Risk Management

This contract has been assessed as low risk as the system implemented will be a Software as a Service Solution that meets IT security and data storage requirements and relevant regulatory requirements.

Options

Approve the expenditure in the 2021/22 draft Operational Plan and enter into a contract with the preferred proponent.

This is the recommended option due to:

- The Property and Rating Project will move all Authority functions to Pathway during 2021, Pathway is not a fit for purpose Cemeteries Management System and has limitations in restricting access to customer information and potentially other Council systems to the Lessee;
- The implementation of a dedicated and Fit for Purpose Cemetery Management System was a recommendation of the Capacity Study and Cemeteries Business Strategy and is a key Strategic Action in the Cemeteries Business Plan for the 2020/2021 year;
- The initiation and planning phases of the project are complete, and implementation can commence in 2020/2021.
- 2 Not Approve the expenditure in the 2021/22 draft Operational Plan and not enter into a contract with the preferred proponent.

This is not the recommended option due to:

- Cemeteries currently managed in Authority cannot be properly managed once the Property and Rating Project moves all Authority functions to Pathway during 2021; and
- The validity period of the tenders expires on 30 June 2021.

Critical Dates or Timeframes

The validity period of the tenders expires on 30 June 2021.

The Cemeteries Management System needs to be implemented this year due to the Property and Rating Project moving all remaining functions from Authority.

Attachments

1 Confidential - Evaluation Process Report - D14628022

Item No: 2.2

Title: Water Poppy Control on Private Properties in

Matcham

Department: Environment and Planning

15 June 2021 Ordinary Council Meeting

Reference: F2004/06923 - D14606939

Author: Scott Irwin, Section Manager, Sustainable Environments

Manager: Luke Sulkowski, Unit Manager, Environmental Management

Executive: Scott Cox, Director Environment and Planning

Recommendation

- 1 That Council authorise staff to undertake appropriate weed management activities under section 67 of the Local Government Act 1993, on the following privately owned properties:
 - Lot 11 DP 578702 (96 Oak Road Matcham)
 - Lot 12 DP 278702 (88 Oak Road Matcham)
 - Lot 11 DP285449 (9/217 Oak Road Matcham)
 - Lot 1 DP285449 (4/217 Oak Road Matcham)
- That following completion of the endorsed works, in accordance with section 67(4) of the Local Government Act 1993, a further report including the nature of works, and expenditure be brought to Council.

Report Purpose

The purpose of this report is to seek Council endorsement for staff to undertake part grant funded works for removal of the priority weed Water Poppy on a number of privately owned properties.

Executive Summary

The Water Poppy (*Hydrocleys nymphoides*) is an aquatic weed. This weed is a listed Priority Weed under the Biosecurity Act 2015. It has recently been identified on a number of private properties in Matcham.

Given the rarity of this aquatic weed and the limited control options, an initial control program consisting of physical removal is considered the best course of action.

Council staff have been offered emergency funding through the Greater Sydney Weed Action Plan (WAP) for \$8,353 to undertake removal, disposal and treatment activities. The draft grant agreement requires Council contribute a further \$3,160 through in-kind contributions for Councils' Biosecurity Officers to oversee the mechanical removal and lawful disposal of the

weed, and to educate the affected landholders on further management regrowth of the weed from June 2021.

Council currently has no approved fee for works on private land listed in Councils 2021/2022 adopted fees and charges. Staff are not proposing to charge a fee on the property owners. The works are recommended in order to address and manage the new weed incursion and prevent further potential issues arising from it spreading further within the Central Coast.

For Council to undertake works on private property section 67 of the *Local Government Act* 1993 requires Council to approve this activity prior to staff commencing works.

Background

Water Poppy (*Hydrocleys nymphoides*) is an aquatic weed which has been found in Maddens Creek, Matcham and is listed as a Priority Weed under the Biosecurity Act 2015 which is required to be eradicated. This weed is a new incursion for the Central Coast region, and it is only the third time in NSW where it has not been deliberately planted and has self-established outside of cultivation in the environment.

Water Poppy has historically been sold commercially as a pond and aquarium plant. The plant produces copious amounts of fine roots suspended in the water that trap passing sediments that can rapidly lead to the waterbody becoming blocked and stagnant. The Department of Primary Industries note the various potential negative impacts the weed can cause (see Attachment 1).

