



Central Coast Council
Business Paper
Ordinary Meeting
13 May 2019





COMMUNITY STRATEGIC PLAN 2018-2028

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

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

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

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

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

RESPONSIBLE

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

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

 **Good governance and great partnerships**

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

There are 5 themes, 12 focus areas and 48 objectives



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

The infographic is a grid with 5 main themes. Each theme has 3 focus areas, and each focus area has 4 objectives. The themes are: BELONGING, SMART, GREEN, RESPONSIBLE, and LIVEABLE. The 'RESPONSIBLE' theme is highlighted in a darker green.



Meeting Notice

The Ordinary Meeting of Central Coast Council will be held in the Council Chamber, 2 Hely Street, Wyong on

Monday 13 May 2019 at 6.30 pm,
for the transaction of the business listed below:

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Gary Murphy
Chief Executive Officer

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



13 May 2019 Ordinary Council Meeting

Trim Reference: F2018/00020-07 - D13520164

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 Disclosure of Interest (contd)

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

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

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

Recommendation

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

Attachments

Nil

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



13 May 2019 Ordinary Council Meeting

Trim Reference: F2018/00020-07 - D13520167

Summary

Confirmation of minutes of the Ordinary Meeting of the Council held on 29 April 2019.

A motion or discussion with respect to the Minutes is not order except with regard to their accuracy as a true record of the proceedings.

Recommendation

That Council confirm the minutes of the Ordinary Meeting of the Council held on 29 April 2019.

Attachments

1 Minutes from 29 April 2019 Council Meeting D13525041



Central Coast Council

Minutes of the Ordinary Meeting of Council

Held in the Council Chamber
2 Hely Street, Wyong

On 29 April 2019

Commencing at 6.30PM

Present

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

In Attendance

Gary Murphy (Chief Executive Officer), Boris Bolgoff (Director Roads, Transport, Drainage and Waste), Julie Vaughan (Director Connected Communities), Scott Cox (Director Environment and Planning) and Evan Hutchings (Director Governance).

The Mayor, Jane Smith, declared the meeting open at 6.55pm and advised in accordance with the Code of Meeting Practice that the meeting is being recorded.

The Mayor, Jane Smith also acknowledged the connection that we all have to this land and place, and the shared responsibility that we have to care for and protect this land for future generations.

The reports are recorded in their correct agenda sequence.

Leave of Absence

Councillor Best – having been granted a Leave of Absence of the meeting of 29 April 2019 for the period of 29 April 2019 to 13 May 2019.

1.1 Disclosure of Interest

Item 2.1 - DA/54551/2018 170-176 Blackwall Road and 8 Farnell Road, Woy Woy

Councillor Gale Collins declared a less than significant non pecuniary interest in the matter as she has contact with different Chambers of Commerce. Councillor Gale Collins chose to remain in the chamber and participate in discussion and voting as it does not impact her transparent decision making ability.

Item 3.1 – Deferred Report - Consideration of Submissions and Adoption of the Central Coast Affordable and Alternative Housing Strategy

Councillor Hogan declared a less than significant non pecuniary in the matter as she manages a local neighbourhood and works in the community. Councillor Hogan chose to remain in the chamber and participate in discussion and voting.

Item 3.3 – Meeting Record of the Protection of the Environment Trust Management Committee held on 26 February 2019

Councillor Greenaway declared a less than significant non pecuniary interest in the matter as she knows Mr Chestnut and handed out election material at the recent State election. Councillor Greenaway chose to remain in the chamber and participate in discussion and voting.

Mayor Smith declared a less than significant non pecuniary interest in the matter as she knows Mr Chestnut and when that matter was discussed at the Trust meeting she declared an interest and left the room. Mayor Smith chose to remain in the chamber and participate in discussion and voting.

Item 3.5 – Terrigal Boardwalk and Rock Pool

Mayor Smith declared a less than significant non pecuniary interest in the matter as it relates to The Haven and she is a regular user of The Haven for recreation purposes. Mayor Smith chose to remain in the chamber and participate in discussion and voting.

Item 3.6 – Gosford Cultural Precinct

Councillor Holstein declared a pecuniary issue in the matter as the site involved includes Regional Youth Support Services of which he is casually employed. Councillor Holstein chose to leave the chamber and not participate in discussion and voting. The matter was dealt with by the exception method.

Item 4.1 - Deferred Item - Sportsground Fees and Charges

Councillor Greenaway declared a less than significant non pecuniary in the matter as her children play significant amounts of sport on Council fields. Councillor Greenaway chose to remain in the chamber and participate in discussion and voting.

Councillor Marquart declared a less than significant non pecuniary in the matter as he is the President of a junior rugby league club and even though they don't use Council's facilities as they have private facilities, he does know Mr Boland through dealing with Country Rugby League. Councillor Marquart chose to remain the chamber and participate in discussion and voting.

Councillor MacGregor declared a less than significant non pecuniary as he plays amateur sport and utilises many of the local sporting facilities on the Central Coast through amateur sport and personal recreation. Councillor MacGregor chose to remain in the chamber and participate in discussion and voting.

Councillor Vincent declared a less than significant non pecuniary in the matter as his children play sport regularly on the Coast. Councillor Vincent chose to remain the chamber and participate in discussion and voting.

Moved: **Councillor Gale Collins**

Seconded: **Councillor Pilon**

Resolved

296/19 That Council now disclose any conflicts of interest in matters under consideration by Council at this meeting.

For:

Unanimous

1.2 Confirmation of Minutes of Previous Meetings

Moved: **Councillor MacGregor**

Seconded: **Councillor Gale Collins**

Resolved

297/19 That Council confirm the minutes of the Ordinary Meeting of the Council held on 8 April 2019.

For:

Unanimous

1.3 Notice of Intention to Deal with Matters in Confidential Session

Moved: **Councillor Pilon**

Seconded: **Councillor Matthews**

Resolved

298/19 That Council receive the report and note that no matters have been tabled to deal with in a closed session.

For:

Unanimous

Procedural Motion – Exception

Moved: Councillor MacGregor
Seconded: Councillor Hogan
Resolved

299/19 That with the exception of the following reports, Council adopt the recommendations contained in the remaining reports being:

Item 2.1 - DA/54551/2018 170-176 Blackwall Road and 8 Farnell Road, Woy Woy
Item 2.2 - DA/55321/2018 Proposed New dwelling House on at 64 Fishermans Parade, Daleys Point
Item 3.1 - Deferred Report - Consideration of Submissions and Adoption of the Central Coast Affordable and Alternative Housing Strategy
Item 3.2 - Unsolicited Proposals Policy
Item 3.3 - Meeting Record of the Protection of the Environment Trust Management Committee held on 26 February 2019
Item 3.4 - Redevelopment of Woy Woy Town Centre Wharf - Successful Grant Funding and Council's Co-contribution
Item 3.5 - Terrigal Boardwalk and Rock Pool
Item 4.1 - Deferred Item - Sportsground Fees and Charges
Item 4.2 - Community Facilities Review Progress Status Report
Item 4.3 - Response to Notice of Motion - Proposed Sale - 4 and 10 Warren Road, Warnervale
Item 4.4 - Meeting Record of the Catchments and Coast Committee Tuggerah Lakes held on 27 February 2019
Item 4.7 - Reports Due to Council
Item 6.1 - Notice of Motion - Reflection Seat Plaque, Slade Park Budgewoi
Item 6.2 - Urgency Motion – Terrigal Beach

300/19 That Council adopt the following items en-masse and in accordance with the report recommendations:

Item 3.6 - Gosford Cultural Precinct
Item 4.5 - Meeting Record of the Employment and Economic Development Committee held on 7 March 2019
Item 4.6 - Investment Report at 31 March 2019

For:
Unanimous

2.1 DA/54551/2018 170-176 Blackwall Road and 8 Farnell Road, Woy Woy

Councillor Gale Collins declared a less than significant non pecuniary interest in the matter as she has contact with different Chambers of Commerce. Councillor Gale Collins chose to remain in the chamber and participate in discussion and voting as it does not impact her transparent decision making ability.

Moved: Councillor Holstein

Seconded: Mayor Smith

Resolved

301/19 That Council defer consideration of the report to the next meeting of Council and, prior to that meeting, a site inspection be conducted.

For:

Mayor Smith and Councillor Matthews,
Mehrtens, Sundstrom, Vincent, MacGregor,
Hogan, Burke, Greenaway, Holstein and
McLachlan

Against:

Councillors Gale Collins, Marquart and
Pilon

2.2 DA/55321/2018 Proposed New dwelling House on at 64 Fishermans Parade, Daleys Point

Moved: Mayor Smith

Seconded: Councillor Sundstrom

Resolved

302/19 That Council defer consideration of the application to allow for a site inspection with a report on the site inspection to be prepared and submitted to the earliest possible meeting of Council.

For:

Mayor Smith and Councillor Matthews,
Mehrtens, Sundstrom, Vincent, MacGregor,
Hogan, Greenaway, Holstein and McLachlan

Against:

Councillors Gale Collins, Marquart, Pilon
and Burke

3.1 Deferred Report - Consideration of Submissions and Adoption of the Central Coast Affordable and Alternative Housing Strategy

Councillor Hogan declared a less than significant non pecuniary in the matter as she manages a local neighbourhood and works in the community. Councillor Hogan chose to remain in the chamber and participate in discussion and voting.

Moved: Councillor Holstein

Seconded: Mayor Smith

Resolved

- 303/19 That Council note that the Draft Central Coast Affordable and Alternative Housing Strategy was publicly exhibited from 10 September 2018 to 21 December 2018 and note and receive the submissions.**
- 304/19 That Council acknowledge and thank Judith Stubbs and Associates for her work in preparing a Draft Central Coast Affordable and Alternative Housing Strategy for Council.**
- 305/19 That Council endorse the attached Strategies (attached) to be included in a separate Central Coast Affordable Housing Strategy.**
- 306/19 That Council authorise the Chief Executive Officer to complete a Central Coast Council Affordable Housing Strategy, appropriately referencing the report of Judith Stubbs and Associates, including the following elements:**
- 1 Strategy Summary**
 - 2 Strategy Purpose**
 - 3 Strategy Background/rationale**
 - 4 Definitions**
 - 5 Strategy actions (to be grouped under the following sub-headings):**
 - i Key Definitions and Indicators**
 - ii Affordable Housing Partnerships using Council land**
 - iii Development of Comprehensive LEP**
 - iv Strategies addressing homelessness**
 - v Monitoring and Reporting**
 - 6 Review**
 - 7 Related Resources and References**
- 307/19 That Council request the Chief Executive Officer circulate the completed Central Coast Council Affordable Housing Strategy to Councillors.**
- 308/19 That Council delegate authority to the Chief Executive Officer to finalise the Strategy.**
- 309/19 That Council request that the Chief Executive Officer provide a report on the implementation of the strategy in 18 months.**

A division was called by Councillors Sundstrom and Mehrtens.

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

Against:
Councillor Marquart

3.2 Unsolicited Proposals Policy

Councillor Hogan left the chamber at 7.42pm, returning at 7.51pm and did not participate in discussion or voting.

Moved: *Mayor Smith*

Seconded: *Councillor Mehrtens*

Resolved

310/19 *That Council defer consideration of the matter to the next meeting of Council to allow consideration of the following changes;*

- 1** *That Council note the Central Coast Unsolicited Proposals Policy.*
- 2** *That Council request the Chief Executive Officer make the following changes to the Policy:*
 - a** *Include an additional purpose of the Policy to 'ensure transparency, accountability and fairness in Council's dealings with all stakeholders for the benefit of the Central Coast community'.*
 - b** *Include an additional purpose of the Policy 'is to protect Council's reputation and minimise risk of corruption'.*
 - c** *Amend the Policy and Procedures to require a triple bottom line approach (economic, environmental and social) to the consideration, assessment and implementation of proposals. This includes, but is not limited to, amending:*
 - *Guiding principles – 8. Optimise Outcomes*
 - *10. Assessment Criteria – Value for Money*
 - *10. Assessment Criteria – Return on Investment.*
 - d** *Include as a 'Guiding Principle' that the Policy does not apply to Council community facilities unless outside the scope of current operation, lease arrangements and procedures.*
- 3** *That Council authorise the Chief Executive Officer to finalise Policy and circulate to Councillors.*

For:
*Mayor Smith and Councillors Mehrtens,
Sundstrom, Vincent, Gale Collins, Marquart,
Pilon, Burke, Holstein and McLachlan*

Against:
*Councillors Matthews, MacGregor and
Greenaway*

3.3 Meeting Record of the Protection of the Environment Trust Management Committee held on 26 February 2019

Councillor Greenaway declared a less than significant non pecuniary interest in the matter as she knows Mr Chestnut and handed out election material at the recent State election. Councillor Greenaway chose to remain in the chamber and participate in discussion and voting.

Mayor Smith declared a less than significant non pecuniary interest in the matter as she knows Mr Chestnut and when that matter was discussed at the Trust meeting she declared an interest and left the room. Mayor Smith chose to remain in the chamber and participate in discussion and voting.

Councillor Holstein left the chamber at 7.48pm and did not return.

Moved: Mayor Smith
Seconded: Councillor MacGregor

Resolved

311/19 That Council note the draft Meeting Record of the Protection of the Environment Trust Management Committee held on 26 February 2019 that is Attachment 1 to this report.

312/19 That Council appoint Gary Chestnut to the Protection of the Environment Trust Management Committee as a voting community representative.

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

3.4 Redevelopment of Woy Woy Town Centre Wharf - Successful Grant Funding and Council's Co-contribution

Councillor Holstein left the chamber at 7.48pm and did not return.

Moved: Mayor Smith
Seconded: Councillor Mehrtens

Resolved

313/19 That Council reflect the grant funding under the NSW Government's Regional Communities Development Fund for the redevelopment of Woy Woy Town Centre Wharf in accordance with the grant funding agreement in future budgets.

314/19 That Council update the draft capital works program to reflect the total project cost of \$5.32M to be phased as follows; \$3.591 million in the 2019/20 financial year and \$1.729 million in the 2020/21 financial year.

For:
Unanimous

3.5 Terrigal Boardwalk and Rock Pool

Mayor Smith declared a less than significant non pecuniary interest in the matter as it relates to The Haven and she is a regular user of The Haven for recreation purposes. Mayor Smith chose to remain in the chamber and participate in discussion and voting.

Councillor Holstein left the chamber at 7.48pm and did not return.

Moved: Mayor Smith
Seconded: Councillor Sundstrom

Resolved

315/19 That Council receive and note this report.

316/19 That Council progress the rock pool works as a standalone project including consideration in the design of mitigating any impacts of stormwater from nearby drains

317/19 That Council defer consideration of the Terrigal Boardwalk to allow for:

- **A site visit with the designer / engineer**
- **A briefing from a suitably qualified design engineer to address any issues raised as a result of the site visit, if required**
- **Further consideration from staff regarding the utilisation of The Haven carpark**

318/19 That Council request that the Chief Executive Officer provide a further report to Council as soon as possible.

For:	Against:
Mayor Smith and Councillors Matthews, Mehrstens, Sundstrom, Vincent, MacGregor, Hogan, Greenaway and McLachlan	Councillors Gale Collins, Marquart, Pilon and Burke

3.6 Gosford Cultural Precinct

Councillor Holstein declared a pecuniary issue in the matter as the site involved includes Regional Youth Support Services of which he is casually employed. Councillor Holstein chose to leave the chamber and not participate in discussion and voting. The matter was dealt with by the exception method.

Moved: Councillor MacGregor
Seconded: Councillor Hogan

Resolved

319/19 That Council purchase the land known as Lot 11 DP 746819 (which has a street address of 123B-125A Donnison Street, Gosford) by private treaty, in accordance with either Option 1 or Option 2 outlined in Confidential Attachment.

- 320/19** *That Council purchase the land in Certificate of Title Folio Identifier B/321076 being Lot B in DP 321076 (known as 73 Mann Street, Gosford) by private treaty.*
- 321/19** *That Council purchase the land in Certificate of Title Folio 2/543135 being Lot 2 in DP 543135 (known as 75 Mann Street, Gosford) by private treaty.*
- 322/19** *The Chief Executive Officer be authorised to carry out all actions necessary to complete the purchases.*
- 323/19** *That Council resolve, pursuant to s10A(2)(c) of the Local Government Act 1993, that Attachment 1 and 2 to this report remain confidential as they contain information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.*

For:

Unanimous

4.1 Deferred Item - Sportsground Fees and Charges

Councillor Greenaway declared a less than significant non pecuniary in the matter as her children play significant amounts of sport on Council fields. Councillor Greenaway chose to remain in the chamber and participate in discussion and voting.

Councillor Marquart declared a less than significant non pecuniary in the matter as he is the President of a junior rugby league club and even though they don't use Council's facilities as they have private facilities, he does know Mr Boland through dealing with Country Rugby League. Councillor Marquart chose to remain the chamber and participate in discussion and voting.

Councillor MacGregor declared a less than significant non pecuniary as he plays amateur sport and utilises many of the local sporting facilities on the Central Coast through amateur sport and personal recreation. Councillor MacGregor chose to remain in the chamber and participate in discussion and voting.

Councillor Vincent declared a less than significant non pecuniary in the matter as his children play sport regularly on the Coast. Councillor Vincent chose to remain the chamber and participate in discussion and voting.

Councillor Holstein left the chamber at 7.48pm and did not return.

Moved: Councillor MacGregor

Seconded: Councillor Vincent

Resolved

324/19 That Council notes the deferred Sportsground Fees and Charges report which is Attachment 1 to this report.

325/19 Ground Fees:

- a** That all junior competitions receive a 50% discount, whether they use a ground solely by themselves, shared with a senior competition, or with another code.
- b** shared by two separate codes or organisations on the same day the ground fee to be split 50/50.

Ground Level	Normal Seasonal Ground Cost	Cost with a 20% Discount	Total Amount Received by Council	New Seasonal Shared Cost at 50% each	Total Amount Received by Council
1	\$1,363.25	\$1,090.60	\$2,181.20	\$681.63	\$1,363.26
2	\$1,260.75	\$1,008.60	\$2,017.20	\$630.38	\$1,260.76

Should the ground be by two junior teams the fee to be reduced by 50% i.e.

Level 1 Ground \$340.82 each

Level 2 Ground \$315.19 each

- c** Daily Fee Hire – Where a ground is shared by two separate codes on the same day the ground fee to be split 50/50 and if one of the codes is a junior code their fee to receive a 50% discount.

Ground Level	Normal Daily Ground Cost	Share by two Codes – Fee split 50/50	Total Amount Received by Council	Shared by two junior codes with a 50% Discount for Juniors	Total Amount Received by Council
1	\$68.20	\$34.10 each	\$68.20	\$17.05 each	\$34.10
2	\$63.00	\$31.50 each	\$63.00	\$15.75 each	\$31.50

- d** A ground shared by junior and seniors from the same code on the same day based juniors using the ground for four hours and seniors for six hours be charged as follows:-

Grass Based

Ground Level	Ground Cost per day	Senior Playing Hours cost	Junior Playing Hours cost	Total Cost per Day	Seasonal Hire Cost
1	\$68.20	\$40.92	\$27.28	\$68.20	\$1,330.00
With Junior 50%Discount New Cost		\$40.92	\$13.64	\$54.56	New Cost \$1,091.20
2	\$63.00	\$37.80	\$25.20	\$63.00	\$1,230.00
With Junior 50%Discount New Cost		\$37.80	\$12.65	\$50.45	New Cost \$1,009.00

e Netball

A court shared by junior and seniors from the same code on the same day based juniors using the ground for five hours and seniors for five hours be charged as follows:-

	Court Cost per day	Senior Playing Hours cost	Junior Playing Hours cost	Total Cost per Court per Day	Seasonal Hire per Court
	\$87.15	\$43.58	\$43.57	\$87.15	\$1,743.00
With Junior 50%Discount New Cost		\$43.58	\$21.79	\$65.37	New Cost \$1,307.40

326/19 Floodlighting Cost

That the lighting fees be reviewed and a report to be brought back to Council covering the following;

- i Netball courts to be reviewed as the charges are elevated compared with lighting charges on ovals.**
- ii The lighting fee for summer night time competitions to be reviewed as lights would be used from approximately 7.30pm onwards.**
- iii The lighting fee for summer training to be reviewed as lights may only be used for one to two hours, but are billed for the full period (4pm to 9.30pm)**
- iv The lighting fee for winter training to be reviewed as lights may only be used for one to two hours, but are billed for the full period (4pm to 9.30pm)**
- v An hourly lighting fee to be established.**

327/19 Final Series grounds

If a code's final series is conducted in similar conditions to their normal competition matches, cost for final series games remain within the seasonal hire fee.

328/19 *Response to Sports Councils request that the following grounds;*

Old Gosford LGA –

Davistown Oval, Eve Williams, Terry Oval, Fred Pinkstone, Kitchner Oval, Patrick Croke and Saratoga Oval

Old Wyong LGA –

Eastern Road Top Oval, Harry Moore Oval 3, Sir Joseph Banks Passive, Lakehaven 1 and 2, Mannering Park Oval, Norah Head Hockey Oval, Sohler Park 4, Tunkuwallin Oval 1 and 2, Tuggerah Oval 1 and Wadalba High School 3.

That these grounds revert back to a Level 3 ground and fees charged at a rate of \$858.87per ground.

329/19 *Review of the above clauses of the motion*

That the implementation and progress on the above clauses of this motion on sports fees and charges be reviewed in 12 months time.

330/19 *That Council request a detailed briefing from the staff in relation to fees and costs of providing the relevant sporting fields and facilities.*

For:

Unanimous

4.2 Community Facilities Review Progress Status Report

Councillor Holstein left the chamber at 7.48pm and did not return.

Moved: Councillor Hogan

Seconded: Councillor Matthews

Resolved

325/19 *That Council receive the report on Community Facilities Review Progress Status Report.*

For:

Unanimous

The Council meeting adjourned at 8.48pm, resuming at 9.02pm

4.3 Response to Notice of Motion - Proposed Sale - 4 and 10 Warren Road, Warnervale

Councillor Holstein left the chamber at 7.48pm and did not return.

Councillor Matthews left the chamber at 8.48pm and did not return.

Moved: Councillor Greenaway

Seconded: Councillor MacGregor

Resolved

326/19 That Council receive the report on Response to Notice of Motion - Proposed Sale - 4 and 10 Warren Road, Warnervale.

327/19 That Council request that the Chief Executive Officer provide a further report on the progress of this matter at the 27 May 2019 Ordinary Meeting and such report include a list (in confidential if appropriate) of all inquiries already made in respect to the purchase of the Warren Road property and the responses given.

For:

Unanimous

4.4 Meeting Record of the Catchments and Coast Committee Tuggerah Lakes held on 27 February 2019

Councillor Holstein left the chamber at 7.48pm and did not return.

Councillor Matthews left the chamber at 8.48pm and did not return.

Moved: Councillor Vincent

Seconded: Councillor Mehrtens

Resolved

328/19 That Council note the draft Meeting Record of the Catchments and Coast Committee Tuggerah Lakes held on 27 February 2019.

329/19 That Council note the extraordinary meeting will not proceed.

For:

Mayor Smith and Councillors Mehrtens, Sundstrom, Vincent, MacGregor, Hogan, Gale Collins, Pilon, Burke, Greenaway and McLachlan

Abstained:

Councillor Marquart

4.5 Meeting Record of the Employment and Economic Development Committee held on 7 March 2019

Moved: Councillor MacGregor
Seconded: Councillor Hogan

Resolved

330/19 That Council note the draft Meeting Record of the Employment and Economic Development Committee held on 7 March 2019.

For:
Unanimous

4.6 Investment Report at 31 March 2019

Moved: Councillor MacGregor
Seconded: Councillor Hogan

Resolved

331/19 That Council receive the Investment Report at 31 March 2019.

For:
Unanimous

4.7 Reports Due to Council

Councillor Holstein left the chamber at 7.48pm and did not return.

Councillor Matthews left the chamber at 8.48pm and did not return.

Moved: Councillor Marquart
Seconded: Councillor Pilon

Resolved

332/19 That Council receive the report on Reports Due to Council.

333/19 That Council note the request that the report resolved at the 8 October 2018 Ordinary Meeting on Item 6.4 – Notice of Motion – Central Coast Dredging be brought back to Council as soon as practicable.

For:
Unanimous

6.1 Notice of Motion - Reflection Seat Plaque, Slade Park Budgewoi

Councillor Holstein left the chamber at 7.48pm and did not return.

Councillor Matthews left the chamber at 8.48pm and did not return.

Moved: Councillor Hogan
Seconded: Councillor Vincent

Resolved

- 334/19** *That Council notes and thanks staff for the beautiful and professional work they undertook with community members on the Slade Park ANZAC and Suicide memorials and also the Reflection seat.*
- 335/19** *That Council notes that this is a significant milestone and the first memorial in NSW which recognises and pays respect to military and civilian citizens who served our country and became traumatized by their life experiences.*
- 336/19** *That Council notes that as a region we have high rates of suicide and the Reflection seat is intended to provide a place of comfort and support for those bereaved by suicide to remember their loved ones. This memorial space is to respect and remember the fallen, to raise awareness and to seek comfort for others today.*
- 337/19** *That Council notes that under our policy for 'Memorials, Naming of Council Facilities and Donations of Park Furniture and Trees', memorial plaques must have a name.*
- 338/19** *That Council recognises in this case, the Reflection seat cannot have one name only because the seat is for the living to sit, reflect and think about that person and not for people that have passed.*
- 339/19** *That Council approves a plaque to be placed on the base of the Reflection seat (as per policy) that states simply, 'Remembering our family members and friends. We miss you, we love you'.*

For:
Unanimous

Procedural Motion – Matter of Urgency

Councillor Holstein left the chamber at 7.48pm and did not return.

Councillor Matthews left the chamber at 8.48pm and did not return.

The Mayor determined that it was appropriate that Council determine whether this matter should be considered as a matter of urgency. A motion to that effect was then put.

Moved: Councillor Greenaway

Seconded: **Councillor Sundstrom**

Resolved

340/19 That Council consider a motion of urgency regarding Terrigal Beach.

For:

Unanimous

U1/19 Urgency Motion – Terrigal Beach

Councillor Holstein left the chamber at 7.48pm and did not return.

Councillor Matthews left the chamber at 8.48pm and did not return.

Moved: **Councillor Greenaway**

Seconded: **Councillor Sundstrom**

Resolved

341/19 That Council notes the potentially significant public health issue that has arisen from reports of repeated discharge of malodorous and discoloured water from the 7 drains at the southern end of Terrigal Beach;

342/19 That Council notes with concern the possible illness to users of Terrigal Beach and potential issues of liability that may arise;

343/19 That Council notes that the issue of potentially hazardous water entering Terrigal Beach may negatively impact tourism which may cause economic loss to the businesses of Terrigal and the Central Coast generally;

344/19 That Council recognise that delaying action on this issue may pose reputational risk to Council;

345/19 That Council arrange for expeditious testing of water in and around the 7 drains at Terrigal Beach and, if appropriate, display signage in the area warning against entering the water and provide a report to Councillors on this aspect of the matter within 7 days;

346/19 That Council commence an urgent investigation into the possible source of the pollution including investigating matters of compliance, relating to discharging water into the stormwater system that leads to the drains at Terrigal Beach

347/19 That Council liaise with appropriate agencies and authorities in undertaking the investigations

348/19 That Council request that the Chief Executive Officer provide a report with at

least the results of the water tests and preliminary investigations at the 13 May 2019 Ordinary Meeting.

For:

Unanimous

Questions on Notice

**Q81/19 QON - Street Tree Masterplan
Councillor Richard Mehrtens**

With the State Government offering the "Five Million Trees for Greater Sydney Grant", so far taken up by 20 Sydney Councils, and Mosman Council implementing a Street Tree Masterplan, why is Central Coast Council so much less willing to plant street trees than other councils who arguably have the same or similar buried infrastructure concerns which are often blamed for a lack of action locally?

**Q82/19 QON - Wrack Harvester
Councillor Doug Vincent**

Council currently has an aged wrack harvester (in excess of 20 years old) that requires replacing as it breaks down regularly and has high maintenance costs. Could staff please advise when a report will come to the chamber outlining the most cost effective and efficient technologies for approved wrack harvesting in the Tuggerah Lakes Estuaries?

**Q83/19 QON - Indian Myna Birds
Councillor Doug Vincent**

Residents have commented on the increase of Indian Myna birds in local neighbourhoods. Birds such as Magpies, Wattlebirds and Lorikeets are being displaced by the Indian Myna birds. Indian Myna's are classified a "pest bird" by the NSW Department of Primary Industries for depleting food stocks and nesting hollows.

Communities such as Newcastle and Canberra are taking action to reduce the bird numbers.

<https://www.theherald.com.au/story/3637217/solving-a-myna-crisis/>

<http://www.indianmynaaction.org.au/>

Could staff please advise if there is a Council policy or reference in a policy for culling the Indian Myna birds? Could staff also advise if Council can provide assistance with traps and advice on how to catch and humanely dispose of the Indian Myna birds?

**Q84/19 QON - Wyoming Road Footpath
Councillor Kyle MacGregor**

Does Council have any plans for the construction of a footpath along Wyoming Road Wyoming? I have been informed by residents that this street has been in need of a footpath for multiple decades and plans have previously been made but not implemented by the former Gosford City Council. In the event

that we do not presently have plans for the construction of a footpath on Wyoming Road, what needs to occur to address the lack of this footpath that residents are requesting in their area?

Q85/19 QON - Indian Myna Birds
Councillor Kyle MacGregor

Does Council currently employ any programs to target and manage the infestation of *Acridotheres tristis* (Indian Myna birds) afflicting our LGA? Has Council considered employing similar policies or programs to those which have had great success in other LGA's such as Newcastle and Canberra in managing the numbers of these birds in our LGA?

Q86/19 QON - Core Flutes and Banners
Councillor Jillian Hogan

Core flutes and banners have been removed by Rangers for years in the old Wyong Shire with a cost to get them back. The reasoning being that Rangers are simply enforcing State Laws. Could staff please provide a clear report stating where banners and core flutes cannot be placed and the subsequent fines?

Q87/19 QON - Core Flutes and Banners
Councillor Jillian Hogan

Could staff investigate locations and provide a report stating where banners and core flutes 'can' be placed without removal?

Q88/19 QON – Wards Hill Road, Empire Bay
Councillor Rebecca Gale Collins

Can Council advise when the final surface and lane markers be painted on Wards Hill Road in Empire Bay?

Q89/19 QON – Water Info Sheets
Councillor Rebecca Gale Collins

Can Council include the 'How to check for a leak'/'How to read your water meter' info sheet with rate payers bills please?

Q90/19 QON - Signs and Banners
Councillor Jilly Pilon

As a candidate currently running I have instructed all those working for me that they are not to put signs up incorrectly and it's only to be where we have permission. I am concerned that wasn't responded to here tonight, because I think if you have the answer isn't that what we actually do that it comes from staff given that we've just been through a State election. We are now in a Federal election and I'm sure that staff would have the answer as to where those core flutes may be placed. There are a number of core flutes out there that are incorrectly placed on Council land, and as I have said, if any of mine are up I've instructed that is not to happen and that I am running this under strict values, so I would like an answer from the staff please so that can be corrected tonight moving forward please?

Scott Cox, Director Environment and Planning

While there are more specifics to it, the general rule that is applied is that it is not in a public place and/or is not a threat to public safety. A lot of the signs that have been removed have been an impediment on a public footway or as such or they have been located on public land.

**Q91/19 QON - Fines for Signs
Councillor Jilly Pilon**

Are there fines being put in place by Council given that our ratepayers are paying for Rangers to go out and remove signs that are incorrectly placed?

Scott Cox, Director Environment and Planning

Fines are not being imposed on candidates but there is an impounding fee that can be applied for the return of those signs.

**Q92/19 QON - Warren Road, Warnervale
Councillor Louise Greenaway**

Where does the sale of the Warren Road property (former Chappie Pie site) appear in the Operational Plan; i.e. is there a Line Item identifying the Lots and DP and stating: "value has not been determined, sale pending"? It was resolved to be sold in October 2018 and I am unclear how this is reflected.

**Q93/19 QON - Kiar Ridge Airport Site
Councillor Louise Greenaway**

Residents have noticed that the Kiar Ridge former airport site appears to have been recently listed under an agent different to the sign at the property and that there is no sold sign on the agency sign. So the question is, what is the status of the Kiar Ridge property? Has it been sold and if so has it settled or has the sale fallen through?

The Meeting closed at 9.58pm.



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

13 May 2019 Ordinary Council Meeting

Trim Reference: F2018/00020-07 - D13520175

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 a confidential.

Recommendation

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

Item 7.1 Meeting Record of the Crown Lands Negotiation Program Committee held on 4 February 2019, 14 February 2019 and 4 March 2019

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, or***
- (ii) confer a commercial advantage on a competitor of the Council, or***
- (iii) reveal a trade secret.***

In accordance with section 10A(2)(d) of the [Local Government Act 1993](#), the information contained within Item 6.1 Meeting Record of the Crown Lands Negotiation Program Committee held on 4 February 2019, 14 February 2019 and 4 March 2019 is confidential as they contain commercial information of a confidential nature that if disclosed would prejudice the commercial position of the person who supplied it and/or confer

a commercial advantage on a competitor of the Council.

On balance, release of this report and attachments would not be in the public interest. Central Coast Council is a party to the Comprehensive Central Coast Crown Land Negotiation Program (the Negotiation Program) that is being run by the Department of Industry – Crown Lands. Information shared with Council by the other parties during the course of the Negotiation Program is done so on the basis of good faith and that the Council, and other parties involved in the negotiation, will not disclose their information. Further, the information included as part of the Negotiation Program includes details other parties have shared with Council in good faith and with the expectation that the information would remain confidential. Release of the report would prejudice the position of Council in the Negotiation Program and the other parties to it, and impact Council's ability to obtain and share such information in the future.

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.*

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

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

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

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

Attachments

Nil



Item No: 2.1
Title: Supplementary Report DA/54832/2018 -
Construction of Seniors Housing - No 13-14 Caldwell
Close, Green Point
Department: Environment and Planning

13 May 2019 Ordinary Council Meeting

Trim Reference: F2019/00041 - D13506623
Author: Amanda Hill, Town Planner
Manager: Andrew Roach, Unit Manager, Development Assessment
Executive: Scott Cox, Director, Environment and Planning

Summary

Development Application 54832/2018 has been received for the construction of a senior's housing development on Lot 7 DP 1240791 and Lot 8 DP 1240791, No.'s 13 and 14 Caldwell Close, Green Point.

The application was referred to Council for consideration at its meeting of 11 March 2019. Council resolved to defer consideration of the item until a site inspection was conducted and further information provided.

A site inspection was conducted on 2 April 2019. The purpose of this supplementary report is to provide additional information on those matters raised by Council at its meeting of 11 March 2019 and during the site inspection.

Recommendation

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

Background

Development Application No. 54832/2018 seeks approval for the construction of seniors housing consisting of eight individual two bedroom units.

The Development Application was considered, but not determined, at an Ordinary Meeting of Council on 11 March 2019. At that meeting Council resolved the following:

- 159/19 That Council defer consideration of this item pending a site inspection and further information be provided.*

2.1 **Supplementary Report DA/54832/2018 - Construction of Seniors Housing - No 13-14 Caldwell Close, Green Point (contd)**

In accordance with the resolution of Council, a site inspection was held on site on 2 April 2019 at 9.30am. The meeting concluded at 10.00am.

The following Councillors were in attendance:

Councillor Jane Smith (Mayor)
Councillor Chris Holstein (Deputy Mayor)
Councillor Jeff Sundstrom
Councillor Richard Mehrtens

Also present at the site inspection were:

- Council staff :
 - Scott Cox, Director Environment and Planning;
 - Andrew Roach, Unit Manager Development Assessment;
 - Ailsa Prendergast, Section Manager Development Assessment (South);
 - John Noakes, Engineering Assessment Team Leader South;
 - Amanda Hill, Development Planner; and
 - Ross Spare, Waste Management Assessment Officer.

The meeting commenced at 9.30am. The proposed development was explained, plans reviewed and a number of matters were raised by the Councillors in attendance.

The questions and responses are provided below:

- ***Clarification of the wheel-in and wheel-out service for waste collection***

The kerbside space is not sufficient for 13 bins. There is less than 4m available kerbside at the front of the subject site clear of the driveway and not encroaching beyond side boundaries precluding a standard kerbside collection. Council has adopted the wheel-in/wheel-out service option where shared bins are serviced by the waste contractor. This complies with Clause 7.2.16 of Chapter 7.2 – Waste Management under Gosford Development Control Plan 2013 (GDGP 2013).

The waste collection truck will transverse Caldwell Close which is a low speed environment with a limited vehicle movements and 'no parking' signs at the cul-de-sac head. Given the low speed, low traffic environment a single-operation vehicle (one operator) is able to carry out the wheel-in/wheel-out service. The service is not regularly used but is available, upon application, as part of Councils waste collection contract. There are a small number of instances (infirm residents, or other similar circumstances) where this service is in place. Each application is considered on its merits. Normal waste charges are applied there is currently no extra charge to the customer/owner for this service. There is an extra charge of 35 cents per bin collected to Council by the collection contractor.

2.1 **Supplementary Report DA/54832/2018 - Construction of Seniors Housing - No 13-14 Caldwell Close, Green Point (contd)**

The waste bin storage enclosure is adjacent to the front boundary to allow ready access by Council's waste service provider and the gradient for the wheel-in/wheel-out of bins is from 1% - 5%. The location and design of the on-site bin storage area and its pathway gradient complies with the GDCP 2013 requirements.

Cleanaway, Council's Waste Contractor has confirmed in an email dated 15 March 2019 to Council's Waste Management Assessment Officer that Cleanaway support the proposed wheel-in/wheel-out service arrangement subject to **Condition 5.18** which requires the owner to provide an indemnity to Council with regard to using the wheel-in/wheel-out service. This will amend the Section 88B Instrument under the Conveyancing Act 1919 to indemnify Council against claims for loss or damage to the pavement or other driving surface and against liabilities, losses, damages and any other demands arising from any on-site collection service, at the applicant's cost.

- **Storage space**

Storage rooms on the lower levels with external access within units 7 and 8; and storage lofts with ladders within units 1 and 2 are additional features to a dwelling unit and are not required to be accessible under Schedule 3 of the *State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004* (SEPP HSPD).

An Access Report prepared by Halcrow and Associates Ref 1801037.AR.PJ dated March 2018 demonstrates that the proposed development meets or is capable of complying with the access requirements under Schedule 3 of the SEPP HSPD.

Condition 2.3 requires compliance with the access and usability standards outlined in Schedule 3 of SEPP HSPD prior to the issue of any construction certificate.

- **Road width**

Caldwell Close has a 13m road reserve width comprised of a 6 metre road carriageway and 3.5 metre footway either side. This width was based on the subdivision road being identified at subdivision DA stage as a "Shareway" with a maximum number of dwellings being 15, in accordance with Chapter 3.5 "Residential Subdivision", Clause 3.5.6.3 "Roads and Streets" under Gosford Development Control Plan 2013 (GDCP 2013).

As the proposed development increases the number of dwelling houses in Caldwell Close, the applicant was requested to provide a Traffic Impact Assessment report.

The Applicant submitted a Traffic Impact Assessment Report prepared by PDC Consultants dated 27 November 2018 which provides technical information on the impact of traffic generation from the proposed development.

Council's Traffic Assessment Engineer also assessed the proposed development and provided the following comments:

According to the 'RMS Guide to Traffic Generating Developments' updated August 2013 the traffic generation of housing for seniors weekday is:

- *A weekday averages 2.1 vehicle trips per dwelling and 0.4 trips per dwelling in the peak hour ($6 \times 0.4 = 2.4$ additional trips in the peak hour). The RMS surveys undertaken confirmed that the morning peak hour does not necessarily correspond to the network peak hour.*

The following observations are made:

- *The short length of road of approximately 100 metres gives it a higher environmental capacity to cater for increased traffic capacity.*
- *Close proximity to surrounding bus services:*
 - *220 metres walk on existing footpaths to bus stops along both directions of James Sea Drive.*
 - *320 metres walk to a westbound frequent service bus stop on Central Coast Highway.*
 - *For access to the nearest eastbound frequent service bus stop in Central Coast Highway near the Avoca Drive signals, there are connecting footpaths.*

Based on the RMS surveys undertaken in the morning peak hour, a net additional 6 dwellings does correspond to the network peak hour. The traffic impact could be absorbed with minimal impact on the network capacity.

I believe the current road has the capacity to absorb the additional traffic generated.

Based on the above information from Council's Traffic Assessment Engineer and the Traffic Impact Assessment Report by PDC Consultants dated 27 November 2018, the current road has the capacity to absorb the additional traffic generated by the proposed development.

- ***Car parking for the development***

The proposed development is required to provide 8 parking spaces in accordance with the requirements of *State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004* (SEPP HSPD). The proposed development makes provision for a total of 9 parking spaces, including accessible spaces (this equates the 8 required spaces plus one additional car space for visitors)

- ***Enforcement of covenants on title to ensure Over 55's only live in premises***

Condition 5.7 will limit the use of any accommodation to which the development application relates to seniors or people who have a disability, and people who live within the same household with seniors or people who have a disability by way of imposing a restriction as to user, registered on the title of the property, in accordance with s.88E of the [Conveyancing Act 1919](#).

Council would have the benefit of this covenant and have sole authority to release or modify it. Council would also be able to act on this matter if a breach of the covenant was made and brought to Council's attention to investigate.

- ***Materials being used in the development not complying with the Section 88B Instrument***

This is a private covenant/restriction known as Term 11 under the Section 88B Instrument for DP 1240791 registered on 15 March 2018. Attachment 5 of the original assessment report discusses this matter in further detail. In relation to the subject site, the proprietor of the lot having a common boundary with the subject site is empowered to release, vary, or modify the restrictions in Term 11.

Private restrictions cannot be used to restrict permissible development which is proposed in accordance with the *Environmental Planning and Assessment Act 1979* (The Act). Condition 2.10 requires arrangement for the release or modification of Term 11 with the authority empowered to release, vary or modify it prior to the issue of any construction certificate.

- ***On-site detention and stormwater drainage***

The subject sites are not affected by flooding. The existing IAD infrastructure is proposed to be removed. The engineering consultant who prepared the Water Cycle Management Plan (WCMP) Strategy has indicated on their plans that part of the overland stormwater runoff on the western side of the site will be collected adjacent to unit 5 and piped beneath unit 5 and 6 to the existing pit at the south-eastern corner of Lot 7. The existing pits should not overflow as a result of their design. However, in the unlikely event that such an overflow was to occur, the water will spill eastwards towards the adjacent secondary flowpath (footway/overland flow path).

The development will modify the existing on-site stormwater detention (OSD) and nutrient control systems. This is satisfactorily covered in the WCMP Strategy. Units 1 to 4 (inclusive) will be routed through to the on-site stormwater detention (OSD) system. Units 5 to 8 (inclusive) bypass the OSD system however the OSD system will be sized to offset this so that post-development flowrates from the development do not exceed pre-development flowrates.

2.1 Supplementary Report DA/54832/2018 - Construction of Seniors Housing - No 13-14 Caldwell Close, Green Point (contd)

Nutrient control is in the form of the provision of rainwater tanks, first flush devices and a rain-garden. Units 1 to 4 (inclusive) will have a reduction of nutrients entering the stormwater system by way of first flush devices and rainwater tanks. The first flush devices remove leaf litter (a source of nutrients from their breakdown), while the rainwater tanks provide a means to store the first flush and allow fine particulates to settle, as well as offering the opportunity for nutrient laden water to be utilised for toilet flushing and landscaping.

Units 5 to 8 in addition to having first flush devices and rainwater tanks are also routed through a proposed bio-retention rain-garden. The rain-garden will be required to be planted out with appropriate plant species.

OSD, nutrient control, and rainwater tank sizing are provided in **Condition 2.7**.

Council's Development Assessment Engineer has revised their original assessment and comments in relation to the rain water tank volume for the site.

The two lots are being consolidated into one lot and a requirement of 20m³ (20,000 litres) of rainwater tank storage is to be imposed on the consolidated lot to achieve the aims of the water cycle management plan strategy for the subdivision that created the two lots.

The development is required to provide a minimum of 20m³ (20,000 litres) of rainwater tank storage, which is equivalent to 10m³ (10,000 litres) required per lot. This complies with Chapter 6.7 – Water Cycle Management under GDCP 2013 and meets the requirement of Term 16 under the Section 88B Instrument for DP 1240791 which requires a 10,000 litre rain water tank per dwelling per lot to be installed.