Water Poppy is difficult to eradicate when established in larger infestations and physical control methods can result in spread of the weed via fragmentation.

Council became aware of this aquatic weed infestation on the Central Coast while responding to a customer service request on 26 March 2020.

Upon the conclusion of inspections, the extent of the Water Poppy was determined as indicated in Attachment 2 and was found to cover four privately owned lots covering a total of 150m².

- Lot 11 DP 578702 96 Oak Road Matcham
- Lot 12 DP 278702 88 Oak Road Matcham
- Lot 11 DP285449 9/217 Oak Road Matcham
- Lot 1 DP285449 4/217 Oak Road Matcham

The watercourse has been inspected, including all properties that are located on the upstream of the infestation, the side creeks, ponds and dams and all properties downstream.

Council could require individual landholders to eradicate this aquatic weed on their properties through the engagement of contractors using mechanical removal however mechanical treatment by private owners may result in plant fragmentation leading to further

spread of the weed. Application of the chemical (glyphosate) is not an option for private owners to control the weed either as this aquatic weed is not on the registered label of the chemical and the chemical will not fully control the infestation.

Council staff are providing expertise and implementation for the initial control measures to ensure that a consistent treatment is carried out with all appropriate safeguards in place and to ensure that it will provide for the best chance of the eradication of this species in the region.

Councils Biosecurity Officer (Weeds) sought out emergency funding through the WAP to carry out initial weed controls using mechanical removal and disposal at a council waste management facility. Council was successful in gaining this emergency funding and has received advice from the Natural Resources Access Regulator that council is exempt from requiring controlled activity approval as indicated in Attachment 3.

All four affected landholders have been contacted and are aware of the aquatic weed on their property.

In accordance with <u>s.67 of the Local Government Act 1993</u> Council has no approved fee for such works and proposes not to charge property owners a fee for Council carrying out works on private land.

Staff will investigate introducing a new fee for works on private land into Councils 2021/2022 adopted fees and charges.

Following completion of the work, a further report to Council will be prepared for consideration in accordance with section 67(4) of the *Local Government Act 1993*.

Current Status

The extent of the Water Poppy aquatic weed infestation within Maddens Creek has been determined by Council's Biosecurity Officer (Weeds) to be located on four private properties covering an area of 150m². All property owners have been notified of the occurrence.

Council has been offered emergency funding through the WAP to carry out the initial control works pending commitment of in-kind funding from Council for Council Biosecurity Officers (Weeds) to oversee the mechanical removal and lawful disposal of the weed, and to educate the affected landholders on further management regrowth of the weed.

Consultation

Consultation has occurred with four affected landholders, Greater Sydney Local Land Services, NSW Department of Planning, Industry and Environment, the Natural Resources Access Regulator and internal council staff.

Financial Considerations

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

1108/20 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 has been offered \$8,353 in emergency funding from Greater Sydney Local Land Services through the Greater Sydney Weed Action Plan. To receive this emergency funding Council staff have signed a funding agreement and a further \$3,160 as in kind will be funded within Council's budget as part of regular responsibilities of Council's Biosecurity Officers (Weeds). Ongoing monitoring of the sites will be undertaken for at least 12 months to detect any regrowth and to follow up and support the affected landholders.

Link to Community Strategic Plan

Theme 3: Green

Goal A: Our community spirit is our strength

G-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

The proposed weed management activities will be undertaken on private property.

For the management of on ground environmental risks assessment, a level 2 Part 5 Environmental Impact Assessment has been completed for the mechanical removal of the water poppy from the four private properties.

Failure to eradicate this weed could result in choking of the creek system which can lead to:

- Exacerbated risk of flooding
- Potential for an increase in mosquito breeding
- Impacts to native fauna habitat
- Further spread of the weed, resulting in higher longer-term management costs

Options

1 That Council undertake the initial control works on private property

Council accept the \$8,353 in emergency funding from Greater Sydney Local Land Services to undertake mechanical removal, lawful disposal and treatment works and contribute a further \$3,160 as in-kind funding consisting of Council Biosecurity Officers (Weeds) overseeing the mechanical removal and disposal of the weed and future monitoring of these sites. **This is the recommended option.**

2 That Council do nothing

Not recommended as the identified weed must be controlled in accordance with the Regionally Recommended Measure as listed in the Greater Sydney Regional Weed Management Plan "The plant should be eradicated from the land and the land kept free of the plant". (This is not the recommended option)

3 Private landholders carry the works out independently

Discussions with the other weed staff from other areas that have dealt with Water Poppy have shown that the chemical option is only effective on small isolated plants. The infestations at Matcham are large and dense, the chemical (glyphosate) option requires a minor use permit PER9907' as this weed is not on the registered label of the chemical and the chemical will not fully control the infestation. The affected landholders could engage contractors to remove the weed, however, this would most likely lead to fragmentation and further spread of the weed. Not recommended as the identified weed has only one herbicide permitted for 'minor use permit PER9907' for controlling Water Poppy with limited effectiveness. (This is not the recommended option)

Critical Dates or Timeframes

The funding agreement needs to be signed and returned to Greater Sydney Local Land Services by 31 May 2021 in order to receive the funds. Works would ideally be undertaken during June 2021 to prevent any further spread during large rainfall events.

Attachments

1	DPI Water Poppy Information	Click here for Attachment	D14634993
2	Water Poppy Private Property Infestation 2021	Click here for Attachment	D14635016
3	LLS Participant Agreement	Click here for Attachment	D14635020

Item No: 2.3

Title: Request to prepare a Planning Proposal for

18 Macleay Avenue, Woy Woy

Department: Environment and Planning

15 June 2021 Ordinary Council Meeting

Reference: F2020/00039 - D14582058

Author: Bruce Ronan, Strategic Planner

Jenny Mewing, Principal Strategic Planner

Manager: David Milliken, Unit Manager Strategic Planning
Executive: Scott Cox, Director Environment and Planning

Recommendation

- That Council prepare a Planning Proposal to rezone the western part of Lot 16 DP 255220 and the adjoining pathways to R1 General Residential under Gosford Local Environmental Plan 2014 or Central Coast Local Environmental Plan (whichever is in effect at the time).
- 2 That Council, as part of the Planning Proposal, apply the following mapping layers to the land proposed to be zoned R1 General Residential:
 - a) Minimum Lot Size of 550m²;
 - b) Maximum Building Height of 8.5m; and
 - c) Floor Space Ratio of 0.7:1 with blue line (under Gosford Local Environmental Plan 2014, or 0.5:1 in Area 1 (under Central Coast Local Environmental Plan).
- That Council submit the Planning Proposal to the Minister for Planning in accordance with Section 3.35(2) of the Environmental Planning and Assessment Act 1979, requesting a Gateway Determination, pursuant to Section 3.34 of the Environmental Planning and Assessment Act 1979.
- 4 That Council request delegation for Council to finalise and make the draft Local Environmental Plan, pursuant to Section 3.36 of the Environmental Planning and Assessment Act 1979.
- 5 That Council authorise the Chief Executive Officer (or delegate) to enter into a Planning Agreement with the owner of Lot 16 DP 255220 to require:
 - a) Dedication of the eastern part of the land to Council for a drainage reserve;
 - b) Inclusion of the two adjoining pathways into the subject land in accordance with Council's procedures.

6 That Council undertakes community and public authority consultation in accordance with the Gateway Determination requirements, including the concurrent exhibition of the draft Planning Agreement.

Report purpose

The purpose of this report is for Council to consider a request to prepare a Planning Proposal to enable medium density residential development to occur on the western part of Lot 16 DP 255220, 18 Macleay Avenue, Woy Woy.

Executive Summary

The Planning Proposal seeks to rezone the western part of the subject land from RE1 Public Recreation to R1 General Residential under Gosford Local Environmental Plan 2014 (GLEP 2014) or Central Coast Local Environmental Plan (CCLEP), whichever is in effect at the time.

Whilst the land is zoned RE1 Public Recreation, it is a vacant lot that is privately owned and is not used for recreation purposes.