This was originally proposed within the Water Cycle Management Plan (WCMP) Strategy. The minimum rain water tank size was missing from the original condition 2.7d. **Condition 2.7d** has now been modified and requires a minimum of 20m³ (20,000 litres) of rainwater tank storage to be provided for the development. **Condition 2.10** from the original proposed conditions remains in place requiring Term 16 to be varied or modified to the proposed consolidated lots with 8 dwelling units in place. Attachment 5 from the original report has been amended to reflect the wording change in relation to Term 16 (refer to **Attachment 5 as amended**).

- ***Disabled accessible parking***

Disabled accessible car parking is provided for the accessible units. An Access Report prepared by Halcrow and Associates Ref 1801037.AR.PJ dated March 2018 demonstrates that the proposed accessible car parking meets or is capable of complying with the access requirements under Schedule 3 of the SEPP HSPD.

Condition 2.3 requires compliance with the access and usability standards outlined in Schedule 3, Part 1 of SEPP HSPD prior to the issue of any construction certificate.

**2.1 Supplementary Report DA/54832/2018 - Construction of Seniors Housing
- No 13-14 Caldwell Close, Green Point (contd)**

Conclusion:

The Development Application has been assessed against the heads of consideration of s4.15 of the EP&A Act and all other relevant instruments and polices. The proposed development is still considered reasonable and therefore it is recommended that Council grant development consent approval to DA 54832/2018.

Attachments

1	Amended Conditions of Consent		D13506627
2	As Amended Section 88B Instrument Attachment 5		D13506628
3	Original Report to 11 March Council meeting including Attachments	Attached under separate cover	D13506685

Attachment 1Amended Conditions - DA54832/2018**1. PARAMETERS OF THIS CONSENT****1.1. Approved Plans and Supporting Documents**

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

Architectural Plans by Tyrells Architects

Drawing	Description	Sheets	Issue	Date
DA000	Cover Sheet / Location Plan	000	B	11/12/18
DA001	Site Analysis Plan	001	A	27/03/18
DA002	Site Plan	002	C	26/11/18
DA003	Cut & Fill Plan	003	B	07/11/18
DA004	Lighting and Illumination Concept Plan	004	A	27/03/18
DA005	Staging Plan	005	A	27/03/18
DA007	Bin Store Details	007	C	06/12/18
DA100	Cottage 1 & 2 – Floor Plan	100	A	27/03/18
DA101	Cottage 1 & 2 – Elevations	101	A	27/03/18
DA102	Cottage 3 & 4 – Floor Plan	102	A	27/03/18
DA103	Cottage 3 & 4 – Elevations	103	A	27/03/18
DA104	Cottage 5 & 6 – Floor Plan	104	B	07/11/18
DA105	Cottage 5 & 6 – Elevations	105	B	07/11/18
DA106	Cottage 7 & 8 – Floor Plan	106	A	27/03/18
DA107	Cottage 7 & 8 – Elevations	107	B	07/11/18
DA110	Colour Schedule	110	A	27/03/18
DA120	Typical Accessible Cottage Floor Plan	120	A	27/03/18
DA200	Boundary Elevations	200	B	07/11/18

Landscape Plans by Indesco for Tyrells Architects

Drawing	Description	Sheets	Issue	Date
001	Landscape Plan Sheet 1 of 2	001	B	11/03/18
002	Landscape Plan Sheet 2 of 2	002	A	26/03/18
003	Landscape Details & Planting Schedule	003	A	26/03/18
004	Landscape Palette	004	A	26/03/18

Supporting Documentation

Document	Title	Date
BASIX	BASIX Certificate Number 910235M prepared by Tyrells Plans and Approvals	23 March 2018
Waste	Waste Management Plan (WMP) Revision C, prepared	23 November

Document	Title	Date
	by Tyrells Architects	2018
Survey	Detail and Contour Survey prepared by Stephen Thorne & Associates Pty Ltd Plan No. 7760A	06/02/18
Stormwater	Water Cycle Management Plan (WCMP) prepared by Halcrow and Associates	21/03/18
Engineering	Stormwater Concept Plan DA 1 of 3; Driveway Concept Plan DA2 of 3; Erosion & Sedimentation Plan DA3 of 3 prepared by Halcrow and Associates	05/02/18
Shadow	Shadow Diagrams – Winter Solstice DA300B prepared by Tyrells Architects	07/11/18
Shadow	Shadow Diagrams – Equinox DA301A prepared by Tyrells Architects	27/03/18
Shadow Study	Shadow Study to 5 Fox Glove CI - Winter Solstice DA303A prepared by Tyrells Architects	07/11/18
Privacy Study	Privacy Study - Cottage 1 to 12 Caldwell CI, DA304B prepared by Tyrells Architects	06/12/18
Privacy Study	Privacy Study - 6 & 8 Guss Cannon CI DA306A, prepared by Tyrells Architects	07/11/18
Survey	Site Plan and Longitudinal Section of Footpaths from Lot 7, Plan 7760A prepared by Stephen Thorne & Associates	19/09/18
Letter	Response to Section 88B Instrument Ref: GMC:DT:mm:22850, prepared by McKees	29/11/18
Access	Access Report prepared by Halcrows and Associates	March 2018
Traffic	Traffic Impact Assessment Ref: 0095r01v02 prepared by PDC Consultants	27/11/18

- 1.2. Carry out all building works in accordance with the Building Code of Australia.
- 1.3. Comply with all commitments listed in the BASIX Certificate for the development as required under clause 97A of the Environmental Planning and Assessment Regulation 2000.
- 1.4. Approval is granted for the development to be carried out in two stages in the following manner:
 - Stage 1 – Construct Cottages 1-4, Landscaping, Carpark, Retaining Walls and Drainage. Bulk Earthworks & Site Stabilization to Southern Part of Site.
 - Stage 2 – Construct Cottages 5-8 and Landscaping.

2. PRIOR TO ISSUE OF ANY CONSTRUCTION CERTIFICATE

- 2.1. All conditions under this section must be met prior to the issue of any Construction Certificate.
- 2.2. No activity is to be carried out on-site until the Construction Certificate has been issued, other than:

- a) Site investigation for the preparation of the construction, and / or
 - b) Implementation of environmental protection measures, such as erosion control and the like that are required by this consent
 - c) Demolition
- 2.3. Comply with the access and usability standards outlined in Schedule 3 of *State Environmental Planning Policy (Housing for Seniors and People with a Disability) 2004* for the development. Details of compliance are to be submitted to the Accredited Certifier for approval.
- 2.4. Submit an application to Council under Section 138 of the *Roads Act, 1993*, for the approval of required works to be carried out within the road reserve.

Submit to Council Engineering plans for the required works within a public road that have been designed by a suitably qualified professional in accordance with Council's Civil Works Specification and Gosford DCP 2013 Chapter 6.3 - Erosion Sedimentation Control. The Engineering plans must be included with the Roads Act application for approval by Council. Design the required works as follows:

- a. 1.2m wide reinforced (SL72 steel fabric, 100mm thick) concrete footpath in an approved location across the full frontage of the site in Caldwell Close.
- b. Heavy-duty vehicle crossing that has a minimum width of 5.5m and constructed with 200mm thick concrete reinforced with 1 layer of SL72 steel fabric top and bottom.
- c. All redundant dish crossings and / or damaged kerb and gutter must be removed and replaced with new kerb and gutter.
- d. The piping of stormwater from within the site to Council's drainage system.
- e. Erosion and sedimentation control plan.

The Roads Act application must be approved by Council.

A fee for the approval of engineering plans under the *Roads Act 1993* applies. The amount of this fee can be obtained by contacting Council's Customer Services on (02) 4325 8222.

- 2.5. Submit a dilapidation report to Council with the Roads Act application and / or Construction Certificate application. The report must document and provide photographs that clearly depict any existing damage to the road, kerb, gutter, footpath, driveways, street trees, street signs or any other Council assets in the vicinity of the development.
- 2.6. Pay a security deposit of \$15,120 into Council's trust fund. The payment of the security deposit is required to cover the cost of repairing damage to Council's assets that may be caused as a result of the development. The security deposit will be refunded upon the completion of the project if no damage was caused to Council's assets as a result of the development.

- 2.7. Submit design details of the following engineering works within private property:
- a. Driveways / ramps and car parking areas must be designed according to the requirements of AS2890: *Parking Facilities* for the geometric designs, and industry Standards for pavement designs.
 - b. A stormwater detention system must be designed in accordance with the Gosford DCP 2013 Chapter 6.7 - Water Cycle Management and Council's Civil Works Specification. The stormwater detention system must limit post development flows from the proposed development to less than or equal to predevelopment flows for all storms up to and including the 1% AEP storm event. A runoff routing method must be used. An on-site stormwater detention report including an operation and maintenance plan must accompany the design. On-site stormwater detention is not permitted within private courtyards, drainage easements, and/or secondary flowpaths.
 - c. Nutrient/pollution control measures must be designed in accordance with Gosford DCP 2013 Chapter 6.7 - Water Cycle Management. A nutrient / pollution control report including an operation and maintenance plan must accompany the design. NB Appropriate plant species shall be planted within the proposed raingarden proposed on the Stormwater Concept Plan prepared by Halcrow & Associates (drawing number 18.01.037 sheet DA.1).
 - d. On-site stormwater retention measures must be designed in accordance with Council's DCP Chapter 6.7 - *Water Cycle Management*. A minimum of 20m³ of rainwater tank storage shall be provided for the development. A report detailing the method of stormwater harvesting, sizing of retention tanks for re-use on the site and an operation and maintenance plan must accompany the design.
 - e. Piping of all stormwater from impervious areas within the site via an on-site stormwater detention structure to Council's drainage system.
 - f. Open type fences in flood affected areas that are of a height and type as not to restrict the flow of water or cause an accumulation of debris.

These design details and any associated reports must be included in the construction certificate.

- 2.8. Submit engineering details prepared by a practising structural engineer to Council for structures constructed adjacent to a Council stormwater system and/or drainage easement and within the zone of influence. Engineering details must have footings designed in accordance with Council's "Guidelines for Building Adjacent to a Drainage Easement" and be approved and form part of the Construction Certificate.

- 2.9. Pay to Council a total contribution amount of **\$111,288.00** that may require adjustment at the time of payment, in accordance with the relevant Council Contribution Plans No. 42A, 42B & 42C Erina/Terrigal/Green Point.

Roadworks - Capital	C	(Key No 735)	\$20,520.00
Roadworks - Land	C	(Key No 734)	\$488.00
Open Space - Land	A	(Key No 736)	\$46,500.00
Recreation - Embellishment	A	(Key No 830)	\$11,944.00
Community Facilities - Capital	A	(Key No 737)	\$3,316.00
Drainage - Land	B	(Key No 732)	\$4,624.00
Drainage - Capital	B	(Key No 733)	\$23,896.00
TOTAL AMOUNT			\$111,288.00

The total amount must be indexed each quarter in accordance with the Consumer Price Index (All Groups Index) for Sydney issued by the Australian Statistician as outlined in the contributions plan.

Contact Council's Contributions Planner on Tel 4325 8222 for an up-to-date contribution payment amount.

Any Construction Certificate must not be issued until the developer has provided the Accredited Certifier with a copy of a receipt issued by Council that verifies that the contributions have been paid. A copy of this receipt must accompany the documents submitted by the certifying authority to Council under Clause 104/Clause 160(2) of the *Environmental Planning and Assessment Regulation 2000*.

A copy of the Contribution Plan may be inspected at the office of Central Coast Council, 49 Mann Street Gosford or on Council's website: [Development Contributions - former Gosford LGA](#)

- 2.10. Arrange release or modification of the following Terms in the Section 88B Instrument for Deposited Plan (DP) 1240791 registered on 15 March 2018 with the Authority Empowered to release, vary or modify the restrictions and positive covenants:

Term	Easement, Restriction or Positive Covenant	Lots or Authority Burdened	Lots or Authority Benefited	Authority Empowered to release, vary or modify
2	Easement to drain water	7	8	Owner of Lot 8 DP1240791
11	Restriction on Use of Land regarding Permitted Structures and Materials and Finishes	7 and 8	7 and 8	Salvation Army or lots having common boundaries
16	Positive Covenant – Rain water tank of 10,000 litres	7 and 8	Central Coast Council	Central Coast Council

Submit, to the Principal Certifying Authority, copies of registered title documents showing the release or modifications to the restrictive and positive covenants.

- 2.11. Provide certification to the Principal Certifying Authority that the structural engineer's details have been prepared in accordance with the recommendations of the geotechnical report listed under Term 18 in the Section 88B Instrument for Deposited Plan (DP) 1240791 registered on 15 March 2018.
- 2.12. Submit an application to Council under Section 305 of the *Water Management Act 2000* to obtain a Section 307 Certificate of Compliance. The *Application for a 307 Certificate under Section 305 Water Management Act 2000* form can be found on Council's website www.centralcoast.nsw.gov.au. Early application is recommended.

A Section 307 Certificate must be obtained prior to the issue of any Construction Certificate.

- 2.13. Development constructed near or over Council's sewer main and/or adjacent to the water main must comply with Council's guidelines for 'Building Over or Near Council Sewer and Water Mains'. Details prepared by a practising structural engineer must be submitted to and approved by the Water Authority (Council) in accordance with the *Water Management Act 2000* prior to the issue of a Construction Certificate.

3. PRIOR TO COMMENCEMENT OF ANY WORKS

- 3.1 All conditions under this section must be met prior to the commencement of any works.
- 3.1. Appoint a Principal Certifying Authority for the building work:
 - a) The Principal Certifying Authority (if not Council) is to notify Council of their appointment and notify the person having the benefit of the development consent of any critical stage inspections and other inspections that are to be carried out in respect of the building work no later than two days before the building work commences.
 - b) Submit to Council a Notice of Commencement of Building Works or Notice of Commencement of Subdivision Works form giving at least two days' notice of the intention to commence building or subdivision work. The forms can be found on Council's website: www.centralcoast.nsw.gov.au
- 3.2. Erect a sign in a prominent position on any work site on which building, subdivision or demolition work is being carried out. The sign must indicate:
 - a) The name, address and telephone number of the Principal Certifying Authority for the work; and
 - b) The name of the principal contractor and a telephone number at which that person can be contacted outside of working hours; and
 - c) That unauthorised entry to the work site is prohibited.

d) Remove the sign when the work has been completed.

- 3.3. Submit both a Plumbing and Drainage Inspection Application, with the relevant fee, and a Plumbing and Drainage Notice of Work in accordance with the *Plumbing and Drainage Act 2011* (to be provided by licensed plumber). These documents can be found on Council's website at: www.centralcoast.nsw.gov.au

Contact Council prior to submitting these forms to confirm the relevant fees.

This condition only applies if installation/alteration of plumbing and/or drainage works are proposed (excludes stormwater drainage)

- 3.4. Provide and maintain a garbage receptacle at the work site until the works are completed. The garbage receptacle must have a tight fitting lid and be suitable for food scraps and papers.
- 3.5. Install run-off and erosion controls to prevent soil erosion, water pollution or the discharge of loose sediment on the surrounding land by:
- erecting a silt fence and providing any other necessary sediment control measures that will prevent debris escaping into drainage systems, waterways or adjoining properties, and diverting uncontaminated run-off around cleared or disturbed areas, and
 - preventing the tracking of sediment by vehicles onto roads, and
 - stockpiling top soil, excavated materials, construction and landscaping supplies and debris within the lot.
- 3.6. Erect a temporary hoarding or temporary construction site fence between the work site and adjoining lands before the works begin and must be kept in place until after the completion of the works, if the works:
- a) could cause a danger, obstruction or inconvenience to pedestrian or vehicular traffic, or
 - b) could cause damage to adjoining lands by falling objects, or
 - c) involve the enclosure of a public place or part of a public place.

Note 1: A structure on public land or on or over a public road requires the prior approval of the relevant authority under the *Local Government Act 1993* or the *Roads Act 1993*, respectively.

Note 2: The *Work Health and Safety Act 2011* and *Work Health and Safety Regulation 2011* contain provisions relating to scaffolds, hoardings and other temporary structures.

- 3.7. Provide or make available toilet facilities at the work site before works begin and maintain the facilities until the works are completed at a ratio of one toilet plus one additional toilet for every twenty (20) persons employed at the site.

Each toilet must:

- a) be a standard flushing toilet connected to a public sewer, or
- b) have an on-site effluent disposal system approved under the *Local Government Act 1993*, or
- c) be a temporary chemical closet approved under the *Local Government Act 1993*.

4. DURING WORKS

- 4.1. All conditions under this section must be met during works.

- 4.2. Carry out construction or demolition works during the construction phase of the development only between the hours as follows:

- 7.00am and 5.00pm Monday to Saturday

No construction or demolition works associated with the development are permitted to be carried out at any time on a Sunday or a public holiday.

- 4.3. During the construction phase of the development, if any Aboriginal object (including evidence of habitation or remains), is discovered during the course of the work:

- a) All excavation or disturbance of the area must stop immediately in that area, and
- b) The Office of Environment and Heritage must be advised of the discovery in accordance with section 89A of the *National Parks and Wildlife Act 1974*.

Note: If an Aboriginal object is discovered, an Aboriginal heritage impact permit may be required under the *National Parks and Wildlife Act 1974*.

- 4.4. Implement and maintain all erosion and sediment control measures at or above design capacity for the duration of the construction works and until such time as all ground disturbed by the works has been stabilised and rehabilitated so that it no longer acts as a source of sediment.
- 4.5. Keep a copy of the stamped approved plans on-site for the duration of site works and make the plans available upon request to either the Principal Certifying Authority or an officer of Council.
- 4.6. Notify Council when plumbing and drainage work will be ready for inspection(s) and make the work accessible for inspection in accordance with the *Plumbing and Drainage Act 2011*.

This condition only applies if installation/alteration of plumbing and/or drainage works are proposed (excludes stormwater drainage).

- 4.7. Place all building materials, plant and equipment on the site of the development during the construction phase of the development so as to ensure that pedestrian and vehicular access within adjoining public roads, footpaths and reserve areas, is not restricted and to prevent damage to public infrastructure. Further, no construction work is permitted to be carried out within the road reserve unless the works are associated with a separate approval issued under the provisions of the Roads Act 1993.
- 4.8. Connect downpipes and the associated stormwater disposal system to the site stormwater connection point immediately after the roof materials are positioned in order to prevent erosion of the site from roof water run-off. The Principal Certifying Authority for the development must not issue a mandatory critical stage Compliance Certificate for framing unless connection of the site stormwater (or temporary system) has occurred.
- 4.9. Do not access the development site through a public reserve unless approval for temporary access over the public reserve is obtained from the council as the Land Manager. A copy of the approval must be available for viewing on-site at all times during work.
- 4.10. Construct the works within the road reserve that required approval under the Roads Act. The works must be constructed in accordance with Council's Civil Works Specification and Gosford DCP 2013 Chapter 6.3 - Erosion Sedimentation Control.
- 4.11. Re-use, recycle or dispose of all building materials during the demolition and construction phase of the development in accordance with the Waste Management Plan signed by Tyrells Architects, dated 23 November 2018, Rev C.

5. PRIOR TO ISSUE OF ANY OCCUPATION CERTIFICATE

- 5.1. All conditions under this section must be met prior to the issue of any Occupation Certificate.
- 5.2. Submit a Certificate of Compliance for all plumbing and drainage work and a Sewer Service Diagram showing sanitary drainage work (to be provided by licensed plumber) in accordance with the *Plumbing and Drainage Act 2011*.

This condition only applies if installation/alteration of plumbing and/or drainage works are proposed (excludes stormwater drainage).

- 5.3. Prior to the occupation or use of the building/structure, an application for an Occupation Certificate for the development must be submitted to and approved by the Principal Certifying Authority. The Occupation Certificate application is to satisfy all of the requirements of the *Environmental Planning and Assessment Regulation 2000*.
- 5.4. Complete the landscaping works.

- 5.5. Provide the Principal Certifying Authority with written certification from a qualified landscape designer certifying that landscaping has been implemented in accordance with the approved landscape plan as amended by any conditions of this consent.
- 5.6. Revegetate and stabilise all areas disturbed by construction activities associated with the development so as to prevent erosion and dust nuisance occurring.
- 5.7. Execute an instrument under the *Conveyancing Act 1919* for the following restrictive covenants with Council having the benefit of these covenants and having sole authority to release and modify.

The approved development is only to be occupied by:

- a) people aged 55 years or over or people with a disability as defined by the provisions of *State Environmental (Housing for Seniors or People with a Disability) 2004*
 - b) people who live with such people as defined in sub-clause above; and
 - c) staff employed to assist in the administration of and provision of services to housing provided in this development.
- 5.8. Erect a 1.8 metre high fence along the length of the side and rear boundaries behind the building line.
 - 5.9. Consolidate LOT: 7 DP: 1240791, LOT: 8 DP: 1240791 into a single allotment under one Certificate of Title.

Documentary evidence of the lodgement of the Consolidation Plan with the NSW Land and Property Information can be accepted by the Principal Certifying Authority as satisfying this requirement.
 - 5.10. Provide mail receptacles appropriately numbered for each dwelling unit in the development, as well as for the managing body, in consultation with Australia Post.
 - 5.11. Provide fold-away clothes lines for clothes drying purposes that must not extend above courtyard fencing.
 - 5.12. Complete the building in accordance with the relevant provisions and requirements of the National Construction Code Series.
 - 5.13. Complete works within the road reserve that required approval under the Roads Act. The works must be completed in accordance with Council's Civil Works Specification and Gosford DCP 2013 Chapter 6.3 - Erosion Sedimentation Control, and documentary evidence for the acceptance of such works must be obtained from the Roads Authority.
 - 5.14. Rectify any damage not shown in the dilapidation report submitted to Council before site works had commenced. Any damage will be assumed to have been caused as a result of the site works undertaken and must be rectified at the applicant's expense.

5.15. Complete the internal engineering works within private property in accordance with the plans and details approved with the construction certificate.

5.16. Amend the Deposited Plan (DP) to:

- Include an Instrument under the *Conveyancing Act 1919* for the following restrictive covenants; with the Council having the benefit of these covenants and having sole authority to release and modify. Wherever possible, the extent of land affected by these covenants must be defined by bearings and distances shown on the plan.
 - a. Create a 'Restriction as to User' over all lots containing an on-site stormwater detention system and/or a nutrient/pollution facility restricting any alteration to such facility or the erection of any structure over the facility or the placement of any obstruction over the facility.

And,

- Include an instrument under the *Conveyancing Act 1919* for the following positive covenants; with the Council having the benefit of these covenants and having sole authority to release and modify. Contact Council for wording of the covenant(s).
 - a. To ensure on any lot containing on-site stormwater detention system and / or a nutrient / pollution facility that:
 - (i) The facility will remain in place and fully operational.
 - (ii) The facility is maintained in accordance with the operational and maintenance plan so that it operates in a safe and efficient manner.
 - (iii) Council's officers are permitted to enter the land to inspect and repair the facility at the owners cost.
 - (iv) Council is indemnified against all claims of compensation caused by the facility.

Submit, to the Principal Certifying Authority, copies of registered title documents showing the restrictive and positive covenants.

5.17. Submit certification from a consulting engineer to Council stating that all slabs and / or footings within the zone of influence associated with the Council stormwater system and / or drainage easement have been constructed in accordance with the Construction Certificate.

5.18. Amend the deposited plan (DP) to include a section 88B instrument under the *Conveyancing Act 1919* to indemnify Council against claims for loss or damage to the pavement or other driving surface and against liabilities, losses, damages and any other demands arising from any on-site collection service, at the applicant's cost.

6. ONGOING OPERATION

- 6.1. Maintain all perimeter fencing for the life of the development in the approved location.
- 6.2. Maintain the site landscaping for the life of the development.
- 6.3. Operate and maintain all external lighting so as not to impact on any adjoining property.
- 6.4. Maintain the on-site stormwater detention facility in accordance with the operation and maintenance plan.
- 6.5. Maintain the nutrient / pollution control facilities in accordance with the operation and maintenance plan.
- 6.6. Store all waste generated on the premises in a manner so that it does not pollute the environment.
- 6.7. No obstructions to the wheel out of the waste bins are permitted including grills, speed humps, barrier kerbs, etc.
- 6.8. Comply with all commitments as detailed in the Waste Management Plan signed by Tyrells Architects, dated 23 November 2018 Revision C.
- 6.9. Locate the approved waste storage enclosure / area as indicated on Drawing Number DA007, Revision C, dated 6 December 2018, prepared by Tyrells Architects.
- 6.10. Do not place or store waste material, waste product or waste packaging outside the approved waste storage enclosure.

7. PENALTIES

Failure to comply with this development consent and any condition of this consent may be a **criminal offence**. Failure to comply with other environmental laws may also be a **criminal offence**.

Where there is any breach Council may without any further warning:

- Issue Penalty Infringement Notices (On-the-spot fines);
- Issue notices and orders;
- Prosecute any person breaching this consent, and/or
- Seek injunctions/orders before the courts to retain and remedy any breach.

Warnings as to Potential Maximum Penalties

Maximum Penalties under NSW Environmental Laws include fines up to \$1.1 Million and/or custodial sentences for serious offences.

ADVISORY NOTES

- The inspection fee for works associated with approvals under the Roads Act is calculated in accordance with Council's current fees and charges policy.
- Payment of a maintenance bond may be required for civil engineering works associated with this development. This fee is calculated in accordance with Council's fees and charges.
- Discharge of sediment from a site may be determined to be a pollution event under provisions of the *Protection of the Environment Operations Act 1997*. Enforcement action may commence where sediment movement produces a pollution event.
- The following public authorities may have separate requirements in the following aspects:
 - a) Australia Post for the positioning and dimensions of mail boxes in new commercial and residential developments
 - b) Jemena Asset Management for any change or alteration to the gas line infrastructure
 - c) Ausgrid for any change or alteration to electricity infrastructure or encroachment within transmission line easements
 - d) Telstra, Optus or other telecommunication carriers for access to their telecommunications infrastructure
 - e) Central Coast Council in respect to the location of water, sewerage and drainage services.
- Carry out all work under this Consent in accordance with SafeWork NSW requirements including the *Workplace Health and Safety Act 2011 No 10* and subordinate regulations, codes of practice and guidelines that control and regulate the development industry.
- Dial Before You Dig
Underground assets may exist in the area that is subject to your application. In the interests of health and safety and in order to protect damage to third party assets please contact Dial Before You Dig at www.1100.com.au or telephone on 1100 before excavating or erecting structures. (This is the law in NSW). If alterations are required to the configuration, size, form or design of the development upon contacting the Dial Before You Dig service, an amendment to the development consent (or a new development application) may be necessary. Individuals owe asset owners a duty of care that must be observed when working in the vicinity of plant or assets. It is the individual's responsibility to anticipate and request the nominal location of plant or assets on the relevant property via contacting the Dial Before You Dig service in advance of any construction or planning activities.

- Telecommunications Act 1997 (Commonwealth)
Telstra (and its authorised contractors) are the only companies that are permitted to conduct works on Telstra's network and assets. Any person interfering with a facility or installation owned by Telstra is committing an offence under the *Criminal Code Act 1995 (Cth)* and is liable for prosecution. Furthermore, damage to Telstra's infrastructure may result in interruption to the provision of essential services and significant costs. If you are aware of any works or proposed works which may affect or impact on Telstra's assets in any way, you are required to contact: Telstra's Network Integrity Team on phone number 1800 810 443.
- Install and maintain backflow prevention device(s) in accordance with Council's WS4.0 Backflow Prevention Containment Policy. This policy can be found on Council's website at: www.centralcoast.nsw.gov.au

This condition only applies if installation/alteration of plumbing and/or drainage works are proposed (excludes stormwater drainage).

Attachment 5 as AmendedSection 88B Instrument Compliance Table DA54832/2018

The Applicant provided a written justification on how they intend to comply, release or modify the Terms 2, 9, 10, 11, 13, 16, 17 and 18 within the Section 88B Instrument for DP1240791 registered on 15 March 2018.

The table below addresses the relevant terms for Lots 7 and 8 within the instrument and how the applicant intends to address them.

Summary Table of Section 88B Instrument for DP1240791 relating to Lots 7 and 8

Term	Easement, Restriction or Positive Covenant	Lots or Authority Burdened	Lots or Authority Benefited	Compliance/Release/Modification
2	Easement to drain water	7	8	Release by Condition of Consent – Lots 7 and 8 are owned by the same person and this term can legally be released. Central Coast Council is the empowering authority to release this term. Council's Development Assessment Engineer supports the release of this easement. Refer to Condition 2.10.
9	Restriction on Use of Land	7 and 8	Central Coast Council	Compliance can be achieved.
10	Positive Covenant	7 and 8	Central Coast Council	Compliance can be achieved.
11	Restriction on Use of Land regarding Permitted Structures and Materials and Finishes (11a to 11m)	7 and 8	7 and 8	Release or modification can only occur by Salvation Army or lots having common boundaries. This is a Private restriction. See comments below.
13	Restriction on the Use of the Land – Floor Level	7	Central Coast Council	Compliance can be achieved.
16	Positive Covenant – Rain water tank of 10,000 litres	7 and 8	Central Coast Council	Compliance can be achieved. Modified or Varied by Condition of Consent. Central Coast Council is the empowering authority to

Term	Easement, Restriction or Positive Covenant	Lots or Authority Burdened	Lots or Authority Benefited	Compliance/Release/Modification
				modify or vary this term. Refer to Condition 2.7d and 2.10.
17	Easement to permit encroaching structure	7 and 8	Lot 97 in DP 746595	Compliance can be achieved
18	Restriction on the Use of Land	7	Central Coast Council	Compliance can be achieved. Compliance by Condition of Consent. Refer to Condition 2.11

Term 11 - Restriction on Use of Land regarding Permitted Structures and Materials and Finishes

Term 11 is a private restriction benefiting and burdening all lots except for Lots 44 and 45. The Salvation Army (New South Wales) Property Trust for such time as the Salvation Army (New South Wales) Property Trust owns any lot or thereafter the proprietor of the lot(s) in the plan having common boundaries with the proprietor of the lot(s) seeking to release, vary or modify the restrictions hold the empowerment.

In relation to the subject site, the proprietor of the lot having a common boundary with the subject site is empowered to release, vary, or modify the restrictions in Term 11.

Private restrictions cannot be used to restrict permissible development which is proposed in accordance with the Environmental Planning and Assessment Act 1979 (The Act).

Section 3.16 of the Act states that:-

3.16 Suspension of laws etc by environmental planning instruments

(1) In this section, regulatory instrument means any Act (other than this Act), rule, regulation, by-law, ordinance, proclamation, agreement, covenant or instrument by or under whatever authority made.

(2) For the purpose of enabling development to be carried out in accordance with an environmental planning instrument or in accordance with a consent granted under this Act, an environmental planning instrument may provide that, to the extent necessary to serve that purpose, a regulatory instrument specified in that environmental planning instrument shall not apply to any such development or shall apply subject to the modifications specified in that environmental planning instrument.

Clause 7 of the SEPP HSPD states that:-

7 Suspension of certain agreements and covenants

(1) For the purpose of enabling development to be carried out in accordance with this Policy or in accordance with a consent granted under the Act, any agreement or covenant imposing restrictions on any such development, to the extent necessary to serve that purpose, does not apply to the development.

Clause 1.9A of GLEP 2014 states that:-

1.9A Suspension of covenants, agreements and instruments

(1) For the purpose of enabling development on land in any zone to be carried out in accordance with this Plan or with a consent granted under the Act, any agreement, covenant or other similar instrument that restricts the carrying out of that development does not apply to the extent necessary to serve that purpose.

(2) This clause does not apply:

(a) to a covenant imposed by the Council or that the Council requires to be imposed, or

The subject application is made in accordance with the Act, SEPP HSPD, and GLEP 2014. The above legislation enables development to be carried out. The covenants imposed by Council are supported to be released or modified by Council subject to conditions of development consent.

Term 11 being a private restriction is required to be released, modified or varied by the Applicant in accordance with the Section 88B Instrument requirements. Non-compliance with the private restrictions under the 88B Instrument for DP1240791 cannot be used to refuse a development application.

The following Terms under the private restriction are not fully met by the Applicant within the proposed development. The terms are matters that a planning assessment can provide comment on and thus an assessment of those terms are provided below.

Term 11e – The proposed development does not comply with the required finishes of brick veneer or harditex. Weatherboard, vertical cladding and flat finished fibre cement and metal cladding in neutral and grey tones is proposed for the external finishes to the buildings.

Such materials are considered to be a reasonable selection as they provide a light weight appearance to a development and promote a well-articulated façade to reduce the bulk and scale of the development. The proposed colours and tones will blend with the natural surrounding environment. The Applicant will be required to have this term varied or released under separate legal request outside the development application process.

Term 11 f – This term restricts the type of roof covering and no roof is to have a pitch of less than 10 degrees. The proposed developments roof covering complies with this term. The roof pitch at 7 degrees does not. However, from a planning perspective, the roof pitch is acceptable and preferred given the style of housing that is proposed. The Applicant has confirmed that the roof pitch of 7 degrees has been used to protect the amenity of the neighbouring properties. The Applicant will be required to have this term varied or released under separate legal request outside the development application process.

Term 11j – The terms restricts the size of a building on the lot to be no less than 185m². There will be four buildings on the site that each building will contain two dwellings. Each building has an area of 160m² to 164m². A planning assessment considers gross floor area against the site area to determine the floor space ratio. The proposed development complies with the floor space ratio requirement under the SEPP HSPD. It is considered that the intent of this term was to ensure larger style buildings are provided on lots within the DP 1240791. This is not considered to be a planning assessment matter. The Applicant will be required to have this term varied or released under separate legal request outside the development application process.

Term 11l – No fencing is required within the front setback or on the front boundary. The proposed bin storage area will have a screen fence that faces Caldwell Close. This fence will be located behind proposed landscaping and be 950mm high above the natural ground level as seen from the street frontage. This building element is required to screen the bin storage area to comply with Chapter 7.2 under Gosford DCP 2013. The Applicant has cut-in the bin storage area to be 500mm below the natural ground level to further hide this area from the street frontage and to protect the amenity of the neighbouring property to the north. It is common practice for bin storage areas to be located within 6m of the front boundary of the site so that the Waste Services Operators are able to wheel the bins in and out of the storage area for collection. Conditions of consent are recommended to ensure that the bin storage area does not create odour and amenity concerns for residents and neighbouring sites. The Applicant will be required to have this term varied or released under separate legal request outside the development application process.

No fencing is proposed on the front boundary.



Item No: 3.1
Title: Deferred Item - DA/54551/2018 170-175 Blackwall Road and 8 Farnell Road, Woy Woy
Department: Environment and Planning

13 May 2019 Ordinary Council Meeting

Trim Reference: F2018/01162 - D13525868
Author: Jessica Summerhayes, Town Planner
Manager: Andrew Roach, Unit Manager, Development Assessment
Executive: Scott Cox, Director, Environment and Planning

Summary

At the Council Meeting of 29 April 2019, Council resolved:

301/19 That Council defer consideration of the report to the next meeting of Council and, prior to that meeting, a site inspection be conducted.

Recommendation

- 1 That Council note the deferred DA/54551/2018 170-175 Blackwall Road and 8 Farnell Road, Woy Woy report which is Attachment 1.**
- 2 That Council grant consent subject to the conditions detailed in the schedule attached to the report and having regard to the matters for consideration detailed in section 4.15 of the Environmental Planning and Assessment Act 1979 and other relevant issues.**
- 3 That Council advise those who made written submissions of its decision.**

Attachments

- | | | | |
|----------|--|-------------------------------|-----------|
| 1 | 29 April 2019 Ordinary Meeting Report - Item 2.1 - DA-54551-2018 - 170-175 Blackwall Road and 8 Farnell Roads, Woy Woy | Attached under separate cover | D13525878 |
| 2 | 29 April 2019 - Memo - Clarification of Council Report | Attached under separate cover | D13525891 |



Item No: 3.2
Title: Deferred Item - DA/55321/2018 Proposed New Dwelling House at 64 Fishermans Parade, Daleys Point
Department: Environment and Planning

13 May 2019 Ordinary Council Meeting

Trim Reference: F2019/00041 - D13526166
Author: Nicolas Appleby, Building Surveyor
Manager: Brian Jones, Acting Unit Manager, Environment and Compliance
Executive: Scott Cox, Director, Environment and Planning

Summary

At the Council Meeting of 29 April 2019, Council resolved:

302/19 That Council defer consideration of the application to allow for a site inspection with a report on the site inspection to be prepared and submitted to the earliest possible meeting of Council.

Recommendation

- 1 That Council note the deferred DA/55321/2018 Proposed New Dwelling House at 64 Fishermans Parade, Daleys Point.**
- 2 That Council grant consent subject to the conditions detailed in the schedule attached to the report and having regard to the matters for consideration detailed in Section 4.15 of the Environmental Planning and Assessment Act 1979, and other relevant issues.**

Attachments

- 1** 29 April 2019 Ordinary Meeting Report - Item 2.2 - DA-55321-2018 Proposed New Dwelling House on at 64 Fishermans Parade, Daleys Point D13526165



Item No: 2.2
Title: DA/55321/2018 Proposed New dwelling House on at 64 Fishermans Parade, Daleys Point
Department: Environment and Planning

29 April 2019 Ordinary Council Meeting

Trim Reference: F2018/00020-06 - D13447713

Author: Nicolas Appleby, Building Surveyor

Manager: Brian Jones, Acting Unit Manager, Environment and Compliance

Executive: Scott Cox, Director, Environment and Planning

Summary

An application has been received for the construction of a new split level dwelling on a vacant site at 64 Fishermans Parade, Daleys Point. The application has been examined having regard to the matters for consideration detailed in Section 4.15 of the *Environmental Planning and Assessment Act 1979 (EP&A Act)*, and other statutory requirements with the issues requiring attention and consideration being addressed in the report.

This development application is reported to Council due to the maximum height for the building exceeding the development standard specified within clause 4.3 of *Gosford Local Environment Plan 2014 (GLEP 2014)* by more than 10%. The proposal exceeds the permissible maximum height by 2.8m or 33%.

Applicant	Osmond McLeod Architects
Owner	Glen McLeod
Application No	55321/2018
Description of Land	Lot 2 DP 6390, 64 Fishermans Parade, Daleys Point
Proposed Development	New Dwelling House
Site Area	309.8m ²
Zoning	R2 Low Density Residential
Existing Use	Vacant Land
Employment Generation	Nil
Estimated Value	\$267,020.00

Recommendation

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

2.2 DA 55321/2018 - Lot 2 DP 6390, 64 Fishermans Parade, Daleys Point - Proposed New Split Level Dwelling

Background

Proposed Development	New Dwelling House
Permissibility and Zoning	The subject site is zoned R2 Low Density Residential under <i>Gosford Local Environmental Plan 2014</i> . The proposed development is defined as a dwelling house which is permissible in the zone with consent of Council.
Relevant Legislation	The following planning policies and control documents are relevant to the development and were considered as part of the assessment. <ul style="list-style-type: none"> • <i>Environmental Planning & Assessment Act 1979 - Section 4.15</i> • <i>State Environmental Planning Policy (Coastal Management) 2018</i> • <i>State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004</i> • <i>Gosford Local Environmental Plan 2014 (GLEP 2014)</i> • <i>Gosford Development Control Plan 2013 (GDPC 2013)</i>
Current Use	Vacant land.
Integrated Development	No
Submissions	No submissions were received during the notification period.

Variations to Policies

Gosford Local Environmental Plan 2014

Clause	4.3 – Height of Buildings
Standard	Maximum Building Height - 8.5 metres.
Departure basis	The proposal seeks a maximum height of 11.3 metres at its most extreme. This represents a variation of 2.8m meters or 33% at the highest point.
Clause	4.4 – Floor Space Ratio
Standard	Maximum floor space ratio of 0.5:1
Departure basis	The proposal seeks a gross floor area of 169m ² on a 309.8m ² parcel of land equating to a FSR of 0.55:1. This represents a variation of 9.1%.

2.2 DA 55321/2018 - Lot 2 DP 6390, 64 Fishermans Parade, Daleys Point - Proposed New Split Level Dwelling

Gosford Development Control Plan 2013

Clause	3.1.2.1 – Building Height
Planning Control	Maximum Building Height - 8.5 metres. Maximum of three storeys where site constraints such as slope exist.
Departure basis	The proposal seeks a maximum height of 11.3 metres at its most extreme. This represents a variation of 2.8m meters or 33% at the highest point. The design of the proposed dwelling contains 3 habitable floors plus an additional deck/balcony area underneath.
Clause	3.1.2.3 – Floor Space Ratio
Planning Control	Maximum floor space ratio of 0.5:1
Departure basis	The proposal seeks a gross floor area of 169m ² on a 309.8m ² parcel of land equating to a FSR of 0.55:1. This represents a variation of 9.1%.
Clause	3.1.3.1a – Front Boundary Setback
Planning Control	The permissible front setback is 8m (average of nearest two dwellings). This is the average of the two adjoining properties (excluding the garage structures built close to the front boundary). The permissible setback for the garage shall be 1m behind the front boundary setback; in this case the garage should have a 9m front setback.
Departure basis	The proposal seeks a front setback of 6m to the dwelling which is a 25% variation. The proposed garage and carport seeks a 0.45m front boundary setback which is a 95% variation.
Clause	3.1.3.1c – Side Setback
Planning Control	The required side boundary setback is 2.6m (with a building height of 11.3m) to southern boundary and 2.53m (with a building height of 11.008m) to northern boundary.
Departure basis	The proposal seeks side boundary setbacks of 1.151m (south) and 1.150m (north) which is a variation of 56% and 54.5% respectfully. Whilst the garage proposes only a 51mm setback this complies with the control due to the lot width being less than 12.5m.
Clause	3.1.5 – Car parking and access
Planning Control	Driveway width is to be a maximum of 4m
Departure basis	The proposed driveway for the garage is 7.7m wide. This represents a variation of 92.5%.

2.2 DA 55321/2018 - Lot 2 DP 6390, 64 Fishermans Parade, Daleys Point - Proposed New Split Level Dwelling

The Site

The site is known as No. 64 Fishermans Parade, Daleys Point and is located on the western side of Fishermans Parade. The site is rectangular in shape, an overall area of 309.8m² with a street frontage of 10.08 metres and an average depth of 31.10 metres.

The site slopes downward from the street in a westerly direction at a grade of approximately 1:3 or 33%.

The site is currently vacant and has a number of trees are located. The proposal seeks to remove 11 trees to make way for the proposed dwelling.

The site is zoned R2 Low Density Residential under GLEP 2014.

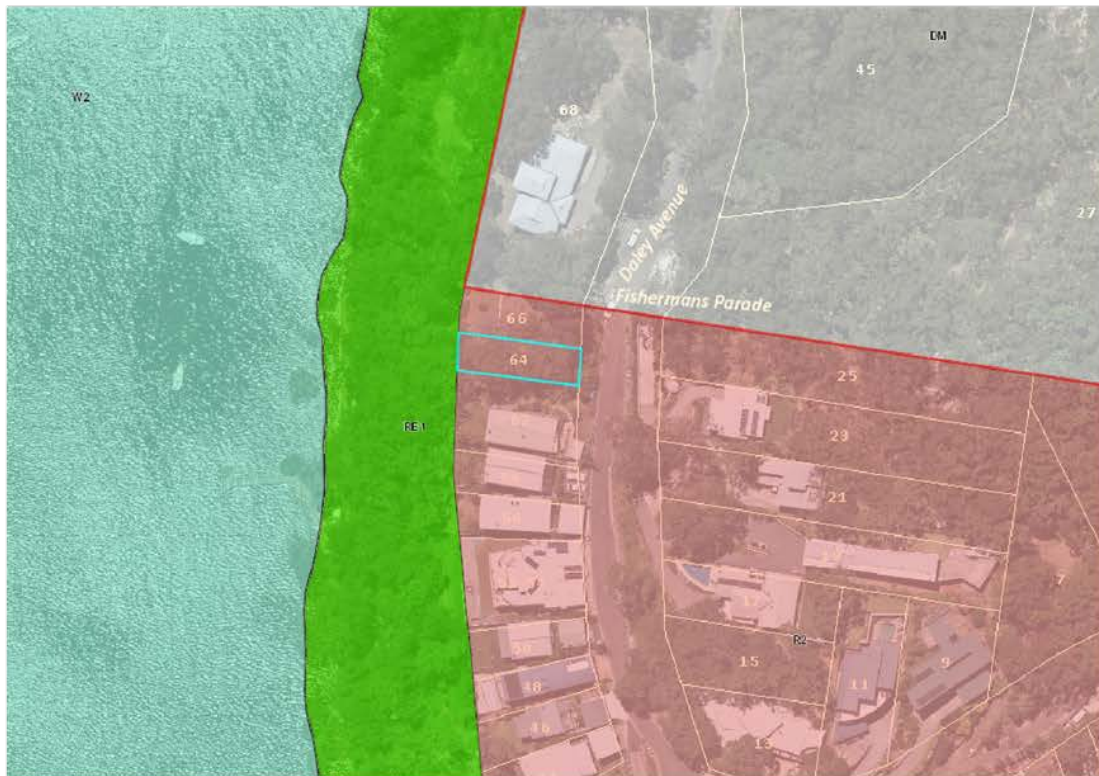


Figure 1 – Zoning map. Pink shading is the R2 zone with the subject site outlined in light blue. The light green shade is a public reserve which interfaces Brisbane Water. Beyond the site to the north is land zoned as a Deferred Matter.