The Planning Proposal has strategic merit for the following reasons:

- The site is within an established residential area. The western part of the land proposed to be zoned R1 General Residential adjoins other R1 zoned land which has been developed for medium density housing;
- The Proposal will enable the provision of affordable rental housing to meet the needs of people on very low to moderate incomes; and
- The eastern part of the site is vegetated and accommodates a watercourse which forms a continuation of the local drainage system. There will be a public benefit in this land coming into public ownership.

Negotiation of a Planning Agreement with the landowner will be required to address the dedication of land to Council for a drainage reserve and inclusion of obsolete public pathways into the subject land to be rezoned R1 General Residential.

The Planning Proposal was referred to the Local Planning Panel on 13 May 2021 which advised:

The Panel supported the recommendations in the draft report and noted the importance of ensuring no impact on threatened species, both flora and fauna.

Background

The land subject to the rezoning was originally zoned 6(a) Open Space (Recreation) and 5(a) Special Purposes (Drainage) under the Gosford Planning Scheme Ordinance. The zoning of the land in its entirety was converted to RE1 Public Recreation under GLEP 2014.

2.3 Request to prepare a Planning Proposal for 18 Macleay Avenue, Woy Woy (contd)

Despite the zoning of the land, it is in private ownership. The transfer of the land occurred in 2019 whereby the proponent purchased the land from the NSW Land & Housing Corporation.

The current owner of the land is a local provider of affordable rental housing. It is proposed that the rezoning of the land will enable the site to be developed to meet the needs of people on very low to moderate incomes.

Report

The Planning Proposal request is to:

- Rezone the western part of the subject lot to R1 General Residential;
- Rezone the adjoining pathways to the north and to the south to R1 General Residential; and
- Dedicate the eastern part of the site to Council as a drainage reserve.

An assessment of the proposal has been undertaken to inform this determination, as detailed in Attachments 1 and 2. As the Proposal has strategic merit it is recommended that a Planning Proposal be prepared and forwarded to the Minister for Planning and Public Spaces for a Gateway Determination.

Consultation

Government agency and public consultation requirements will be detailed in the Gateway Determination and conducted accordingly.

Financial Considerations

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

1108/20 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.

Adoption of the staff recommendation has no budget implications for Council. The direct cost to Council is the preparation of the planning proposal which will be charged as per Council's fees and charges on a cost recovery basis.

That part of the site proposed to be dedicated to Council will be at no cost to Council, however, there will be ongoing maintenance costs associated with the drainage reserve. Any

2.3 Request to prepare a Planning Proposal for 18 Macleay Avenue, Woy Woy (contd)

future Planning Agreement must ensure the drainage reserve is dedicated to Council with an appropriate fully funded Vegetation Management Plan, as approved by Council.

Link to Community Strategic Plan

Theme 1: Belonging

Goal A: Our community spirit is our strength

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

Theme 3: Green

Goal F: Cherished and protected natural beauty

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 I: Balanced and sustainable development

R-I2: Ensure all new developments are well planned with good access to public transport, green space and community facilities and support active transport.

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

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

Central Coast Interim Local Strategic Planning Statement

The Central Coast Interim Local Strategic Planning Statement (LSPS) came into effect on 21 August 2020, after adoption by Council on 29 June 2020.

The Interim Local Strategic Planning Statement is a framework for a growing Central Coast Region. It sets a clear vision for the future and a proactive framework for delivering a growing and sustainable Region with a strong network of centres and thriving and connected communities. The Interim Local Strategic Planning Statement (LSPS) is our guide to how the Central Coast will respond to future population growth challenges in a manner that benefits our existing residents.

2.3 Request to prepare a Planning Proposal for 18 Macleay Avenue, Woy Woy (contd)

Various strategies and planning priorities outlined in the LSPS are applicable to this Planning Proposal. The proposal is generally consistent with these priorities.

Risk Management

There have been no risks identified to the natural and built environment associated with the proposed amendment to GLEP 2014 or the draft CCLEP, about seeking a Gateway Determination.

Options

- Support the Recommendation as the Planning Proposal has strategic merit (**This is the recommended option**).
 - The site is within an established residential area. That part of the land proposed to be zoned R1 General Residential adjoins other R1 zoned land which has been developed for medium density housing;
 - The Proposal will enable the provision of affordable rental housing to meet the needs of people on very low to moderate incomes; and
 - There will be a public benefit in the land required for drainage purposes coming into public ownership;
- 2 Refuse to support the Request for a Planning Proposal (This is not a recommended option).
 - Should the Planning Proposal not be supported, an opportunity will be missed for rezoning suitable land for residential purposes and the provision of affordable housing in the locality.

Conclusion

The request to rezone part of the subject land is considered to have strategic merit and consultation. It is recommended that a Planning Proposal be prepared and forwarded to the Minister for Planning and Public Spaces for a Gateway Determination.

Attachments

1	Proposal Planning Assessment	Click here for Attachment	D14595864
2	Strategic Assessment	Click here for Attachment	D14598143
3	Local Planning Panel Advice	Click here for Attachment	D14642601

Item No: 2.4

Title: Consideration of Submissions and Adoption of the

Draft Skatepark Strategy

Department: Community and Recreation Services

15 June 2021 Ordinary Council Meeting

Reference: F2019/00142 - D14400067

Author: Brett Sherar, Unit Manager, Open Space and Recreation
Executive: Julie Vaughan, Director Community and Recreation Services

Executive: Julie Vaughan, Director Commun

Recommendation

- 1 That Council note that the Draft Central Coast Skatepark Strategy was publicly exhibited from 2 October 2020 to 30 October 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 and Attachment.
- 4 That Council adopt the Central Coast Skatepark Strategy (Attachment 1) and make it available on Council's website.

Report purpose

To adopt the draft Central Coast Skatepark Strategy as amended following the outcome of the public exhibition.

Executive Summary

The Central Coast Skatepark Strategy (the Strategy) provides strategic direction for the development and sustainable management of skateparks across the Central Coast. The Strategy was endorsed by Council for the purpose of community consultation at its Ordinary Meeting on 28 September 2020.

At this meeting, it was also resolved that a further report be provided to Council on the outcome of the consultation. Feedback from community consultation was considered in the final review of the Strategy with a number of amendments made that are included in the final draft Central Coast Skatepark Strategy (Attachment 1).

The majority of submissions were in relation to consideration of a skate park at Avoca with the need for upgrades or placement in other areas as well.



Background

Council currently has 26 skateparks across the region which are valued community facilities and vary in size and condition. Both former Council's had skatepark strategies that needed to be consolidated and updated into a single strategy. This draft document sets the strategic direction for skatepark development and sustainable management across the Central Coast.

Skating is an inclusive activity, which includes BMX, scooters, in-line skates, longboards and skateboards. It is also a highly social, physical and mental activity that requires a level of athleticism, fitness and skill which has positive health benefits. Skateparks provide meeting places and activities where communities gather, socialise, exercise and get respite from daily duties.

Carefully planned, designed and sustainably managed skateparks allow people of all ages to socialise and test their physical abilities through active recreation. Users learn to manage risks in a controlled environment which aids the development of life skills.

The vision for the Central Coast is to have an accessible network of high-quality multipurpose, inclusive skateparks that contribute to active lifestyles, support social engagement, creativity, are appropriately sited and sustainably managed.

The objectives of the Strategy are to:

- Set the direction for future provision of skateparks over the next ten (10) years considering current and future demographic trends and community/ stakeholder needs.
- Outline future planning and provision for successful skateparks and facilities that enable development for entry level through to competition level.
- Outline an implementation strategy for short, medium and long term goals with recommendations for skatepark design and construction to align with benchmarks, best practice and universal guidelines over the next 10 years.

The Strategy outlines a hierarchy of skatepark categories and their distribution principles to ensure there is a diverse range of facilities as well as fair distribution across the Central Coast.

- Spot These skateparks are incidental skate spaces or elements integrated into urban spaces and places as opportunities to provide skate function. Generally, under 200m².
- Local Skateparks in this category support scooter or skater beginners within local spaces in residential neighbourhoods. Approximately 200-600m².

- District Skateparks in this category cater to intermediate user styles and levels of proficiency in a central accessible area. Approximately 600-1500m² within 30min travel time.
- Regional Skateparks in this category are large enough to cater to multiple user styles and levels of proficiency in a central accessible area. Over 1500m². Attract riders from across and outside the LGA.