2.2 DA 55321/2018 - Lot 2 DP 6390, 64 Fishermans Parade, Daleys Point - Proposed New Split Level Dwelling

The site is mapped as bushfire prone land on Councils maps. The proposal has been considered against the provisions of *Planning for Bush Fire Protection 2006* prepared by the NSW Rural Fire Service with the appropriate construction requirements of Bushfire Attack Level of 29 (north, south and west aspects) and 19 (east aspect) to be included as conditions in any consent.



Figure 2– Aerial view of Fishermans Parade with the site highlighted in light blue. As evident the site is flanked by dwellings to the north and south and is bound by Brisbane Water to the west and Fishermans Parade to the east.

Surrounding Development

The surrounding development consists of single dwellings within the R2 Low Density Residential zone. The existing dwellings are stepped down the hillside with windows and verandas positioned to take advantage of the views over Brisbane Water towards the west. The streetscape in the immediate vicinity to the proposed development has the existing car parking arrangements for the dwellings with reduced setbacks to the street.

2.2 DA 55321/2018 - Lot 2 DP 6390, 64 Fishermans Parade, Daleys Point - Proposed New Split Level Dwelling



Photo 1 shows the dwelling at No 62 Fisherman's Parade to the south. The dwelling is a relatively modern, large, split-level home set well back from the common lot boundary.

2.2 DA 55321/2018 - Lot 2 DP 6390, 64 Fishermans Parade, Daleys Point - Proposed New Split Level Dwelling



Photo 2 shows the dwelling at No 66 Fisherman's Parade to the north. The dwelling is an older style fibro cottage.

2.2 DA 55321/2018 - Lot 2 DP 6390, 64 Fishermans Parade, Daleys Point - Proposed New Split Level Dwelling



Photo 3 shows the retaining walls located on the high side of Fishermans Parade.

2.2 DA 55321/2018 - Lot 2 DP 6390, 64 Fishermans Parade, Daleys Point - Proposed New Split Level Dwelling



Photo 4 shows car parking structures with reduced setbacks are an established feature of the street scape in the immediate vicinity.

2.2 DA 55321/2018 - Lot 2 DP 6390, 64 Fishermans Parade, Daleys Point - Proposed New Split Level Dwelling

Photo 5 shows that car parking structures with reduced setbacks are an established feature of the street scape in the immediate vicinity.

The Proposed Development

The proposal seeks construction of a 3 storey dwelling with an additional lower level consisting of a balcony. The development proposes to have 2 vehicle spaces for off-street parking. The design is consistent with existing hillside developments in the area. The building is articulated with different roof forms, visually contrasted with a variety of textures and colours of external materials and of innovative design.

2.2 DA 55321/2018 - Lot 2 DP 6390, 64 Fishermans Parade, Daleys Point - Proposed New Split Level Dwelling



Figure 3 - Architectural perspective when viewed from the street. The second storey element is setback 3.6m from the front property boundary at the closest point.

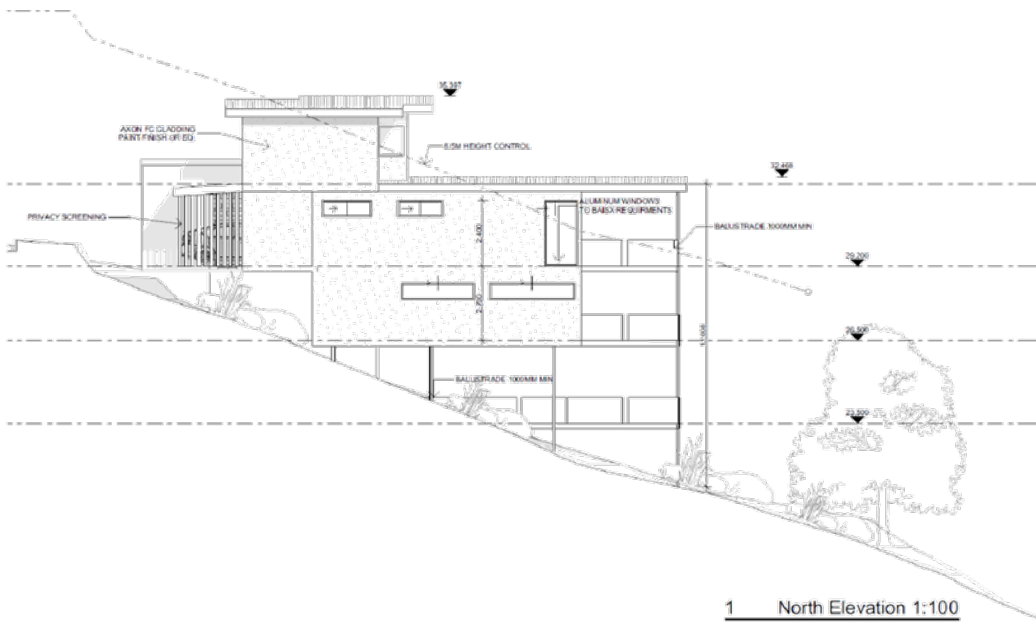
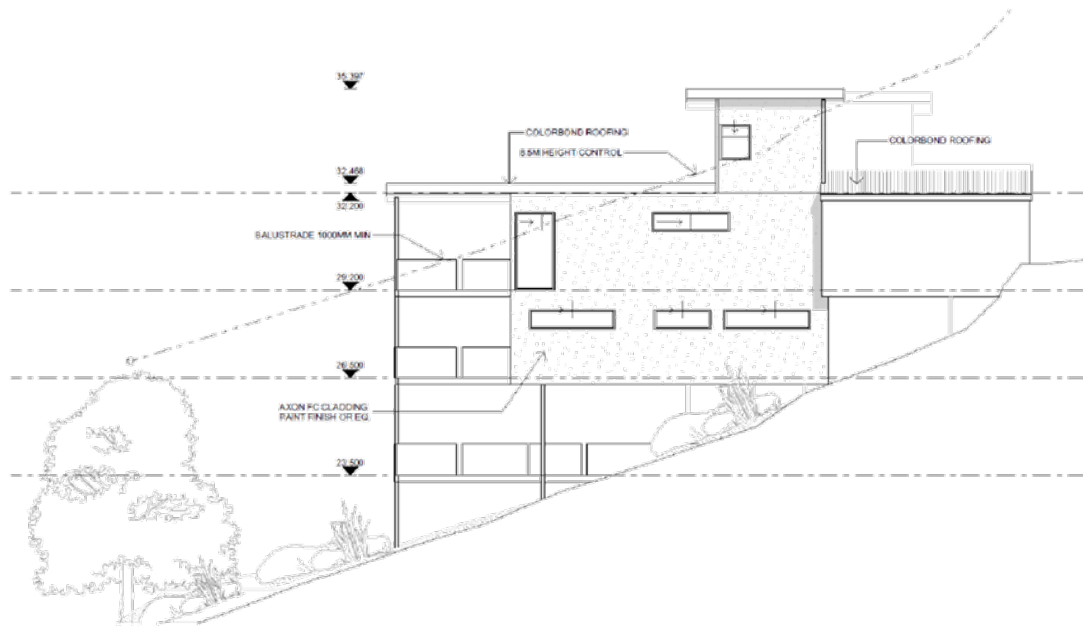


Figure 4 - North elevation.

2.2 DA 55321/2018 - Lot 2 DP 6390, 64 Fishermans Parade, Daleys Point - Proposed New Split Level Dwelling



1 South Elevation 1:100

Figure 5- South Elevation

2.2 DA 55321/2018 - Lot 2 DP 6390, 64 Fishermans Parade, Daleys Point - Proposed New Split Level Dwelling

History

The site is currently vacant. Council records do not show a history of any previous approvals for the site.

ConsultationExternal Consultation

The development was notified between 18 October 2018 and 1 November 2018 in accordance with Chapter 7.3 of GDCP 2013. During the notification period no submissions were received.

No referrals to external authorities were required.

Internal Consultation**Development Engineering**

Council's Development Assessment Engineer has reviewed the application and supports the proposal. The Development Engineer has recommended a control joint in the driveway at the boundary line. The assessing officer has included this as a condition of consent. details to be included as part of the Construction Certificate documents (Condition 2.4).

Water and Sewer Assessment

Council's Water and Sewer section has reviewed the application and supported without conditions.

Trees

Council's tree assessment officer has reviewed the application and provided the following comments:

"The proposal nominates removal of eleven (11) trees located within and close to the proposed building foot print. Trees on the site include a mature Jacaranda, Iron Barks and Apple Gums up to 12m high.

The property was likely cleared in the past as indicated by the most mature tree being the planted Jacaranda.

The proposed tree removal plan is considered acceptable due to the proposed buildings location in the upper portion of the lot. The Plan indicates removal of two (2) trees from the adjoining property, which has the adjoining owners written agreement for pruning first, and also removal if found necessary.

2.2 DA 55321/2018 - Lot 2 DP 6390, 64 Fishermans Parade, Daleys Point - Proposed New Split Level Dwelling

As the building is to be on posts, it may be practical to prune the trees, however due to the amount of overhang and their location within 3m of the approved building, they become exempt from the DCP and can be removed with the adjoining owners consent (see condition).

An opportunity exists for reasonable replacement tree planting within the lower portion of the property (see condition)."

The appropriate conditions relating to tree pruning, removal and replacement trees have been added to the draft conditions of Consent attached to this report. The owner is required to plant two replacement native trees which are advanced species (25L pot size). The trees must be capable of reaching 10m in height. Trees must not be planted within an easement or within 4m of an approved building.

Ecologically Sustainable Principles:

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

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

Climate Change

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

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

Assessment

Having regard for the matters for consideration detailed in Section 4.15 of the EP&A Act and other statutory requirements, Council's policies and Section 10.7 Certificate details, the assessment has identified the following key issues, which are elaborated upon for Council's information. The site plan and elevations for the proposed development are provided as an attachment to this report.

2.2 DA 55321/2018 - Lot 2 DP 6390, 64 Fishermans Parade, Daleys Point - Proposed New Split Level Dwelling

Provisions of Relevant Instruments / Plans / Policies**State Environmental Planning Policies (SEPP)****State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004**

The application is supported by a BASIX certificate which confirms the proposal will meet the NSW government's requirements for sustainability, if built in accordance with the commitments in the certificate.

The proposal is considered to be consistent with the requirements of *State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004*.

State Environmental Planning Policy (Coastal Management) 2018

The proposed development has been considered against the provisions of SEPP Coastal Management and determined satisfactory.

Gosford Local Environmental Plan 2014Permissibility

The subject site is zoned R2 Low Density Residential under *GLEP 2014*. The proposed development is defined as a Dwelling House which is permissible in the zone with consent of Council.

Objectives of Zone

The objectives of the R2 Low Density Residential zone under GLEP 2014 are as follows:

- *To provide for the housing needs of the community within a low density residential environment.*
- *To enable other land uses that provide facilities or services to meet the day to day needs of residents. To ensure that development is compatible with the desired future character of the zone.*
- *To encourage best practice in the design of low-density residential development.*
- *To promote ecologically, socially and economically sustainable development and the need for, and value of, biodiversity in Gosford.*
- *To ensure that non-residential land uses do not adversely affect residential amenity or place demands on services beyond the level reasonably required for low-density housing.*

2.2 DA 55321/2018 - Lot 2 DP 6390, 64 Fishermans Parade, Daleys Point - Proposed New Split Level Dwelling

In this instance, it is considered that the proposal is consistent with the stated objectives of the zone and consistent with the principles of Ecologically Sustainable Development as specified within the *Local Government Act 1993*.

Development Standards

Development Standard	Required	Proposed	Compliance with Controls	Variation %	Compliance with Objectives
4.3 – Height of buildings	Maximum building height of 8.5 metres	11.3 metres to the ridge	No – see comments below	33%	Yes – see comments below
4.4 – Floor space ratio	0.5:1 maximum	0.55:1	No- see comments below	9.1%	Yes –see comments below

As shown in the above table, the proposal does not comply with the building height and floor space ratio development standard permitted under GLEP 2014.

Clause 4.3 Mapped Height Variation

The applicant seeks a variation to Clause 4.3(2) of *GLEP 2014* in relation to the proposed maximum height of the dwelling. In this regard, the proposal seeks a maximum overall height of 11.3 metres in lieu of the 8.5 metre mapped maximum height limit applicable to the allotment, resulting in a variation of 33%.

Clause 4.4 Maximum Floor Space Ratio Variation

The applicant seeks a variation to Clause 4.4(2) of *GLEP 2014* in relation to the proposed maximum floor space ratio of the dwelling. In this regard, the proposal seeks a floor space ratio for the building of 0.55:1 in lieu of the 0.5:1 ratio as shown for the land on the Floor Space Ratio Map, resulting in a variation of 9.1%.

Clause 4.6 Exceptions to development standards

Clause 4.6 of GLEP 2014 requires consideration of the following:

1. *Has the applicant submitted a written request that seeks to justify the contravention of the development standard by demonstrating:*
 - a. *that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case, and*

2.2 DA 55321/2018 - Lot 2 DP 6390, 64 Fishermans Parade, Daleys Point - Proposed New Split Level Dwelling

- b. *that there are sufficient environmental planning grounds to justify contravening the development standard?*

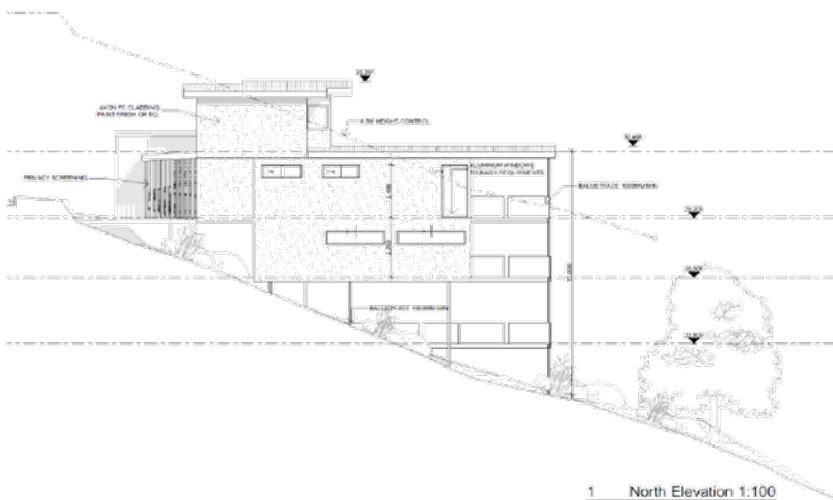
The applicant has provided a detailed request to vary the mapped height development standard by the proposed 33%. In requesting the variation, the applicant has provided the following comments:

Compliance is unreasonable and unnecessary in this case for the following reasons:

- *The site is burdened by steep topography*
- *The non-compliance does not impact on neighbouring properties, privacy or views and it is therefore unnecessary to impose compliance. The neighbour to the north is not impacted as the dwelling is set down to the lower portion of the block.*
- *The neighbour to the South is a vacant block that is owned by the neighbour further south has been developed for use as parking and driveway.*
- *The proposed variation is not located in the line of any view from the street*
- *The site is compliant with the majority of applicable development standards. The height constraint, due to the site fall, is unreasonably limiting the orderly and economic use of the subject site.*
- *The proposal was designed to suit a tightly constrained site and to minimise the impact on the outlook from the neighbouring dwellings*

Comment:

The site is burdened with a steep gradient that makes strict compliance with the Development Standard difficult. The site falls from Fishermans Parade to the rear of the site (east to west). Having regard to the change in level over the site, minimal impact on character of the area, the applicants request to vary the height development standard is considered reasonable and is supported.



2.2 DA 55321/2018 - Lot 2 DP 6390, 64 Fishermans Parade, Daleys Point - Proposed New Split Level Dwelling

Figure 6 – The North elevation of proposed dwelling indicating the steep grade of the site.

The applicant has provided a detailed request to vary the mapped floor space ratio development standard of Clause 4.4 by the proposed 9.1%. In requesting the variation, the applicant has provided the following matters in support of the proposal:

The site is burdened with tight boundary dimensions and site area that makes strict compliance with the Development Standard unreasonable. The Development site is significantly smaller than those typical of the Central Coast Council Locality. Because of this site area, a dwelling that complies is too small to provide reasonable amenity and compliance with the standard is unfeasible.

Comment:

The proposed development is consistent with the scale and bulk of other dwellings within the immediate area. The existing dwelling at no 62 Fishermans Parade (south) presents a much larger footprint and combined floor area than what is proposed under this application.

The small lot size is restrictive in terms of allowable floor area which is exacerbated by the narrow lot width and steep grade when it comes to designing a dwelling with reasonable amenity.

Having regard to the site factors, minimal impact on the character of the area, the applicants request to vary the maximum floor space ratio development standard is considered reasonable and supported.

2. *Is the proposed development in the public interest because it is consistent with the objectives of the particular standard and the objectives for development within the zone in which the development is proposed to be carried out?*

Comment:

The proposed single dwelling development is within the public interest as it meets the objectives of the R2 Low Density Residential zone under GLEP 2014. The development is consistent with the residential densities and heights of other dwellings surrounding the subject site. The design is considered to be compatible with the existing and desired future character of the area. The assessment has concluded strict compliance with the development standard would not provide a better design outcome.

The scale and bulk of the development in relation to the site area is consistent with the local area and in particular to other existing developments on the western facing aspect of Fishermans Parade. The development is unlikely to impact on the amenity to the adjoining properties as the design effectively takes into consideration overshadowing, view sharing and privacy.

2.2 DA 55321/2018 - Lot 2 DP 6390, 64 Fishermans Parade, Daleys Point - Proposed New Split Level Dwelling

3. Has the concurrence of the Secretary been obtained?

Planning Circular PS 18003 issued 21 February 2018 states that a delegate of Council may not assume the concurrence of the Secretary when considering exceptions to development standards under clause 4.6 if the development contravenes a numerical standard by greater than 10%. The purpose of the restriction is to ensure the variations greater than 10% are considered by the Council.

The development will not have unreasonable impacts on the neighbouring residents or character of the area and remains consistent with the objectives of the development standards and objectives of the R2 Low Density Residential zone under GLEP 2014

The requests for variations to Development Standards, *Building Height* and *Floor Space Ratio* under Clause 4.6 of GLEP 2014 are considered to be well founded and are recommended for support.

The applicant's written request is considered to have adequately justified that compliance with the development standard is unreasonable and/or unnecessary. There are sufficient environmental planning grounds to justify variation to the development standard.

Gosford Development Control Plan 2013 (GDCP 2013)**Chapter 2.1 Character**

The site is located within the Daleys Point 1: Woodland Foreshores. The desired character of this precinct states:

These should remain very leafy, low-density residential foreshores, conserving natural and scenic qualities of the bushland backdrops that are fundamental features of Gosford City's identity, where prominent landscape settings are not dominated by new development.

In areas that are defined as bushfire prone, hazard must not be increased by inappropriate new plantings or structures. Minimise the extent of cleared asset protection zones by fire-resistant siting, design and construction for all new structures plus effective management of gardens. The ideal compromise between desired scenic quality and hazard-reduction would limit clearing to thinning of the canopy to establish breaks between existing trees. Screen or shield all verandahs, windows, roofs and suspended floors to prevent the entry of sparks and flying embers.

Conserve natural and scenic characters of wooded foreshore properties plus unformed road verges by retaining existing natural slopes and the continuity of tree-canopy that is provided by existing bushland remnants.

Complement the established tree canopy by new plantings that are predominantly indigenous, and do not plant any identified noxious or environmental weeds.

2.2 DA 55321/2018 - Lot 2 DP 6390, 64 Fishermans Parade, Daleys Point - Proposed New Split Level Dwelling

Promote a natural character for all waterfront backdrops by avoiding structures that would visibly compromise the existing bushy foreshore character. Avoid disturbing natural slopes and trees by appropriate siting of structures plus low-impact construction such as suspended floors and decks rather than extensive cut-and-fill. On the steeper sites, locate parking next to the street in structures that are designed to blend with their natural setting. Also avoid tall retaining walls, elevated structures such as terraces or pools, steep driveways or opaque fences. Identify all boundaries by hedges or fences that are low or see-through. On properties with direct waterfrontage, ensure that new boatsheds are modestly-scaled and reflect the architectural features of traditional timber-framed sheds. New jetties should be compatible with the style and visual impact of traditional timber piers.

Avoid the appearance of a continuous wall of development along any foreshore or street by setting all building works back from exposed shores or ridges, and maintaining front setbacks that are similar to the surrounding properties. Also provide at least one wide side setback or step the shape of front and rear facades.

Minimise the scale and bulk of buildings by strongly-articulated forms that sit beneath the canopy, with floor-levels that step to follow natural slopes and irregular floorplans such as linked pavilions that are separated by courtyards and capped by individual roofs. Roofs should be gently-pitched to minimise the height of ridges, and flanked by wide eaves to disguise the scale of exterior walls. Facing foreshores or ridges, disguise the impact of upper storeys by a combination of extra setbacks from the ground floor plus shady balconies and verandahs.

Minimise the scale of prominent facades by using extensive windows and verandahs plus a variety of materials and finishes rather than expanses of plain masonry. Where dwellings would be visible from the road frontage, display a traditional "street address" with verandahs or decks, and living rooms or front doors that are visible from that roadway. Avoid wide garages that would visually-dominate any front façade. Locate and screen all balconies or decks to maintain the existing levels of privacy and amenity that are enjoyed by neighbouring dwellings.

It has been considered that the desired character objectives which are relevant to this particular block of land have been satisfactorily incorporated in the proposed design.

Chapter 3.1 Dwelling Houses, Secondary Dwellings & Ancillary Development

Development Standard	Description	Required	Proposed	Compliance with Controls	Compliance with Objectives
3.1.2.1 - Building Height	Maximum building height required	8.5m	11.3m	No - see comments below	Yes - see comments below
	Number of storeys required	2-3	2-3	Yes - see comments below	Yes - see comments below

2.2 DA 55321/2018 - Lot 2 DP 6390, 64 Fishermans Parade, Daleys Point - Proposed New Split Level Dwelling

Development Standard	Description	Required	Proposed	Compliance with Controls	Compliance with Objectives
3.1.2.2 - Site Coverage	Site coverage required	60% max	42%	Yes	Yes
3.1.2.3 - Floor Space Ratio	FSR required	0.5:1	0.55:1	No - see comments below	Yes - see comments below
3.1.3.1a - Front Setback	Front setback where site area greater than 300m ² required	8m (average of nearest two dwellings)	6m	No - see comments below	Yes - see comments below
	Front setback for garage and carport required	9m (1m behind building line)	450mm	No - see comments below	Yes - see comments below
3.1.3.1b - Rear Setback	Rear setback to private allotment required	-	-	n/a	n/a
	Rear setback to parallel road or public reserve required	3m	11.8m	Yes	Yes
	Side setback for lots up to 12.5m wide required	zero to one side for up to 10m in length, 900mm for remainder up to 4.5m in height, 900mm plus one quarter of height above 4.5m for any part of building above 4.5m	51mm garage (complies), 1151mm for walls up to 4.5m in height (complies) 1151mm for walls above 4.5m (does not comply)	No - see comments below	Yes - see comments below

2.2 DA 55321/2018 - Lot 2 DP 6390, 64 Fishermans Parade, Daleys Point - Proposed New Split Level Dwelling

Development Standard	Description	Required	Proposed	Compliance with Controls	Compliance with Objectives
	Side setback for carports required	zero up to 3.3m in height, one quarter of height above 3.3m when over 3.3m	1151mm (complies)	Yes	Yes
3.1.3.1e - Natural Waterbody	Setback to natural waterbody for ground storey required	6m	11.822	Yes	Yes
	Setback to natural waterbody for above ground storey required	10m	11.822	Yes	Yes
3.1.3.3.1 - Primary Road Articulation for dwelling houses	Articulation zone setback required			Yes	Yes
	Articulation zone total area required			Yes	Yes
	Articulation zone elevations required			Yes	Yes
3.1.3.3.2 - Garage Door Articulation	Garage door articulation zone required			Yes	Yes
3.1.4.1 - Views				Yes	Yes
3.1.4.2 - Visual Privacy				Yes	Yes
3.1.4.3 - Private Open Space Areas	Private open space for lots less than 10m wide required			Yes	Yes
	Private open space for lots greater than 10m wide required			Yes	Yes
	Private open space dimension required			Yes	Yes
	Private open space gradient required			Yes	Yes

2.2 DA 55321/2018 - Lot 2 DP 6390, 64 Fishermans Parade, Daleys Point - Proposed New Split Level Dwelling

Development Standard	Description	Required	Proposed	Compliance with Controls	Compliance with Objectives
3.1.5 - Car Parking and Access	Number of car spaces required	2	2	Yes	Yes
	Car space measurements required	6m x 6m	6m x 6.3m (combined width of both spaces)	Yes	Yes
	Driveway width required	4m	7.7m	No - see comments below	Yes - see comments below
3.1.6.1 - Earthworks	Earthworks maximum depth required			Yes	Yes
	Earthworks maximum fill required			Yes	Yes
3.1.6.2 - Retaining Walls and Structural Support				Yes	Yes
3.1.6.3 - Drainage				Yes	Yes

Clause 3.1.2.1 Building Height

The application seeks a maximum building height of 11.3m, which is a 33% variation to the maximum height limit of 8.5m. An assessment of the building height has been carried out under GLEP 2014. The proposal meets the relevant zone objectives as it does not cause view loss impacts to adjoining properties. The applicant's written request has adequately justified that compliance with the development standard is unreasonable and unnecessary as there are sufficient environmental planning grounds to justify contravening the development standard.

The design seeks to incorporate sections of the dwelling which are 3 storeys in height. The applicants' justification for this is that the design allows efficient circulation between floors within the dwelling on what is a heavily constrained site.

Having regard to site factors, minimal impact on the character of the area and that of the local residents, the applicants request to vary the height development standard is considered reasonable and therefore supported.

2.2 DA 55321/2018 - Lot 2 DP 6390, 64 Fishermans Parade, Daleys Point - Proposed New Split Level Dwelling

Clause 3.1.2.3 Floor Space Ratio (FSR)

The proposal seeks a gross floor area of 169m² on a 309.8m² parcel of land equating to a FSR of 0.55:1. The FSR proposed represents a variation of 9.1% from the development standard.

An assessment of the FRS has been carried out under GLEP 2014. It is considered the applicants request to vary the development standard would be consistent to the bulk and scale of other dwellings within the immediate vicinity. It is the opinion of the assessing officer that the small variation to the maximum FSR is justified.

Having regard to site factors, minimal impact on the character of the area and that of the local residents, the applicants request to vary the maximum floor space ratio development standard is supported.

Clause 3.1.3.1a Front Setback

The proposed development seeks a 25% variation to the front setback. As the setback requirements are calculated based on the setbacks of existing development on adjacent properties the variation is deemed reasonable.

The dwelling located at No 66 Fishermans Parade to the north is setback an unusually long way which makes strict compliance unreasonable. The building situated on the property to the north is considered to have reached its economic life.

A 95% variation to the front setback for the garage is proposed. The variation is deemed reasonable due to the gradients of the site. Garaging forward of the building line is logical and likely to have less environmental impact than constructing a garage behind the building line. The design is supported by the desired character statement applicable for this property which states, "On the steeper sites, locate parking next to the street in structures that are designed to blend with their natural setting".

The proposed variation is considered to achieve the objectives of Chapter 3.1 of GDCP 2013 by ensuring the setback is compatible with adjacent developments and compliments the character and streetscape.

Clause 3.1.3.1c Side Setback

The required side boundary setback is 2.6m (with a building height of 11.3mm) to southern boundary and 2.53m (with a building height of 11.008m) to northern boundary. The proposal seeks side boundary setbacks of 1.151m (south) and 1.150m (north) which is a variation of 56% and 54.5% respectfully.

Due to the location of the adjoining dwelling on No 62 Fishermans Parade (south adjoining property), any impacts in terms of overshadowing are not considered to be excessive.

2.2 DA 55321/2018 - Lot 2 DP 6390, 64 Fishermans Parade, Daleys Point - Proposed New Split Level Dwelling

The development was notified and no submissions were received during the public exhibition period. Due to the orientation of the lots there will be a negligible effect on the property to the north.

Due to the steep gradients and narrow width of the site, compliance with the GDCP 2013 setback requirements are onerous and unnecessary as the proposed development does not create any unreasonable impacts to the amenity of the adjoining properties or character of the area. The largest variations occur in areas with open balconies. The open balconies provide visual relief and articulation to the external appearance of the building, while still allowing solar access to adjoining properties.

The proposed variation is considered able to achieve the objectives of Chapter 3.1 of GDCP 2013 and is therefore considered acceptable and supported in this instance.

Clause 3.1.5 Car Parking and Access

The proposal seeks a driveway width of 7.7m which is a variation of 3.7m or 92.5%. The proposed variation is considered acceptable due to the reduced setback required as a result of the gradient of the land and previously discussed in the report.

The reduced setback for the carport and garage is considered acceptable due to the topography of the site. As a result of the reduced building setback, the driveway width is required to be increased to facilitate vehicle access.

The proposed variation is considered to achieve the objectives of Chapter 3.1 of GDCP 2013 and is therefore considered acceptable and supported.

Clause 3.1.6.3 Drainage

The Consent is to be conditioned for stormwater disposal via an infiltration trench which is deemed the most appropriate method for a site which does not have established kerb and gutter or inter-allotment drainage available.

Clause 6.6 Preservation of Trees or Vegetation

The proposal seeks to remove 11 trees to make way for the proposed dwelling. Other than trees located within the immediate dwelling area all other trees are to be retained. A referral was sent to Councils Tree Assessment Officer who raised no specific objections to the removal of any specific trees.

Clause 7.2 Waste Management

A waste management plan was submitted in support of the application. The WMP seeks to reduce waste and dispose of any necessary waste in an environmentally responsible manner both during construction and on an ongoing basis.

2.2 DA 55321/2018 - Lot 2 DP 6390, 64 Fishermans Parade, Daleys Point - Proposed New Split Level Dwelling

Section 4.15(1)(b) of the EP&A Act 1979: the likely impacts of the developmentBuilt Environment

Given the position of the proposed dwelling on the allotment and the separation distance to other dwellings, the proposal is considered to be suitable with regard to the context and setting of the subject site and is considered to be in keeping with the character of the area.

An assessment of the proposed development's impact on the built environment has been undertaken in terms of the GLEP 2014 and GDCP 2013 compliance. It is considered on balance that the potential impacts are considered reasonable.

Access and Transport

The proposed development requires little to no excavation which will substantially reduce the amount of vehicle movements and disruption which may arise from the construction of the dwelling. Any impact on access and transport is considered to be restricted to parking for tradesman and delivery of materials.

Whilst this may cause some minor disruption to the general traffic flow for neighbouring residents, it is not considered to unreasonably impact residents to a degree which would require specific conditions of consent to be applied.

Context and Setting

The proposed development is consistent with the objectives of the zone and desired character for the area. It is considered that the development will complement the setting and will remain consistent with existing residential development in the area.

Natural Environment

The proposal does not seek any significant excavation. It does propose removal of some established trees. This was assessed by Council Tree Assessment Officer who raised no specific concerns with the proposed tree removal. Two trees are located on the adjoining property. This matter has been resolved by the adjoining property owner providing written authorisation for the trees to be removed. Accordingly, the proposal is considered satisfactory in relation to impacts on the natural environment.

Section 4.15(1)(c) of the EP&A Act 1979: the suitability of the site for the development

A review of Council's records identifies the following constraints:

- Acid Sulphate Soils – The subject site has been identified as containing potential Class 5 acid sulphate soils. The proposed development does not seek any

2.2 DA 55321/2018 - Lot 2 DP 6390, 64 Fishermans Parade, Daleys Point - Proposed New Split Level Dwelling

excavation other than what is necessary for footings and therefore an Acid Sulphate Management Report has not been requested at this stage.

- Bushfire – The subject site is mapped as being bushfire affected. In this regard, the development proposal has been accompanied by an appropriate bushfire assessment report. The building will need to be constructed to BAL 29 (north, south and west aspects) and 19 (east aspect).

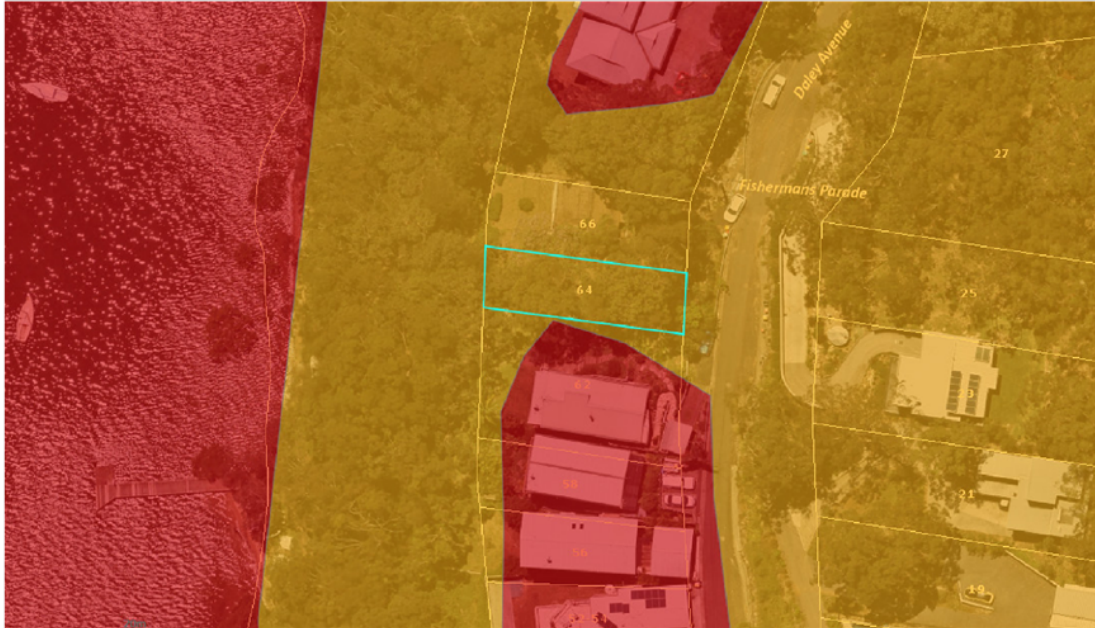


Figure 7 - Extract from Councils bushfire mapping with the site highlighted in blue

There are no other constraints that would render the site unsuitable for development.

Section 4.15(1)(d) of the EP&A Act 1979: any submission made in accordance with this Act or Regulations

The development application received no public submissions.

Section 4.15(1)(e) of the EP&A Act 1979: the public interest

The proposed development is seen to be in the public interest by providing assurance that the subject land is able to be developed in proportion to its site characteristics.

Other Matters for Consideration

Development Contribution Plan

2.2 DA 55321/2018 - Lot 2 DP 6390, 64 Fishermans Parade, Daleys Point - Proposed New Split Level Dwelling

The proposed development is not a development type that is subject to Section 7.11 of the EP&A Act development contributions. Therefore, no contributions are applicable.

Water and Sewer Contributions

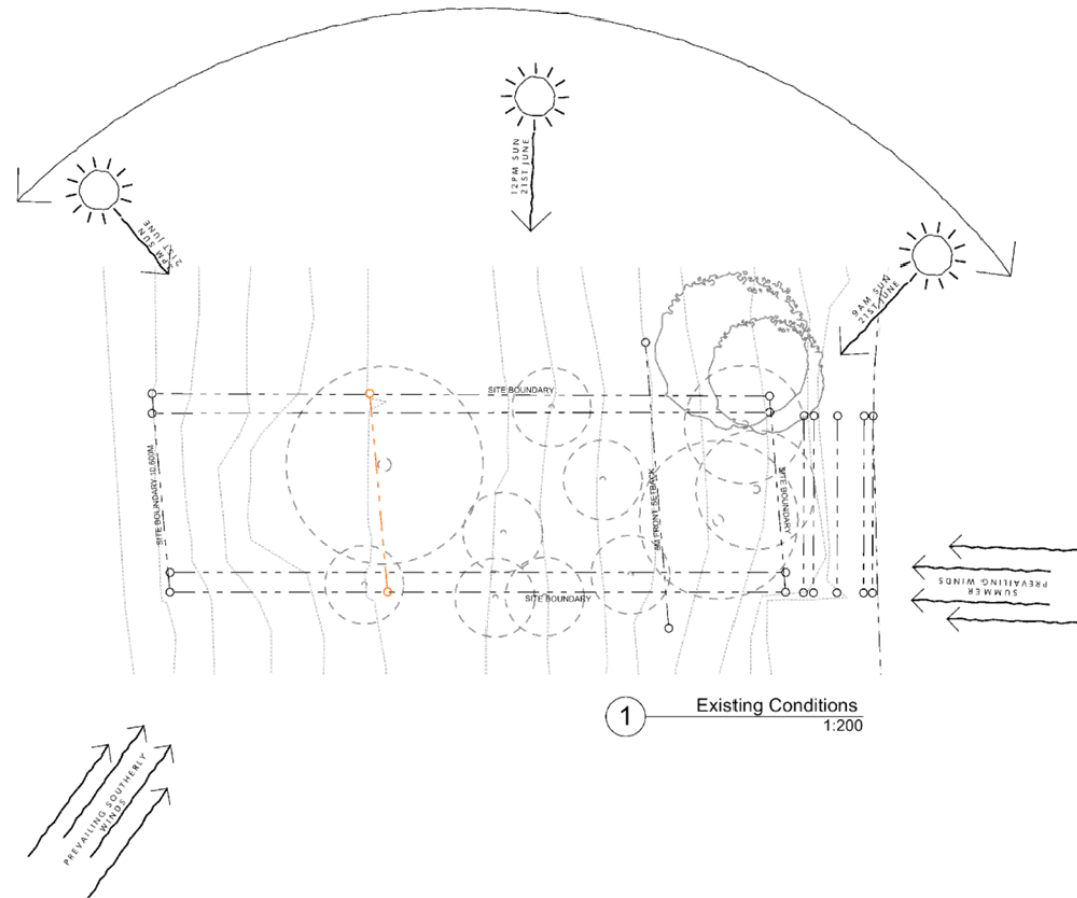
The proposed development is not subject to Water & Sewer Contributions.

Conclusion

The development application has been assessed in accordance with Section 4.15 of the EP&A Act, and all relevant instruments and polices. The proposed development is considered suitable for the site despite the listed variations. The proposal is therefore recommended for approval pursuant to Section 4.16 of the EP&A Act.

Attachments

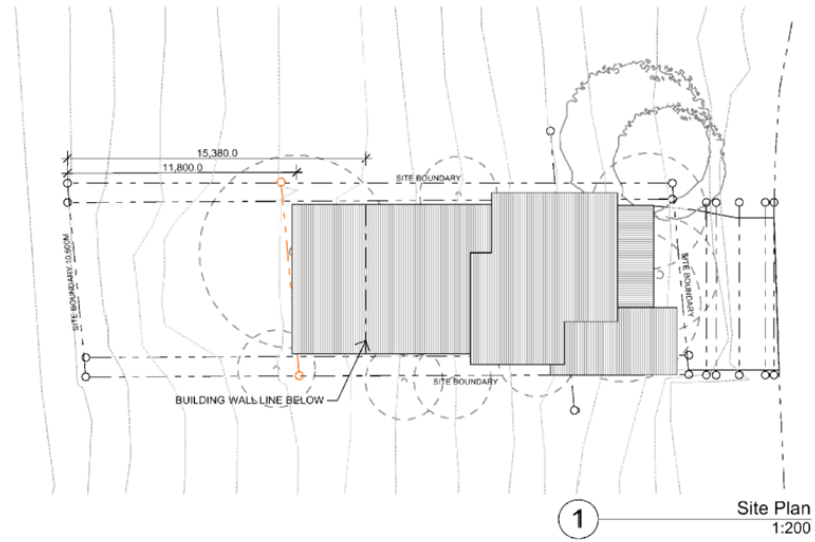
- | | | |
|---|-----------------------------|-----------|
| 1 | Development Plans | D13450615 |
| 2 | Draft Conditions of Consent | D13461639 |



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DA03 Site and Context Analysis	1:200 @A3
McCorkell House 64 Fishermans Pde	21/01/2019 Revision A

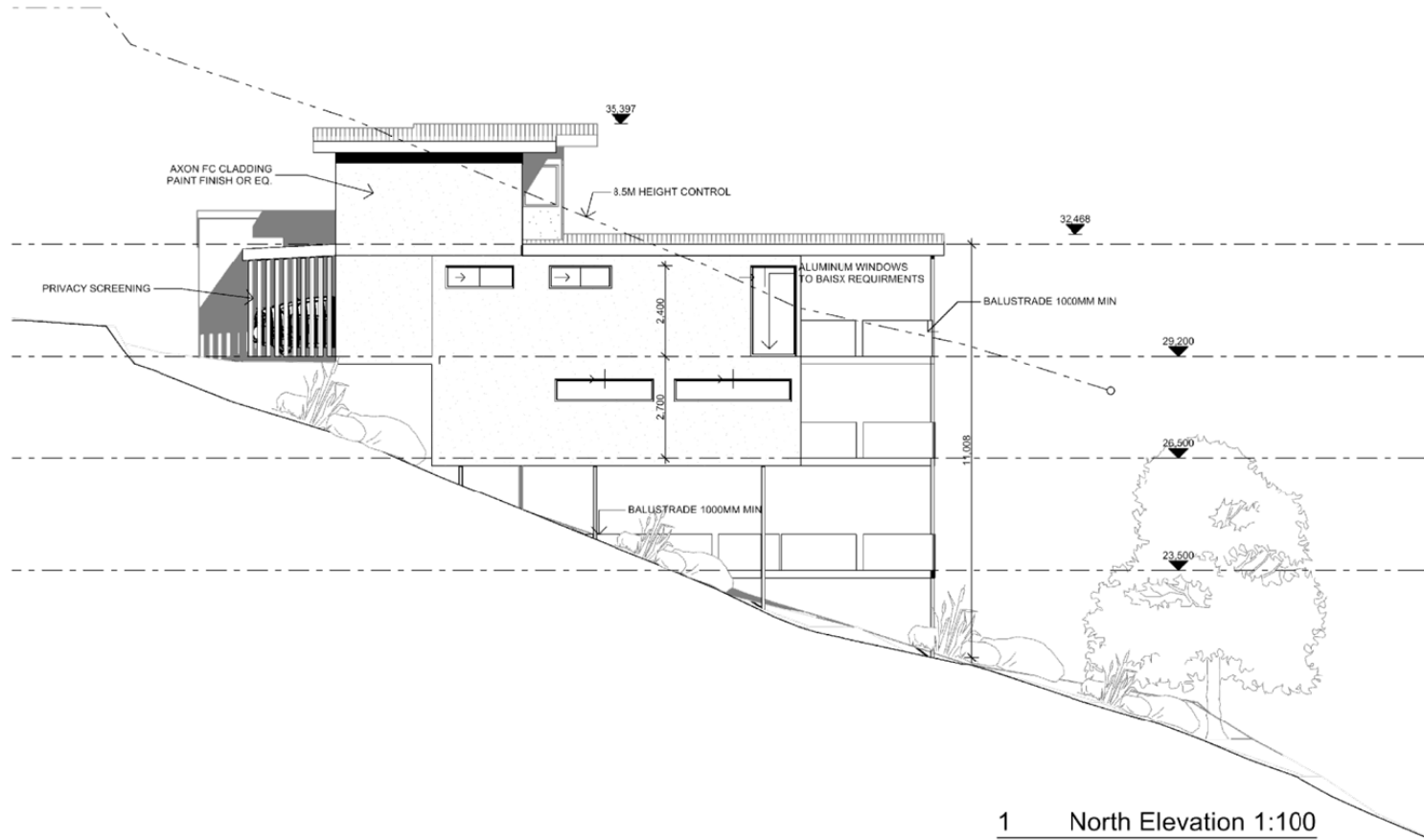


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ARCHITECTS
ARCH. 79 275 388 373 PH. 0844 073 382

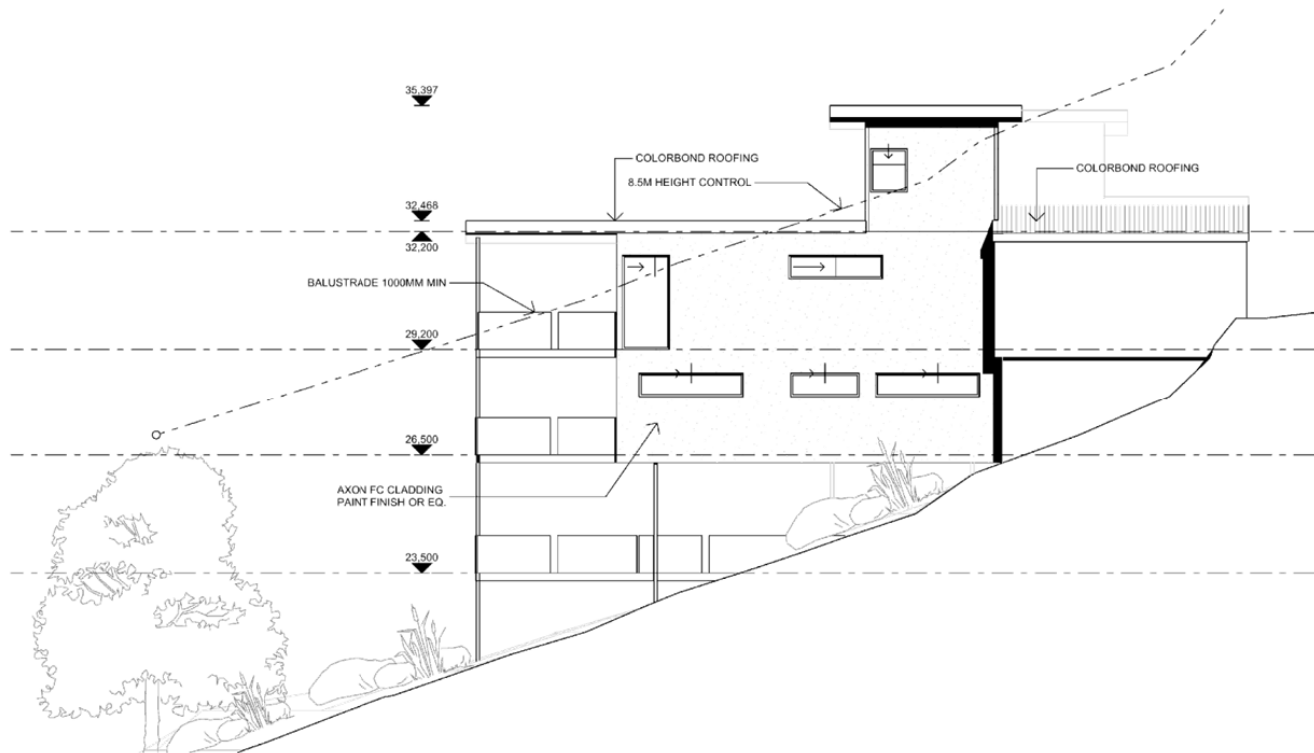
DA04 Site Plan & Sediment Control Plan 1:200 @A3
McCorkell House 21/01/2019
64 Fishermans Pde Revision A
www.osmondmcLeod.com.au



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ABN 78 275 268 375 P.O. BOX 4773 3002

DA08 Elevations - North	1:100 @A3
McCorkell House	21/01/2019
64 Fishermans Pde	Revision A
	OSM.MC@MCLP.COM

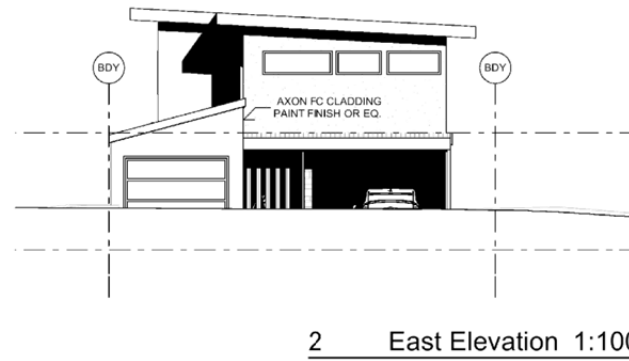
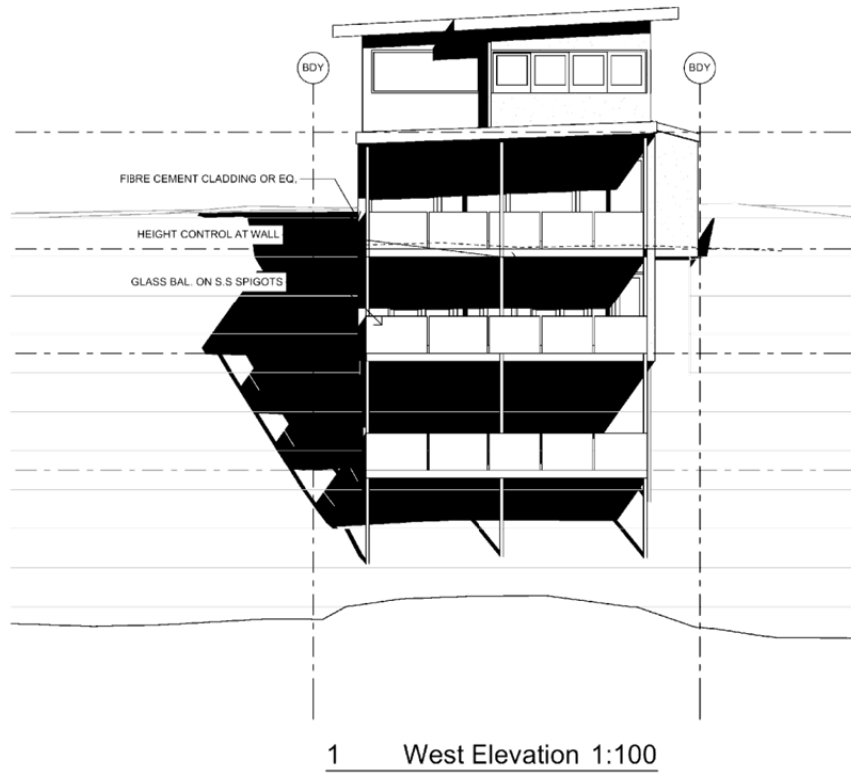


1 South Elevation 1:100

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APN 29 070 290 370 P/L (DA04/17/30)

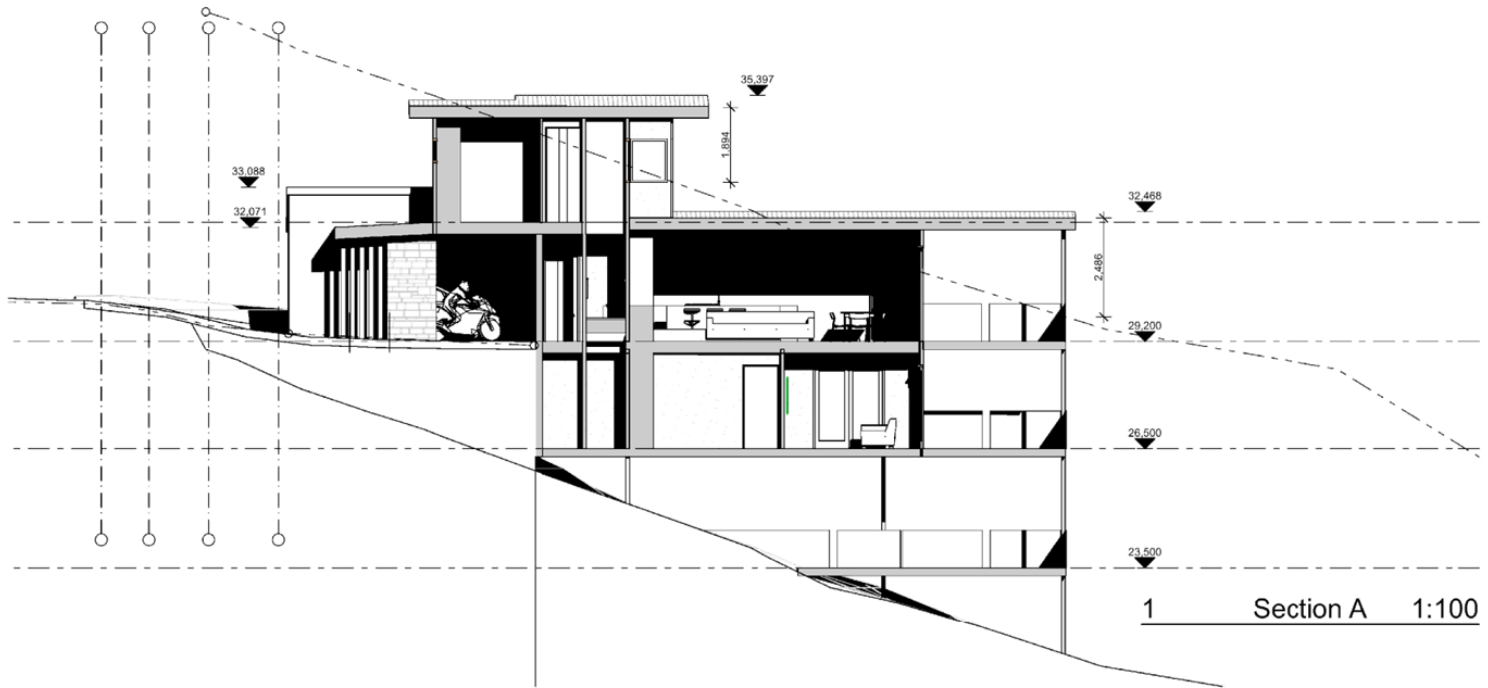
DA09 Elevations - South 1:100 @A3
McCorkell House 21/01/2019
64 Fishermans Pde Revision A



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14/11/19 275 288 873 1/11/19 275 288 873

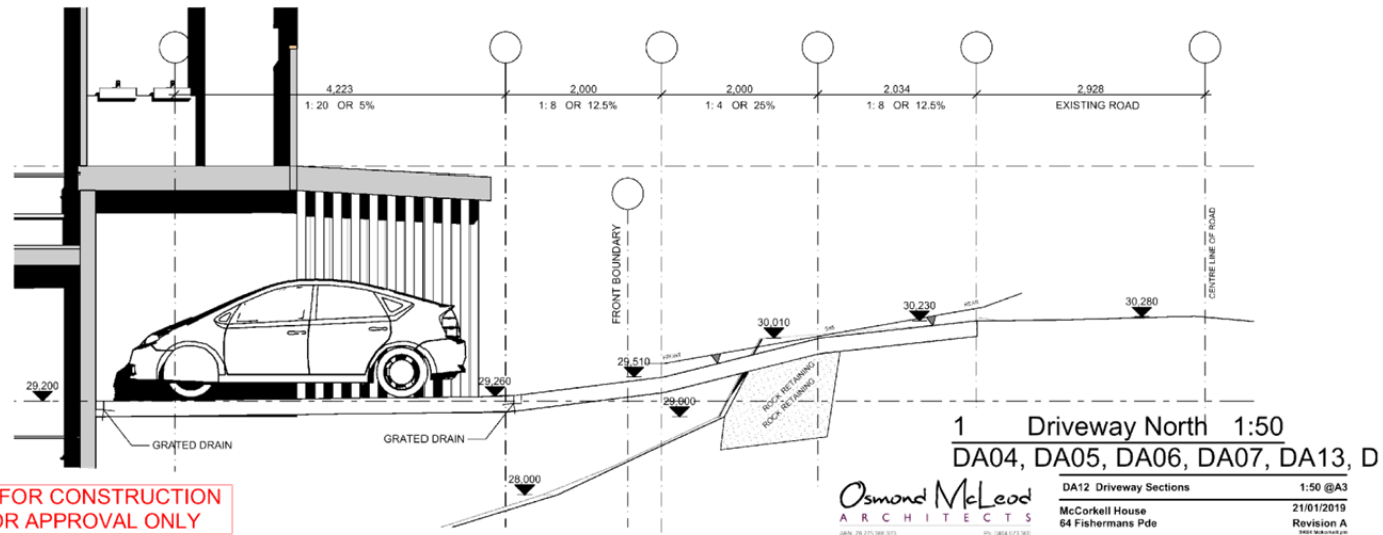
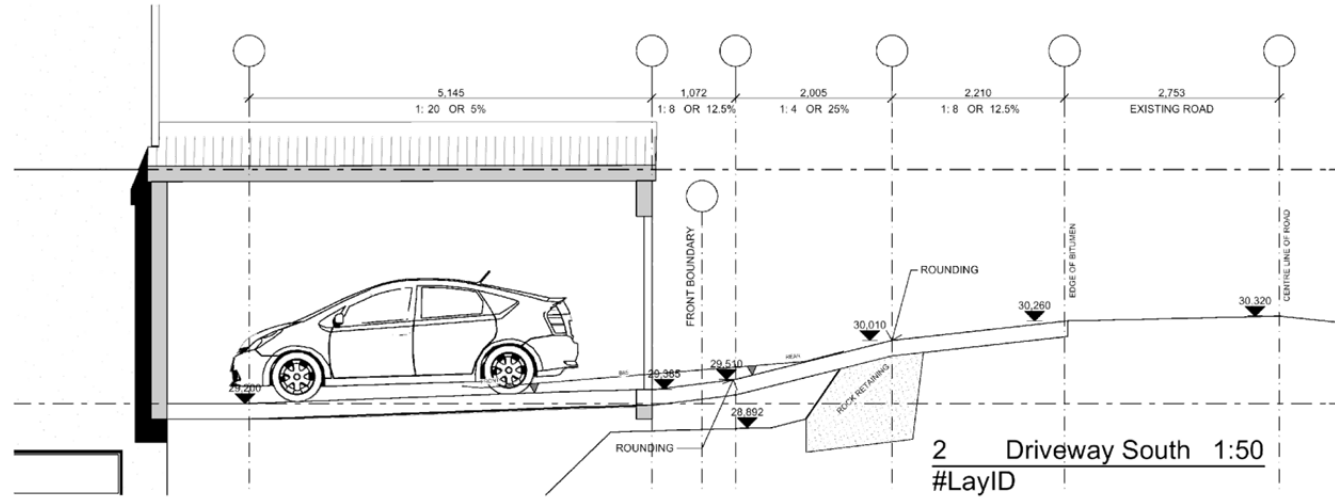
DA10 Elevations - East West 1:100 @A3
McCorkell House 21/01/2019
64 Fishermans Pde Revision A
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JAN 20 275 360 375
PH 0484 673 340

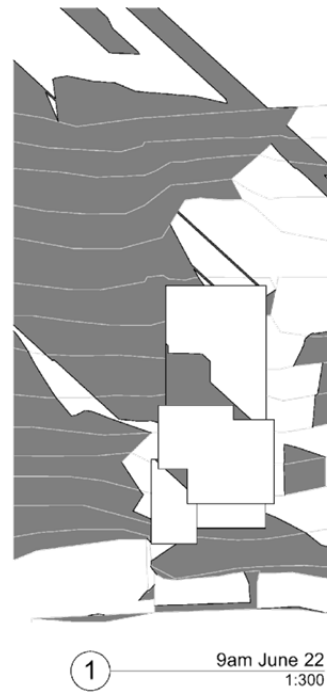
DA11 Section A	1:100 @A3
McCorkell House	21/01/2019
64 Fishermans Pde	Revision A
	3000 3000000 000



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DA12 Driveway Sections 1:50 @A3
McCorkell House
64 Fishermans Pde
21/01/2019
Revision A
3002 McCorkell Pde



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48/49 275-280 STS
PH: 0844 077 300

DA14 Shadow diagrams - Sheet 1
McCorkell House
64 Fishermans Pde
21/01/2019
Revision A
1:300 @A3
3004 04/2019.dwg



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0800 78 775 080 875
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DA15 Finishes Schedule 1:0.67, 1:2, 1:0.85 @A3
McCorkell House
64 Fishermans Pde
21/01/2019
Revision A
3000 McCorkell.jpg

Attachment 2

Draft Conditions of Consent

Conditions

1. PARAMETERS OF THIS CONSENT

1.1 Approved Plans and Supporting Documents

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

Architectural Plans by: Osmond McLeod

Drawing	Description	Sheets	Issue	Date
DA01	Cover	1/14	A	21/01/2019
DA03	Site & Context	2/14	A	21/01/2019
DA04	Site & Sediment Plan	3/14	A	21/01/2019
DA05	Ground Floor Plan	4/14	A	21/01/2019
DA06	First Floor Plan	5/14	A	21/01/2019
DA07	Second Floor Plan	6/14	A	21/01/2019
DA08	Elevations- North	7/14	A	21/01/2019
DA09	Elevations- South	8/14	A	21/01/2019
DA10	Elevations East/West	9/14	A	21/01/2019
DA11	Section A	10/14	A	21/01/2019
DA12	Driveway Section	11/14	A	21/01/2019
DA13	Driveway Plans	12/14	A	21/01/2019
DA14	Shadow Diagrams	13/14	A	21/01/2019
DA15	Finishes Schedule	14/14	A	21/01/2019

Supporting Documentation:

Title	Prepared by	Date
Bushfire Assessment Report GO19974A	Clarke Dowdle & Associates	August 2018
BASIX Certificate Number 963909S	Glenn Osmond-McLeod	27 September 2018

1.2 Carry out all building works in accordance with the Building Code of Australia.

1.3 Comply with all commitments listed in the BASIX Certificate for the development as required under clause 97A of the Environmental Planning and Assessment Regulation 2000.

2. PRIOR TO ISSUE OF ANY CONSTRUCTION CERTIFICATE

2.1 All conditions under this section must be met prior to the issue of any Construction Certificate.

2.2 No activity is to be carried out on-site until the Construction Certificate has been issued, other than:

- a. Site investigation for the preparation of the construction, and / or
- b. Implementation of environmental protection measures, such as erosion control and the like that are required by this consent
- c. Demolition

Attachment 2**Draft Conditions of Consent**

- 2.3** Assessment of the development against the provisions of Planning for Bush Fire Protection (2006) (NSW) has determined a Bush Fire Attack level (BAL) of 29 (north, south and west aspects) and 19 (east aspect).

Submit to the Accredited Certifier for approval construction details showing that the development complies with this Bush Fire Attack Level (BAL) as prescribed by Australian Standard AS 3959-2009: *Construction of buildings in bush fire prone areas and additional measures as contained within Appendix 3 of the PBP Guidelines 2010* produced by the NSW Rural Fire Service.

- 2.4** Submit to the accredited certifier plans which indicate a control joint at the front boundary where the driveway interfaces with the vehicle access crossing in the road reserve.

3. PRIOR TO COMMENCEMENT OF ANY WORKS

- 3.1** All conditions under this section must be met prior to the commencement of any works.

- 3.2** Appoint a Principal Certifying Authority for the building work:

- a. The Principal Certifying Authority (if not Council) is to notify Council of their appointment and notify the person having the benefit of the development consent of any critical stage inspections and other inspections that are to be carried out in respect of the building work no later than two (2) days before the building work commences.
- b. Submit to Council a Notice of Commencement of Building Works or Notice of Commencement of Subdivision Works form giving at least two (2) days' notice of the intention to commence building or subdivision work. The forms can be found on Council's website: www.centralcoast.nsw.gov.au

- 3.3** Erect a sign in a prominent position on any work site on which building, subdivision or demolition work is being carried out. The sign must indicate:

- a. The name, address and telephone number of the Principal Certifying Authority for the work; and
- b. The name of the principal contractor and a telephone number at which that person can be contacted outside of working hours; and
- c. That unauthorised entry to the work site is prohibited
- d. Remove the sign when the work has been completed.

- 3.4** Submit both a Plumbing and Drainage Inspection Application, with the relevant fee, and a Plumbing and Drainage Notice of Work in accordance with the Plumbing and Drainage Act 2011 (to be provided by licensed plumber). These documents can be found on Council's website at: www.centralcoast.nsw.gov.au

Contact Council prior to submitting these forms to confirm the relevant fees.

This condition only applies if installation / alteration of plumbing and / or drainage works proposed (excludes stormwater drainage). This condition does not apply to swimming pool plumbing that does not physically connect / break into the sewer system.

- 3.5** Install run-off and erosion controls to prevent soil erosion, water pollution or the discharge of loose sediment on the surrounding land by:

- a. erecting a silt fence and providing any other necessary sediment control measures that will prevent debris escaping into drainage systems, waterways or adjoining properties, and
- b. diverting uncontaminated run-off around cleared or disturbed areas, and
- c. preventing the tracking of sediment by vehicles onto roads, and
- d. stockpiling top soil, excavated materials, construction and landscaping supplies and debris within the lot

Attachment 2**Draft Conditions of Consent**

- 3.6** Erect a temporary hoarding or temporary construction site fence between the work site and adjoining lands before the works begin and must be kept in place until after the completion of the works, if the works:
- could cause a danger, obstruction or inconvenience to pedestrian or vehicular traffic, or
 - could cause damage to adjoining lands by falling objects, or
 - involve the enclosure of a public place or part of a public place
- Note 1:** A structure on public land or on or over a public road requires the prior approval of the relevant authority under the *Local Government Act 1993* or the *Roads Act 1993*, respectively.
- Note 2:** The *Work Health and Safety Act 2011* and *Work Health and Safety Regulation 2011* contain provisions relating to scaffolds, hoardings and other temporary structures.
- 3.7** Provide or make available toilet facilities at the work site before works begin and maintain the facilities until the works are completed at a ratio of one toilet plus one additional toilet for every twenty (20) persons employed at the site.
- Each toilet must:
- be a standard flushing toilet connected to a public sewer, or
 - have an on-site effluent disposal system approved under the *Local Government Act 1993*, or
 - be a temporary chemical closet approved under the *Local Government Act 1993*
- 3.8** Submit to Council as the Roads Authority an application for a vehicle access crossing including payment of the application fee.

4. DURING WORKS

- 4.1** All conditions under this section must be met during works.
- 4.2** Carry out construction or demolition works during the construction phase of the development only between the hours as follows:
- 7.00am and 5.00pm Monday to Saturday
- No construction or demolition works associated with the development are permitted to be carried out at any time on a Sunday or a public holiday.
- 4.3** During the construction phase of the development, if any Aboriginal object (including evidence of habitation or remains) is discovered during the course of the work:
- All excavation or disturbance of the area must stop immediately in that area, and
 - The Office of Environment and Heritage must be advised of the discovery in accordance with section 89A of the National Parks and Wildlife Act 1974.
- Note:** If an Aboriginal object is discovered, an Aboriginal heritage impact permit may be required under the National Parks and Wildlife Act 1974.
- 4.4** Implement and maintain all erosion and sediment control measures at or above design capacity for the duration of the construction works and until such time as all ground disturbed by the works has been stabilised and rehabilitated so that it no longer acts as a source of sediment.
- 4.5** Keep a copy of the stamped approved plans on-site for the duration of site works and make the plans available upon request to either the Principal Certifying Authority or an officer of Council.

Attachment 2**Draft Conditions of Consent**

- 4.6** Notify Council when plumbing and drainage work will be ready for inspection(s) and make the work accessible for inspection in accordance with the Plumbing and Drainage Act 2011.
- This condition only applies if installation / alteration of plumbing and / or drainage works proposed (excludes stormwater drainage).
- 4.7** Place all building materials, plant and equipment on the site of the development during the construction phase of the development so as to ensure that pedestrian and vehicular access within adjoining public roads, footpaths and reserve areas, is not restricted and to prevent damage to public infrastructure. Further, no construction work is permitted to be carried out within the road reserve unless the works are associated with a separate approval issued under the provisions of the *Roads Act 1993*.
- 4.8** Connect downpipes and the associated stormwater disposal system to the site stormwater connection point immediately after the roof materials are positioned in order to prevent erosion of the site from roof water run-off.
- 4.9** Removal of trees as shown on the approved plan is to be undertaken in a manner so as to prevent damage to those trees that are to be retained.
Removal of neighbors trees must have adjoining owners agreement.
- 4.10** Pruning of branches overhanging approved building must be undertaken in accordance with Australian Standard AS 4373-2007: *Pruning of amenity trees*, by a qualified Arborist.

5. PRIOR TO ISSUE OF ANY OCCUPATION CERTIFICATE

- 5.1** All conditions under this section must be met prior to the issue of any Occupation Certificate.
- 5.2** Submit a Certificate of Compliance for all plumbing and drainage work and a Sewer Service Diagram showing sanitary drainage work (to be provided by licensed plumber) in accordance with the Plumbing and Drainage Act 2011.
- This condition only applies if installation / alteration of plumbing and / or drainage works proposed (excludes stormwater drainage).
- 5.3** Prior to the occupation or use of the building/structure, an application for an Occupation Certificate for the development must be submitted to and approved by the Principal Certifying Authority. The Occupation Certificate application is to satisfy all of the requirements of the *Environmental Planning and Assessment Regulation 2000*.
- 5.4** Complete the building in accordance with the relevant provisions and requirements of the National Construction Code Series.
- 5.5** Complete the building in accordance with the provisions of *Planning for Bush Fire Protection 2006 (NSW)* and the requirements of Australian Standard AS 3959-2009 - *Construction of Buildings in Bush Fire Prone Areas* and additional measures as contained within Appendix 3 of the *Planning for Bush Fire Protection Guidelines 2010*, for a Bush Fire Attack Level (BAL) of 29 (north, south and west aspects) and 19 (east aspect).
- 5.6** In accordance with the requirements of *Planning for Bush Fire Protection 2006*, the entire site must be maintained as an Asset Protection Zone (APZ).
Within the Asset Protection Zone, all trees and shrubs must be maintained in such a manner that the vegetation is not continuous either horizontally or vertically and / or overhang the buildings on the site.

Attachment 2**Draft Conditions of Consent**

- 5.7** Install a 5000L rainwater tank with suitable plumbing connections provided to collect rainwater from the roof area as detailed within the BASIX Certificate applicable to the development. The required rainwater tank is to be installed in accordance with the requirements of the National Plumbing and Drainage Code Australian Standard AS 3500 and must be provided with first flow diversion devices fixed to all inflows and a functioning pressure pump plumbed to service all fixtures as detailed within the BASIX Certificate applicable to the development. The required tank must be controlled in order that supplemental flow from domestic mains does not take place until the capacity of the tank has been reduced to 20%.
All overflow must be connected via piped drainage line to an infiltration trench.
- Note:** Infiltration trenches are to be designed by a practicing engineer experienced in hydraulics. The design details are to cater for a 1 in 20 year AEP storm event and are to allow for a minimum setback of three (3) metres from any sewer main and lot boundaries.
- 5.8** Construct the vehicle access crossing in accordance with the vehicle access crossing Notice of Determination issued by Council.
- 5.9** Install a material or device to prevent the build-up of flammable material (such as leaf matter) within the roof gutters. The material or device must have a flammability index of not greater than 5 when tested in accordance with Australian Standard AS 1530.2-1993: *Methods for fire tests on building materials, components and structures - Test for flammability of materials*.
- 5.10** Plant a minimum of two (2) replacement trees (advanced specimens min 25lt pot size) within the property. Replacement trees must be native species capable of achieving a height of 10m.
New trees are not to be located within an authority's service easement, or within 4m of an approved building.
Where the replacement tree dies or is substantially damaged within five (5) years of planting, it must be replaced and maintained to maturity.

6. ONGOING OPERATION

- 6.1** Maintain the required Asset Protection Zone to the perimeter of the asset. The Asset Protection Zone must be fuel managed so as to maintain fuel loadings as detailed within *Planning for Bush Fire Protection Guidelines 2006 (NSW)*.

7. PENALTIES

- 7.1** Failure to comply with this development consent and any condition of this consent may be a criminal offence. Failure to comply with other environmental laws may also be a criminal offence.

Where there is any breach Council may without any further warning:

- Issue Penalty Infringement Notices (On-the-spot fines);
- Issue notices and orders;
- Prosecute any person breaching this consent, and/or
- Seek injunctions/orders before the courts to retain and remedy any breach.

Warnings as to Potential Maximum Penalties

Maximum Penalties under NSW Environmental Laws include fines up to \$1.1 Million and / or custodial sentences for serious offences.

ADVISORY NOTES

- Discharge of sediment from a site may be determined to be a pollution event under provisions of the *Protection of the Environment Operations Act 1997*. Enforcement action may commence where sediment movement produces a pollution event.

Attachment 2Draft Conditions of Consent

- The following public authorities may have separate requirements in the following aspects:
 - a. Australia Post for the positioning and dimensions of mail boxes in new commercial and residential developments
 - b. Jemena Asset Management for any change or alteration to the gas line infrastructure
 - c. Ausgrid for any change or alteration to electricity infrastructure or encroachment within transmission line easements
 - d. Telstra, Optus or other telecommunication carriers for access to their telecommunications infrastructure
 - e. Central Coast Council in respect to the location of water, sewerage and drainage services

- Carry out all work under this Consent in accordance with SafeWork NSW requirements including the *Workplace Health and Safety Act 2011 No 10* and subordinate regulations, codes of practice and guidelines that control and regulate the development industry.

- Dial Before You Dig
Underground assets may exist in the area that is subject to your application. In the interests of health and safety and in order to protect damage to third party assets please contact Dial Before You Dig at www.1100.com.au or telephone on 1100 before excavating or erecting structures. (This is the law in NSW). If alterations are required to the configuration, size, form or design of the development upon contacting the Dial Before You Dig service, an amendment to the development consent (or a new development application) may be necessary. Individuals owe asset owners a duty of care that must be observed when working in the vicinity of plant or assets. It is the individual's responsibility to anticipate and request the nominal location of plant or assets on the relevant property via contacting the Dial Before You Dig service in advance of any construction or planning activities.

- Telecommunications Act 1997 (Commonwealth)
Telstra (and its authorised contractors) are the only companies that are permitted to conduct works on Telstra's network and assets. Any person interfering with a facility or installation owned by Telstra is committing an offence under the Criminal Code Act 1995 (Cth) and is liable for prosecution. Furthermore, damage to Telstra's infrastructure may result in interruption to the provision of essential services and significant costs. If you are aware of any works or proposed works which may affect or impact on Telstra's assets in any way, you are required to contact: Telstra's Network Integrity Team on phone number 1800 810 443.

- Install and maintain backflow prevention device(s) in accordance with Council's WS4.0 Backflow Prevention Containment Policy. This policy can be found on Council's website: www.centralcoast.nsw.gov.au

This condition only applies if installation / alteration of plumbing and / or drainage works proposed (excludes stormwater drainage).

Item No: 3.3
Title: Deferred Item - Unsolicited Proposals Policy
Department: Governance



13 May 2019 Ordinary Council Meeting

Trim Reference: F2018/00020-07 - D13526207

Author: Kathy Bragg, Acting Section Manager, Governance

Manager: James Taylor, Acting Unit Manager, Governance and Business Services

Executive: Shane Sullivan, Unit Manager, Governance and Business Services

Summary

At the Council Meeting of 29 April 2019, Council resolved:

- 310/19 That Council defer the matter to the next meeting of Council to allow consideration of the following changes;*
- 1 That Council note the Central Coast Unsolicited Proposals Policy.*
 - 2 That Council request the Chief Executive Officer make the following changes to the Policy:*
 - a Include an additional purpose of the Policy to 'ensure transparency, accountability and fairness in Council's dealings with all stakeholders for the benefit of the Central Coast community'.*
 - b Include an additional purpose of the Policy 'is to protect Council's reputation and minimise risk of corruption'.*
 - c Amend the Policy and Procedures to require a triple bottom line approach (economic, environmental and social) to the consideration, assessment and implementation of proposals. This includes, but is not limited to, amending:
 - Guiding principles – 8. Optimise Outcomes*
 - 10. Assessment Criteria – Value for Money*
 - 10. Assessment Criteria – Return on Investment.**
 - d Include as a 'Guiding Principle' that the Policy does not apply to Council community facilities unless outside the scope of current operation, lease arrangements and procedures.*
 - 3 That Council authorise the Chief Executive Officer to finalise Policy and circulate to Councillors.*

Recommendation

- 1 That Council note the deferred Unsolicited Proposals Policy report which is Attachment 1.**
- 2 That Council adopt the Central Coast Council Unsolicited Proposals Policy as set out in Attachment 1 to this report noting that the following changes will be made:**
 - a Include an additional purpose of the Policy to 'ensure transparency, accountability and fairness in Council's dealings with all stakeholders for the benefit of the Central Coast community'.**
 - b Include an additional purpose of the Policy 'is to protect Council's reputation and minimise risk of corruption'.**
 - c Amend the Policy and Procedures to require a triple bottom line approach (economic, environmental and social) to the consideration, assessment and implementation of proposals. This includes, but is not limited to, amending:**
 - Guiding principles – 8. Optimise Outcomes**
 - 10. Assessment Criteria – Value for Money**
 - 10. Assessment Criteria – Return on Investment.**
 - d Include as a 'Guiding Principle' that the Policy does not apply to Council community facilities unless outside the scope of current operation, lease arrangements and procedures.**

Attachments

- 1** 29 April 2019 Ordinary Meeting Report - Item 3.2 - Unsolicited Proposals Policy D13526211



Item No: 3.2
Title: Unsolicited Proposals Policy
Department: Governance

29 April 2019 Ordinary Council Meeting

Trim Reference: F2018/00020-07 - D13492925

Author: Kathy Bragg, Acting Section Manager, Governance

Manager: James Taylor, Acting Unit Manager, Governance and Business Services

Executive: Shane Sullivan, Acting Director Governance

Report Purpose

To adopt the *Unsolicited Proposals Policy* set out in Attachment 1 to this report and note the supporting Procedures.

Recommendation

That Council adopt the Central Coast Council Unsolicited Proposals Policy as set out in Attachment 1 to this report.

Context

At its meeting held on 11 February 2019 Council considered the *Unsolicited Proposals Policy* (the Policy) and resolved:

88/19 That Council publicly exhibit the Central Coast Council Unsolicited Proposals Policy as set out in Attachment 1 to this report for a period of 28 days and a further report be provided to Council.

In accordance with Council's resolution, the draft Policy was placed on public exhibition for 28 days up until 5pm, 26 March 2019.

No submissions were received on the draft Policy.

Current Status

As a significant local government authority representing an important region in NSW, it is considered appropriate that Central Coast Council adopt an Unsolicited Proposals Policy.

The Policy and Procedures have been based comprehensively on the NSW Department of Premier and Cabinet's [Unsolicited Proposals - Guide for Submission and Assessment](#) with the inclusion of references to Council's Community Strategic Plan.

3.2 Unsolicited Proposals Policy (contd)

Consultation

The draft Policy was placed on public exhibition for 28 days with no submissions being received.

Link to Community Strategic Plan

Theme 4: Responsible

Goal G: Good governance and great partnerships

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

Attachments

- | | | |
|----------|---------------------------------|-----------|
| 1 | Unsolicited Proposals Policy | D13500655 |
| 2 | Unsolicited Proposals Procedure | D13500656 |



POLICY NO: CCC038

UNSOLICITED PROPOSALS POLICY

April 2019

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Unsolicited Proposals Policy

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DIRECTOR	Shane Sullivan, Acting Director Governance
CHIEF EXECUTIVE OFFICER	Gary Murphy, Chief Executive Officer

History of Revisions:

Version	Date	Reason	TRIM Doc. #
1	29 April 2019	Adoption of Policy after public exhibition period.	D13414947



Unsolicited Proposals Policy

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Unsolicited Proposals Policy

POLICY SUMMARY

1. An Unsolicited Proposal is an approach to Council from a Proponent with a proposal to deal directly with Council over a commercial proposition, where Council has not requested the proposal. This may include proposals to build and/or finance infrastructure, provide goods or services, or undertake a major commercial transaction.

PURPOSE OF THE POLICY

2. Central Coast Council is continually seeking to capture value, and unique and innovative ideas from industry that provide real and tangible benefits to the people of the Central Coast. In order to achieve this it procures projects, goods and services by two broad means.
 - a. Council initiated procurement processes. This is the predominant form of procurement and is based on competition through tendering in order to achieve value for money in a fair and transparent manner. Such procurement is driven by the Council's strategic and operational planning processes and allows efficient and timely delivery of Council services. This form of procurement is not covered by this Policy.
 - b. Non-Government sector initiated proposals, not solicited by Council through the process described above. The non-Government sector includes private individuals, companies, not-for-profit entities and Local Authorities such as councils. Such proposals are by definition outside the normal planning and procurement processes of Council but may offer opportunities for real value for Council. These proposals are administered under this Policy for Submission and Assessment of Unsolicited Proposals.
3. The unsolicited proposals process is not a substitute for routine competitive procurement by Council. The focus of unsolicited proposals is on unique and innovative projects or services. Similarly, the unsolicited proposals process is not designed to replace applicable environmental and planning assessment processes. If Council decides to progress an unsolicited proposal, that should not be interpreted as any form of explicit or tacit support for planning approvals.
4. While direct negotiation with a proponent in response to an Unsolicited Proposal may be pursued in justifying circumstances, Council's usual procurement approach is to test the market. This generally results in the demonstrable achievement of value-for-money outcomes and provides fair and equal opportunities for private sector participants to do business with Council.



Unsolicited Proposals Policy

5. Council will generally only consider proposals where both the proposal and its proponent have unique attributes such that others could not deliver a similar proposal with the same value-for-money outcome. Council will consider directly negotiating with an individual or organisation that presents an Unsolicited Proposal where circumstances justify this approach and at its absolute discretion.
6. Council will generally only consider proposals that have direct alignment to the Community Strategic Plan and progress its outcomes and have the capacity to influence the Community Strategic Plan key indicators positively.
7. Council will at all times meet its obligations under the relevant legislation, including but not limited to section 55 of the Local Government Act 1993 – Tender requirements.

GENERAL

GUIDING PRINCIPLES

8. Optimise Outcomes

By their nature, Unsolicited Proposals are unlikely to be the current focus of Council's strategic planning or identified in the Community Strategic Plan. Proposals must therefore be considered in light of the wider benefits and strategic outcomes that may be derived. In order to proceed however, proposals must be broadly consistent with Local Government Area (LGA) objectives and plans, and offer some unique attributes that justify departing from a competitive tender process. Outcomes must always be in the best interest of the LGA.

In order to demonstrate that optimal Value for Money will be achieved, an "open book" approach to negotiations is to be adopted once the proposal has progressed to Stage 2 assessment. Council will also consider whole-of-Council impact and cost. The approach to demonstrating Value for Money is outlined Clause 10 of this Policy.

In order to guide the Proponent, Council will provide an early indication of an acceptable return on investment and other requirements to be achieved by the Proponent in the delivery of its proposal.

9. Uniqueness

Proposal and Proponent to be uniquely able to deliver proposed service

For unsolicited proposals to progress through the assessment process, the uniqueness needs to apply to both the proposal and the proponent. The essential questions to be addressed in any Unsolicited Proposal are:



Unsolicited Proposals Policy

- Can this proposal be readily delivered by competitors? If the answer is yes, then what, if any, justification would Council have to the public for not seeking best value through a competitive tender process? What benefit(s) would Council gain?
- Does the proponent own something that would limit Council from contracting with other parties if Council went to tender? This would include IP, real property and other unique assets.
- Are there other attributes which may not necessarily stand alone as unique but, when combined, create a "unique" proposal? This may include genuinely innovative ideas, including financial arrangements or solutions that are otherwise unlikely to be defined and put to market (e.g. alternatives to providing a Council service or substantive processes, products or methods for delivering a service that is not offered by other service providers and constitute a significant departure from traditional service delivery).

Types of proposals that are NOT considered unique and/or proposals that are unlikely to be progressed

- Proponents seeking to directly purchase or acquire a Council owned entity or property. Unless the proposal presents a unique opportunity to Council, Council is unlikely to enter into such an arrangement without an open tender process.
- Proponents with an existing government license to provide goods or services seeking to bypass a future tender process.
- Proposals for significant extensions/variations to existing contracts/leases, or the next stage of a staged project on the basis that the contractor is already "on-site" or has some other claimed advantages, absent of other "uniqueness" criteria.
- Proposals seeking to develop land that is not owned by Council or the proponent.
- Proposals that identify the proponent's skills or workforce capability as the only unique characteristic are unlikely to progress to Stage 2. A proponent with personnel holding superior expertise or experience in a particular field is not sufficient for Council to justify bypassing an open tender.
- Proposals to provide widely available goods or services to Council. This includes proposals for Council to purchase standard office administration products, software development and other readily available services.
- Proposals seeking only to change Council policy that have no associated project.
- Proposals for consultancy services.



Unsolicited Proposals Policy

- Proposals for projects where the tender process has formally commenced, whether published or not.
- Proposals that are early concepts or lack detail.
- Proposals seeking grants (e.g. scientific research), loans or bank guarantees etc.
- Proposals whose claim to uniqueness is trivial e.g. a 'unique' view from particular site.
- Proposals seeking Council support for a 'pilot' program.
- Proposals seeking to stop or suspend another Council process (e.g. compulsory acquisition).
- Proposals seeking an exclusive mandate, or exclusive rights over a Council asset, for a period of time so the Proponent can develop a feasibility study

10. **Assessment Criteria**

Proposals will be initially assessed against the Assessment Criteria as set out in the Unsolicited Proposals Procedure. Assessment will be based on the proposal satisfactorily meeting each of the criteria. Additional Criteria relevant to a particular proposal may also be applied at later stages. If so, the Proponent will be informed of the criteria in order for these to be addressed in its Detailed Proposal during Stage 2.