In 2019, Council engaged consultants to undertake a condition and usability assessment of all existing skateparks. Key findings of the assessment show that:

- some larger skateparks provide little diversity in skater experience
- they currently do not cater for different skill sets and ability level
- more than 80% need improvements
- 52% are local facilities
- Bato Yard is the only current regional level facility

The Strategy draws on demographic data and key trends as well as the condition and usability assessments of all existing skateparks to propose a set of short, medium and long-term recommendations, thereby ensuring their longevity and relevance to the community.

The short, medium and long term recommendations will be put into an Action Plan for implementation and those actions will be incorporated into future budget development and operational plans.

On 28 September 2020, Council considered a report on the draft Plan for community consultation and public exhibition and resolved:

944/20	That Council endorse the draft Central Coast Skatepark Strategy for the
	purposes of community consultation

- 945/20 That the draft Central Coast Skatepark Strategy be placed on public exhibition for a period of 28 days.
- 946/20 That a further report comes back to Council on the outcomes of the public exhibition.
- That prior to the circulation of the strategy for community consultation that the strategy be amended to include four regional skate parks (north, south, east and west) with an even distribution of these high quality facilities across the LGA to encourage skateboarding tourism, the further development of competition grade facilities and the delivery by council of high quality facilities for both intra-regional and extra regional visitors to our regions skate parks.

The draft Plan was amended to include item 947/20 prior to being placed on public exhibition.

Consultation

Community engagement activities which informed the development of the draft Strategy occurred in July and August 2019 including workshop events, online surveys and online forums.

The draft Plan was placed on public exhibition for a period of 28 days from 2 to 30 October 2020 on Council's Your Voice Our Coast web page. Specific communication and engagement activity also occurred during the exhibition period which included media releases, social media (Facebook, Twitter, Instagram, LinkedIn Facebook), adverts in Coast Connect and eNews.

Council received a total of 17 public submissions during the exhibition period through the web page, emails and Council's customer relationship management system 'CX'.

- Twelve of the submission were in relation to a request for a skatepark in Avoca with ten requesting one and two against. There is a medium-term action to investigate the potential for a skatepark in Avoca.
- One request for a Skatepark facility in the Narara area that meets BMX needs. A
 regional skatepark at Narara is proposed in the Strategy and works have
 commenced.
- One request for a Skatepark facility upgrade in the Kariong area. A skatepark renewal project has commenced at Kariong to be constructed in 2021/22.
- One request for a Skatepark facility in the Davistown area. To be considered in a future action Strategy review.
- One request for additional supporting infrastructure. The needs are considered during design phase for each individual Skatepark.

A summary of submissions and Council's response is in 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.

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

The Strategy will support submissions for funding to the draft long-term capital works program and assist with securing additional funding through State and Federal Government grant programs. New skateparks identified in the Strategy will be funded through a combination of local infrastructure contributions for new development and grants.

A skatepark renewal program and maintenance programs, funded from both operational and capital budgets, have been developed to meet safety and legislative requirements and to sustainably manage the lifecycle of these assets. This program provides a priority-based process for renewal of skateparks based on operational inspections and independent condition and compliance audits.

Once adopted the Strategy will assist with securing funding through targeted Federal and State Government grants programs.

The following table outlines the proposed funding for operational maintenance and capital budgets for skateparks over the next four years.

Table	1:	Proposed	Funding
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Budget Year	Operational Maintenance Budget *	Capital Renewal Budget #	Total Skatepark Budget
2020/21	\$225,223	\$990,000	\$1,215,223
2021/22	\$225,370	\$315,000	\$540,370
2022/23	\$225,518	\$3,750,000	\$3,975,518
2023/24	\$225,666	\$1,535,000	\$1,760,666
2024/25	\$225,816	\$0	\$225,816

^{*} The operational maintenance budget is based on the 2020-2021 full year approved budget and includes depreciation and overheads with future years based on this budget plus 2.5% per annum increase for employee costs and 0.5% increase for materials and contracts. The Capital budgets are based on 2020-2021 approved budget and the draft four-year Capital budget.

Link to Community Strategic Plan

Theme 5: Liveable

Goal K: Out and about in fresh air

L-K3: provide signage, public facilities, amenities and playgrounds to encourage usage and enjoyment of public areas.

Risk Management

Council manages risk by ensuring that the design, construction and maintenance of skateparks complies with National and State legislation and guidelines.