The Criteria are:

- Uniqueness
- Value for money
- Whole of Council impact
- Return on investment
- Capability and capacity to deliver and carry out
- Affordability
- Risk allocation – who is bearing the risk



Unsolicited Proposals Policy

<p>Uniqueness</p>	<p>Demonstration of unique benefits of the proposal and the unique ability of the proponent to deliver the proposal. In particular the following are to be demonstrated:</p> <ul style="list-style-type: none"> • Can this proposal be readily delivered by competitors? If the answer is yes, then what, if any justification would Council have to the public for not seeking best value through a competitive tender process? What benefit(s) would Council gain? Are the benefits and outcomes of the proposal unlikely to be obtained via a standard competitive procurement process? • Does the proponent own something that would limit Council from contracting with other parties if Council went to tender? This would include intellectual property, real property and other unique assets. • Are there other attributes which may not necessarily stand alone as unique but, when combined, create a "unique" proposal? This may include genuinely innovative ideas, including financial arrangements or a unique ability to deliver a strategic outcome. It is possible that Council might agree to initiate market testing of a new proposal that has merit, but is not unique. <p>Note that while a proposal may contain unique characteristics such as design or technology, this may represent one option among a range of technologies or solutions available to Council.</p>
<p>Value for Money</p>	<p>Does the proposal deliver Value for Money to Council?</p> <p>What are the net economic benefits of the proposal (the status quo should be defined)?</p> <p>Is the proposal seeking to purchase a Council asset at less than its value in exchange for other services?</p> <p>Does the proposal provide time and/or financial benefits/savings that would not otherwise be achieved?</p> <p>A proposal is Value for Money if it achieves the required project outcomes and objectives in an efficient, high quality, innovative and cost- effective way with appropriate regard to the allocation, management and mitigation of risks.</p> <p>While Value for Money will be tested appropriately in the context of each specific proposal, factors that will be given consideration are likely to include:</p>



Unsolicited Proposals Policy

	<ul style="list-style-type: none"> • Quality of all aspects of the proposal, including: achievable timetable, clearly stated proposal objectives and outcomes, design, community impacts, detailed proposal documentation and appropriate commercial and/or contractual agreements (including any key performance targets), and a clearly set- out process for obtaining any planning or other required approvals. • Innovation in service delivery, infrastructure design, construction methodologies, and maintenance. • Competitively tendering aspects of the proposal where feasible or likely to yield value for money. • Cost efficient delivery of Council policy targets. • Optimal risk allocation (refer to criterion below). • Evaluation of Value for Money may also include, but not be limited to the following quantitative analysis: • Interrogation of the Proponent’s financial models to determine the reasonableness of any capital, land acquisition, service and maintenance cost estimates and, if relevant, revenue estimates (including the appropriateness of any user fees or prices and estimates of quantity levels). • This evaluation may include the use of independent experts or valuers, benchmarking analysis, sensitivity testing, and where appropriate, the use of comparative financial models like Public Sector Comparators or Shadow Bid Models, based on a Reference Project. • Return on Investment (refer to criterion below). <p>Note: A high level indicative Value for Money assessment will occur at Stage 1. A more detailed assessment of Value for Money will occur at Stage 2 and beyond.</p>
<p>Whole of Council Impact</p>	<p>Does the proposal meet a project or service need?</p> <p>What is the overall strategic merit of the proposal?</p> <p>What is the opportunity cost for Council if it were to proceed with the proposal?</p> <p>Is the proposal consistent with the Council’s plans and priorities?</p> <p>Does the proposal have the potential to achieve planning approval, taking into account relevant planning and environmental controls?</p> <p>Does the proposal contribute to meeting the objectives of District</p>



Unsolicited Proposals Policy

	<p>Plans, Regional Plans and Metropolitan Plans, and delivering on housing targets?</p> <p>Consideration will be given to whether the proposal would require Council to reprioritise and reallocate funding.</p>
Return on Investment	<p>Is the proposed Return on Investment to the proponent proportionate to the proponent's risks, and industry standards? Where feasible, the proposed rate of return may be subject to independent review or benchmarking.</p>
Capability and Capacity	<p>Does the proponent have the experience, capability and capacity to carry out the proposal? What reliance is there on third parties?</p> <p>Where appropriate, the Proponent should provide referees in relation to working with government (e.g. NSW or other Australian governments).</p>
Affordability	<p>Does the proposal require Council funding, or for Council to purchase proposed services? Does Council have these funds available or budgeted and if not what source would be proposed?</p> <p>Where State funding is required, Council may undertake or require the Proponent to undertake a (Preliminary) Business Case and/or an economic appraisal at Stage 2 (where appropriate). Regardless of the outcome of the Business Case/economic appraisal, the proposal still needs to be affordable in the context of the Council's other priorities, and to be considered as part of Council's Budget process.</p>
Risk Allocation	<p>What risks are to be borne by the proponent and by Council? Appropriate risk allocation and quantification may also be considered under the Value for Money criterion.</p> <p>Does the proposal require Environmental and Planning Approvals? If so, has the process been appropriately considered, including whether Council or Proponent bears the risks associated in obtaining the approvals.</p>



Unsolicited Proposals Policy

11. Interactive Process

Council will manage an interactive process with the proponent at all formal stages of assessment, commencing with the formal pre-lodgement meeting set out in the Procedure. During both the pre-lodgement meeting and the Stage 1 Assessment this interaction will be limited to clarification of the proposal by Council in order to effectively carry out the assessment. It will not be an opportunity to negotiate the details of the proposal. This opportunity will arise in later stages if the proposal proceeds past the Stage 1 Assessment.

12. Probity

Council seeks to conduct its commercial dealings with integrity. The assessment of Unsolicited Proposals must be fair, open and demonstrate the highest levels of probity consistent with the public interest. The assessment of Unsolicited Proposals will be conducted through the application of established probity principles that aim to assure all parties of the integrity of the decision making processes. These principles are outlined as below:

(a) Maintaining impartiality

Fair and impartial treatment will be a feature of each stage of the assessment process. The process will feature a clearly defined separation of duties and personnel between the assessment and approval functions.

(b) Maintaining accountability and transparency

Accountability and transparency are related concepts. The demonstration of both is crucial to the integrity of the assessment.

Accountability requires that all participants be held accountable for their actions. The assessment process will identify responsibilities, provide feedback mechanisms and require that all activities and decision making be appropriately documented.

Transparency refers to the preparedness to open a project and its processes to scrutiny, debate and possible criticism. This also involves providing reasons for all decisions taken and the provision of appropriate information to relevant stakeholders. Relevant summary information regarding proposals under consideration at Stage 2 will be made publicly available. Further information may be published as appropriate.

(c) Managing conflicts of interest

In support of the public interest, transparency and accountability, Council requires the identification, management and monitoring of conflicts of interest. Participants will be required to disclose any current or past relationships or connections that may unfairly influence or be seen to unfairly influence the integrity of the assessment process.



Unsolicited Proposals Policy

(d) Maintaining confidentiality

In the assessment of Unsolicited Proposals there is need for high levels of accountability and transparency. However, there is also a need for some information to be kept confidential, at least for a specified period of time. This is important to provide participants with confidence in the integrity of the process. All proposals submitted will be kept confidential at Stage 1 of the assessment process.

(e) Obtaining value for money

Obtaining optimal value for money is a fundamental principle of public sector work. This is achieved by fostering an environment in which Proponents can make attractive, innovative proposals with the confidence that they will be assessed on their merits and where Council appropriately considers value. At Stage 2 of the assessment process, the approach to assessing Value for Money will be confirmed. Where a probity advisor has been appointed, their role is to monitor the evaluation process and ensure that Value for Money has been optimally considered. It is not the role of the probity advisor to determine whether the proposal meets the required Value for Money criterion.

13. Resource Commitments

In order for an Unsolicited Proposal to progress, Council and the Proponent will be required to commit resources. The staged approach to assessment as detailed in the Procedure seeks to balance resource input at each stage in order to reduce the potential for unnecessary expenditure.

While this Policy sets out information and processes to minimise costs for Proponents, Council will not normally reimburse costs associated with Unsolicited Proposals.

14. Governance Arrangements

Formal Stage 1 submissions will be reported to Council for consideration.

Once a proposal reaches Stage 2 of the assessment process by way of Council resolution, Council will establish appropriate governance arrangements that will detail the make-up and responsibilities of the Steering Committee and assessment/technical panels, management of confidentiality and conflict of interest, and provide details of the appointed Proposal Manager and probity advisor.

Unsolicited Proposals will take into account relevant processes and approval requirements as provided in the *Local Government Act 1993* and other relevant legislation.

The Stage 2 Participation Agreement will outline whether the proposal will be subject to an approval process outlined in another procurement policy document and/or a project assurance mechanism.



Unsolicited Proposals Policy

15. Participation Agreement

A Participation Agreement provides an agreed framework for Stage 2 which will be entered into by both Council and the Proponent in order to ensure the alignment of expectations regarding participation in the process.

The Participation Agreement will contain:

- Acknowledgement that a Value for Money outcome is a requirement for the proposal to proceed
- Assessment Criteria and other relevant Council requirements
- Communication channels, including a prohibition on lobbying
- Agreement regarding cost arrangements
- Resource commitments
- Conflict of interest management arrangements
- Confidentiality requirements
- Commitment to following an open book approach to discussions
- Timeframe – including gateway determination dates and reports for Council
- Approval requirements, including planning and environmental approvals.

16. Stage 3 Agreement

- A Stage 3 Agreement provides an agreed framework for participation in Stage 3 which will be entered into by both Council and the Proponent in order to ensure alignment of expectations. The Stage 3 Agreement will contain (but not limited to):
- Communication channels, including a prohibition on lobbying.
- Agreement regarding cost arrangements.
- Resource commitments.
- Conflict of interest management arrangements.
- Confidentiality requirements.
- Timeframe.
- Approval requirements, including planning and environmental matters where relevant. Except where otherwise approved, Council will require projects to have secured relevant planning consents as part of the unsolicited proposal agreement.



Unsolicited Proposals Policy

- Outline of any conditions arising from Council's consideration of the Detailed Proposal.
- Schedule of items and issues to be negotiated (this may be provided separately to the Stage 3 Agreement).

DEFINITIONS

The following definitions are used in this policy:

- (a) **Assessment Criteria** means the criteria upon which Unsolicited Proposals will be assessed.
- (b) **Assessment Panel** means a panel of Council representatives established to assess an Unsolicited Proposal (this may include specialist advisers).
- (c) **Council** means Central Coast Council.
- (d) **Detailed Proposal** means a submission by a Proponent to Council at the conclusion of Stage 2.
- (e) **Final Binding Offer** means a formal proposal submitted by the Proponent at the conclusion of Stage 3 which is capable of acceptance by Council.
- (f) **Council Website** means www.centralcoast.nsw.gov.au
- (g) **Initial Submission** means a submission by the Proponent during Stage 1 which briefly describes the Unsolicited Proposal (in accordance with the Schedule of Information Requirements).
- (h) **Initial Schedule of Information Requirements** means information to be prepared by Proponent in preparation for pre-lodgement meeting with Council.
- (i) **Intellectual Property** means inventions, original designs and practical applications of good ideas protected by statute law through copyright, patents, registered designs, circuit layout rights and trademarks; also trade secrets, proprietary know-how and other confidential information protected against unlawful disclosure by common law and through additional contractual obligations such as Confidentiality Agreements.
- (j) **Participation Agreement** means a signed by Council and the Proponent at the commencement of Stage 2.
- (k) **Proponent** means the person or organisation that submits an Unsolicited Proposal.
- (l) **Proposal Manager** means the person with responsibility for coordinating Council input for the receipt and assessment of an Unsolicited Proposal.
- (m) **Public Sector Comparator (PSC)** means an estimate of the net present value of a project's whole life costs and revenues using the most efficient and likely form of Council delivery.



Unsolicited Proposals Policy

- (n) **Reference Project** means the basis for calculating the PSC, reflecting Council delivery of the project by traditional means.
- (o) **Shadow Bid Model** means the Council's best estimate of a private party bid price.
- (p) **Stage 3 Agreement** means an agreement signed by Council and the Proponent at the commencement of Stage 3.
- (q) **Steering Committee** means a committee of senior Council representatives with responsibility for oversight of Council consideration of Unsolicited Proposals (this may include independent chair/members).
- (r) **Unsolicited Proposal** means an approach to Council from a Proponent with a proposal to deal directly with Council over a commercial proposition, where Council has not requested the proposal. This may include proposals to build and/or finance infrastructure, provide goods or services, or undertake a major commercial transaction.
- (s) **Value for Money** means the overall value of a proposal to Council (refer to Clause 10 for further details).

REVIEW

- 17. Council will establish a structured periodic review to assess the effectiveness of the approach to dealing with Unsolicited Proposals and Direct Approaches.

RELATED RESOURCES

- 18. Legislation:
 - (a) [Local Government Act 1993](#)
- 19. Associated Council Documents:
 - (a) Unsolicited Proposals Procedure
 - (b) [Code of Conduct](#)
 - (c) [Procedures for the Administration of the Code of Conduct](#)
 - (d) [Procurement or Sale of Goods, Services and Materials](#)



PROCEDURE NO: CCC038

UNSOLICITED PROPOSALS PROCEDURES

April 2019

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Unsolicited Proposals Procedure

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Unsolicited Proposals Procedure**1. PURPOSE OF THE PROCEDURES**

- 1.1. The purpose of the Procedures is to set out the processes to be followed by both Council and Proponents in developing Unsolicited Proposals.
- 1.2. It represents a commitment that may be made by Council to the allocation of resources to meet its responsibilities as outlined in these Procedures.
- 1.3. The Procedures sets out that proposals will be evaluated against Assessment Criteria outlined in Clause 4.2 of these Procedures and Clause 10 of the Unsolicited Proposals Policy.
- 1.4. The Procedures provide for a clear process being a four stage assessment process to guide the evaluation of proposals:
 - Pre-Submission Concept Review
 - Stage 1:
 - a) Initial Submission and Preliminary Assessment
 - b) Strategic Assessment of the Initial Submission
 - Stage 2: Detailed Proposal
 - Stage 3: Negotiation of Final Binding Offer
- 1.5. The Procedures recognise that a Proponent will be entitled to a fair rate of return for its involvement in a project and that outcomes should be mutually beneficial for the Proponent and Council. Further, Council recognises the right of Proponents to derive benefit from unique ideas. The approach to the identification, recognition and protection of intellectual property rights will be addressed and agreed with the Proponent during Stage 1 of the process as set out below.
- 1.6. Where Council assesses a proposal as not meeting the criteria, including uniqueness, Council reserves its usual right to go to market. The Proponent will be provided with the opportunity to participate in any procurement process should the concept be offered to the market, but will have no additional rights beyond those afforded to other market participants. If Council elects to go to market in such circumstances, it will respect any Intellectual Property (IP) owned by the Proponent.
- 1.7. The unsolicited proposals assessment process is separate to other Council statutory approvals processes e.g. environmental and planning. However, where appropriate, the assessment of unsolicited proposals will give consideration to the potential consistency of the proposal with relevant planning and environmental controls, and approvals processes.

2. CONTACT DETAILS AND LODGEMENT

- 2.1. Enquiries and requests for 'pre-lodgement' meetings should be submitted to the Chief Executive Officer.

Attachment 2**Unsolicited Proposals Procedure****Unsolicited Proposals Procedure**

- 2.2. Once a proposal has been submitted, Council will formally acknowledge receipt of the proposal and provide contact details of the Proposal Manager (refer Clause 3.5 of these Procedures). Council's Proposal Manager is the Unit Manager, Procurement and Projects. The Proposal Manager will be the Proponent's only point of contact in Council regarding the proposal. Once lodged, the proposal is subject to a formal assessment process. Proponents must not contact Councillors, or Council staff, in regard to the submitted proposal, outside of the formal assessment process. This includes organisations authorised to act on the Proponent's behalf.

3. ROLES AND RESPONSIBILITIES**3.1. Proponent**

The Proponent is required to:

- Prepare an outline Submission and meet with Council to discuss its unique characteristics and other key principles, prior to lodgement of a formal submission. This involves the Proponent completing an initial Schedule of Information Requirements.
- Prepare and lodge with Council an Initial Submission for Preliminary or Stage 1 Assessment. This involves the Proponent completing the Schedule of Information Requirements and attaching any other relevant information.
- Enter into a Participation Agreement if recommended to proceed to Stage 2.
- Provide a Detailed Proposal at the conclusion of Stage 2.
- Provide a Binding Offer at the conclusion of Stage 3.

3.2. Council

Proposals will be submitted to Council for approval prior to any progression of a proposal to Stage 2 or 3, prior to the signing of any agreement, and prior to provision of any Council funding.

The required approval process will be described to the proponent.

Additional Council approvals may be required for any changes to previously approved commercial terms or Council funding.

3.3. Steering Committees**Unsolicited Proposals Steering Committee**

An overarching Unsolicited Proposals Steering Committee may be convened including representatives from Council and local State agencies as appropriate.

Representatives of other agencies may be required to provide resources and input to assist in Steering Committee decision-making. Membership of the Steering Committee may change from time to time.

Attachment 2

Unsolicited Proposals Procedure

Unsolicited Proposals Procedure

Proposal Specific Steering Committees

For certain proposals the Council may direct a Proposal Specific Steering Committee be established to oversee assessment of that proposal. This would normally be the case for proposals proceeding to Stage 2 of the assessment process.

Responsibilities

Unsolicited Proposals Steering Committee
Consider recommendations made by the Proposal Manager or Assessment Panel at Stage 1 and agree on proposed course of action
Confirm the unique elements of the proposal and agree on the approach to managing IP
Approve the makeup of the Assessment Panel for Stage 1.b
Agree on feedback to be provided to Proponents at Stage 1
Provide policy and inter-agency input to deliberations
Monitor progress of assessments
Make recommendations to Council at Stage 1
Proposal Specific Steering Committee
Approve the Governance Plan to be applied to Stages 2 and 3
Approve the makeup of the Assessment Panel (and commercial/technical teams) at Stages 2 and 3
Confirm the approach to assessing Value for Money
Ensure relevant policy and project assurance processes are adhered to, where appropriate
Provide policy and inter-agency input to deliberations
Consider recommendations from the Assessment Panel at Stages 2 and 3
Endorse negotiation conditions prior to Stage 3
Make recommendations to Council
Agree feedback to be provided to Proponents

3.5. **Proposal Manager**

Council's Proposal Manager is the Unit Manager Procurement and Projects will be appointed by Council in order to receive and progress consideration of the Unsolicited Proposal. The Proposal Manager has the following responsibilities, unless otherwise documented in the Governance Plan:

Attachment 2**Unsolicited Proposals Procedure****Unsolicited Proposals Procedure**

- Receive the Unsolicited Proposal
- Undertake an initial compliance check
- Facilitate the Assessment Panel and/or Steering Committee/Proposal Specific Steering Committee (as appropriate)
- Act as contact point for Proponents
- Facilitate interactions between the Proponent and Council
- Facilitate the preparation of information provided to the Proponent
- Coordinate assessment, including input from advisers
- Coordinate preparation of Assessment Reports
- Provide assistance to Council agencies with a responsibility for assessing Unsolicited Proposals.

If a proposal is referred to another agency at Stage 2 to lead the assessment, then a Proposal Manager from that agency will be appointed.

3.6. **Assessment Panel**

An Assessment Panel comprising appropriately qualified representatives will be established to undertake the assessment. The involvement of the Assessment Panel during Stages 1 and 2 will vary depending on the nature of the proposal.

The Assessment Panel will:

- Report to the Steering Committee or Proposal Specific Steering Committee (as appropriate).
- Participate in meetings with the Proponent, where appropriate
- Assess the Initial Submission and Detailed Proposal against the Assessment Criteria
- Prepare recommendations to be made to the Steering Committee or Proposal Specific Steering Committee (as appropriate)
- Prepare Assessment Reports as required by the Steering Committee or Proposal Specific Steering Committee (as appropriate)
- Consider issues raised by the Steering Committee or Proposal Specific Steering Committee (as appropriate). Prepare a proposed schedule of items for negotiation during Stage 3 (to be approved by the Steering Committee/Project Specific Steering Committee (as appropriate) and/or Council, if required).

3.7. **Advisers**

Advisers may provide expert advice to the Assessment Panel and Steering Committee or Proposal Specific Steering Committee (as appropriate). The following key advisers may be appointed to provide specialist expertise to assist in project scoping and assessment:

- Legal
- Financial
- Technical
- Environmental

Other advisers may be appointed where specialist input is required.

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A specialist Project Director may be appointed from Stage 2, particularly for large and/or complex projects.

Advisers are to follow all project governance and probity requirements.

3.8. Probity Adviser

At Stage 1, a probity adviser will be appointed for projects where the Steering Committee considers probity risk is sufficient to warrant appointment or for large-scale projects. Probity advisers will be appointed at Stages 2 and 3 of the assessment process.

The role of the probity adviser is to monitor and report on the application of the probity fundamentals during the assessment process. The probity adviser will:

- Assist in the development of a Governance Plan (where applicable).
- Provide a probity report at the end of each stage to be considered by the Steering Committee or Proposal Specific Steering Committee (as appropriate) before the decision to proceed to the next stage (or otherwise). The probity adviser may provide interim reports at key milestones of the assessment or at the behest of the Steering Committee or Proposal Specific Steering Committee (as appropriate).
- Report to the chair of the Steering Committee or Proposal Specific Steering Committee (as appropriate) and will be available to Proponents to discuss probity related matters.

An escalation contact point is provided by Council and the Proponent at Stages 2 and 3.

In the absence of a probity adviser, this role will be undertaken by the Proposal Manager.

Proponents are able to request the appointment of a probity adviser.

4. WORKFLOW AND STAGES**4.1. Pre-Submission Concept Review State**

For the Proponent to meet with Council (which may at its discretion include relevant agencies, and/or advisers), in order to formally explore whether the proposal is likely to meet the Stage 1 assessment criteria and to guide Proponents in their decision regarding whether to lodge their proposal. A key part of this meeting will be the demonstration of the unique attributes of both the proposal and the Proponent in order to progress through the process. The key attributes, benefits, requirements and assumptions underlying the potential proposal may also be discussed. Council may provide feedback at this stage as to whether it considers that the proposal, as presented, is consistent with the Council's Policy. Notwithstanding this feedback, it is the Proponent's decision as to whether it proceeds with making a formal Stage 1 submission.

This is not a compulsory stage, but Proponents planning to formally submit an unsolicited proposal are strongly advised to arrange such a meeting with Council, prior to committing substantial resources for the development of the proposal.

Unsolicited Proposals Procedure**Timing**

It is recognised that there may be numerous discussions at many levels between the proponent and Council stakeholders in order to ascertain Council needs and to better understand the business environment. These are informal discussions and are outside the realm of the Policy.

This initial meeting represents the first formal step in assessing the merits of each Unsolicited Proposal and may be before or after lodgement of the full proposal. Council's strong preference is that this occurs before formal lodging of any proposal and commencement of Stage 1.

Proponent responsibilities

In order for this meeting to be helpful, the proposal needs to be developed to a stage where the key inputs and outcomes have been identified, key assumptions and requirements of Council are clear, and other key elements have been identified. In particular, the unique ability of the proponent to deliver the proposal should be demonstrated and documented. Irrespective of the outcomes of this meeting, proponents may lodge their proposal formally.

Council responsibilities

Where Council is of the view that there is little prospect of the uniqueness criteria being met, it will communicate this to the proponent. In such circumstances, Council reserves the right not to advance assessment of the proposals to Stage 1 assessment as set out below.

4.2. Stage 1 A – Initial Submission and Preliminary Assessment

For Council to undertake a Preliminary Assessment of the proposal in conjunction with the relevant agencies to determine if the submission constitutes an unsolicited proposal and if sufficient justification exists to justify direct dealing and therefore undertake a Stage 1 assessment. Council reserves the right to further consider, or not consider, Unsolicited Proposals beyond this stage at its absolute discretion. The Unsolicited Proposals Steering Committee approves progression to Stage 1: b).

Assessment criteria

Below are the relevant assessment criteria. Additional Criteria relevant to a particular proposal may also be applied at later stages.

Proponent responsibilities

During Stage 1: a), the Proponent is responsible for:

- Preparing an Initial Submission using the *Schedule of Information Requirements Form* attached to these Procedures.
- Identification of unique elements of the proposal
- Responding to requests for further information. The information to be provided will depend on the size and complexity of the proposed project.

Attachment 2**Unsolicited Proposals Procedure****Unsolicited Proposals Procedure****Council responsibilities**

During Stage 1: a), Council is responsible for:

- Promptly acknowledging receipt of the initial submission.
- Undertaking an initial compliance check to ensure the required information has been provided.
- Requesting further information from the Proponent if required. This may involve clarification meetings with the Proponent in order to promote clarity of Council requirements.
- Undertaking a Preliminary Assessment that will be based on the potential for the proposal to satisfactorily meet the Assessment Criteria.
- Preparing a Preliminary Assessment Report for review and approval by the Steering Committee.
- Steering Committee approval to progress to Stage 1.b), if warranted.
- Notification of the Preliminary Assessment outcome to the Proponent

Outcomes

The following outcomes may result from this stage:

- The Submission is not considered suitable for further consideration. In this case, the Steering Committee will recommend a course of action, for example:
 - Inform Proponent that the submission will not be considered further.
 - Refer Proponent to another procurement process.
 - Refer submission to the relevant agency for consideration under an alternative framework or scheme (e.g. Voluntary Planning Agreement).
 - Refer proponents seeking financial support to the relevant application scheme (e.g. Jobs for NSW: <http://www.jobsforNSW.com.au/>).
 - Refer to relevant agency to investigate the opportunity and/or undertake a procurement process.

Feedback

Proponents will be provided with written feedback on whether their Submission has progressed to Stage 1.b) or reasons for a decision not to proceed with a proposal. In the event that the proposal is referred to an alternative process, as described above, details will be provided.

4.3. Stage 1 B – Strategic Assessment of Initial Submission

For Council to undertake a comprehensive initial assessment of the proposal to identify the potential benefit to Council of further consideration and development with the Proponent.

Proponent responsibilities

During Stage 1: b), the Proponent is responsible for:

- Responding to requests for further information. The information to be provided will depend on the size and complexity of the proposed project

Attachment 2**Unsolicited Proposals Procedure****Unsolicited Proposals Procedure****Council responsibilities**

During Stage 1: b), Council is responsible for:

- Establishment of the Assessment Panel.
- Requesting further information from the Proponent if required. This may involve clarification meetings with the Proponent in order to promote clarity of Council requirements.
- Undertaking a formal assessment. The assessment will be based on the potential for a subsequent Detailed Proposal to satisfactorily meet each of the Assessment Criteria if progressed to Stage 2.
- Preparing an Assessment Report for review and approval by the Steering Committee.
- Preparing a draft Participation Agreement for all proposals deemed appropriate to progress to Stage 2.
- Notification of the initial assessment outcome to the Proponent.
- Council approval to progress to Stage 2, if warranted.

Outcomes

The following outcomes may result from this stage:

- The proposal is considered suitable for progression to Stage 2. The proposal, in concept form, is deemed of sufficient interest to Council to warrant further development and progression to a more defined project either with the original Proponent or with a view to bringing a project to market.
- The proposal is not sufficiently unique to justify direct negotiations with the Proponent. In this case, the Steering Committee will agree a recommended course of action such as those outlined above in Stage 1.a).
- The proposal is considered suitable for referral to the relevant agency for further consideration if the project appears to have merit, requires a relatively low resource commitment by Council, is low risk, affects a single agency only and does not conflict with a whole of Council initiative.
- The Submission is not considered suitable for further consideration.

Feedback

Proponents with proposals considered suitable to proceed to Stage 2 or referral to an agency for further consideration will be provided with the following information:

- A summary of the assessment findings.
- The proposed process for the further development and consideration of a Detailed Proposal, including governance arrangements.
- Guidance regarding: value, scope, appropriate target return on investment parameters, timing, risk and other limitations affecting the Detailed Proposal in order to avoid unnecessary costs for the Proponent.
- A Draft Participation Agreement.
- Written feedback providing reasons for a decision not to proceed with a proposal will be provided.

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Disclosure

Information on all Unsolicited Proposals that progress to Stage 2 will be published on Council's website. This may include details of the proponent and proposal, the governance structure for Stage 2, the probity advisor appointed and reasons why the proposal has progressed to Stage 2. Further information may be published as appropriate. Council will consult with the Proponent before any information is disclosed to ensure that commercially sensitive information remains confidential.

Generally, Council seeks to disclose all proposals in this stage. In some cases, Proponents may request that proposals are not listed, if this would pose significant risks to commercial negotiations or IP. Council considers each request and may agree not to disclose a proposal. The ability to undertake an assessment in confidence is considered essential to creating a receptive environment to elicit innovative private sector proposals.

4.4. **Stage 2 – Detailed Proposal**

For the Proponent and Council to work cooperatively in the development and assessment of a Detailed Proposal, which may require a degree of preliminary negotiation on key issues, subject to the nature of the proposal.

Proponent responsibilities

During Stage 2, the Proponent will:

- Enter into a Participation Agreement
- Attend the Establishment Meeting
- Participate in Proposal Development Workshops
- Prepare and submit a Detailed Proposal in a form previously agreed with Council that addresses each of Council's Assessment Criteria. This may include (where appropriate):
 - draft commercial terms for Council's consideration
 - a (Preliminary) Business Case and/or economic appraisal.

Council responsibilities

During Stage 2, Council will:

- Establish a Proposal Specific Steering Committee, Assessment Panel and associated governance framework
- Prepare an internal Governance Plan (may be updated as appropriate throughout the process)
- Consider the engagement of a specialist Project Director
- Enter into a Participation Agreement
 - Facilitate an Establishment Meeting in order to:
 - Provide feedback to the Proponent regarding risks and concerns with the Initial Submission
 - Provide guidance to the Proponent regarding Council requirements
 - Agree the approach to managing Proposal Development Workshops
 - Advise of the relevant Assessment Criteria
 - Agree the format for the Detailed Proposal, including the information and level of detail required

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- Commence discussions concerning the acceptable commercial and legal terms (with a view to developing draft commercial and legal terms that will form the basis of a final binding offer).
- Commit appropriately experienced and qualified resources to participate in the Stage 2 process, including legal, financial and technical advice where appropriate.
- Confirm the approach to assessing Value for Money (which may include investigating benchmarking and preparing a Public Sector Comparator where appropriate).
- Participate in Proposal Development Workshops. Where appropriate, Council may establish commercial/technical teams to guide and liaise with the proponent. These teams will provide information to the Assessment Panel which will in turn report to the Proposal Specific Steering Committee.
- Provide further information to the Proponent to assist with proposal development.
- Receive the Detailed Proposal.
- Undertake assessment of the Detailed Proposal (by the Assessment Panel) against each of the Assessment Criteria.
- Request further information from the Proponent as required.
- Prepare an Assessment Report (by the Assessment Panel) and make recommendations to the Proposal Specific Steering Committee.
- Make recommendations to Council.
- Council approval to progress to Stage 3, if warranted.

Outcomes

The following outcomes may result from this stage:

- The Detailed Proposal is considered acceptable to progress to Stage 3. Ideally, commercial terms should be agreed by Council and the Proponent, and will form the basis of a Final Binding Offer.
- The Detailed Proposal not considered suitable for further consideration.

Feedback

- Proponents progressing to Stage 3 will be provided with a draft Stage 3 Agreement and a schedule of items and issues to be negotiated (this may be provided separately to the Stage 3 Agreement).
- Written feedback providing reasons for a decision by Council to not proceed will be provided.

Disclosure

At the end of Stage 2, the Council's website will be updated with the assessment outcome.

Other Information will also be published, such as reasons why the proposal has or has not progressed to Stage 3, the governance structure for Stage 3 and the probity advisor appointed.

Further information may be published as appropriate. Council will consult with the Proponent before any information is disclosed to ensure that commercially sensitive information remains confidential.

Attachment 2**Unsolicited Proposals Procedure****Unsolicited Proposals Procedure****4.5. Stage 3 – Negotiation of Final Binding Offer**

To finalise all outstanding issues with a view to entering into a binding agreement.

Proponent responsibilities

During Stage 3, the Proponent will:

- Enter into a 'Stage 3 Agreement'
- Participate in the negotiation process
- Submit a Binding Offer, including appropriate legal and commercial terms.

Council responsibilities

During Stage 3, Council will:

- Enter into a 'Stage 3 Agreement'
- Inform the Proponent of the process and protocols for negotiation
- Provide the Proponent with a schedule of items for negotiation
- Prepare an internal Governance Plan (may be updated as appropriate throughout the process)
- Commit appropriately qualified resources to complete negotiations, including legal, financial and technical advice where appropriate
- Undertake a comprehensive assessment of the Final Binding Offer
- Define the appropriate Contract Management arrangements to monitor and ensure contracted outcomes are delivered
- Make recommendations to Council.
- Council approval to accept Final Binding Offer, if warranted.

Outcomes

The following outcomes may result from this stage:

- Recommendation recommendations and ongoing procedures
- Written feedback providing reasons for a decision to not proceed will be provided.

Feedback

- Notification recommendations and ongoing procedures
- Written feedback providing reasons for a decision to not proceed will be provided.

Disclosure

At the end of Stage 3, the Council website will be updated with the assessment outcome. Other Information will also be published, such as reasons why the proposal has been accepted or not accepted. Further information may be published as appropriate.

Subject to the nature of the proposal, where a Final Binding Offer has been accepted, the relevant agency will comply with the Council's standard public disclosure requirements, such as those described in the Government Information (Public Access) Act 2009 (NSW).

Council will consult with the Proponent before any information is disclosed to ensure that commercially sensitive information remains confidential.

Unsolicited Proposals Procedure

5. DEFINITIONS

The following definitions are used in this procedure:

- (a) **Assessment Criteria** means the criteria upon which Unsolicited Proposals will be assessed.
- (b) **Assessment Panel** means a panel of Council representatives established to assess an Unsolicited Proposal (this may include specialist advisers).
- (c) **Council** means Central Coast Council.
- (d) **Detailed Proposal** means a submission by a Proponent to Council at the conclusion of Stage 2.
- (e) **Final Binding Offer** means a formal proposal submitted by the Proponent at the conclusion of Stage 3 which is capable of acceptance by Council.
- (f) **Council Website** means www.centralcoast.nsw.gov.au
- (g) **Initial Submission** means a submission by the Proponent during Stage 1 which briefly describes the Unsolicited Proposal (in accordance with the Schedule of Information Requirements).
- (h) **Initial Schedule of Information Requirements** means information to be prepared by Proponent in preparation for pre-lodgement meeting with Council.
- (i) **Intellectual Property** means inventions, original designs and practical applications of good ideas protected by statute law through copyright, patents, registered designs, circuit layout rights and trademarks; also trade secrets, proprietary know-how and other confidential information protected against unlawful disclosure by common law and through additional contractual obligations such as Confidentiality Agreements.
- (j) **Participation Agreement** means a signed by Council and the Proponent at the commencement of Stage 2.
- (k) **Proponent** means the person or organisation that submits an Unsolicited Proposal.
- (l) **Proposal Manager** means the person with responsibility for coordinating Council input for the receipt and assessment of an Unsolicited Proposal.
- (m) **Public Sector Comparator (PSC)** means an estimate of the net present value of a project's whole life costs and revenues using the most efficient and likely form of Council delivery.
- (n) **Reference Project** means the basis for calculating the PSC, reflecting Council delivery of the project by traditional means.
- (o) **Shadow Bid Model** means the Council's best estimate of a private party bid price.
- (p) **Stage 3 Agreement** means an agreement signed by Council and the Proponent at the commencement of Stage 3.
- (q) **Steering Committee** means a committee of senior Council representatives with responsibility for oversight of Council consideration of Unsolicited Proposals (this may include independent chair/members).

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- (r) **Unsolicited Proposal** means an approach to Council from a Proponent with a proposal to deal directly with Council over a commercial proposition, where Council has not requested the proposal. This may include proposals to build and/or finance infrastructure, provide goods or services, or undertake a major commercial transaction.
- (s) **Value for Money** means the overall value of a proposal to Council (refer to Clause 10 of the Unsolicited Proposals Policy for further details).

Attachment 2

Unsolicited Proposals Procedure

Unsolicited Proposals Procedure

SCHEDULE OF INFORMATION REQUIREMENTS

This form is to be completed by organisations in presenting an Unsolicited Proposal to Council (note: must be a registered organisation). Please ensure all sections of this form are adequately addressed. Information may be presented in the form of cross referenced addenda if preferred.

Organisation Name:		Address:	
Identity:	[Individual, sole trader, company, etc.]	Type of organisation:	[Profit / non-profit, educational, small]
Contact person(s) details for evaluation purposes:		Date of submission	
Concise title and abstract of proposal (approx. 200 words)			
Short Title Abstract			
Proposal details			
<ul style="list-style-type: none"> i. Objectives of the proposal ii. Method of approach iii. Nature and extent of anticipated outcomes iv. Benefits the proposal will bring to Council 			
Assessment Criteria			

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Please provide a brief description of how the proposal would meet each of the assessment criteria. Refer to section 3.3 of these Procedures for detailed description of each criteria and items to be addressed.

1. Uniqueness i.e. what are the unique elements of the proposal that would provide justification for Council entering into direct negotiations with the Proponent? Unique elements may include characteristics such as:
 - Intellectual property or genuinely innovative ideas
 - Ownership of real property
 - Ownership of software or technology offering a unique benefit
 - Unique financial arrangements
 - Unique ability to deliver strategic outcome
 - Other demonstrably unique elements.
2. Value for money
3. Whole of Council impact
4. Return on investment
5. Capability and capacity

Financial and commercial details

Please provide a brief description of the financial and commercial details of the proposal and the proponent's financial capacity to deliver the proposal. Clearly explain what the proposed commercial proposition is.

Costs and Requirements of Council

Please provide details of costs to Council.

Clearly explain the requirements of Council emerging from the proposal (what are you seeking from Council?). This may include legislative/regulatory amendments, finance or the use of Council assets, facilities, equipment, materials, personnel, resources and land. What would be the cost of Council providing this? (e.g. what would be the value of the Council land?)

Risks

Please provide a list of proponent and Council risks.

Organisation

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<p>Please provide a brief description of:</p> <ul style="list-style-type: none"> i. Your organisation ii. Previous experience in delivery of similar project iii. Past performance operating similar project iv. Facilities to be used (e.g. land owned by proponent or Council land) 			
Intellectual property			
<p>If applicable please provide a description of the following:</p> <ul style="list-style-type: none"> i. Inventory of each item of intellectual property ii. Nature of the intellectual property claimed (e.g. copyright, patent, etc.) iii. The owner(s) of the intellectual property claimed iv. Registration details (where applicable) v. Details of any items for which confidentiality is wholly or partly claimed. 			
Other statements			
<p>For example, please detail any applicable organisational conflict of interest and environmental impacts.</p>			
Preferred contractual arrangements			
Agency points of contact			
<p>If applicable, please provide <u>names and contact information</u> of any other agency and Council points of contact already contacted regarding this proposal.</p>			
Period of time for which the proposal is valid	Minimum six months	Proposed duration of the arrangement	

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This proposal is to be signed by a representative of the proponent authorised to represent and contractually bind the proponent.

Name: _____

Position: _____

Signature: _____

Date: _____

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PRE-LODGEMENT MEETING CHECKLIST

The following checklist should be completed prior to the formal "Pre-Lodgement" meeting with Council.

		YES	NO
1	Have you completed the initial Schedule of Information Requirements form?	<input type="checkbox"/>	<input type="checkbox"/>
2	Are you the only party that could deliver your proposal?	<input type="checkbox"/>	<input type="checkbox"/>
3	Have you documented why the product/service you are proposing (or similar) cannot be delivered by a competitor?	<input type="checkbox"/>	<input type="checkbox"/>
4	Do you own any intellectual or real property required for your proposal?	<input type="checkbox"/>	<input type="checkbox"/>
5	Have you documented your ownership of any intellectual or real property required for your proposal?	<input type="checkbox"/>	<input type="checkbox"/>
6	Does your proposal contain unique elements that could not be replicated by others, other than related intellectual or real property?	<input type="checkbox"/>	<input type="checkbox"/>
7	Does your proposal contain unique elements that would require Council to contract with your company if Council went to tender?	<input type="checkbox"/>	<input type="checkbox"/>
8	Have you documented the unique elements (other than related intellectual or real property) of your proposal that could not be replicated by others, and which provide tangible benefits to Council?	<input type="checkbox"/>	<input type="checkbox"/>

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		YES	NO
9	<p>If you answered "NO" to any questions, have you documented in the (initial) Schedule of Information Requirements form the basis you believe Council should consider your proposal, given that it is likely it does not meet basic "uniqueness" criteria as set out in these Procedures.</p> <p>Note – in some cases Council may recognise merit in your proposal, but want to ask the market to confirm value for money. Please discuss this with Council in the Pre-Lodgement meeting.</p>	<input type="checkbox"/>	<input type="checkbox"/>



Item No: 3.4
Title: Proposed 2019-2020 Regional Business Development Support Program Model for Town Centres
Department: Connected Communities

13 May 2019 Ordinary Council Meeting

Trim Reference: F2019/00041 - D13516726

Author: Shari Young, Enterprise and Activation Officer

Manager: Glenn Cannard, Unit Manager, Community Partnerships

Executive: Julie Vaughan, Director, Connected Communities

Summary

This report provides progress information and makes further recommendations on how best to proceed with the Business Development Support component of the recently adopted review into Council's town centre management operational model.

Recommendation

- 1 That Council note the proposed Regional Business Development Support Program model for Town Centres for the 2019/20 financial year.**
- 2 That Council resolve to provide \$30,000 funding in the 2019/20 financial year to each of the following groups - The Gosford Business Improvement District, The Wyong Regional Chamber of Commerce, Greater Toukley Vision, The Peninsular Chamber of Commerce, Gosford, Erina & Coastal Chamber of Commerce, and The Entrance & Districts Chamber of Commerce to develop and deliver objectives that meet the localised business support program as outlined within this report.**

Context

At its meeting held 10 December 2018, Council resolved as follows;

1204/18 That Council work with the Gosford Business Improvement District, Greater Toukley Vision, Wyong Business Chamber, the NSW Business Chamber and all other relevant Business Chambers to develop a regional approach to specifically support local economic and business development initiatives.

The recently endorsed review into Council's town centre management operational model identified a gap in the delivery of business development support for small business located in town centres across the Central Coast.

As per Council resolution 1204/18, Council has undertaken consultation with the Central Coast NSW Business Chamber, Gosford Business Improvement District (GBID), the Wyong Regional Chamber of Commerce (WRCC), Greater Toukley Vision (GTV), The Peninsular

3.4 Proposed 2019-2020 Regional Business Development Support Program Model for Town Centres (contd)

Chamber of Commerce (PCC), Gosford, Erina & Coastal Chamber of Commerce (GECC), and The Entrance & Districts Chamber of Commerce (TECC).

Through the consultation process, initial objectives for a regional business support program model for the 2019/20 financial year have been identified as part of the transition process.

This proposal acknowledges the need for stability and a collaborative approach over the next twelve months while the changes to the town centre management model take effect and Council completes and adopts a regional Economic Development Strategy.

The proposal is based on the following six key objectives:

- 1 Increasing awareness of, and maximising local business offerings and experiences in town centres.
- 2 Increasing foot traffic, patronage and spending in our town centres.
- 3 Improving access to industry information.
- 4 Providing opportunities to upskill train and enhance networking for local businesses.
- 5 Strengthening advocacy by local Chambers of Commerce and business representative groups.
- 6 Improving communication between Council and businesses located within our town centres.

Current Status

The current funding agreements, through which Council provides funding to three third party entities (GBID, WRCC and GTV), expire on 30 June 2019. The remaining business chambers located on the Central Coast (PCC, GECC and TECC) do not currently receive any funding from Council, however are part of the extension of town centre services.

Proposal

Three specific focus areas have been identified to ensure a comprehensive regional approach for the delivery of business development support for town centres on the Central Coast for the 2019/20 financial year to ensure a smooth transition.

1 Council's role

To support the development of local businesses operating within our town centres, Council will undertake to:

- Develop a Night Time Economy Strategy to assist business growth and opportunities.

3.4 Proposed 2019-2020 Regional Business Development Support Program Model for Town Centres (contd)

- Pursue our recently adopted “easy to do business approach” to streamline approvals and assessments for new businesses and changes to existing businesses.
- Develop a Footpath Activation Policy, procedures and guidelines to increase opportunities to activate and enliven our town centre precincts.
- Establish a business communication program that assists with promotion and marketing of offerings and experiences within our town centres while strengthening communication and understanding between Council and local businesses

2 Localised Business Development Support

To assist with “on-the-ground” business support and activation Council will provide \$30,000 funding to each of the following groups, GBID, GTV, WRCC, PCC, GECC and TECC to develop initiatives and projects that link to the following program objectives

- Increasing foot traffic, patronage and spending in our town centres.
- Increasing awareness of, and maximising local business offerings and experiences.
- Providing networking opportunities for local businesses.
- Strengthening advocacy by local Chambers of Commerce and business representative groups.

Funding will be distributed in accordance with a signed a funding agreement between Council and the business groups. This will outline specific and quantifiable outcomes for delivery that will be reported quarterly to Council.

These quarterly reports will be presented to Council’s Town Centre Committee and Employment and Economic Development Committee, with a quarterly combined meeting of both committees held to review reported outcomes.

3 Business Development Education and Training

To support the practical development of local businesses, \$120,000 will be made available through a “Request for Proposal” to contract one of the business groups to provide regional upskilling, training and broader education such as links to industry information for local business and directly support business with their social media, marketing and promotion. This approach meets the following objectives;

3.4 Proposed 2019-2020 Regional Business Development Support Program Model for Town Centres (contd)

- Providing opportunities to upskill, train and enhance networking for local businesses.
- Improving access to industry information.
- Increasing awareness of, and maximising local business offerings and experiences.

The successful organisation will be required to provide quarterly reports identifying outcomes which will be presented to the joint Town Centre and Employment and Economic Development Committee meetings.

Consultation

Consultation sessions have been held with approximately forty five attendees representing all relevant business groups including the Central Coast NSW Business Chamber and GBID, GTV, WRCC, PCC, GECC and TECC.

The intention of the sessions was to allow participants an opportunity to discuss ideas, identify immediate priorities and gain general agreement on the 2019/20 financial year objectives for the business development support program model.

Some of the key messages that Council received from the consultation sessions were:

- Council's primary role should not include the direct delivery of business development programs, however we play a key role in providing communication with business owners and commercial property owners in the town centres, and also to market and promote the town centres particularly via social media and online.
- The critical importance of place activation initiatives and asset maintenance projects which will be addressed through Council's town centre place management plans.
- From a business development and support perspective, some key concepts suggested include:
 - Conduct an audit of current business offerings.
 - Work to achieve a business mix within town centres, identifying strengths and opportunities for each town centre and capitalise on them e.g.
 - Wyong – entertainment and dining.
 - Toukley – medical services.
 - The Entrance – tourism and seasonal retail.
 - Woy Woy – commercial and professional services.
 - Umina – vibrant street retail.
 - Ettalong – tourism, cafés and restaurants.
 - Target new business that fits with the business mix to occupy vacant spaces.

3.4 Proposed 2019-2020 Regional Business Development Support Program Model for Town Centres (contd)

- Improved business to business connections e.g. The Art House with local restaurants and accommodation.
- For specific targeted business sectors (e.g. cafes/restaurants) - tailor training to these areas (e.g. improved customer service).
- Provide businesses the opportunity to activate their footpath space.
- Cut red tape and make it easy to do business for both new businesses and existing business wanting to make changes.
- Develop a business mentoring program - showcase business leaders and best practice.
- Develop an activation program for vacant spaces in town centres – pop-up shops, rent subsidies, etc.
- Assist with educating new business owners - particularly those who have moved to the Central Coast for a “sea change” who may not understand the local retail environment.
- Liaise with and educate “absentee” commercial property owners on the impacts of high rents, high vacancy rates and poorly maintained buildings within our town centres.
- Investigate options for an “accreditation/standards” program for retail business in our town centres.
- Support a “shop local” education program for the Central Coast community.

Options

- 1 Maintain the current arrangements.

The town centre review identified a gap in the delivery of regional business development support for business located in town centres. Feedback from the recent consultation sessions for the business development support program has indicated that small business in our town centres, particularly in the retail sector; need support to ensure the viability and sustainability of their businesses.

As the current arrangements provide for no funding for any business entity in 2019/20, this option will effectively mean a cessation of all funding arrangements with GBID, WRCC and GTV and no funding provided to PCC, GECC and TECC.

- 2 Adopt the recommendation in this report for a regional Business Development Support Program model for the 2019/20 financial year.

This is the preferred option as the model will provide for;

- Localised business development support that can be designed to meet the needs of the businesses located in each town centre that will aim to increase foot traffic, visitation and spending in town centres, maximise local business offerings and enhance networking opportunities for business.

3.4 Proposed 2019-2020 Regional Business Development Support Program Model for Town Centres (contd)

- Business development education and training designed to provide upskilling and training opportunities for local business, provide access to industry information and increase awareness of local offerings in town centres
- Provide resourcing for Central Coast Chambers of Commerce and business groups to effectively deliver business development support in town centres.

Financial Impact

The total budget required to deliver the business development support program model in 2019/20 is \$300,000. This will be funded/absorbed via existing Special Rate Levies.

Link to Community Strategic Plan

Theme 2: Smart

Goal C: A growing and competitive region

S-C1: Target economic development in growth areas and major centres and provide incentives to attract businesses to the Central Coast.

Goal C: A growing and competitive region

S-C2: Revitalise Gosford City Centre, Gosford Waterfront and town centres as key destinations and attractors for business, local residents, visitors and tourists.

Goal C: A growing and competitive region

S-C3: Facilitate economic development to increase local employment opportunities and provide a range of jobs for all residents.

Theme 4: Responsible

Goal G: Good governance and great partnerships

R-G1: Build strong relationships and ensure our partners and community share the responsibilities and benefits of putting plans into practice.

Goal G: Good governance and great partnerships

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

3.4 Proposed 2019-2020 Regional Business Development Support Program Model for Town Centres (contd)

quality services.

Council's procurement processes and contract management system will be utilised to develop and monitor outcomes from the proposed funding agreements.

Critical Dates or Timeframes

Intended implementation of the program is for the 2019/20 financial year, as such contractual arrangements will be required to be in operation prior to 30 June 2019.

Attachments

Nil.



Item No: 3.5
Title: Response to Notice of Motion - Investigation to host the National Town Crier Championship in 2020
Department: Connected Communities

13 May 2019 Ordinary Council Meeting

Trim Reference: F2019/00041 - D13516731
Author: Marie Lentini, Events Officer
Manager: Glenn Cannard, Unit Manager, Community Partnerships
Executive: Julie Vaughan, Director, Connected Communities

Summary

The Ancient and Honourable Guild of Australian Town Criers have approached Council to host the Town Crier Championships in 2020.

This report provides background on the events history and investigates the impacts and recommendations of hosting the Championships in 2020.

Recommendation

- 1 That Council receive the report on the National Town Crier Championship 2020.**
- 2 That Council write to The Ancient and Honourable Guild of Australia and advise them of their decision to host the Town Crier Championship in 2020.**
- 3 That Council allocate funding in the 2020/21 budget to host the event.**
- 4 That Council resolve, pursuant to s10A(2)(c) of the Local Government Act 1993, that Attachment 1 to this report remain confidential as it contains information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.**

Context

At its meeting held 11 March 2019, Council resolved the following motion:

195/19 That the Chief Executive Officer to investigate the opportunity to host the 2020 Town Criers' Championship on the Central Coast and bring a report back to Council.

The National Town Crier Championships have been hosted by various local Councils across Australia for the past 27 years, with an average attendance of 25 town criers from multiple states participating.

3.5 Response to Notice of Motion - Investigation to host the National Town Crier Championship in 2020 (contd)

The Championships run for three days in total, during the month of September, with an extensive program of activities and events taking place and attempts to capture the spirit and characteristics of the host community while also recognising and celebrating the home town of each of the visiting Town Criers. Each of the Town Criers will deliver two cries – one about their home town and the other a story they have penned about the history and hospitality of the host Council. Attachment 2 provides a program from 2017 as reference to the diversity.

The Championships also include significant Mayoral and Councillor involvement, including assessment of the contestants prior to the event, judging the Championships, and attending several of the events and functions throughout the weekend.

Proposal

Following consultation with both the Central Coast Town Crier (Stephen Clarke) and The Yarramalong Spring Festival organisers it is proposed that the Championship be hosted within the broader Yarramalong Springtime Festival program which is held in September each year.

The objectives of the Yarramalong Springtime Festival align with the overall objectives of the Town Crier Championships as they have potential to increase visitation to the area and is complimentary to the demographic of attendees at the Spring Festival.

Options

- 1 Offer to support the event in 2020 and write to the Ancient and Honourable Guild of Australian Town Criers to advise them of Council's decision.
- 2 Not support the event in 2020, and write to the Ancient and Honourable Guild of Australian Town Criers to advise them of Council's decision.

Financial Impact

Total cost to Council would be approximately \$38,500 within the 2020/21 financial year. A draft budget is provided in Attachment 1. Additionally there is approximately \$12,500 of staff time required as an in-kind contribution to organise the event.

Link to Community Strategic Plan

Theme 1: Belonging

Goal B: Creativity connection and local identity

3.5 Response to Notice of Motion - Investigation to host the National Town Crier Championship in 2020 (contd)

B-B2: Promote and provide more sporting, community and cultural events and festivals, day and night, throughout the year.

Risk Management

A Comprehensive event risk management plan would be developed by Staff should Council decide to support the event.

Critical Dates or Timeframes

Nil impact.

Attachments

- | | | |
|----------|--|-----------|
| 1 | CONFIDENTIAL - Attachment 1 - Draft Budget - National Town Crier Championship 2020 - | D13523685 |
| 2 | Attachment 2 - Program of Events 2017 | D13523690 |

Official Program

Day 1: Tuesday, 5 September	
9am	Welcome Morning Tea —(Town Criers and Partners) <i>Dress: Casual (however, note dress requirements for tours that follow)</i> <i>Address: Bland Shire Council, Shire Street, West Wyalong</i>
9:30am 9:30am	Guild Meeting <i>Partners: Super Surprise Golden Shop and See shopping experience down the main street.</i>
12pm 5pm	Evolution Mining Tour and Lunch —(Town Criers and Partners, Council Representatives, Evolution Mining Representatives) <i>Dress: Casual (requirement: MUST have long sleeve shirt, pant and enclosed shoes)</i> <i>Regalia not necessary but may bring for photo opportunity.</i> <i>Depart From: Council</i> <i>Return to Bland Shire Council</i>
6pm	Mayoral Reception (Drinks & Canapés) - (Town Criers and Partners, Council Representatives, Evolution Mining Representatives) <i>Address: Bland Shire Council, Shire Street, West Wyalong</i> <i>Activities: Gift exchange and Announcement of Cry Order</i> <i>Dress: Full Regalia/Semi Formal</i>
7:30pm	Dinner: Group booking has been made at The Royal Hotel West Wyalong— Restaurant, Wine Bar & Accommodation, Order from the menu board at Town Criers own expense <i>Address: 173 Main Street, West Wyalong</i>
Day 2: Wednesday, 6 September	
9:00am to 10:30am	Main Street Parade —(Town Criers and Partners) <i>Activities: Meander along West Wyalong's Main Street, meet and greet the locals</i> Free Community BBQ in Main Street (outside Evolution Mining Shopfront) <i>Activities: Meet & Greet, Meander along Main St, Photo opportunities</i> <i>Dress: Full Regalia</i> <i>Address: Evolution Mining Shopfront, Main Street, West Wyalong</i>
12pm 1pm	Lunch at Showground —(Town Criers and Partners, Council Representatives, Evolution Mining Representatives) <i>Dress: Full Regalia</i> 26th Annual National Town Crier Championships commence <i>Mayor: Tony Lord & Bland Shire Town Crier: Kyle Sturgess</i> <i>Peoples Choice Award voting continues throughout competition</i> <i>Address: West Wyalong Showground</i> <i>Transport: Bus</i>
6:30pm for 7pm	Awards and Presentation Night —(Town Criers and Partners, Council Representatives, Evolution Mining Representatives) <i>Dress: Full Regalia/Semi-formal</i> <i>Activities: Official Group Photos, Speeches, Presentations, Awards</i> <i>Address: Wyalong Hall (former Council Chambers) Neeld St, Wyalong</i> <i>Depart From: Accommodation</i> <i>Transport: Bus</i>

Day 3: Thursday 7 September	
<p>9:00am 9:30am 10:30am 11:00am</p>	<p>Morning Activities- Guided Tours Glass Gallery Museum Wetlands Majors Mulch demonstration (100% mulching pellets process) Depart From: Bland Shire Council office at 8.30am Transport: Bus</p>
11:30am	Spare time and lunch in Main Street (At Town Criers own expense)
1:30pm	Bland Shire Library—Community Groups Showcase: Women of the West, Knitting group, Writers group, Men's Shed
2:00pm	Entries close for the Super Surprise Shop and See Shopping Experience
2:30pm	Farewell at Bland Shire Library Draw for Super Surprise Shop and See Shopping Experience
Optional Tours Afternoon Thursday 7 & Friday 8 September	
<p>To be arranged with those who indicated interest</p>	<p>Eucalyptus Farm Tour (private tour with group of 6 & more) Olive Oil Farm (private tour with group of 4 & more) Yarran Park (farm tour—Angora Goats, Suri Alpacas and Merino Sheep, including the wool making process) Naradhan Woolshed and iron display Whispering Pines Organic Farm Barmedman: · Barmedman Arts & Craft & Coffee shop · Barmedman school (private tour with group of 4+) · Barmedman Mineral Pool (closed for season) Weethalle: · Weethalle Whistle Stop (arts, crafts, coffee, breakfast or lunch) · Weethalle Silo Art · Weethalle Museum · Weethalle school/play group (private tour with group of 4+) Tallimba: · Tallimba school (private tour with group of 4+) · Tallimba Pub Mirrool: · Historic Mirrool Hotel and lunch/dinner Ungarie: · Ungarie Museum · Ungarie School (private tour with group of 4+) Burcher Bush Chapel (private tour with group of 6+)</p>



Item No: 3.6
Title: Grants and Sponsorship Program Round 2 2018-2019
Department: Connected Communities

13 May 2019 Ordinary Council Meeting

Trim Reference: F2019/00041 - D13518730

Author: Stuart Slough, Team Leader, Community Planning and Funding
Janine Crawford, Team Leader Marketing and Brand

Manager: Glenn Cannard, Unit Manager, Community Partnerships

Executive: Julie Vaughan, Director, Connected Communities

Summary

This report outlines the recommendations of the Grants and Sponsorship Review Panel for Round two of the Grant and Sponsorship Program 2018-19.

Recommendation

- 1** *That Council allocate \$111,200.00 from the sponsorship budget, to be paid over the 2018-19, 2019-20 and 2020-21 financial years to the applicants outlined in the table (Attachment 1).*
- 2** *That Council allocate \$227,243.74 from the 2018-19 grants budget to the Community Events and Place Activation Program as outlined in the tables (Attachment 2).*
- 3** *That Council allocate \$190,359.53 from the 2018-19 grants budget to the Community Infrastructure Grant Program as outlined in the tables (Attachment 3).*
- 4** *That Council allocate \$34,850.00 from the 2018-19 grants budget to the Social and Creative Enterprise Program as outlined in the tables (Attachment 4).*
- 5** *That Council decline the Grants and Sponsorship program applications for the reasons indicated in the Tables (Attachment 1, 2, 3, and 4), and the applicants be advised and where relevant, directed to alternate funding.*

Background

Sponsorship

Sponsorship is a commercial arrangement in which Council provides a contribution in money or in-kind to support an activity in return for a certain specified benefit. Sponsorship is provided to assist groups, organisations and businesses seeking support for initiatives that provide benefits to our community.

The Program was revised in July 2018 which now features two categories for funding available for up to three years:

Category 1 - Hero / Signature Initiatives – negotiated amount

This Category aims to encourage major, high profile events or initiatives to be established on, or relocated to, the Central Coast. Initiatives under this Category may be one-off or recurrent.

Category 2 - Regional Initiatives – up to \$50,000 per applicant

Initiatives under this Category may be one-off or recurrent noting up to 3 years funding is available. This Category aims to encourage:

- a new, regionally significant events or initiatives for the Central Coast or
- b existing events or initiatives to expand and become regional.

Sponsorship can be allocated for one year or multiple years. The current status of allocation 2018-2021 is outlined in table 1.

Changes to pre-committed sponsorship funding

Pre-existing commitments of sponsorship budget have changed since the 10 December 2018 sponsorship report due to:

- 1 Legends of League has advised it will not stage the Legends of League football event on the Central Coast in 2018-19 and 2019-20 and will therefore not take up Year 2 and 3 of their three year sponsorship. This has returned \$20,000 to the 2018-19 sponsorship budget and \$10,000 to the 2019-20 budget.
- 2 Surfing NSW declined their Year 2 and 3 sponsorship approved in Round 1 2018-19 to allow them to prove their new QS3000 event and reapply in this Round. This returned \$12,500 to the 2019-20 budget and \$6,750 to the 2020-21.

Table 1: Total amount of sponsorship funds currently pre-allocated to Sponsorship Category 2

TOTALS PER YEAR	Amount pre-committed by earlier Council decisions	Changes to pre-committed amounts due to applicant withdrawal	Amount currently pre-committed	Amount available for new allocation
2018-19	\$163,300	-\$20,000	\$143,300	\$56,700
2019-20	\$43,250	-\$22,500	\$20,750	\$179,250
2020-21	\$10,000	-\$6,750	\$3,250	\$196,750

Community Grants

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

Below are the current grant program areas being considered in this round of funding;

Community Events and Place Activation Program

Aims to support local organisations to deliver community events and activities that activate spaces and places to complement activity around town centres, foreshores, lakes and open spaces for families, community and visitors.

Community Infrastructure Grant Program

Aims to build new or improve existing local community assets. This is to resource the community to have input into infrastructure improvements that enable delivery of beneficial projects and activities.

Social and Creative Enterprise Grant Program

Aims to support 'start up' creative industry practitioners and Social Enterprises with sustainable project business models and practices. This builds the capacity of emerging local enterprises to grow and become independent to deliver increased social and community outcomes.

The Community Events and Place Activation, Community Infrastructure and Social and Creative Enterprise Grant Programs provide a combined budget of \$850,000 annually as detailed in table 2 below.

3.6 Grants and Sponsorship Program Round 2 2018-2019 (contd)

Table 2: Community Events and Place Activation, Community Infrastructure and Social and Creative Enterprise Grant Programs Combined

Program	Budget	Opening Period	2018/2019 allocation to date	Recommended allocation within this report	Allocation plus Recommendation
Community Events and Place Activation	\$400,000	October 2018, February 2019	\$158,697.23	\$227,243.74	\$385,940.97
Community Infrastructure Grant Program	\$300,000	October 2018, February 2019	\$107,367.00	\$190,359.53	\$297,726.53
Social and Creative Enterprise Program	\$150,000	October 2018, February 2019	\$114,675.58	\$34,850.00	\$149,525.58
TOTAL	\$850,000		\$380,739.81	\$452,952.41	\$833,193.08

In the 2018/19 financial year, \$1.58 million in total funding is available for community projects via the Community Grants and Sponsorship Program.

Submissions

Round two of the Grants and Sponsorship Program 2018-19 opened for applications on 14 January 2019 and closed on 28 February 2019.

Assessment

Sponsorship

Round two of the Awarding Sponsorship Program in 2018-19 received ten applications requesting a total of \$280,065 in funding over three years.

Eligible applications were reviewed and weighted by staff against the selection criteria.

All Sponsorship applications were assessed by the Central Coast Council Grants and Sponsorship Review Panel on 4 April 2019 with six applications recommended for funding in this Council report.

Three applications were not recommended for funding.

3.6 Grants and Sponsorship Program Round 2 2018-2019 (contd)

One application for the Rotary Club of Gosford City for its Central Coast Model United Nations Assembly 2019 was withdrawn and referred as more suitable to the Community Event and Place Activation Grant Program for assessment.

The panel requested an amendment to one application (Surfing NSW) and this has been adjusted in consultation with the applicant and updated in the annual commitments. A total funding of \$56,700 has been recommended in 2018-19, \$45,500 in 2019-20 and \$9,000 in 2020-21.

Table 4: Summary of annual Sponsorship commitments if recommendations endorsed

TOTALS PER YEAR	Recommended for Round 2 2018-19	Pre-committed by earlier Council decisions	Total if Round 2 recommendations approved	Remaining Budget 2018-19 to 2020-21
2018-19	\$56,700	\$143,300	\$200,000	\$0
2019-20	\$45,500	\$20,750	\$66,250	\$133,750
2020-21	\$9,000	\$3,250	\$12,250	\$187,750

Community Grants

Round two of the Community Grants Program 2018-19 received one hundred and eleven applications across the three Grant programs outlined in this report.

Community Grant applications from the following grant programs were assessed by the Central Coast Council Grants and Sponsorship Review Panel on 4 April 2019 with thirty three applications recommended for funding in this Council report.

Twenty three Community Events and Place Activation applications are recommended for funding totalling \$227,243.74 (Attachment 2)

Five Community Infrastructure applications are recommended for funding totalling \$190,359.53. (Attachment 3)

Five Social and Creative Enterprise applications are recommended for funding totalling \$34,850 (Attachment 4)

Consultation

Council's Community Grants and Sponsorship funding programs were open for applications from 14 January 2019 throughout the open period the following Consultation was conducted:

- Promoted on Council's web site and social media
- Print advertised in the Central Coast Express Advocate, Coast Community News, Peninsular News and Wyong Regional Chronicle
- Radio advertising on three Central Coast radio stations
- Six emails were sent to Council's databases of previous Grant and Sponsorship applicants as well advising of the Programs and application period.
- Emails were also sent to identified event organisers and various sporting bodies (via the Sports Development Officer) across NSW to encourage them to apply for Awarding Sponsorship funding to move major events or State titles to the Central Coast region.
- In addition, over-the-phone support was offered throughout the application period with over 60 enquiries.

In addition, general grant and sponsorship information sessions and drop-in sessions were held during January and February 2019 at:

- Council's Wyong office
- Smart Work Hub, Gosford
- The Hub, Erina
- Blue Haven Community Centre

In assessing applications, the Grants and Sponsorship team consulted with Council's debtors to determine that applicants:

- Did not have an outstanding debt to Council
- Were satisfied all previous funding acquittal requirements
- Had not already received funding from another Council source for the initiative applied for under either Grants or Sponsorship Program.

Consultation was also undertaken with applicants to clarify various aspects of their application.

Options

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

Financial Impact

Sponsorship

There is an available budget of \$56,700 for Round 2 of the Awarding Sponsorship Program in 2018-19. Allocation of \$56,700 will fully expend remaining funds for budget 2018-19.

Allocations for 2019-20 and 2020-21 are also within budget leaving \$133,750 to be allocated in 2019-20 and \$187,750 to be allocated in 2020-21.

Grants

Council's 2018/2019 Council Operational Expenditure budget allocates \$1,580,000 to the Community Grants and Sponsorship Program of which \$850,000 was allocated to the grant programs detailed within this report.

Expenditure is approved until the end of the 2018-19 financial year. Unspent funds will lapse on 30 June 2019.

Link to Community Strategic Plan

Sponsorship

Theme 2: Smart

Goal C: A growing and competitive region

S-C1: Target economic development in growth areas and major centres and provide incentives to attract businesses to the Central Coast.

Community Grants

Theme 1: Belonging

Goal A: Our community spirit is our strength

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

Risk Management

All Sponsorship programs have a written agreement detailing the deliverables required in timeframes and include requirements to provide acquittal in line with Council's policy and ICAC guidelines.

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

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

Critical Dates or Timeframes

Many of these Grant and Sponsorship applications are dependent upon support via Council's Grants and Sponsorship Programs. Should decisions be delayed or not supported, projects may not be undertaken.

Attachments

- | | | |
|----------|--|-----------|
| 1 | Attachment 1 - Sponsorship Program Recommendations Round 2 2018-2019 | D13524462 |
| 2 | Attachment 2 - Community Events and Place Activation Recommendations Round 2 2018-2019 | D13520371 |
| 3 | Attachment 3 - Community Infrastructure Recommendations Round 2 2018-2019 | D13520384 |
| 4 | Attachment 4 - Social and Creative Enterprises Recommendations Round 2 2018-2019 | D13520399 |

Recommended for Funding

Applicant	Title	Staff Funding Recommendation	Reason for Recommendation
Surfing NSW	Central Coast Pro QS3000 – Feb 2020	\$17,633.00 total \$5,133.00 in 2018-19 \$12,500.00 in 2019-20	It is recommended to fund \$17,633 towards the event. For 2018/19 \$5,133 is allocated specifically as in-kind for marketing and promotional use that Council can assist to manage with their support on the condition on making this a bigger and better event next.\$12,500 is allocated in 2019/20.
Australian Sailing Limited	NSW Youth Championships 5–7 Oct 2019	\$19,875.00 in 2018-19	It is recommended to fully fund the event in 2019 which will go towards club fees, videography, photography and equipment.
Gosford City Sports Stadium Incorporated	2020 NSW Coastal Classic Junior Division 1 – 24-26 Jan 2020 & Division 2 Basketball Championships – 31 Jan-2 Feb 2020	\$27,000.00 total \$18,000.00 in 2019-20 \$9,000.00 in 2020-21	It is recommended to part-fund the event in 2020 and 2021 to support the cost of court supervision and referees.
NSW Business Chamber Central Coast	Innovation Summit - 25 July 2019 Central Coast Economic Breakfast - 18 Oct 2019 Central Coast Economic Breakfast - 3 April 2020	\$15,000.00 in 2019-20	It is recommended to fund this application based on the changes proposed to the events and as Council receives good corporate recognition amongst this key business audience and supports economic growth through education across the region. Noting that any future funding applications from this applicant should be assessed in relation to the growth and impact of the event as outlined in the current application.
Gosford and District Tennis Association Incorporated	2019-2020 Tennis NSW Tournament Events	\$22,692.00 in 2018-19	It is recommended to part-fund the applicant's top 3 part-funding priorities to support paying for the Australian Tennis tournament officials and their accommodation.
RollerFit	Moxi Camp Ripper 2019 25 – 28 Oct 2019	\$9,000.00 in 2018-19	It is recommended to part-fund the event to support the cost of international coach flights and accommodation.
Total		\$111,200.00 overall total \$56,700.00 in 2018-19 \$45,500.00 in 2019-20 \$9,000.00 in 2020-21	Total sponsorship budget is \$200,000 annually. The total allocation for 2018/19 is expended based on the above recommendations.

Not Recommended for Funding

Applicant	Title	Staff Recommendation	Reason Not Recommended
Precedent Productions	2019 Central Coast Local Business Awards – 28 Aug 2019	\$0.00	Funding is not recommended as there is already a local business awards event on the Central Coast which is being supported by Council.
The Montash Group ta The BOX on the Water	The Master Series by the BOX on the Water	\$0.00	Funding is not recommended due to the low impact demonstrated by the applicant in relation to benefit for the broader Central Coast outside of its own business. It is recommended that the Sponsorship team provides feedback to the applicant on how to create a stronger application in future.
Central Coast Virtual Reality	Virtual Reality Tourism experience/destination	\$0.00	This event is ineligible for Sponsorship due to requesting 100% of the project budget and not demonstrating a minimum of 50% matched funding. It is recommended that the Sponsorship team provides feedback to the applicant on how to create a stronger application in future.

Recommended for Funding

Applicant	Title	Staff Funding Recommendation	Reason for Recommendation
Central Coast Post School Options Inc	Hiring of Laycock Street Theatre for Options Theatre Company	\$7,020.00	Recommended for funding of \$7,020.00 within the Community Events & Place Activation grant program as community benefit is demonstrated, required information is provided and all required approvals are confirmed.
Jopuka Productions Inc	Jopuka Productions 2019/2020 Commission Series	\$13,950.00	Recommended for funding of \$13,950.00 within the Community Events & Place Activation grant program as community benefit is demonstrated, required information is provided and all required approvals are confirmed.
Sophie deLightful Presents	Wandering Circus Tour	\$14,428.06	Recommended for part funding as per the application as community benefit is demonstrated and required information is provided. Part funding is recommended as the applicant has indicated capacity to fund a greater proportion of the total project cost.
Naughty Noodle Fun Haus Inc	Coastal Twist LGBTIQ Arts & Culture Festival	\$20,000.00	Recommended for funding as community benefit is demonstrated and all required information is provided on the condition that all required approvals are provided prior to funds being released.
Narara Eco Living Network Inc.	Sustainable House Day at Narara Ecovillage	\$5,050.00	Recommended for funding as community benefit is demonstrated, required information is provided and all required approvals are confirmed.
Gosford Race Club Limited	New Year's Eve Family Race day	\$10,000.00	Recommended for funding as community benefit is demonstrated, required information is provided and all required approvals are confirmed.
Rocky Trail Entertainment Pty Ltd	Central Coast MTB Festival	\$6,250.00	Recommended for part funding as per the application minus photography cost as project has merit and community benefit is demonstrated. Recommendation conditional on applicant liaising with CCC Natural & Environmental Assets Unit to ensure the event minimises localised environmental impacts.
Wellsman Pty Ltd T/A Nice Try Music & Event Co.	The Lighthouse Picnic	\$8,530.00	Recommended for part funding as per application for Council in-kind items of event logistics, traffic management, fencing and waste as community and potential economic benefit is demonstrated.
Maximum Adventure	Bouddi Coastal Run - Trail Running Event	\$14,000.00	Recommended for part funding including \$4,870 of the \$10,000 promotion as project has merit and community benefit is demonstrated, on the condition that the applicant liaise with Council staff to investigate integration with the Lakes Festival which can resource over half of the promotional costs.

Applicant	Title	Staff Funding Recommendation	Reason for Recommendation
Rocky Trail Entertainment Pty Ltd	Lakes Festival Bike Scavenger Hunt	\$6,500.00	Recommended for part funding for all items minus prize money as project has merit, community benefit is demonstrated and all required approvals are confirmed.
Terrigal Trotters Inc	Bay to Bay Running Festival	\$16,585.68	Recommended for funding as community benefit is demonstrated, required information is provided and all required approvals are confirmed.
Central Coast Kids Day Out	Families are more alike than different- we are 'one' with a sense of belonging to the Central Coast	\$7,700.00	Recommended for part funding \$6,000.00 for infrastructure and \$1700 for bins in kind as project has merit and community benefit is demonstrated. Recommended for funding on the condition that all approvals are confirmed prior to release of funds.
Umina Community Group (inc)	Park after Dark - a festival of free movie events to celebrate our park and community spirit.	\$10,000.00	Recommended for part funding for four (4) of the proposed eight (8) screenings as a trial project has merit and community benefit is demonstrated, on the condition that final approvals are confirmed and a detailed plan is finalised with Council Events team prior to release of funds.
Lead by Story	SpeakUP: the Poetic Justice Project	\$9,375.00	Recommended for part funding option nominated by the applicant, with Creative Producer reduced from \$7,500 to \$4,000, as project has merit and community benefit is demonstrated on the condition that all partnering venue contributions are confirmed prior to release of funds.
Davistown Putt Putt Regatta and Wooden Boat Festival Inc	Davistown Putt Putt Regatta & Wooden Boat Festival	\$11,206.00	Recommended for part funding minus "Souvenirs and Apparel" costs as project has merit and community benefit is demonstrated on the condition that the finalised event approval is provided prior to funds being released.
People for Environmental Action	People for Environmental Action	\$5,910.00	Recommended for funding as community benefit is demonstrated and all required information is provided. Recommend applicant consider aligning part of program with Lakes Festival.
Darkinjung Local Aboriginal Land Council	Colours of Country Aboriginal Art Exhibition In Memory of Sean Lonergan and Cultural Market Day	\$0.00	Recommended for funding of \$3,000 within the Community Support Grant Program March 2019 round as application is for less than \$5,000 and community benefit is demonstrated and all required information is provided.

Applicant	Title	Staff Funding Recommendation	Reason for Recommendation
Central Dance Company (Australia) Incorporated	30th Anniversary Gala Performance Swan Lake Ballet 2019	\$6,500.00	Recommended for part funding towards venue hire as nominated in the application as project has merit and community benefit is demonstrated.
Central Coast Junior Motor Cycle Club Inc	Central Coast Cup 2019	\$19,263.00	Recommended for part funding as per application as project has merit and community benefit is demonstrated on the condition that Central Coast Council logo is displayed on the volunteer uniforms.
Coast Opera Australia Pty Ltd	Summer Main Event Project: Coast Opera Australia Presents: Guy Nobles "Opera the Opera"	\$8,990.00	Recommended for part funding of \$1,990 towards marketing and \$7,000 towards emerging and established arts professionals as project has merit and community benefit is demonstrated.
Job Centre Australia	Fair Go Talent Festival	\$9,679.00	Recommended for part funding as per application minus production costs and with half catering and marketing costs as project has merit and community benefit is demonstrated.
Elite Energy Events	Australian Beach Netball	\$8,500.00	Recommended for part funding for logistical items, marquees, and \$6,000 towards marketing as outlined in budget as project has merit and community benefit is demonstrated. This event is proposed as part of The Lakes Festival.
Central Coast Hockey Association	2019 Hockey NSW U15 Indoor Boys / Girls State Titles	\$5,500.00	Recommended for part funding for venue hire as nominated in the application as project has merit and community benefit is demonstrated.
Australian Boutique Markets & Events	Park Feast Food Festival	\$2,307.00	Recommended for part funding of fencing and portaloos as per previous year's event as the project has merit and community benefit is demonstrated. Event forms part of The Lakes Festival.
	TOTAL RECOMMENDED	\$227,243.74	

Not Recommended for Funding

Applicant	Title	Staff Recommendation	Reason Not Recommended
Green Point Community Centre	Green Point Markets - Winter Solstice Celebration	\$0.00	Not recommended for funding as currently proposed as insufficient information is provided to make an accurate assessment. Recommend applicant liaise with CCC grants staff and resubmit in a subsequent Community Support Grant round.
The Bays Community Group Incorporated (BCG)	The Bays Art Show	\$0.00	Not recommended for funding as currently proposed as insufficient information is provided to make an accurate assessment. Recommend applicant liaise with CCC grants staff and resubmit in a subsequent Community Support Grant round.
New South Wales Rugby Union Ltd	NSWJRU U10 And U11 State Championships	\$0.00	Not recommended for funding as currently proposed as insufficient information is provided to make an accurate assessment.
Australian International Sports Organisation Pty Ltd	Multicultural Community Cricket Festival	\$0.00	Not recommended for funding as currently proposed as insufficient information is provided to make an accurate assessment. Recommend applicant liaise with CCC grants staff and resubmit in a subsequent Community Support Grant round.
Peninsula Tourism Partners Incorporated	Red Carpet Day 2019 - Ettalong Beach	\$0.00	Not recommended for funding as though strong concept insufficient specific information is provided to make an accurate assessment. Recommend applicant liaise with CCC grants staff and resubmit in a subsequent Community Support Grant round.
Gosford RSL Sub Branch	100th Anniversary of the foundation of Gosford RSL Sub Branch	\$0.00	Not recommended for funding as there is limited opportunities for general community involvement in the project.
Central Coast Highland Dancing Inc	International Highland Dancing Festival of Australia 2019	\$0.00	Not recommended for funding as currently proposed as insufficient information is provided to make an accurate assessment.
Anglican Parish of Woy Woy	Vessels: Theology and the Arts Symposium	\$0.00	Not recommended for funding as currently proposed as insufficient information is provided to make an accurate assessment. Recommend applicant liaise with CCC grants staff and resubmit in a subsequent round.
The Wheeleasy Foundation	Wheelie Great Days Out for the WheelEasy Access Information Website	\$0.00	Not recommended for funding as currently proposed as insufficient information is provided to make an accurate assessment.

Applicant	Title	Staff Recommendation	Reason Not Recommended
Outlaw Opera	Outlaw Opera Joins Stardust Circus	\$0.00	Not recommended for funding as the application is not eligible. The proposal is not a legal entity eligible for funding as per Guidelines clause 6.1 "A business partnering with a not-for-profit organisation or community group."
Dogs in the Park NSW	Dogs in the Park NSW	\$0.00	Application withdrawn to be resubmitted in Community Support Grant Program March 2019 round with a revised budget under \$5,000 and additional information.

Recommended for Funding

Applicant	Title	Staff Funding Recommendation	Reason for Recommendation
Naughty Noodle Fun Haus inc	Enhance facilities to increase utilisation and diversity of community use	\$27,150.86	Recommended for funding as community benefit is demonstrated, required information is provided and all required approvals are confirmed.
Volunteer Marine Rescue NSW	Tractor purchase	\$33,058.67	Recommended for funding as community benefit is demonstrated and all required information is provided.
Berkeley Vale Soccer Club Incorporated	Kurraba Hall Canteen Fitout	\$49,000.00	Recommended for funding as community benefit is demonstrated and all required information is provided.
Charmhaven Tennis Centre	Charmhaven Tennis Centre Clubhouse Construction	\$75,000.00	Recommended for funding as community benefit is demonstrated on the condition that final DA, project plan and State Funding Agreement extension are provided.
Umina Tennis & Sporting Club Inc.	Re-Fencing of perimeter around the Childrens playground	\$6,150.00	Recommended for funding as community benefit is demonstrated, required information is provided and all required approvals are confirmed.
	TOTAL RECOMMENDED	\$190,359.53	

Not Recommended for Funding

Applicant	Title	Staff Recommendation	Reason Not Recommended
Killcare Surf Life Saving Club	'Killcare Surf Connect' - Internet Connectivity at Killcare SLSC	\$0.00	Not recommended for funding due to insufficient available funds in Round 2. Recommend applicant resubmit in a future round.
Rotary Club of East Gosford Inc	East Gosford Community Garden upgrade	\$0.00	Not recommended for funding due to insufficient available funds in Round 2. Recommend applicant resubmit in a future round.
Doyalson Baptist Church	Total Community Accessibility to the Doyalson Community Garden	\$0.00	Not recommended for funding due to insufficient available funds in Round 2. Recommend applicant resubmit in a future round.
Peninsula Community Services	Peninsula Community Services Upgrade	\$0.00	Not recommended for funding due to insufficient available funds in Round 2. Recommend applicant resubmit in a future round.
Kincumber Neighbourhood Centre	Yirang Indoor Outdoor Area	\$0.00	Not recommended for funding as the applicant has been successful in securing other government funding for the same project.
Avoca Beach Tennis Club Inc.	Environmental Lighting	\$0.00	Not recommended for funding due to insufficient available funds. Recommend the application is directed to other available renewable energy funding and subsidy programs.
Gosford and District Tennis Association Incorporated	LED Lighting for Tennis Courts	\$0.00	Not recommended for funding due to insufficient available funds in Round 2. Recommend applicant resubmit in a future round.
Gosford City Sports Stadium	Roof Replacement over Southern Side of Stadium	\$0.00	Not recommended for funding as currently proposed as insufficient information is provided to make an accurate assessment. Recommend applicant liaise with CCC grants staff and resubmit in a subsequent round.
Northern Power Cricket Club inc.	Purchase of a scoreboard for the Northern Power Cricket Club	\$0.00	Not recommended for funding as currently proposed as insufficient information is provided to make an accurate assessment. Recommend applicant liaise with CCC grants staff and resubmit in a subsequent Community Support Grant round.

Applicant	Title	Staff Recommendation	Reason Not Recommended
Peninsula Environment Group In	Phoenix Rising - Woy Woy Peninsula Community Garden Storage Facility	\$0.00	Not recommended for funding as currently proposed as insufficient information is provided to make an accurate assessment. Recommend applicant liaise with CCC grants staff and resubmit in a subsequent round.
St Vincent de Paul Society NSW	Wyong Community Centre - Waiting Room Safety Program	\$0.00	Not recommended for funding due to insufficient available funds in Round 2. Recommend applicant resubmit in a future round.
Wyong District Tennis Association Inc	Lighting Upgrade	\$0.00	Not recommended for funding due to the Project 'Upgrade lighting, fencing and drainage at Wyong Tennis Centre' listed as a Council Delivery Program and Operational Plan 2018/19 item (L1.016) for \$35,000.
Central Coast Mountain Bike Club	Purchase of Excavator	\$0.00	Not recommended for funding as currently proposed. Recommend the applicant seek alternative funding sources.
The Entrance Surf Life Saving Club	4WD Tractor to transport valuable lifesaving equipment	\$0.00	Not recommended for funding. Council will investigate purchasing this item through the Leisure & Lifestyle operational budget.
Central Coast Conservatorium Inc.	Refurbishment of the Central Coast Conservatorium Old Courthouse building and Robert Knox Hall	\$0.00	Not recommended for funding as currently proposed as insufficient information is provided to make an accurate assessment. Recommend applicant liaise with CCC grants staff and resubmit in a subsequent round.
Kariong Neighbourhood Centre Inc.	Move to Kariong Community And Youth Centre	\$0.00	Not recommended for funding as currently proposed as insufficient information is provided to make an accurate assessment. Recommend applicant liaise with CCC grants staff and resubmit in a subsequent round.
Anglican Parish of Wyong	Recarpeting Church to match Hall and Youth Area	\$0.00	Not recommended for funding as the application is not eligible in accordance with Community Infrastructure Grant Program Guideline ineligible clause 7.15 "Works to buildings that are primarily used for religious activities".

Applicant	Title	Staff Recommendation	Reason Not Recommended
Central Coast Cross Country	Funding for Central Coast Cross Country	\$0.00	Not recommended for funding as the application is not eligible. The proposal does not meet the Infrastructure Grants requirement for matched funding. Recommend applicant liaise with CCC grants staff and resubmit in a subsequent round.
Central Coast Hockey Assoc	Replacement of Water Bubblers	\$0.00	Not recommended for funding as currently proposed as insufficient information is provided to make an accurate assessment. Recommend applicant liaise with CCC grants staff and resubmit in a subsequent round.
Copacabana Surf Life Saving Club	Copacabana SLSC maintenance programme	\$0.00	Not recommended for funding as the application is not eligible. The proposal does not meet the Infrastructure Grants requirement for matched funding. Recommend applicant liaise with CCC grants staff and resubmit in a subsequent round.
Green Point Community Centre	Carpet Replacement	\$0.00	Not recommended for funding as the application is not eligible. The proposal does not meeting the Infrastructure Grants requirement for matched funding. Recommend applicant liaise with CCC grants staff and resubmit in a subsequent round.
Kamira Alcohol and Other Drug Treatment Services Inc	Renewable Energy: Solar Roof Panels	\$0.00	Not recommended for funding as currently proposed as insufficient information is provided to make an accurate assessment. Recommend applicant liaise with CCC grants staff and resubmit in a subsequent round or seek alternative renewable energy funding or subsidy.
Lions Club of Green Point Avoca Inc.	Awning over BBQ	\$0.00	Recommended for funding of \$3,500 within the Community Support Program as the application is for less than \$5,000
Lions Club of Toukley Inc	New Roller Door	\$0.00	Recommended for funding of \$1,610 within the Community Support Program as the application is for less than \$5,000
The Uniting Church in Australia Property Trust (NSW), on behalf of Kincumber Uniting Church	Digital Signboard for Kincumber Uniting Church	\$0.00	Not recommended for funding as currently proposed as insufficient information is provided to make an accurate assessment. Recommend applicant liaise with CCC grants staff and resubmit in a subsequent round.

Recommended for Funding

Applicant	Title	Staff Funding Recommendation	Reason for Recommendation
Roundabout Circus Incorporated	Hocus Pocus Circus Focus	\$4,600.00	Recommended for funding as community benefit is demonstrated and all required information is provided.
Tina Waters	ART In THE PARK - WYONG	\$9,600.00	Recommended for part funding of 50% of requested amount to deliver a six month pilot on condition that the applicant work with Council's Place Activation Section in developing and delivering the project, with funds released following completion of an agreed plan.
Salus Creatives	Creative wellbeing	\$10,000.00	Recommended for part funding for 50% of requested amount to deliver half of the program schedule as a pilot on condition the applicant takes part in Council's Social Enterprise 'Launch Pad' program.
Dylan Smyth	#fromthecentralcoast	\$4,100.00	Recommended for funding on the condition that applicant liaises with Council's Community Enterprise Officer to further develop the enterprise component.
Little People Nutrition	Childcare Menu Support and Healthy Eating Program	\$6,550.00	Recommended for part funding towards video creation, two family sessions and two childcare centre consultations to deliver a pilot project.
	TOTAL RECOMMENDED	\$34,850.00	

Not Recommended for Funding

Applicant	Title	Staff Recommendation	Reason Not Recommended
Artisans At Work (potentially)	To Research, Develop and test a new Arts Marketing & Events Business in the Central Coast	\$0.00	Not recommended for funding as currently proposed as insufficient information is provided to make an accurate assessment. Recommend applicant liaise with CCC grants staff and resubmit in a subsequent round.
Peter Rea	WW1 exhibition - the Nek - Artillery, the great killer	\$0.00	Not recommended for funding as currently proposed as insufficient information is provided to make an accurate assessment. Recommend applicant liaise with CCC grants staff and resubmit in a subsequent Community Support Grant round.
Films4Change Inc	The Adventures of Ness (working title)	\$0.00	Not recommended for funding as currently proposed as insufficient information is provided to make an accurate assessment. Recommend applicant liaise with CCC grants staff and resubmit in a subsequent round.
GRUPO CAPOEIRAS INCORPORATED	CAPOEIRAS 4-ALL CENTRAL COAST	\$0.00	Not recommended for funding as currently proposed as insufficient information is provided to make an accurate assessment.
Coast Academy of Music	The Coast Academy of the Creative Arts	\$0.00	Not recommended for funding as currently proposed as insufficient information is provided to make an accurate assessment.
Lewis Ramsay Jonker (Sole Trader)	Day In The Life: Season 1 - The Coasties	\$0.00	Not recommended for funding as currently proposed as insufficient information is provided to make an accurate assessment. Recommend applicant liaise with CCC grants staff and resubmit in a subsequent round.
365 Communities	CC365	\$0.00	Not recommended for funding as currently proposed as insufficient information is provided to make an accurate assessment.
Dean Matthew Russell	Screenplay Development - Working Title: 'BRONZE'	\$0.00	Not recommended for funding as currently proposed as insufficient information is provided to make an accurate assessment.
Shine Central Coast	Shine Central Coast Festival	\$0.00	Not recommended for funding as currently proposed as insufficient information is provided to make an accurate assessment.
Speakwell Communications	Overcoming the fear of Speaking	\$0.00	Not recommended for funding as currently proposed as insufficient information is provided to make an accurate assessment.



Item No: 3.7
Title: Response to Motion of Urgency - Terrigal Water Quality
Department: Water and Sewer

13 May 2019 Ordinary Council Meeting

Trim Reference: F2018/00020-07 - D13529052

Author: Emily Haines, Executive Assistant

Manager: Allison Cameron, Section Manager, Technical Services Water

Executive: Bileen Nel, Director, Water and Sewer

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 Council Meeting.