There is reputational risk to not adopting this Strategy if it leads to the supply and installation of skateparks not meeting regulations, the provision of skateparks are not equitably distributed and if they are not maintained to a safe and usable standard.

Operational risks will be reduced with the implementation of this Strategy by ensuring inspections and audits are completed as required and that a strategy exists for the future development of skateparks across the region.

Options

- 1 Adopt the draft Central Coast Skatepark Strategy **This is the recommended option.**
 - The draft Central Coast Skatepark Strategy provides a vision and instrument for sustainable management of skateparks across the Central Coast.
- 2 Do not adopt the draft Central Coast Skatepark Strategy (This is not a recommended option).

The option to not adopt the draft Central Coast Skatepark Strategy will mean that the former Wyong Shire Council and former Gosford City Council strategies will remain as the source of direction for future planning and management of skateparks and will provide inconsistent classification and provision of skateparks across the Central Coast. This may also be a further risk to Council's reputation as extensive stakeholder and community engagement has occurred on the draft Central Coast Skatepark Strategy.

Attachments

1	Draft Skatepark Strategy 2020	Click here for	D14646627
		<u>Attachment</u>	
2	Draft Skatepark Strategy 2020-2030 Community	Click here for	D14672266
	Submissions	<u>Attachment</u>	

Item No: 2.5

Title: Central Coast Affordable and Alternative Housing

Strategy Implementation Progress Report

Department: Community and Recreation Services

15 June 2021 Ordinary Council Meeting

Reference: F2021/00035 - D14639635

Author: Belinda McRobie, Section Manager Community Development
Manager: Glenn Cannard, Unit Manager, Community and Culture
Executive: Julie Vaughan, Director Community and Recreation Services

Recommendation

That Council receive the report on Central Coast Affordable and Alternative Housing Strategy Implementation Progress Report.

Report purpose

This report provides an update on the implementation of the Central Coast Affordable and Alternative Housing Strategy.

Executive Summary

Council adopted the Central Coast Affordable and Alternative Housing Strategy in 29 April 2019. At this meeting, Council resolved in part:

...That Council request that the Chief Executive Officer provide a report on the implementation of the strategy in 18 months.

This report responds to this resolution. An update on progress has been included in the Current Status section of this report.

Background

In April 2019, Council adopted the Central Coast Affordable and Alternative Housing Strategy (CCA&AHS). The Strategy is a comprehensive plan which addresses initiatives across the housing continuum, from homelessness through to home ownership, providing pathways for a range of households, from very low through to moderate incomes.

The CCA&AHS was developed following extensive research and consultation and is structured around three strategic themes:

- Affordable Housing Partnerships
- Planning Mechanisms and Strategies to Increase the Supply of Affordable and Lower Cost Housing



Prevention and Intervention to Reduce Homelessness

The three strategic themes provide a range of effective policy solutions to address the growing and complex need for affordable and alternative housing within the Central Coast region.

Affordable housing is appropriate for the needs of a range of households on low to moderate incomes and is priced so that these households are also able to meet other basic living costs such as food, clothing, transport, education and medical care.

In 2016, 63% of Central Coast households earned an income below \$2,000 per week (\$111,000 per annum) and are classified as low to moderate income households in relation to affordable housing income and cost benchmarks.

Current Status

The following actions have been undertaken as part of the CCAH&AHS implementation to date:

- Affordable Housing Officer position This was advertised in late 2019 and the successful applicant commenced in February 2020.
- Affordable Housing Benchmarks (Strategy 1(b) Affordable Housing Benchmarks have been indexed annually to reflect CPI.
- Reporting Benchmarks (Strategy 2) Benchmarks have been established and monthly and quarterly monitoring is occurring on available affordable rentals and Development Applications approved by Council. Homeless street count figures are updated when released by the Department of Communities and Justice.
- Council Affordable Housing Land (CAHL) Proposal (Strategy 4) The CAHL Proposal provides the framework for developing Affordable Housing on Council owned underutilised land. The CAHL was endorsed by Council on April 27 2021 for exhibition. Also endorsed was a site at 23-25 Ashton Ave to be utilised as the pilot site for the development of affordable housing. Following the exhibition, an Expression of Interest (EOI) process will begin to establish a panel of Affordable Housing Providers. Once the panel is established, a Request for Proposal (RFP) will be administered to determine the design, partnership model and establish an agreement to construct affordable housing on the Ashton Ave site.
- Planning Mechanisms to increase affordable housing (Strategy 9- 12, 15-17) Staff
 have provided input into the Housing Strategy discussion paper to ensure
 strategies to increase and maintain affordable housing are included in the
 Housing Strategy. Strategies requiring amendments to the LEP and/or DCP to

support affordable housing will be considered once the Housing Strategy has been completed.

- Social Impact Assessment Policy and Guidelines (Strategy 13) Policy and Guidelines
 have been updated to include a chapter on supported and new generation
 boarding houses.
- Toukley Pop Up container (Strategy 21 & 25(a) Support provided for The Salvation Army to deliver outreach programs in a mobile office at Yaralla Rd Toukley. This included a partnership with 'Health on the Streets' to ensure those in need have access to health and accommodation support.
- Transitional Properties Portfolio (Strategy 23(a) and 23(b) Two Council owned cottages have undergone basic upgrades and general maintenance in preparation for tenanting. A Request For Information (RFI) has been administered to invite responses from Registered Community Housing Providers and Specialist Homelessness Services for a head leasing arrangement, including tenancy management and wrap around support services to ensure that:
 - The properties are adequately managed
 - The outcomes of the transitional program are achieved
 - Council receives market rent for the residential cottages
- Central Coast Homelessness Protocol (Strategy 25(h) 25(i) and 26(c) An internal protocol and policy have been drafted to formalise Council's approach to working with rough sleepers on Council land/ property. The protocol includes a wallet card and brochure which are resources that can be distributed to rough sleepers and the community. The intent is for the Protocol and associated Policy to become an operational agreement between Council Business Units as well as an educational guideline for the community faced with Rough Sleepers. The Protocol also formalises the ongoing process for Council staff to request Outreach Services for Rough Sleepers they encounter.
- Brokerage Pilot Program (Strategy 25 (b) Two local Neighbourhood Centres are
 piloting the Intervention and Prevention Brokerage Program. The program
 includes the provision of Opal Cards, Prepaid Mobile phones and capped financial
 assistance to prevent people from becoming at risk of homelessness. Through
 this assistance it will ensure their housing obligations can be met and sustained.
- Inclusive Design of public spaces (Strategy 26) Staff have been involved in consultation regarding the upgrade of Kibble Park, Gosford and Memorial Park, The Entrance to ensure inclusive measures such as undercover seating, power outlets and increased lighting have been included in any future upgrades.

- Terrigal Rotary Shelterbag Project (Strategy 26) Resourcing front line services
 with an improved weather resistant type of swag developed specifically for rough
 sleepers for the winter. The Shelterbags that Council has secured will be donated
 to local Outreach services such as Doorways, Coast Shelter, Fathers Table, and
 Primary Care. Council Rangers will also receive some Shelterbags to distribute to
 Rough sleepers they may encounter.
- Community Education (Strategy 26) An Affordable Housing Animation video has been developed to educate the community on the need and design of affordable housing to increase awareness and acceptance. This will be rolled out through local high schools coinciding with Homelessness Week
- Community Education (Strategy 26 (c) Update of Council website page 'Hardship and Homeless Services', providing emergency contact numbers for those experiencing homelessness. Crisis Relief Brochures have been attached to the web page and the request form updated to promote the distribution of the cards.
- Support local homeless support services events (Strategy 26 (b) '100 homes exhibition' and high school awareness raising workshops planned to coincide with Homelessness Week in August 2021; Crisis Relief Service Cards supplied to Department of Communities and Justice and local Police for Railway Rough Sleeper Initiative; Crisis Relief Service Cards distributed to services upon request; Regular attendance and involvement with the District Homelessness Interagency Group and Central Coast Homelessness Interagency; Presentations on the CCA&AHS to Council's Social Inclusion Committee, The Elderslee Foundation and Central Coast Homelessness Interagency.

Financial Impact

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

1108/20 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.

No additional budget is required nor sought through this report. All actions within have been funded through existing and approved operational plan budgets.

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.

Attachments

Nil.