Item No: 4.1
Title: 2018/19 Capital Works Project Status
Department: Roads Transport Drainage and Waste

13 May 2019 Ordinary Council Meeting

Trim Reference: F2019/00041 - D13523219

Author: Jacqueline Blazek, Personal Assistant to Unit Manager

Executive: Boris Bolgoff, Director, Roads Transport Drainage and Waste

Report Purpose

The purpose of this report is to provide a status report against Capital Works as at 31 March 2019.

Recommendation

That Council receive the report on 2018/19 Capital Works Project Status.

Background

A status report of the Capital Works Program is provided on a monthly basis.

Capital Works Status Report (attachment 1)

The attached status report regarding capital projects is provided for the information of Councillors. The update details the current delivery of Capital Works projects for the 2018/19 financial year.

The majority of projects are tracking as planned with an expenditure as at 31 March 2019 of \$95.6m compared to a planned expenditure of \$115.4m which represents 83% which is slightly behind the KPI of 90%. It is anticipated that in the remaining three months, the majority of projects will be delivered as anticipated. Detailed progress reports are provided by each unit in the unit summary sections of the attached. It should be noted that the expenditure rate increases significantly towards the end of the financial year as phased in the budget.

Link to Community Strategic Plan

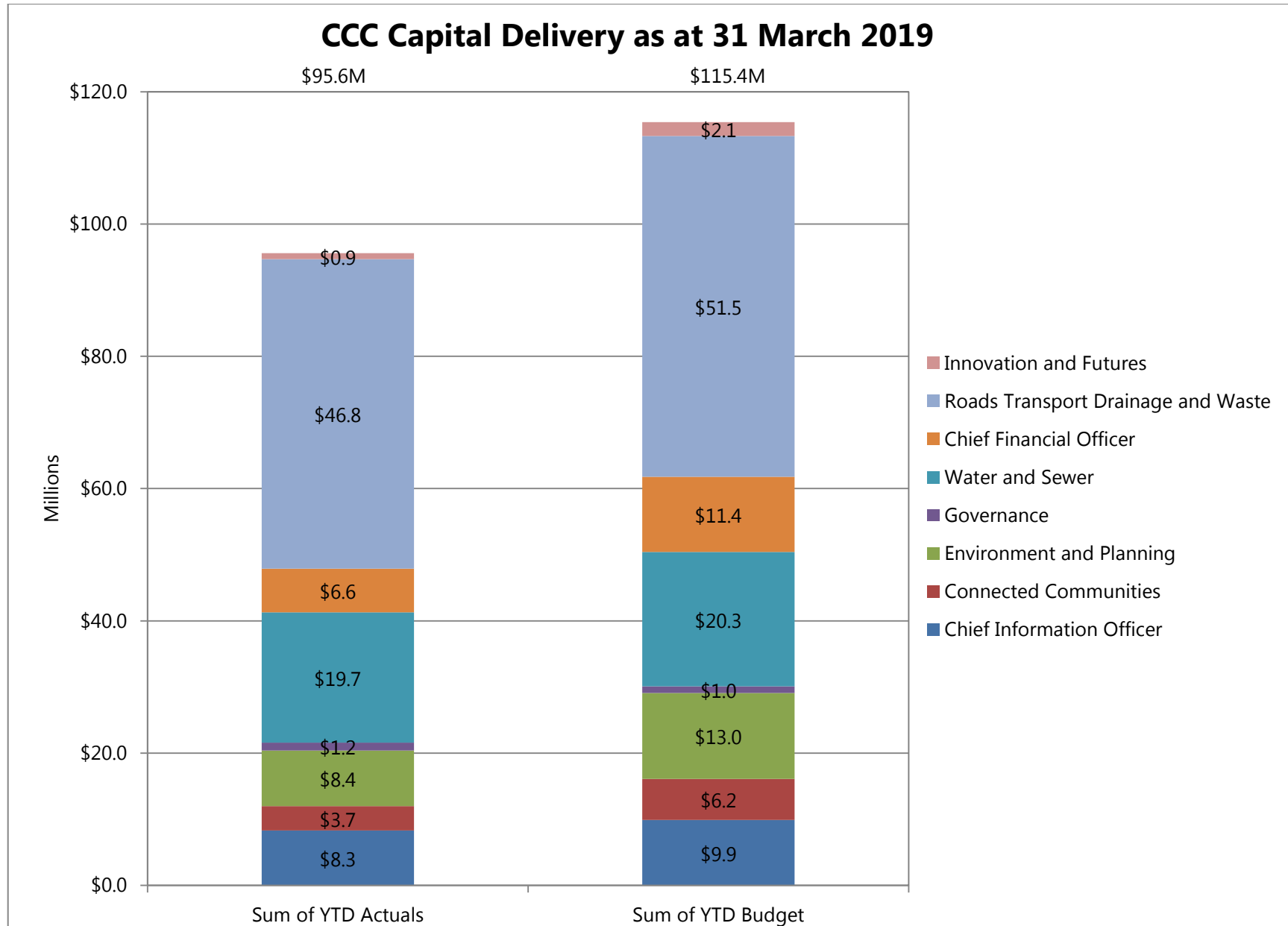
Theme 4: Responsible

Goal G: Good governance and great partnerships

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

Attachments

- | | |
|---|-----------|
| 1 Capital Works Status Report - March 2019 - Attachment to May 2019 Council report | D13525193 |
|---|-----------|



On Track	
Delayed – but to be delivered by 30 June 2019	
Need to postpone to another year or remove project	

Roads Transport Drainage and Waste									
Top 5 Projects by \$ value.									
Project Name	Description	CSP Link	Total 18/19 Budget	YTD Actuals	YTD Planned expenditure	% Spend to Forecast	Anticipated completion date	Traffic light	Commentary for public and Councillors
Wisemans Ferry Road, Somersby – Stage 2 Road and Drainage Upgrade	Upgrade of road infrastructure including installation of stormwater drainage, construction of kerb and gutter, footpath and road pavement works	Responsible - delivering essential infrastructure	\$3,500,000	\$1,639,869	\$1,874,429	87%	June 2019		The project is staged with works having continued into 2018/19 as planned. This project has been delayed due to contractor availability. The project is on track for completion by 30 June 2019.
Lake Road, Tuggerah – Road Upgrade	Upgrade of road infrastructure including installation of kerb and gutter, footpath and road pavement works	Responsible - delivering essential infrastructure	\$2,588,677	\$2,534,796	\$2,526,431	100%	November 2018		The project has been completed as planned.
Terrigal CBD, Terrigal – Stage 1 Traffic Flow and Pedestrian Access Improvements	Upgrade of road infrastructure including installation of pedestrian facilities, roundabout, traffic lights and construction of kerb and gutter, footpath and road pavement works	Responsible - delivering essential infrastructure	\$2,346,000	\$2,241,613	\$2,003,333	112%	November 2018		The project is staged with works having continued into 2018/19 as planned. The traffic improvements have been completed with project savings due to efficiencies in procurement.
Lake Road, Tuggerah – Drainage Upgrade	Upgrade of drainage infrastructure including installation of stormwater drainage, construction of headwalls and inlet structures	Responsible - delivering essential infrastructure	\$1,763,777	\$1,537,655	\$1,763,777	87%	November 2018		The project has been completed as planned.
Eloora Road, Long Jetty – Stage 2 Road Upgrade	Upgrade of road infrastructure including installation of stormwater drainage, construction of kerb and gutter, footpath and road pavement works	Responsible - delivering essential infrastructure	\$1,685,000	\$1,689,619	\$1,685,000	100%	February 2019		The project has been completed as planned.

On Track for delivery of greater than 90% for Unit <i>(project delivery not project spend)</i>	
Potential 80-90% delivery for Unit <i>(project delivery not project spend)</i>	
Less than 80% delivery for Unit <i>(project delivery not project spend)</i>	

Unit Summary						
Business Unit	Total 2018/19 Budget	YTD Actuals	YTD Planned expenditure	% Spend to Forecast	Traffic light	Commentary for public and Councillors
Roads Assets Planning and Design	\$81,491,475	\$46,301,837	\$50,517,025	92%		574 projects are planned for construction in the 2018/19 financial year. Four hundred and five projects have been completed with a eighty two projects having commenced. The under expenditure is attributed to project savings and delays related to contractor availability. The overall program of works remains on track for completion by 30 June 2019 with some budget savings expected.
Waste Services and Business Development	\$1,488,021	\$504,566	\$965,021	52%		Nine projects planned for 2018/2019. Five projects have been completed and two projects on track for completion. One project has experienced a delay due to new land use planning requirements and one project has been deferred pending direction from Council's waste management strategy.

On Track	
Delayed – but to be delivered by 30 June 2019	
Need to postpone to another year or remove project	

Information Management & Technology (IM&T)									
Top 5 Projects by \$ value.									
Project Name	Description	CSP Link	Total 18/19 Budget	YTD Actuals	YTD Planned expenditure	% Spend to Forecast	Anticipated completion date	Traffic light	Commentary for public and Councillors
Asset Management System	Implement a consolidated asset management system	Responsible - good governance and great partnerships	\$4,304,942	\$1,410,019	\$1,716,744	82%	December 2019		Budget is tracking to plan. Delivery of the first deliverable of asset register has now commenced as part of the second quarterly review of 2019.
Data Centre Transformation	Consolidation and modernisation of Council's data centres.	Responsible - good governance and great partnerships	\$3,526,584	\$1,154,216	\$1,411,417	82%	June 2019		Project is on track with hardware and software delivered and installed on Council premises. Solution planning and design activities progressing.
Implementation – Consolidated standard operating environment	Implement a consolidated modern and secure desktop experience for Central Coast Council staff	Responsible - good governance and great partnerships	\$2,623,347	\$1,037,381	\$1,034,697	100%	December 2019		Multi-year project is on track on scope to be delivered this fiscal year. IT pilot implementation scheduled for release in April and with deployment to the business scheduled to commence in June.
Implement a consolidated property and rating system	Implement a consolidated property and rating system	Responsible - good governance and great partnerships	\$2,590,609	\$1,117,530	\$1,247,141	90%	June 2019		Budget is tracking to plan. Project is progressing.
Implement a consolidated payroll and time and attendance system	Implement a consolidated payroll and time and attendance system	Responsible - good governance and great partnerships	\$2,159,712	\$824,502	\$985,673	84%	December 2019		Budget is tracking to plan. Payroll Request For Procurement commenced. Time & Attendance gaining traction with revised approach to testing.

On Track for delivery of greater than 90% for Unit <i>(project delivery not project spend)</i>	
Potential 80-90% delivery for Unit <i>(project delivery not project spend)</i>	
Less than 80% delivery for Unit <i>(project delivery not project spend)</i>	

Unit Summary						
Business Unit	Total 2018/19 Budget	YTD Actuals	YTD Planned expenditure	% Spend to Forecast	Traffic light	Commentary for public and Councillors
Chief Technology Officer	\$7,249,931	\$2,392,270	\$2,651,473	90%		All four projects are on track with this financial year activities due for completion by 30 June 2019. Some slight slippages in the Data Centre Transformation project that have been managed to ensure completion on schedule.
Digital Information Services	\$330,000	\$36,863	\$100,000	37%		Four projects are scheduled for the 2018/19 financial year in Digital Information Services. Upgrade Aerial Photography and Infrared Multispectral imagery project and Enterprise search and compliance software project have commenced. Project initiation is yet to commence for the other two projects.
Technology and Customer Service	\$285,450	\$161,247	\$199,450	81%		One project is complete. Two projects are in delivery phase. The fourth project is no longer required due to server infrastructure being procured as part of Data Centre Transformation.
Core Systems Consolidation Program	\$17,242,639	\$5,748,690	\$6,898,988	83%		Budget is tracking to plan with the majority of recruitment activities completed.

On Track	
Delayed – but to be delivered by 30 June 2019	
Need to postpone to another year or remove project	

Governance									
Top 5 Projects by \$ value.									
Project Name	Description	CSP Link	Total 18/19 Budget	YTD Actuals	YTD Planned expenditure	% Spend to Forecast	Anticipated completion date	Traffic light	Commentary for public and Councillors
Public amenities upgrade at Central Coast Stadium	This project is improving the accessible toilets and concourse amenities at Central Coast Stadium. This project is partially funded from a NSW Government grant.	Liveable Healthy Lifestyles for a Growing Community	\$790,258	\$508,105	\$40,258	1,262%	June 2019		The project was phased for after the Mariners season, but preceded ahead of schedule, as the successful tenderer was able to put forward a delivery plan that enabled the upgrade works to be scheduled during the Mariners season, while allowing fully access to facilities for the scheduled games. The project is currently in finalisation stage, which only some minor defects to be completed.
Swimming pool construction at Budgewoi Holiday Park	This is a multi-year project to construct a swimming pool and waterplay area for guests at the Budgewoi Holiday Park.	Smart a Growing and Competitive Region	\$300,000	\$10,608	\$0	0%	September 2019		A successful tenderer has been appointed for this project that is schedule to be completed over two financial years, with a further \$300,000 allocated in the 2019/20 budget.
Seat replacement at Central Coast Stadium	This project is to replace the current 20,000 seats at Central Coast Stadium, with 5,000 seats budgeted for in 2018/19 and the remaining 15,000 budgeted for in 2019/20.	Liveable Healthy Lifestyles for a Growing Community	\$297,000	\$105,121	\$0	0%	November 2019		Contract has been awarded and seats are currently on order.
CCTV upgrade at Gosford City Carpark	This project will upgrade the current CCTV infrastructure at the Baker Street Carpark which has reached the end of its useful life.	Responsible Delivering Essential Infrastructure	\$250,446	\$2,350	\$0	0%	June 2019		Project is currently being scoped in preparation for tender.
Automation of Gosford City Carpark	This project is to implement a new parking management system, parking infrastructure and automate the opening and closing of the parking stations.	Responsible Delivering Essential Infrastructure	\$375,105	\$215,066	\$375,105	57%	June 2019		The parking management system and infrastructure has been implemented. There are some small issues that need to be addressed with the early-bird parking gates and with the after hours access readers for permanent pass-holders and casual top-up card-holders.

On Track for delivery of greater than 90% for Unit <i>(project delivery not project spend)</i>	
Potential 80-90% delivery for Unit <i>(project delivery not project spend)</i>	
Less than 80% delivery for Unit <i>(project delivery not project spend)</i>	

Unit Summary						
Business Unit	Total 2018/19 Budget	YTD Actuals	YTD Planned expenditure	% Spend to Forecast	Traffic light	Commentary for public and Councillors
Procurement and Projects	\$324,000	\$18,631	\$149,000	13%		Staff accommodation related projects reviewed to align with corporate strategy and removed from CAPEX plan. Erina Depot bulk materials yard procurement activities underway for new inventory Storage shed and hardstand/drainage works.
Business Enterprise	\$3,254,884	\$1,166,427	\$857,104	136%		Overall, projects are still tracking ahead of scheduled. Stadium new LED upcoming events sign is now installed. New Holiday Park ensuite sites are now available for patrons in time for Easter period. At Terrigal Car Park, plans to close off the upper stories of the car park at night for public safety will go to further community consultation to make sure that the closure is installed at the right level of the car park.

On Track	
Delayed – but to be delivered by 30 June 2019	
Need to postpone to another year or remove project	

Connected Communities Top 5 Projects by \$ value.									
Project Name	Description	CSP Link	Total 18/19 Budget	YTD Actuals	YTD Planned expenditure	% Spend to Forecast	Anticipated completion date	Traffic light	Commentary for public and Councillors
Lake Haven Leisure Centre Upgrade	Roof and cladding replacement including all box gutters, flashings and cappings.	Liveable - healthy lifestyles for a growing community	\$1,292,710	\$46,406	\$20,000	232%	June 2019		Construction planned to commence in late April 2019
Purchase of Library Resources	Renew and replace library collection resources; books, print, audio	Smart – a growing and competitive region / a place of opportunity for people Responsible - good governance and great partnerships	\$790,000	\$599,983	\$590,419	102%	June 2019		On track for delivery as scheduled
Anti- Vehicle Mitigation – The Entrance	Hostile Vehicle Mitigation (HVM) measures at The Entrance Waterfront Mall/Memorial Park.	Belonging - our community spirit is our strength	\$600,000	\$32,435	\$30,000	108%	June 2019		Stage 1. Concept Design - Completed Following Concept designs it has been identified that detailed design is required, as a result the installation of the Bollards will not be completed this financial year.
Community Halls – Implementation of Disability Inclusion Action Plan	Various upgrades at a number of community buildings. A multi-year project. Grant funded project through Stronger Communities Fund.	Liveable - out and about in the fresh air / healthy lifestyle for a growing community	\$520,000	\$20,950	\$230,000	9%	June 2020		After the accessibility audit was complete, high priority sites were identified for works to occur. The project scoping has been completed. Design and estimating works are underway for completion in 19/20.
Design a new leisure provision area in the North Wyong / Wyong	Progress new leisure and aquatic provision in the Northern region of the Central Coast to detailed design stage	Liveable - healthy lifestyles for a growing community	\$500,000	\$0	\$0	0%	June 2019		Strategic analysis which identifies the regional need has been completed. Potential site locations are being investigated. Master-planning for the Warnervale area with other community facilities and infrastructure is needed before detailed design commences.

On Track for delivery of greater than 90% for Unit <i>(project delivery not project spend)</i>	
Potential 80-90% delivery for Unit	

(project delivery not project spend)	
Less than 80% delivery for Unit	
(project delivery not project spend)	

Unit Summary						
Business Unit	Total 2018/19 Budget	YTD Actuals	YTD Planned expenditure	% Spend to Forecast	Traffic light	Commentary for public and Councillors
Leisure and Lifestyle	\$2,733,500	\$807,608	\$1,146,000	70%		Forty six capital projects to be delivered in 2018/19, to upgrade leisure and cultural facilities and equipment. Projects on track for delivery.
Community Engagement	\$860,000	\$85,605	\$320,000	27%		Three projects will be delivered as scheduled for June 2019 with some delays for the fourth project. One project reallocated to Leisure and Lifestyle Unit to deliver signage.
Community Partnerships	\$2,916,002	\$822,409	\$850,332	97%		Twenty nine capital projects were scheduled to be delivered in 2018/19. Nine projects are completed, eight nearing completion, work underway on eleven other projects. All projects remain on track for delivery except for the hostile vehicle mitigation project at The Entrance. Further detailed design will be undertaken over the next few months prior to installation in the 2019/20 financial year.
Libraries	\$1,329,025	\$625,283	\$610,419	102%		Twenty capital projects to be delivered in 2018/19. Two completed and the remaining are on track to deliver as scheduled.
Learning and Education	\$218,100	\$120,404	\$117,000	103%		Eight capital projects have been completed as at February 2019. A further seven will be delivered by the end of the financial year in 2018/19.
Facilities and Asset Management	\$7,714,930	\$1,206,934	\$3,206,776	38%		Ninety four projects are planned for delivery in the Facilities and Asset Management budget for the 2018/19 financial year. Facilities and Asset Management has one hundred and fourteen projects in total to deliver. Forty five projects have been completed year to date.

On Track	
Delayed – but to be delivered by 30 June 2019	
Need to postpone to another year or remove project	

Water and Sewer									
Top 5 Projects by \$ value.									
Project Name	Description	CSP Link	Total 18/19 Budget	YTD Actuals	YTD Planned expenditure	% Spend to Forecast	Anticipated completion date	Traffic light	Commentary for public and Councillors
Water Trunk Main Renewal Program - Region Wide	Program of Trunk Water Main renewals	Environment - Provide a drinking water supply that meets the regulated water quality health and aesthetic related parameters	\$2,756,349	\$1,066,553	\$1,220,849	87%	June 2019		Crews are onsite and construction underway at The Round Dr, Avoca Beach. Detail design is underway for Restella Ave, Davistown.
Sewer Pump Station Renewal - Railway Cr Woy Woy (WWMJ)	Renewal of Woy Woy Major Sewer Pump Station.	Environment - Operate the sewerage system to minimise sewer overflows Achieve the required sewage treatment plant effluent quality	\$2,628,015	\$1,340,951	\$1,153,443	116%	October 2019		Stage One Construction completed. Stage Two Construction ahead of schedule

Water and Sewer									
Top 5 Projects by \$ value.									
Project Name	Description	CSP Link	Total 18/19 Budget	YTD Actuals	YTD Planned expenditure	% Spend to Forecast	Anticipated completion date	Traffic light	Commentary for public and Councillors
Sewer Main Critical Rehabilitation - Region Wide	Program of Sewer Main inspections and renewals	Environment - Operate the sewerage system to minimise sewer overflows Achieve the required sewage treatment plant effluent quality	\$1,814,679	\$1,314,229	\$1,129,359	116%	June 2019		Program ahead of schedule - Design and Construction Contract underway.
Sewer Odour Control Upgrade Program - Region Wide	Installation of new odour control units at Sewer Pumps Stations	Environment - Operate the sewerage system to minimise sewer overflows Achieve the required sewage treatment plant effluent quality	\$1,459,743	\$585,371	\$1,039,836	56%	June 2019		Design and Construction Contract underway with design component behind schedule. Project still expected to be completed by 30 June 2019.
Water Treatment Plant Major Upgrade - Mardi	Major upgrade of Mardi Water Treatment Plant	Environment - Provide a drinking water supply that meets the regulated water quality health and aesthetic related parameters	\$1,421,000	\$266,911	\$341,000	78%	June 2023		On Track – Project will be carried out in multiple phases over several years.

On Track for delivery of greater than 90% for Unit <i>(project delivery not project spend)</i>	
Potential 80-90% delivery for Unit <i>(project delivery not project spend)</i>	
Less than 80% delivery for Unit <i>(project delivery not project spend)</i>	

Unit Summary						
Business Unit	Total 2018/19 Budget	YTD Actuals	YTD Planned expenditure	% Spend to Forecast	Traffic light	Commentary for public and Councillors
Water Technical Services and System Control	\$663,327	\$271,384	\$283,327	96%		Eleven projects are underway for 2018/2019 financial year. One project is complete. All other projects on track to be completed as planned.
Water Construction and Project Management	\$20,955,027	\$14,192,242	\$12,695,647	112%		Fifty nine projects are currently underway within the Water Construction and Project Management Unit. Eight projects are complete. Forty one projects are on track for delivery. The remaining ten projects are likely to continue into 2019/20.
Water Planning and Development	\$4,249,205	\$1,561,625	\$1,911,057	82%		Forty nine projects are underway for the 2018/2019 financial year. Five projects are complete. Twenty six projects are on track for delivery. The remaining projects currently in planning phase are highly complex and will span multiple financial years. These projects are not expected to commence construction in 2018/2019.
Water Assets and Facilities Management	\$7,401,008	\$3,286,802	\$4,866,707	68%		Sixty eight projects are underway for the 2018/2019 financial year. Thirteen projects are complete. Forty two projects are on track for delivery. There have been delays with the purchase of materials and delivery, however the majority of the remaining projects are expected to be complete by 30 June.
Director Water and Sewer	\$3,412,817	\$380,137	\$566,824	67%		Program allocation for reactive and emergency asset renewals. Sixteen Emergency Water and Sewer, Asset replacements are currently underway.

On Track	
Delayed – but to be delivered by 30 June 2019	
Need to postpone to another year or remove project	

Environment and Planning Top 5 Projects by \$ value.									
Project Name	Description	CSP Link	Total 18/19 Budget	YTD Actuals	YTD Planned expenditure	% Spend to Forecast	Anticipated completion date	Traffic light	Commentary for public and Councillors
18276. Central Coast Regional Sporting Complex Construction	Construction of a regional sporting facility including 9 fields, amenities, field lighting and 500 car parking spots.	Healthy Lifestyles for a living community Out and about in the fresh air	\$2,455,288	\$976,569	\$2,060,000	47%	June 2019		Contract completed. Non-contract works commenced. Facility opened for public use on 29 March. Further works being completed this financial year.
20943. Construct Austin Butler Oval Amenities and Woy Woy Tennis Clubhouse Upgrade 22452. Construct Austin Butler Oval Car Park	Construction of a new Amenities Building/Club house and car park at Austin Butler Oval. Partially grant funded.	Healthy Lifestyles for a living community Out and about in the fresh air	\$1,730,000	\$733,283	\$424,000	173%	May 2019		Construction underway with an practical completion for building being 16 April 2019. Car park works are continuing and are expected to be completed in May. Works tracking slightly ahead of schedule.
19459. Upgrade Avoca Beach South Foreshore	Upgrade of the Avoca Beach foreshore near the surf lifesaving club. This project is to implement the first stages identified in the Master Plan to improve the quality of the foreshore and the resilience to coastal hazards.	Cherished and Protected Natural Beauty	\$1,500,000	\$802,733	\$94,000	85%	October 2019		This project is on track. The project spans three financial years with total project funding of \$2.8m from the Stronger Communities fund. Stage 1 was successfully delivered between April and October 2018. Stage 2 is scheduled for construction from April to October 2019. Tenders for construction closed mid-March and have been assessed with the contract planned to be award mid-April.

Environment and Planning									
Top 5 Projects by \$ value.									
Project Name	Description	CSP Link	Total 18/19 Budget	YTD Actuals	YTD Planned expenditure	% Spend to Forecast	Anticipated completion date	Traffic light	Commentary for public and Councillors
22615. Acquire priority conservation land across the Local Government Area (LGA)	Acquisition of priority conservation land for biodiversity outcomes, and potential biodiversity offset scheme outcomes utilising restricted funds.	Cherished and Protected Natural Beauty	\$1,115,000	\$229	\$0	0%	June 2019		Initial negotiations are commencing with potential vendors for acquisition. Acquisition of some conservation lands likely in 2018/19, but full spend at this stage not expected. Original budget of \$750,000 increased to \$1,115,000. Further adjustment to budget proposed.
22483. Upgrade Lemongrove Netball Courts 22267. Upgrade Floodlighting at Lemongrove Netball courts	Renewal of Lemongrove Netball Courts	Healthy Lifestyles for a living community Out and about in the fresh air	\$937,620	\$708,780	\$937,620	76%	April 2019		Site works complete with defect rectification period commenced. Final payment not yet made.

On Track for delivery of greater than 90% for Unit <i>(project delivery not project spend)</i>	
Potential 80-90% delivery for Unit <i>(project delivery not project spend)</i>	
Less than 80% delivery for Unit <i>(project delivery not project spend)</i>	

Unit Summary						
Business Unit	Total 2018/19 Budget	YTD Actuals	YTD Planned expenditure	% Spend to Forecast	Traffic light	Commentary for public and Councillors
Open Space and Recreation	\$17,392,469	\$5,111,891	\$8,769,559	58%		While there is a slight delay, all projects are planned to be delivered this financial year, many contract have been let or tenders released. There are eighty four projects, construction works are finished on many projects and thirteen are fully completed.
Natural and Environmental Assets	\$6,151,893	\$2,116,413	\$2,035,131	104%		Of the thirty five capital projects funded five are projects directly funded and managed by the Rural Fire Service with three of the five at risk and two either completed or nearing completion. Of the remaining thirty projects being delivered by Council staff twenty eight have been completed or are on track for completion by 30/06/19. The original full year CAPEX budget for the Natural and Environmental Assets Unit (NEA) was \$2,537,000. As at March 2019, the CAPEX budget for NEA is \$6,151,893. This is largely due to grant/ externally funded projects including RFS-Warnervale Station Upgrade (\$650K), Berkeley Vale RFS Station Improvements (\$120K), RFS Vehicle Acquisitions (\$779K), Willow Road Boardwalk Chertsey (\$401K) and Watanobbi Firebreak Drainage Rebuild (\$380K) as well as others which were not included in the original budget. Despite substantial increase in the CAPEX delivery program for NEA occurring throughout the 2018/19 financial year, the team is largely on track to deliver the program.
Waterways and Coastal Protection	\$4,860,000	\$1,128,203	\$2,130,000	53%		Waterways and Coastal Protection has twenty five capital projects in the 2018/19 financial year. There are twenty two projects on track for delivery with three projects at risk. The Forresters Beach Access Stairs are nearing completion. The contract for construction of the Foreshore Protection Works at Elfin Hill Rd Reserve, Green Point has commenced and is on track. The contract for Stage 2 Avoca Beach Foreshore is due for award in mid-April. All Gross Pollutant Trap projects are on track. The three projects at risk include the Terrigal Lagoon Walking Track, Kayak Facilities Berkeley Vale and the Wyong River Streambank Rehabilitation. These are multi-year grant funded projects that have been re-phased were not due for completion until 2019/20.
Environment and Certification	\$176,554	\$75,285	\$51,916	72%		Community consultation for the Gosford parking sensor installation completed. On track for completion as scheduled.

On Track	
Delayed – but to be delivered by 30 June 2019	
Need to postpone to another year or remove project	

Finance									
Top 5 Projects by \$ value.									
Project Name	Description	CSP Link	Total 18/19 Budget	YTD Actuals	YTD Planned expenditure	% Spend to Forecast	Anticipated completion date	Traffic light	Commentary for public and Councillors
Earthmoving Plant	Purchase of earthmoving plant	Responsible Good Governance and Great Partnerships Serve the community by providing great customer experience, value for money and quality services	\$2,010,00	\$151,604	\$595,000	25%	June 2019		100% of renewal program for earthmoving plant has been initiated, including the development of specifications prior to calling for quotations. Orders have been placed for goods yet to be delivered or received to the value of \$0.77M.
Truck	Purchase of trucks	Responsible Good Governance and Great Partnerships Serve the community by providing great customer experience, value for money and quality services	\$4,436,159	\$1,847,746	\$4,110,569	45%	June 2019		100% of renewal program for trucks has been initiated, including the development of specifications prior to calling for quotations. Orders have been placed for goods yet to be delivered or received to the value of \$2.96M.
Light Vehicle	Purchase of light vehicles	Responsible Good Governance and Great Partnerships Serve the community by providing great customer experience, value for money and quality services	\$2,010,00	\$3,300,895	\$2,975,708	111%	June 2019		100% of renewal program for earthmoving plant has been initiated, including the development of specifications prior to calling for quotations. Orders have been placed for goods yet to be delivered or received to the value of \$1.2M.

Finance									
Top 5 Projects by \$ value.									
Project Name	Description	CSP Link	Total 18/19 Budget	YTD Actuals	YTD Planned expenditure	% Spend to Forecast	Anticipated completion date	Traffic light	Commentary for public and Councillors
Ancillary Equipment	Purchase of small plant and ancillary equipment	Responsible Good Governance and Great Partnerships Serve the community by providing great customer experience, value for money and quality services	\$4,436,159	\$95,309	\$1,309,520	7%	June 2019		100% of renewal program for trucks has been initiated, including the development of specifications prior to calling for quotations. Orders have been placed for goods yet to be delivered or receipted to the value of \$0.36M.
Ground Care and Equipment	Purchase of ground care and equipment	Responsible Good Governance and Great Partnerships Serve the community by providing great customer experience, value for money and quality services	\$1,862,628	\$606,374	\$1,045,626	58%	June 2019		100% of renewal program for earthmoving plant has been initiated, including the development of specifications prior to calling for quotations. Orders have been placed for goods yet to be delivered or receipted to the value of \$0.10M.

On Track for delivery of greater than 90% for Unit <i>(project delivery not project spend)</i>	
Potential 80-90% delivery for Unit <i>(project delivery not project spend)</i>	
Less than 80% delivery for Unit <i>(project delivery not project spend)</i>	

Unit Summary						
Business Unit	Total 2018/19 Budget	YTD Actuals	YTD Planned expenditure	% Spend to Forecast	Traffic light	Commentary for public and Councillors
Plant & Fleet	\$15,377,795	\$6,322,986	\$11,415,714	55%		Capital projects on track to be delivered by 30 June 2019. \$5.22M in plant and fleet purchases have been ordered and are committed awaiting goods receipt.

On Track	
Delayed – but to be delivered by 30 June 2019	
Need to postpone to another year or remove project	

Innovation and Futures Top 5 Projects by \$ value.									
Project Name	Description	CSP Link	Total 18/19 Budget	YTD Actuals	YTD Planned expenditure	% Spend to Forecast	Anticipated completion date	Traffic light	Commentary for public and Councillors
Gosford Cultural Precinct	RPACC and Library plus commercial Building in Gosford	Liveable Smart Green Belonging Responsible	\$210,284	\$210,284	\$210,284	100%	Multi Year Project		Multi Year Project. Q2 adjustments loaded with rephrased program to align with resources and consultant timelines.
Wyong Cultural Hub	Creation of a new multi-use community centre to cultivate the Arts and performing community in Wyong	Liveable Belonging Responsible	\$5,000	\$164,766	\$88,624	186%	Multi Year Project		Multi Year Project. DA Lodged 2 April 2019.
Racecourse Carpark	Construction of 180 Public Carparks to alleviate parking pressures in Gosford	Liveable	\$400,272	\$11,225	\$400,272	3%	September 2019		Detailed Civil design complete. Latent site conditions discovered with anticipated completion now reported by Roads Transport, Drainage and Waste revised to August/September 2019
Enabling works for Terrigal Carpark Stage 2	Relocation of CWA to enable construction of Stage 2 carpark works in Terrigal	Liveable	\$31,337	\$27,684	\$31,337	88%	Multi Year Project		Multi Year Project. Project on hold until the Central Coast Carparking Strategy is complete and reported back to Council. Target completion date for the overall strategy to go back to Council July/August 2019
Terrigal Boardwalk	Construction of a Boardwalk between Terrigal Beach and the Haven	Liveable	\$248,078	\$222,131	\$248,078	90%	Multi Year Project		Multi Year Project. Detailed Design Complete along with Public Consultation. Council report seeking approval to enter Restart NSW funding Deed and for 50% match funding going to Council 29 April 2019

On Track for delivery of greater than 90% for Unit <i>(project delivery not project spend)</i>	
Potential 80-90% delivery for Unit <i>(project delivery not project spend)</i>	
Less than 80% delivery for Unit <i>(project delivery not project spend)</i>	

Unit Summary						
Business Unit	Total 2018/19 Budget	YTD Actuals	YTD Planned expenditure	% Spend to Forecast	Traffic light	Commentary for public and Councillors
Economic Development and Project Delivery	\$7,092,822	\$908,656	\$2,043,602	44%		Terrigal carpark stage 2 on hold pending finalisation of the car parking strategy. Wyong cultural hub development application to be lodged July-September 2019, and Terrigal Boardwalk Development Application on hold pending further endorsement of the Terrigal boardwalk project.



Item No: 4.2
Title: Response to Notice of Motion - Responsible Feral Animal Trapping and Domestic Pet Protection
Department: Environment and Planning

13 May 2019 Ordinary Council Meeting

Trim Reference: F2018/00025-02 - D13499683

Author: Larry Melican, Section Manager Emergency Protection Natural Assets

Manager: Luke Sulkowski, Unit Manager, Natural and Environmental Assets

Executive: Scott Cox, Director, Environment and Planning

Report Purpose

At its meeting of 11 February 2019 Council resolved staff to prepare a thorough report in response to "Deferred Item - Notice of Motion – Responsible Feral Animal Trapping and Domestic Pet Protection" which was submitted by Councillor Best. This report is prepared in response to that resolution.

Recommendation

That Council note the information provided in the report in relation to the responsible feral animal trapping and domestic pet protection.

Background

At its meeting of 11 February 2019 Council resolved in relation to deferred item – Notice of Motion – Responsible Feral Animal Trapping and Domestic Pet Protection:

- 102/19 That Council note the Deferred Item – Notice of Motion – Responsible Feral Animal Trapping and Domestic Pet Protection which is Attachment 1 to this report.*
- 103/19 That Council recognises the excellent and important work by Staff and our Community Groups around dealing with the ravages of the feral animal attacks on our native fauna.*
- 104/19 That Council, in response to Community concern around humane feral animal trapping and the necessary protections for domestic pets, provide a thorough report on all aspects of this initiative including full details of current trapping contracts over the past three years and their specific processes and methods.*

Central Coast Council's investment in pest species management is largely focussed on its fox control program as an important tool in the management of the impacts of predation on vulnerable populations of native wildlife on Council land.

4.2 Response to Notice of Motion - Responsible Feral Animal Trapping and Domestic Pet Protection (contd)

The program is focussed on a 1080 baiting program but is supported by a trapping program. Trapping is only conducted when foxes have been sighted in environmentally significant locations and where restrictions to baiting apply. As a result of some community concerns raised around the program in late 2018, the trapping component of the fox control program was voluntarily suspended at all sites as of December 2018, with the exception of the habitat of the bush stone-curlew at Davistown and Saratoga. A comprehensive review of the fox control program is currently being undertaken. The review will consider all aspects of the program, including the existing procedures to ensure the humane treatment of both foxes and non-target species (including domestic pets) which may be inadvertently trapped. It will also consider appropriate communication and consultation with neighbours in areas where trapping is proposed, and promotion of responsible pet ownership to ensure that pets do not wander into environmentally sensitive areas.

Predation of native fauna by feral predators, such as foxes and feral cats, are key threatening processes listed under the NSW *Biodiversity Conservation Act 1999*. Competition and land degradation by feral European rabbits is also listed as a threatening process at a state level and nationally.

As a land manager, Council has obligations under the *Biosecurity Act 2015* to ensure that biosecurity risks, including pest animals are prevented, eliminated or minimised on Council owned and managed land. The *Greater Sydney Regional Strategic Pest Animal Plan 2018-2023*, which supports regional implementation of the NSW *Biosecurity Act 2015*, lists priority pest animal species for control; including foxes, feral cats, wild rabbits and wild dogs.

The control of feral animals is a key management issue for Council's natural reserves and other Council managed land that supports vulnerable populations of native fauna. In the peri-urban context of the Central Coast, fox control provides the greatest benefit to local populations of native fauna.

In 2005 the former Gosford City Council (GCC) commenced implementing the *Central Coast Fox Management Strategy*. Initially the delivery program involved 1080 baiting only however it was later extended to include trapping. The former Wyong Shire Council (WSC) did not establish a delivery program for fox control but rather investigated individual reports. Where warranted, actions including shooting and den fumigation were undertaken to cull foxes on Council land.

Following amalgamation there was a need to standardise the approach taken to fox control across the Central Coast Local Government Area. The fox control program is now undertaken across the Central Coast Council area with the addition of new baiting and trapping sites in the former WSC area.

The former GCC fox control program was initially delivered by in-house staff and subsequently by two different contractors since 2005. The contractor used by the former GCC prior to amalgamation has been engaged since 2016 to continue and extend the

4.2 Response to Notice of Motion - Responsible Feral Animal Trapping and Domestic Pet Protection (contd)

program across the Central Coast. The contract includes the delivery of 1080 fox baiting and the fox trapping.

Baiting of foxes is undertaken where the required distances from residences can be achieved. Fox baiting occurs in 19 Natural and Environmental Asset reserves across the Central Coast LGA including Toukley Wetlands; Porters Creek Wetland at Watanobbi; Berkeley Vale Wetland Reserve; Kincumba Mountain Reserve and Rumbalara Reserve at Gosford.

While not usually as effective as baiting, trapping is integral to the fox control program particularly in locations where restrictions to baiting exist. National standard operating procedures have been prepared by the Centre for Invasive Species Solutions for the trapping of foxes using padded-jaw traps and trapping of foxes using cage traps.

Traps are only set where foxes have been sighted, usually using motion activated cameras, to reduce the risk of non-target species being trapped. The trapping of non-target species cannot be eliminated however, and measures are employed to minimise the risk of injury to non-target species that are trapped.

In November 2018 a domestic cat was trapped in a cage trap in the Wadalba Wildlife Corridor and it has been alleged by members of the community that this animal was injured as part of this trapping program. Information about the incident was provided by Council's contractor and the owner of the trapped cat. Multiple factors were identified as contributing to the trapping of the cat; however the cause of the injury to the cat could not be unequivocally determined. As a precautionary measure, the trapping component of the fox control program has been suspended at all sites as of December 2018 (with the exception of the habitat of the bush stone-curlew at Davistown and Saratoga) until a review of trapping operations has been completed. The local population of bush stone-curlews is in critically low numbers and is vulnerable to becoming locally extinct as a result of a small number of predator attacks. Continuation of the trapping program in the habitat of this ground-dwelling bird is critical to maximising its survival locally.

Current Status

Trapping of foxes using cage traps or padded-jaw traps is integral to Central Coast Council's fox control program. Prior to suspension of the fox trapping program, traps were placed where foxes were sighted in environmentally significant locations where baiting distances could not be achieved.

Members of the community regularly report fox sightings which are assessed by Council staff or Council's contractor. Where the location of the sighting has high environmental value surveillance cameras are used to verify the presence of a fox. When a fox has been sighted, Council's contractor determines if baiting can be undertaken and consults with Local Land Services. If baiting cannot be undertaken due to distances to residences, traps and lures are

4.2 Response to Notice of Motion - Responsible Feral Animal Trapping and Domestic Pet Protection (contd)

installed to maximise the chance of success of capturing a fox. Motion activated cameras which send images to the contractor's mobile device are installed adjacent to the traps.

Trapped foxes are humanely euthanised as soon as practicable, as per the standard operating procedures prepared by the Centre for Invasive Species Solutions for trapping of foxes. The procedure for managing dogs and cats that are inadvertently trapped is that they are firstly examined for a collar, scanned for a micro-chip or any other form of identification. Domestic animals are returned to their owner where practical or are taken to the animal care facility at Charmhaven or Erina. If a domestic animal is injured, it is taken to the nearest veterinarian for assessment. If native wildlife are trapped and are uninjured and have no signs of illness or thermal stress they are released on site, or if injured or suffering from thermal stress are taken to a veterinarian.

Locations where foxes have been trapped by Central Coast Council's contractor in 2018 are listed as follows:

1. Avoca Drive Wetlands, Avoca
2. Broadwater Drive Wetland, Davistown
3. Wadalba Wildlife Corridor, Wadalba*
4. Bakali Road Reserve, Forresters Beach

**commenced in November 2018*

Other sites where traps were set in 2018 but no foxes were caught are listed as follows:

1. Blackwall Mountain Reserve, Woy Woy
2. Kenmare Road Reserve, Green Point
3. Malinya Road Reserve, Davistown
4. Rumbalara Reserve Biobank Site, Springfield
5. Castle Circuit/Homan Close Bush Reserve, Umina

Trapping was conducted at 14 other sites between 2011 and 2018 but not on a continuous basis.

Consultation

The Pesticide Control Order that applies to 1080 baiting program requires public notification. Where the number of people to be notified exceeds 25, which is the case on the Central Coast, public notices can be issued. Public notices are included in the Express Advocate four times per year by Council, as recommended by Local Land Services. The advertisement includes the locations baits may be laid. This information is also available on Council's website.

While there is no legislative requirement for public notification of trapping programs, the revised communications plan for Council's fox control program will cover communication

4.2 Response to Notice of Motion - Responsible Feral Animal Trapping and Domestic Pet Protection (contd)

with reserve neighbours about the trapping and baiting elements of the program as well as about responsible pet ownership.

Financial Impact

The review of the fox control program is not anticipated to have an impact on Council's financial position.

Link to Community Strategic Plan

Theme 3: Green

Goal E: Environmental resources for the future

G-E1: Educate the community on the value and importance of natural areas and biodiversity, and encourage community involvement in caring for our natural environment.

Risk Management

The concentrations of 1080 used for vertebrate pest management are extremely low and not lethal to humans.

All 1080 products are restricted pesticides. The *Pest Control (1080 Bait Products) Order 2017* defines who can use 1080 and sets conditions on how and where 1080 can be used.

The Pesticide Control Order for the use of 1080 defines limitations on the distance from residences that baiting can be undertaken. In residential locations with high biodiversity value, such as populations of threatened species, cage traps and padded-jaw traps are used. The trapping strategy used depends on site specific factors including the behaviour of individual foxes.

Traps are monitored using motion activated cameras that transmit photos to the fox control contractor's mobile device. The amount of time a fox or non-target species is held in a trap is minimised by immediate notification of capture. Technology failures including the loss of internet coverage and human factors have the potential affect the timely removal of animals from traps.

Critical Dates or Timeframes

Nil.

Attachments

Nil.



Item No: 4.3
Title: Meeting Record of the Gosford Foundation Trust Management Committee held on 26 March 2019
Department: Connected Communities

13 May 2019 Ordinary Council Meeting

Trim Reference: F2018/00731 - D13513290

Author: Phil Cantillon, Unit Manager, Leisure and Lifestyle

Executive: Julie Vaughan, Director, Connected Communities

Report Purpose

To note the draft Meeting Record of the Gosford Foundation Trust Management Committee held on 26 March 2019.

Recommendation

That Council note the draft Meeting Record of the Gosford Foundation Trust Management Committee held on 26 March 2019 .

Background

The Gosford Foundation Trust Management Committee held a meeting on 26 March 2019. The draft Meeting Record of that meeting is Attachment 1 to this report.

There are no actions recommended to Council therefore the Meeting Record is being reported for information only.

Link to Community Strategic Plan

Theme 4: Responsible

Goal G: Good governance and great partnerships

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

Attachments

1 Gosford Foundation Trust Management Committee Meeting Record - 26 March 2019 D13513277

Gosford Foundation Trust Management Committee Meeting Record 26 March 2019



Location:	Central Coast Council Gosford Office Level 1 Committee Room, 49 Mann Street, Gosford	
Date:	26 February 2019	
Time	Started at: 12.34pm	Closed at: 1.02pm
Chair	Mayor Jane Smith	
File Ref	F2018/00731	

Present:

Mayor Jane Smith, Barbara Wills, Clive Blunt, Gary Murphy – Chief Executive Officer

Staff present:

Shane Sullivan – Acting Director Governance, Phil Cantillon – Unit Manager Leisure and Lifestyle, Kelly Drover – Advisory Group Support Officer

Item 1 Welcome, Apologies and Acknowledgement of Country

The Chairperson, Mayor Jane Smith, declared the meeting open at 12.34pm and undertook an Acknowledgement of Country.

No apologies.

Item 2 Disclosure of Interest

Mayor Smith declared a less than significant non-pecuniary interest as a Board Member of the Art House.

Item 3 Confirmation of Previous Meeting Record

The Committee confirmed the Meeting Record from 5 June 2018.

The Committee discussed the Action Log.

Item 4 Laycock Street Theatre

Phil Cantillon provided options on how the \$30,000 donation for Laycock Street Theatre could be utilised. Due to Council's Capital Works program covering these items including stage upgrade in 18/19, it was recommended for the donation to remain in the Foundation to generate interest



Item 5 Gosford Art Gallery

Phil Cantillon provided an update regarding the Koi Sculpture at the Art Gallery.

A number of recommendations were provided to the Committee on separating the Koi's including splitting the Koi's, moving to other locations and increasing publicity and promotion.

Action: The Committee support splitting the Koi Sculpture and moving to other locations to garner more interest.

Item 6 Financial Report

The Committee discussed the report provided by Finance.

Action: The Committee request clarification as to what the Gosford Foundation Trust – Amendment (totalling \$5364.27) relates to.

Action: Further information to be provided at the next meeting as to whether there have been any donations of property to the Trust.

Item 7 Communications and Promotion

Shane Sullivan, Acting Director Governance tabled a Draft Communications Campaign for the Trusts.

There was a discussion around potential audiences for communication including:

- Central Coast Conservatorium
- Gosford Musical Society
- Private School Musical Groups (e.g Central Coast Grammar School)
- Rotary

Action: Shane Sullivan to liaise with Communications team as to whether site specific donor recognition could occur.

Action: Staff to liaise with the Gosford Musical Society in regard to promoting the Trust at Laycock Street Theatre.

As discussed in the Protection of the Environment Trust Management Committee Meeting, in regard to the Draft Communications Campaign for the Trusts:

Action: In regard to promoting donations to the trust, the following actions are to be made a priority:

- Mayoral Column in Coast Connect
- Update webpage with donation information
- Media Release
- Social Media

Action: A FAQ's flyer be developed to help people understand more about reasons for donating to the trust and how they can go about it.

Gosford Foundation Trust Management Committee
Meeting Record 26 March 2019



Item 8 General Business and Close

Action: Trust Deed to be circulated to Clive Blunt.

Action: Meetings to be held quarterly.

Action: 12 month action plan to be included on the agenda for the next meeting.

Action: Staff to provide a presentation at the next meeting regarding the Gosford Cultural Precinct.

The meeting closed at 1.02pm

Next Meeting: **Tuesday 4 June 2019**
 4pm – 5pm
 Central Coast Council Gosford Administration Building
 Level 1 Committee Room
 49 Mann Street, Gosford



Item No: 4.4
Title: Meeting Record of the Heritage Advisory Committee held on 13 March 2019
Department: Environment and Planning

13 May 2019 Ordinary Council Meeting

Trim Reference: F2018/00102 - D13502960

Author: Scott Duncan, Section Manager, Land Use and Policy

Manager: Matthew Prendergast, Unit Manager, Strategic Planning

Executive: Scott Cox, Director, Environment and Planning

Report Purpose

To note the Meeting Record of the Heritage Advisory Committee held on 13 March 2019 and consider the recommendations to Council from the Committee, including staff comments on those recommendations.

Recommendation

That Council note the draft Meeting Record of the Heritage Advisory Committee held on 13 March 2019 that is Attachment 1 to this report.

Context

The Heritage Advisory Committee held a meeting on 13 March 2019. The draft Meeting Record of that meeting is Attachment 1 to this report.

At that meeting the Committee considered the items and made recommendations in some instances. The recommendations have been reviewed by staff and the following is now provided to Council.

Committee Recommendation:

That Council work with key stakeholders to develop a proposal (including funding applications if appropriate) to prepare a Plan of Management for the Gosford War Memorial site, which considers restoration and ongoing maintenance.

Staff Comment:

Council is undertaking a Plans of Management project, which covers both Crown and Council tenure. Where a parcel has statutory cultural significance it triggers a requirement for a specific Plan of Management under the [Local Government Act 1993](#) (which is now the guidance act used by the [Crown Land Management Act 2016](#) for Plans of Management). The requirement is that all Crown Land that Council is Crown Lands Manager of would have a Plan of Management by 30 June 2021. The Heritage Officer is briefing the Project Manager about heritage items and their significance to determine the appropriate scope of works.

Committee Recommendation:

Staff to explore options for alternative storage solutions to assist Alison Homestead, such as temporarily storing a small number of records (3 filing cabinets/15 drawers) on Council premises until appropriate arrangements can be made

Staff Comment:

This will be referred to Council's Community Infrastructure section.

Link to Community Strategic Plan

Theme 4: Responsible

Goal G: Good governance and great partnerships

R-G1: Build strong relationships and ensure our partners and community share the responsibilities and benefits of putting plans into practice.

Attachments

- 1** Draft Heritage Advisory Committee Meeting Record - 13 March 2019 D13502801

Heritage Advisory Committee Meeting Record 13 March 2019



Location:	Central Coast Council Gosford Office Level 1 Committee Room 49 Mann Street, Gosford	
Date:	13 March 2019	
Time	Started at: 4.01pm	Closed at: 5.48pm
Chair	Mayor Jane Smith	
File Ref	F2018/00102	

Present:

Mayor Jane Smith, Councillor Kyle MacGregor, Warren Andrews, David Benwell, Walter Billington, Gary Dean, Sandra Hunt-Sharman, Verena Mauldon, Joseph Murray, Prue Wyllie, Kreenah Yelds

External Representatives (non-voting) present:

Merril Jackson - community member for Item 4 (left 4.46pm), Richard Waterhouse

Council Staff present:

Scott Duncan – Section Manager Land Use and Policy (left 5.14pm), Janine Crawford – Team Leader Brand and Marketing (arrived 4.15pm, left 5.04pm), Rebecca Cardy – Heritage Officer, Zoie Magann – Advisory Group Support Officer

Item 1 Apologies and Acknowledgement of Country

Councillor Louise Greenaway, Councillor Jeff Sundstrom, Councillor Doug Vincent, Margot Castles, Glenn Cannard – Unit Manager Community Partnerships

Mayor Jane Smith declared the meeting open at 4.01pm, and completed an acknowledgement of country and connection to land statement.

Item 2 Disclosure of Interest

Mayor Jane Smith previously declared a less than significant non-pecuniary interest as a former voluntary Chief Executive Officer of the Community Environment Network (CEN).

Wal Billington declared a less than significant non-pecuniary interest due to his involvement with the Wyong District Museum and Historical Society. The Wyong District Museum and Historical Society have previously submitted DAs to Council for Alison Homestead.



Richard Waterhouse advised that he had received complaints from unknown persons regarding an article he wrote about heritage. The complaint was that the article didn't mention Richard's involvement with the Heritage Advisory Committee, which the person believed was a conflict of interest. The Chairperson advised this didn't need to be disclosed and wasn't a conflict of interest for the Committee meeting, but would be noted.

Verena Mauldon declared a less than significant non-pecuniary interest due to her involvement with Veterans Affairs and the State War Memorials Committee. The State War Memorials Committee assesses grant applications for the Community War Memorials Fund.

Item 3 Confirmation of Previous Meeting Record

The Advisory Group confirmed the Meeting Record from 28 November 2018.

The Advisory Group discussed the Action Log.

It was noted that some members of the Advisory Group met informally on 6 February 2019 to brainstorm ideas for the Australian Heritage Festival. The notes from this session were circulated to the group.

Item 4 Gosford War Memorial and Poppy Project presentation

Item 9 was addressed with this Item, as both dealt with Gosford War Memorial.

Merril Jackson (Community Member) provided a presentation on the Gosford War Memorial and Poppy Project. The presentation addressed the history and significance of the War Memorial site, the use of the poppy nets, and recommendations for future direction.

The Advisory Group noted concerns raised by Richard Waterhouse regarding the deterioration of the Gosford War Memorial site and need for restoration.

The Advisory Group noted a recommendation from Verena Mauldon, suggesting that funding could be sought through the State Government's Community War Memorials Fund, for which Round 2 applications close on 25 April 2019.

Recommendation: That Council work with key stakeholders to develop a proposal (including funding applications if appropriate) to prepare a Plan of Management for the Gosford War Memorial site, which considers restoration and ongoing maintenance.

Merill provided a list of suggested events and locations that might be suitable for the use of the Poppy Nets.

Action: Rebecca Cardy to follow up with Glenn Cannard about opportunities for place activation using the poppy nets.



Item 5 Signage Project

Janine Crawford (Team Leader Brand and Marketing) provided a presentation on the Signage Strategy that is currently being developed by Council staff. Janine advised that heritage signage is being considered through a separate project, which the Heritage Officer is involved with.

Some comments raised were as below:

- there are benefits and problems with using digital signage (eg. engaging and effective way to relate mass information, but can be subject to technological issues)
- Pioneer Park is important site which deserves interpretative signage
- a range of signage solutions are needed as 'one sign doesn't fit all'

Janine also referenced the new Wyong Heritage Walk, which uses dedicated signage to highlight historically significant sites throughout the Wyong Town Centre.

Item 6 Heritage Festival 2019

Rebecca Cardy (Heritage Officer) provided a handout to the Advisory Group with some information about the Australian Heritage Festival, and events taking place on the Central Coast.

Action: Rebecca Cardy to distribute the Heritage Festival brochure to Advisory Group members once complete.

Item 7 Old Sydney Town

The Advisory Group discussed Old Sydney Town, and whether or not the site has heritage significance. It was noted that the site is private land and not owned by Council.

Some comments raised were as below:

- the structures and physical environment are significant,
- Some of the events and social representations were not necessarily accurate portrayals of early Sydney life but are still part of the social significance of the place.
- the site is an important part of local history, and was a popular tourist attraction
- it was originally built for a commercial purpose, not necessarily for accurate portrayals
- there are concerns about how the site could be restored and maintained given its condition and its private ownership

Item 8 War Memorial Park – Woy Woy

Rebecca Cardy (Heritage Officer) provided an update on the War Memorial Park in Woy Woy. It was advised that the red concrete is being removed, and resources for a Plan of Management are being sought.

The Advisory Group noted appreciation that the site will be restored, including the removal of the concrete and replacement of garden beds.



Item 9 War Memorial Park – Gosford

This Item was addressed with Item 4.

Item 10 Draft Heritage Policy

Rebecca Cardy (Heritage Officer) provided an update on the draft Heritage Policy that is currently being developed by Council staff. A hardcopy of the draft Heritage Policy was distributed to the Advisory Group, and will be made available to members who were not present at the meeting for their feedback.

Action: Advisory Group Support Officer to distribute an electronic copy of the draft Heritage Policy to Advisory Group members.

Action: Advisory Group members to forward any comments/feedback on the draft Heritage Policy to the staff for collating by 3 April 2019.

Item 11 General Business and Close

- a) Wal Billington raised concerns regarding the storage situation at Alison Homestead, as historical records cannot be stored securely and are at risk of deterioration. It was noted that a Plan of Management was previously done for the site, and included considerations for storage.

Action: Staff to explore options for alternative storage solutions to assist Alison Homestead, such as temporarily storing a small number of records (3 filing cabinets/15 drawers) on Council premises until appropriate arrangements can be made.

- b) Kreenah Yelds noted her appreciation that an updated Conservation Management Strategy is being developed by Council staff for Henry Kendall Cottage, which includes the landscape and outbuildings.

The meeting closed at 5.48pm

Next Meeting: Wednesday 5 June 2019
4pm – 6pm
Central Coast Council Wyong Office
Level 2 Committee Room



Item No: 5.1
Title: QON - Q183/18 - Poisoning of Trees
Department: Environment and Planning

13 May 2019 Ordinary Council Meeting

Trim Reference: C2018/05524 - D13515165

Author: Alan Cibilic, Section Manager, Natural Assets Management

Manager: Luke Sulkowski, Unit Manager, Natural and Environmental Assets

Executive: Scott Cox, Director, Environment and Planning

5.1 QON - Q183/18 - Poisoning of Trees

The following question was asked by Councillor Doug Vincent at the Ordinary Meeting on 24 September 2018:

Norah Head Residents have recently advised there is further poisoning of trees on Council's Mazlin Reserve. Over a period of two years, trees along the foreshore have been drilled and had poison poured into the trunk of the trees. Can tree preservation officers or Council rangers meet with concerned residents to discuss what strategies can be used to catch or prosecute the offenders who are poisoning the trees?

On 6 November 2018 Council Tree Officers met with representatives of the Norah Head Ratepayers, Residents & Coastcare Association to discuss tree-related issues. At the meeting some of the Council officers who are involved with planning for Mazlin Reserve and with the road upgrade works associated with the Norah Head Masterplan were introduced to the members of the Association.

It was agreed that management of tree deaths is a complex matter and that the landscaping plan for Mazlin Reserve, to be developed in 2018/19, and streetscape plans associated with road upgrades, will go some way to addressing the issues.

Council Tree Officers also responded to enquiries from residents at the Norah Head Drop-In Information Session held on 28 February 2019 at Norah Head Community Hall.

All allegations of illegal tree activities have been investigated; however no robust evidence which will enable further compliance action has been obtained. Council's Open Space and Recreation Unit which manages Mazlin Reserve is planning to erect signs to deter illegal activity and to encourage reporting of any suspicious activity.

Attachments

Nil.

Item No: 5.2
Title: QON - Q223/18 - Nissan Hut Ownership
Department: Environment and Planning



13 May 2019 Ordinary Council Meeting

Trim Reference: F2018/00025-02 - D13514723

Author: Andrew Roach, Unit Manager, Development Assessment

Executive: Scott Cox, Director, Environment and Planning

5.2 QON - Q223/18 - Nissan Hut Ownership

The following question was asked by Councillor Greenaway at the Ordinary Meeting on 12 November 2018:

Could we be provided please with information surrounding the ownership and plans for the Nissan Hut at 1A Jacques Street, Ourimbah as there appears to be works being undertaken there presently.

Council records indicate that the land owner of 1A Jacques Street, Ourimbah is the University of Newcastle.

Development consent was granted under DA/889/2010 on 30 September 2010 for the dismantling of 'The Hangar' and demolition of the toilet block on site. Council officers have undertaken a site inspection to investigate the nature of current works on the site. Works appear to be minor repairs.

In order to provide a more complete answer Council officers have made contact with the University of Newcastle Assets Division to ascertain whether there are any further plans for works on the site. At the time of writing, no response has been received from the University, any additional information will be provided to Councillors as an addendum to this report or via the Council update system.

Attachments

Nil.



Item No: 5.3
Title: QON - Q225/18 - Revenue Raised From Fines
Department: Environment and Planning

13 May 2019 Ordinary Council Meeting

Trim Reference: F2018/00025-02 - D13501038
Author: Warren Murphy, Section Manager Contracts and Projects
Manager: Brian Jones, Acting Unit Manager, Environment and Compliance
Executive: Scott Cox, Director, Environment and Planning

5.3 QON - Q225/18 - Revenue Raised From Fines

The following question was asked by Councillor Jillian Hogan at the Ordinary Meeting on 12 November 2018 :

Could staff please provide a breakdown of revenue raised from fines in the last financial year, by type?

Below a table outlining a breakdown of Penalty Infringement Notices issued between 1 July 2017 and 30 June 2018:

Penalty Type:	Number of Penalties issued:	Penalty Revenue
Parking	15,766	\$2,952,284
Animals	1,021	\$283,855
Local Government Act	145	\$44,781
Waste, Litter & Pollution	34	\$47,071
Development	11	\$21,360
Total:	16,977	\$3,349,351

Actual penalty revenue is dependent upon appeal process, submissions by the person upon whom the penalty is issued, processing commission and potential court determination.

Development type infringements include Penalty Notices issued for environmental offences and other non-compliance issues.

Penalty Infringement Notices have been issued under the following legislation:

- The Road Rules, the *Roads Act 1993* and the *Local Government Act 1993* for parking infringements.
- The *Companion Animals Act 1993*.
- Public places infringements and non-compliance matters under the *Local Government Act 1993*.
- Waste, litter and pollution under the *Protection of the Environment Operations Act 1997*.
- Development non-compliance under The *Environmental Planning and Assessment Act 1979*.

- Non Complying development or breaches of the animals: impounded under the *Impounding Act 1993* or the *Companion Animals Act 1998*.

Attachments

Nil.



Item No: 5.4
Title: QON - Q231/18 - Spencer Tree of Knowledge
Department: Roads Transport Drainage and Waste

13 May 2019 Ordinary Council Meeting

Trim Reference: F2019/00041 - D13515594

Author: Jeanette Williams, Unit Manager, Roads Business Development
and Technical Services

Executive: Boris Bolgoff, Director, Roads Transport Drainage and Waste

5.4 QON - Q231/18 - Spencer Tree of Knowledge

The following question was asked by Councillor Chris Holstein at the Ordinary Meeting on 26 November 2018:

Can staff please advise of the works currently being undertaken in Spencer at the iconic location affectionately known as the 'Tree of Knowledge' or the Dunkirk Hotel?

As part of the 2018/19 Roads Transport and Drainage Capital Works Program, in October Council undertook works on Wisemans Ferry Road from Collington Road to House Number 4674. These works included the reconstruction of the road pavement followed by the resurfacing of the road and have been completed.

The 'Tree of Knowledge' is located within this area and was not disturbed during these works.

Attachments

Nil.



Item No: 5.5
Title: QON - Q14/19 - Boat Ramps at Norah Head Rock Pools
Department: Environment and Planning

13 May 2019 Ordinary Council Meeting

Trim Reference: F2018/00020-07 - D13480323

Author: Trent Burnham, Section Manager, Parks and Reserves

Manager: Brett Sherar, Unit Manager, Open Space and Recreation

Executive: Scott Cox, Director, Environment and Planning

5.5 QON - Q14/19 - Boat Ramps at Norah Head Rock Pools

The following question was asked by Councillor Jillian Hogan at the Ordinary Meeting on 11 February 2019:

Could staff please review the condition and safety of the boat ramps at Norah Head rock pool in consultation with the Marine Rescue?

Council staff has been in contact with Marine Rescue Norah Head (MRNH) to identify issues raised in relation to the condition and safety of Norah Head boat ramp.

There were four concerns raised by Norah Head Rescue outlined below:

1. Cars getting bogged in the sand at the bottom of the ramp leading to Marine Rescue receiving requests to help remove the bogged vehicles. This can occur at all hours of the day or night.

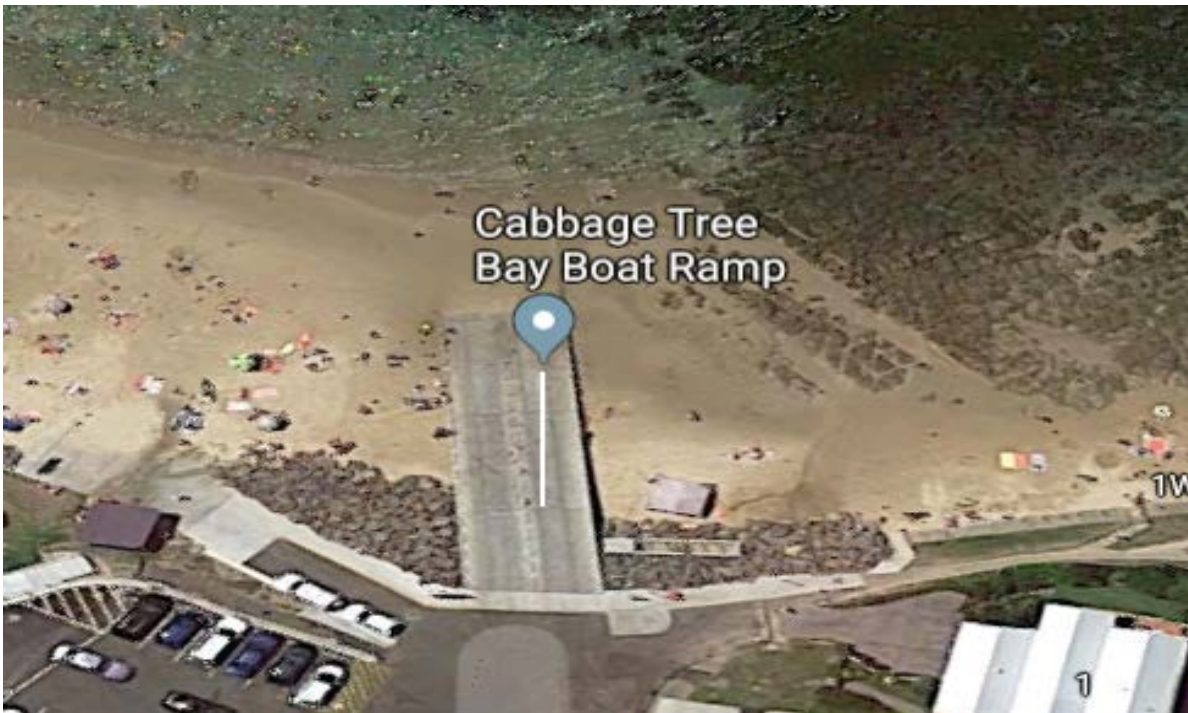
The Norah Head boat ramp is an ocean boat ramp that extends beyond the low tide point and engages into the bedrock. Being in a marine environment that is impacted by sand movement, including accretion, along with substantial tidal changes, there will be times where the bottom of the ramp will be covered with a layer of sand. This issue is unavoidable in the environment that the Norah Head boat ramp was built.

This ramp was reconstructed in a wider, longer and deeper form than the original ramp. The design criteria identified by both professional fishermen and RMS Boating safety officers required that, at mid to high tide the deep hole that forms immediately inshore of the reef shelf would be aligned with the ramp. Therefore, it was accepted that in high sand accretion periods there would be sand launches at lower tides and conventional vehicles would find difficulty at these tides.

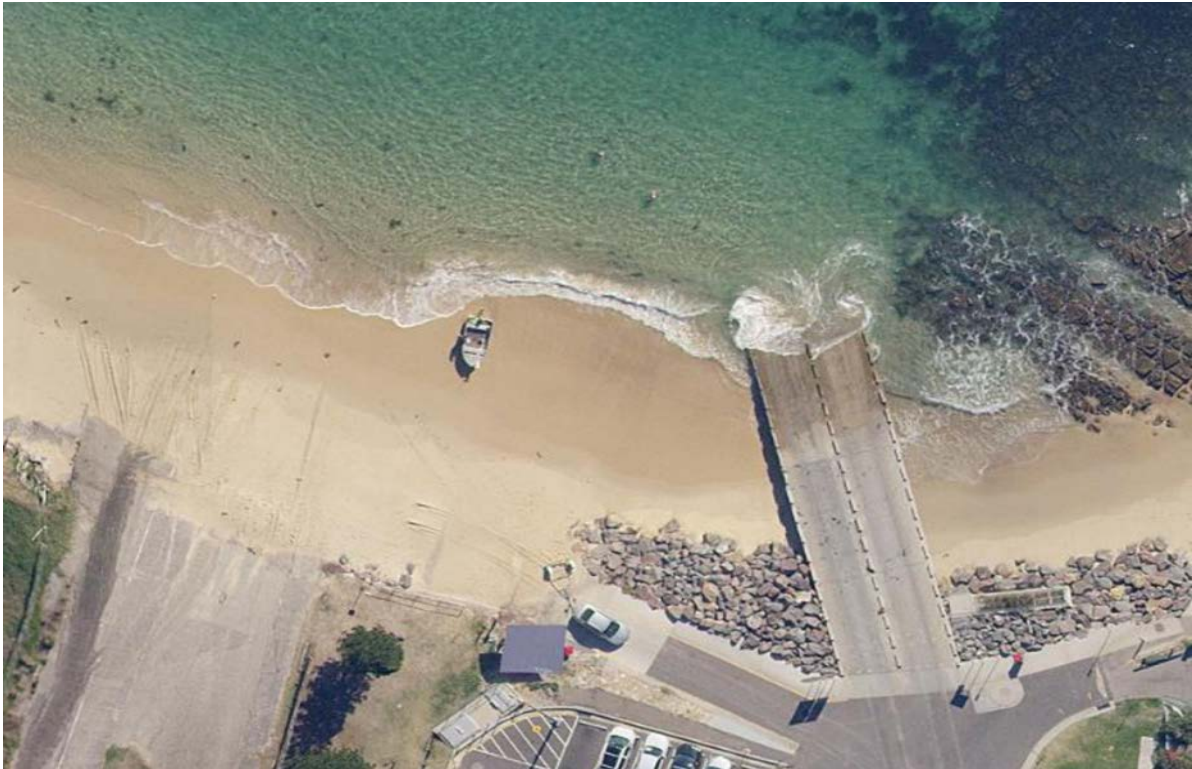
5.5 QON - Q14/19 - Boat Ramps at Norah Head Rock Pools (contd)

Signage in place at the Norah head boat ramp that identifies the risks and recommends users make themselves aware of all potential hazards before using the ramp.

Discussion with MRNH has identified the potential to add additional signage to notify that local recovery businesses could assist public boat ramp users if difficulty is experienced.



Norah Head Boat Ramp at dead low tide with high level of sand accretion



Norah Head Boat Ramp at mid/low tide

2. Members of the public swimming within 50 metres of the boat ramp.

An extensive search has failed to find any laws that restrict swimming near boat ramps. While it can be dangerous, Council cannot force members of the public not to swim close to the boat ramp. The current signage located at this boat ramp depicts the possible dangers with swimming at this site and advises the safest location to swim at Norah Head is at Soldiers Beach in between the flags. It also makes boat operators aware of the fact people swim and snorkel around the ramp and to keep a look out at all times. The Roads and Maritime Boating hand Book defines the following safety tips which outlines vessel operators obligations within this site,

- Take extreme care when launching
- Keep a proper lookout at all times
- Maintain proper distances off when operating in the vicinity of surfers outside the designated surf zone
- Keep a proper lookout at all times for obstructions, other craft or swimmers

5.5 QON - Q14/19 - Boat Ramps at Norah Head Rock Pools (contd)



3. Jet Skis are operating between the MRNH boat ramp and the public boat ramp.

An extensive search has failed to find any laws that restrict jet skis for operating near this boat ramp. While there is a level of risk, Council cannot force PWC (jet ski) operators to not to operate close to the boat ramp. On site signage for the Cabbage Tree Harbour Boating Traffic Management Plan states that PWC operators must leave Cabbage Tree Bay immediately after launching. The Roads and Maritime Services (RMS) web site states that Boating Traffic Management Plans are a guide to shared use.

RMS regulations state that irregular driving of a PWC is not permitted in a manner of;

- Driving in a circle or other pattern
- Weaving or diverting
- Surfing down or jumping over or across any swell, wave or wash.

5.5 QON - Q14/19 - Boat Ramps at Norah Head Rock Pools (contd)

This means that PWC (personal water craft) are required to be operated generally in a straight line within 200 metres of the shoreline.

RMS should be contacted if PWC operators are identified to be operating contrary to this regulation to enforce compliance within the waterway.

4. At high tide, in large swells, surfers are surfing under the boat ramp and there is potential to be trapped in gaps between the sand and the concrete piers.

There is a potential risk that this may occur, however, the likelihood is low and it is anticipated this practice would be infrequent. The Norah Head Boat Ramp is designed to be open underneath to minimise impact on the ramp structure from tidal surges and avoid changes to the environmental sand migration.

The size of the gaps vary depending on the level of sand accretion.

Enclosure of this ramp is not an option as it is not engineered to sustain the force that it would be exposed to from tidal surges that occur at this site.





Attachments

Nil.



Item No: 5.6
Title: QON - Q31/19 - Local Procurement Policy
Department: Governance

13 May 2019 Ordinary Council Meeting

Trim Reference: F2008/00427 - D13515494

Author: Stuart Hull, Unit Manager

Executive: Evan Hutchings, Director Governance

5.6 QON - Q31/19 - Local Procurement Policy

The following question was asked by Councillor Kyle MacGregor at the Ordinary Meeting on 25 February 2019 :

How is Council progressing with the implementation of the resolution on the 'local procurement policy and buy local campaign' moved by Councillor MacGregor and seconded by Councillor Mehrtens as endorsed unanimously by Councillors on 24 September 2018?

A Councillor briefing has been booked for Monday, 1 July 2019 to discuss the development of a Local Procurement Policy for Central Coast Council.

The concept of a 'Buy Local' campaign or the like is to be considered and incorporated where appropriate into other initiatives the Council is working on relating to the growth of the local economy.

Attachments

Nil.



Item No: 5.7
Title: QON - Q33/19 - Estuary Grant Program
Department: Environment and Planning

13 May 2019 Ordinary Council Meeting

Trim Reference: F2018/00025-02 - D13496787

Author: Ben Fullagar, Section Manager, Coastal Protection

Manager: Peter Ham, Unit Manager, Waterways and Coastal Protection

Executive: Scott Cox, Director, Environment and Planning

5.7 QON - Q33/19 - Estuary Grant Program

The following question was asked by Councillor Pilon at the Ordinary Meeting on 25 February 2019:

Why didn't Council apply for any of the tens of millions of dollars available through the Coast and Estuary Grant Program to address the water quality at Terrigal Beach, Wamberal Lagoon and Terrigal Lagoon despite funding being available?

The Coast and Estuary Grant Program provides funding on a 50:50 basis (State/Council) to implement actions identified in a certified Coastal Zone Management Plan (CZMP)/ Coastal Management Program (CMP). This includes \$9.5m under the planning stream to formulate new CMPs and to transition CZMPs to CMPs. There is also a further \$63.2m available to implement actions coming out of certified CMPs and CZMPs.

Council has a number of projects currently underway that have been successful in obtaining funding support under the Coast and Estuary Grant Program.

These are:

- 1 Umina Ocean Beach Erosion Management Strategy. Grant Funding: \$205,950. Total project funding \$411,900.
- 2 Wamberal Terminal Protection and Sand Nourishment Investigation and Design. Grant Funding: \$195,000. Total project funding \$390,000.
- 3 Implementation of Pearl Beach Lagoon Coastal Zone Management Plan Stage 1. Grant Funding: \$47,250. Total project funding \$94,500.

Council commenced an audit of water quality at Terrigal Beach and Terrigal Haven in January 2019. This is being managed by Council staff and is being funded as part of the Beachwatch Program. Accurately identifying the sources of pollution is a critical first step in managing the issue. Relevant Council Units are working collaboratively through this process. Pending results of the audit, the Coast and Estuary Grant Program may be able to part fund any identified remediation works.

In February this year, the Environment Minister announced \$500,000 would be provided to the NSW Government (formerly the Office of Environment and Heritage) to fund detailed,

scientific audit and analysis of the pollution sources in the catchment and to find solutions to improve the water quality of Terrigal Beach and the surrounding lagoons. Council Staff are working with the NSW Government to ensure consistency and robustness. It is understood that initial investigations have already commenced with funding provided through the Marine Estate Management Strategy.

Review of Coastal Management Programs is occurring concurrently and Council is currently preparing applications for matched funding to establish Scoping Studies for our coastal areas and waterways (step 1 in the CMP process).

Attachments

Nil.



Item No: 5.8
Title: QON - Q43/19 - Performance Survey
Department: Connected Communities

13 May 2019 Ordinary Council Meeting

Trim Reference: F2019/00041 - D13516735

Author: Sue Ledingham, Unit Manager Community Engagement

Executive: Julie Vaughan, Director, Connected Communities

5.8 QON - Q43/19 - Performance Survey

The following question was asked by Councillor Rebecca Gale Collins at the Ordinary Meeting on 11 March 2019:

Can Council consider sending out performance surveys to residents after taking phone calls to track performance?

As part of the Customer Experience Strategy, Council is working on developing metrics to track our performance; this includes conducting surveys at the end of customer interactions. With the current call centre software we anticipate being able to ask customers to complete a short survey at the end of call. Due to system limitations this survey cannot be undertaken if the call is transferred to other departments so it will be at first point of contact.

We are also evaluating the option for customers to provide feedback about their experience at other Council locations such as recreation centres, libraries, pools, events and reviewing opportunities to send surveys via email when a Service Request is closed.

Attachments

Nil.



Item No: 5.9
Title: QON - Q54/19 - Tennis Courts
Department: Connected Communities

13 May 2019 Ordinary Council Meeting

Trim Reference: F2018/00025-02 - D13521047

Author: Callum Shaddock, Property Officer

Manager: Phil Cantillon, Unit Manager, Leisure and Lifestyle

Executive: Julie Vaughan, Director, Connected Communities

5.9 QON - Q54/19 - Tennis Courts

The following question was asked by Councillor Jillian Hogan at the Ordinary Meeting on 25 March 2019:

There was an Expression of Interest put out to the public for the Care and control of Council Tennis Courts such as the ones at Koala Park and Blue Haven what was the outcome of the EOI?.

The Expression of Interest (EOI) closed 1 November 2018 and included eight existing tennis facilities. The EOI attracted seven submissions in total, with six of these submissions being for the four court facility at Adelaide Street, Killarney Vale. A preferred candidate was selected from the six applicants and Council is in negotiations with the candidate to determine the required capital upgrades for the facility.

The one submission for Koala Park tennis courts was deemed unsuitable due to the lack of supporting documentation.

Since the completion of the EOI, the seven courts that were unsuccessful in the EOI process have been handed back to Open Space & Recreation team and the facilities have been opened to the general public on a casual use basis.

Attachments

Nil.



Item No: 5.10
Title: QON - Q56/19 - Lakes and Waterways
Department: Environment and Planning

13 May 2019 Ordinary Council Meeting

Trim Reference: F2018/00025-02 - D13505108
 Author: Peter Sheath, Section Manager, Waterways
 Manager: Peter Ham, Unit Manager, Waterways and Coastal Protection
 Executive: Scott Cox, Director, Environment and Planning

5.10 QON - Q56/19 - Lakes and Waterways

The following question was asked by Councillor Doug Vincent at the Ordinary Meeting on 25 March 2019:

Could staff please advise what machinery council has to maintain and keep our lakes and waterways clean (i.e. wrack harvesters, dredges and gross pollutant trap cleaning equipment). Could staff also advise if the machinery is the current technology or nearing the end of its useful life?

Following is a list of the plant and machinery that Council utilises to maintain lakes and waterways. Note that some plant is sourced internally from Council's Plant Pool, and other plant is provided under external contracting arrangements.

Council Plant	Plant Item	Purchase Date	Current Technology?	End of Useful Life?
	Dredge	1/8/1992	Fit for purpose	Yes*
	Dredge Work Boat	31/3/1993	Fit for purpose	Yes*
	Wrack & Algae Collector	28/5/1999	Fit for purpose	Yes*
	7m Punt with 60hp O/B with trailer	28/6/2017	Yes	No
	3 way Wrack Tipping Trailer	1/12/2016	Yes	No
	Excavators, back hoe, HR trucks (from Council Plant Pool)		Yes	No

Contractor Plant	Plant Item	Purchase Date	Current Technology?	End of Useful Life?
GPT Cleaning	Vacuum Induction Trucks		Yes	No
Wrack and Algae Collection	Truxor, Wrack and Algae Collector, Excavator, Shore Conveyor		Yes	No

*Machinery that is operated by Council and its contractors is fit for purpose, maintained in good working order and serviced according to set service schedules/intervals. However, given the age of Council's dredging and wrack collection plant, and the consequent maintenance costs, it is timely to consider replacement and market opportunities.

Council has commissioned external consultants to review Council's Aquatic Operations i.e. dredging and wrack collection.

This study will review and assess current practice and will:

- 1 Provide advice on the suitability of current plant and suggest improvements to best perform any future operations.
- 2 Complete a review to determine if these operations would be best performed internally using Council staff and equipment, or under an external contracting arrangement.

This report is due at the end of May 2019, and any proposed plant replacements have been deferred until after this study is completed.

Attachments

Nil.



Item No: 5.11
Title: QON - Q57/19 - 'Ask' Service
Department: Connected Communities

13 May 2019 Ordinary Council Meeting

Trim Reference: F2019/00041 - D13518737

Author: Sue Ledingham, Unit Manager Community Engagement

Executive: Julie Vaughan, Director, Connected Communities

5.11 QON - Q57/19 - 'Ask' Service

The following question was asked by Councillor Louise Greenaway at the Ordinary Meeting on 25 March 2019:

Would staff please advise if there is a time frame within which members of the community can expect an answer to questions submitted via ask, (after receipt of the initial acknowledgement)? That is they receive an acknowledgement but have no idea if an actual answer should be expected within one week, one month, one year? At least with Councillor Requests we can anticipate a response within 5 business days or so.

Currently when customers send in a question through Ask, the response timeframe depends on the type of question they ask. Each question is triaged according to the request urgency, type of request, whether it requires further investigation or whether no action will be taken. There are varying services levels dependent upon the type of follow up required to answer the query.

As part of the implementation of the Customer Experience Strategy it is anticipated that all customers will receive an initial response to an enquiry within 5 business days to inform them what action will be taken. This response timeframe was identified in the Customer Experience survey last year as the longest timeframe that the majority of our customers believe is reasonable to wait for a response. However, if it is an urgent issue, we would respond within 2 business days as identified in the survey.

Attachments

Nil.



Item No: 5.12
Title: QON - Q61/19 - Concrete Crushing Dust Levels
Department: Environment and Planning

13 May 2019 Ordinary Council Meeting

Trim Reference: F2019/00041 - D13511920

Author: Shann Mitchell, Senior Environmental Health Officer

Manager: Brian Jones, Acting Unit Manager, Environment and Compliance

Executive: Scott Cox, Director, Environment and Planning

5.12 QON - Q61/19 - Concrete Crushing Dust Levels

The following question was asked by Councillor Kyle MacGregor at the Ordinary Meeting on 8 April 2019:

How is Council or other regulatory bodies monitoring dust levels from concrete crushing which occurs within the Central Coast LGA and how is council or other regulatory bodies monitoring this information and protecting both people and our natural environment from exposure to the dust and airborne elements of these facilities i.e. silica dust?

There are 4 agencies responsible for monitoring dust emissions across the Central Coast area.

Council commonly monitors dust emissions from crushing plants and other industries by carrying out compliance investigations following receipt of a service request from the community. Other irregular compliance inspections are conducted where dust generation is a known community issue.

The Environment Protection Authority monitors dust emissions from crushing plants and other industries by site inspections for compliance with Environment Protection License.

SafeWork NSW monitors dust emissions from crushing plants and other industries by site inspections for compliance with workplace safety standards.

The Office for Environment and Heritage monitors and assesses air quality over the entire Central Coast Area in accordance with the National Environment Protection Measure (NEPM). The air quality on the Central Coast is generally compliant with the NEPM and a copy of these results are recorded and published hourly on the OEHL website, please see link <https://www.environment.nsw.gov.au/topics/air/monitoring-air-quality/lower-hunter-and-central-coast>

Attachments

Nil.



Item No: 5.13
Title: QON - Q64/19 - Peat Island
Department: Environment and Planning

13 May 2019 Ordinary Council Meeting

Trim Reference: F2019/00041 - D13506248

Author: Lucy Larkins, Senior Strategic Planner

Manager: Scott Duncan, Section Manager, Land Use and Policy

Executive: Scott Cox, Director, Environment and Planning

5.13 QON - Q64/19 - Peat Island

The following question was asked by Councillor Mehrtens at the Ordinary Meeting on :

What is Council's current role and involvement in the Peat Island Development?

Central Coast Council (Council) is the Planning Proposal Authority for the planning proposal related to lands at Peat Island and Moonee Moonee. Council's role is to prepare and administer the proposal including undertaking the agency and community consultation processes. The Department of Planning and Environment (DP &E) has the delegation to make the amendment to *Gosford Local Environmental Plan 2014*.

There are a number of planning studies that are still outstanding and these include:

- Fauna / Flora
- Traffic / Transport

Comments from state agencies and agreement from DP & E is required before the planning proposal can be exhibited. The Council resolved to exhibit the planning proposal for a minimum period of three months.

Attachments

Nil.



Item No: 6.1
Title: Rescission Motion - Terrigal Boardwalk and Rock Pool
Department: Councillor

13 May 2019 Ordinary Council Meeting

Trim Reference: F2018/00020-07 - D13528353

Author: Troy Marquart, Councillor
Rebecca Gale Collins, Councillor
Jilly Pilon, Councillor
Greg Best, Councillor
Chris Burke, Councillor

Council, at the Ordinary Meeting held on 29 April 2019 gave consideration to a report regarding Terrigal Boardwalk and Rock Pool.

At that meeting, Council resolved as follows:

- 315/19 *That Council receive and note this report.*
- 316/19 *That Council progress the rock pool works as a standalone project including consideration in the design of mitigating any impacts of stormwater from nearby drains*
- 317/19 *That Council defer consideration of the Terrigal Boardwalk to allow for:*
- *A site visit with the designer / engineer*
 - *A briefing from a suitably qualified design engineer to address any issues raised as a result of the site visit, if required*
 - *Further consideration from staff regarding the utilisation of The Haven carpark*
- 318/19 *That Council request that the Chief Executive Officer provide a further report to Council as soon as possible.*

A Rescission Motion has been received from Councillors Marquart, Gale Collins, Pilon, Best and Burke to be moved at the Ordinary Council Meeting of Council to be held on Monday, 13 May 2019, as follows:

MOVE that the following resolution carried at the Ordinary Meeting of Council held on 29 April 2019 be rescinded:

- 315/19 *That Council receive and note this report.*
- 316/19 *That Council progress the rock pool works as a standalone project including consideration in the design of mitigating any impacts of stormwater from nearby drains*

- 317/19 *That Council defer consideration of the Terrigal Boardwalk to allow for:*
- *A site visit with the designer / engineer*
 - *A briefing from a suitably qualified design engineer to address any issues raised as a result of the site visit, if required*
 - *Further consideration from staff regarding the utilisation of The Haven carpark*
- 318/19 *That Council request that the Chief Executive Officer provide a further report to Council as soon as possible.*

Should the above Rescission Motion be carried, further notice is given that Councillors Marquart, Gale Collins, Pilon, Best and Burke will move the following motion:

MOVE

- 1 *That Council receive and note this report and all attachments for a proposed Boardwalk, providing an improved pedestrian link between The Haven and Terrigal CBD.*
- 2 *That Council authorize the Chief Executive Officer to enter into the Funding Deed of agreement with Restart NSW for \$2,938,600 to construct the Terrigal Boardwalk in accordance with Attachment 1 – Terrigal Boardwalk Basis of Design*
- 3 *That Council approve the allocation of funds to match Restart NSW 50% contribution of \$2,938,600 for the 2019/20 and 2020/2021 capital works budget period for the construction of the proposed Boardwalk in line with the terms and conditions of the funding agreement.*
- 4 *That Council authorise the Chief Executive Officer to invite tenders by way of a public Tender in accordance with the Local Government Procurement Guidelines for the construction of the proposed Boardwalk and Rock Pool at Terrigal as one Contract.*
- 5 *That Council resolve, pursuant to s10A(2)(c) of the Local Government Act 1993, that Attachments 9 and 10 to this report remain confidential as they contain information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.*

Attachments

Nil.