



Central Coast Council
Business Paper
Ordinary Meeting
08 April 2019





CENTRAL COAST

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.

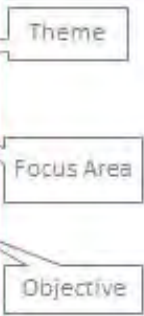
COMMUNITY STRATEGIC PLAN 2018-2028 FRAMEWORK

THEMES: BELONGING, SMART, GREEN, RESPONSIBLE, LIVEABLE

COMMUNITY VISION: WE ARE ONE CENTRAL COAST. A SMART, GREEN AND LIVABLE BEACH WITH A SHARED SENSE OF BELONGING AND RESPONSIBILITY.

FOCUS AREAS: GOOD GOVERNANCE AND GREAT PARTNERSHIPS, BELIEVING ESSENTIAL INFRASTRUCTURE, BALANCED AND SUSTAINABLE DEVELOPMENT

OBJECTIVES: G1, G2, G3, G4, G5, G6, G7, G8, G9, G10, G11, G12, G13, G14, G15, G16, G17, G18, G19, G20, G21, G22, G23, G24, G25, G26, G27, G28, G29, G30, G31, G32, G33, G34, G35, G36, G37, G38, G39, G40, G41, G42, G43, G44, G45, G46, G47, G48



Meeting Notice

The Ordinary Meeting of Central Coast Council will be held in the Council Chamber, 2 Hely Street, Wyong on Monday 8 April 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



8 April 2019 Ordinary Council Meeting

Trim Reference: F2018/00020-07 - D13491998

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



8 April 2019 Ordinary Council Meeting

Trim Reference: F2018/00020-07 - D13492057

Summary

Confirmation of minutes of the Ordinary Meeting of the Council held on 25 March 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 25 March 2019.

Attachments

1 MINUTES - Ordinary Meeting Meeting - 25 March 2019 D13490394



Central Coast Council

Minutes of the Ordinary Council Meeting

Held in the Council Chamber
2 Hely Street, Wyong
on 25 March 2019
Commencing at 6.30pm

Present

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

In Attendance

Gary Murphy (Chief Executive Officer), Boris Bolgoff (Director Roads, Transport, Drainage and Waste), Scott Cox (Director Environment and Planning), Bileen Nel (Director Water and Sewer), Julie Vaughan (Director Connected Communities), Shane Sullivan (Acting Director Governance), Matthew Prendergast (Acting Executive Manager Innovation and Futures) and Vivienne Louie (Unit Manager Financial Performance and Responsible Accounting Officer).

The Mayor, Jane Smith, declared the meeting open at 6.54pm and advised in accordance with the Code of Meeting Practice that the meeting is being recorded.

The Mayor, Jane Smith read an acknowledgement of country statement.

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.

At the commencement of the ordinary meeting report no's 1.1, 1.2, 1.3, 3.6 and 6.3 were dealt with first then the remaining reports in order. However for the sake of clarity the reports are recorded in their correct agenda sequence.

Apology

Moved: **Councillor Gale Collins**

Seconded: **Councillor Pilon**

Resolved

205/19 That Council resolve to accept the apology from Councillor Burke.

For:

Unanimous

1.1 Disclosure of Interest

Item 2.2 - PP/2012/33 - Planning Proposal Bakali Road, Forresters Beach

Scott Cox declared a less than significant non pecuniary interest in the matter as his family have been residents of Forresters Beach since 1955 and his father still resides there. Mr Cox chose to remain in the chamber. The matter was dealt with by the exception method.

Item 3.5 - Community Support Grant Program 2018-2019

Councillor Greenaway declared a less than significant non pecuniary interest in the matter as she is associated with some of the community groups. Councillor Greenaway chose to remain in the chamber and participate in discussion and voting. The matter was dealt with by the exception method.

Councillor McLachlan declared a pecuniary interest in the matter as he made a small donation to the North Entrance Life Saving Club, Coast Life. Councillor McLachlan chose to leave the chamber and not participate in discussion and voting. The matter was dealt with by the exception method.

Item 6.3 - Community Vs JRPP Legal Challenge – Council to Support

Councillor MacGregor declared a pecuniary interest in the matter as he is a member of the Joint Regional Planning Panel (JRPP) and receives income from attending these meetings and believes it to be a significant pecuniary conflict of interest. Councillor MacGregor left the chamber at 7.46pm, returning at 8.10pm, and did not participate in discussion or voting.

It is noted that Councillor MacGregor declared a pecuniary interest in the matter and left the Public Forum at 6.36pm, did not return to the Public Forum.

Councillor Sundstrom declared a pecuniary interest in the matter as he is an alternative panel member for the JRPP and has been involved in deliberations on this matter. Councillor Sundstrom left the chamber at 7.46pm, returning at 8.09pm, and did not participate in discussion or voting.

It is noted that Councillor Sundstrom declared a pecuniary interest in the matter and left the Public Forum at 6.36pm, and did not return to the Public Forum.

Scott Cox declared a significant non pecuniary interest in that the motion implies potential administrative errors by his Development Assessment staff. Mr Cox left the chamber at 7.46pm, returning at 8.09pm, and did not participate in discussion or voting.

It is noted that Scott Cox, Director Environment and Planning declared a significant non pecuniary interest in the matter and left the Public Forum at 6.37pm, and did not return to the Public Forum.

Item 6.4 – Notice of Motion - Proposed New Intercity Fleet Maintenance Facility Project Kangy Angy

Councillor Matthews declared a pecuniary interest in the matter as she has a client who is still challenging this development. Councillor Matthews left the chamber at 9.59pm and did not return.

Moved: Councillor MacGregor

Seconded: Councillor Matthews

Resolved

206/19 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

207/19 That Council confirm the minutes of the Ordinary Meeting of the Council held on 11 March 2019.

For:

Unanimous

1.3 Notice of Intention to Deal with Matters in Confidential Session

Moved: Councillor MacGregor

Seconded: Councillor Hogan

Resolved

208/19 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

Councillor Vincent left the chamber at 7.02pm and returned at 7.03pm and did not participate in voting or discussion.

Moved: *Councillor MacGregor*

Seconded: *Councillor Greenaway*

Resolved

209/19 *That with the exception of the following reports, Council adopt the recommendations contained in the remaining reports:*

Item 2.1 *DA/1240/2018 - Dual Occupancy and Strata Subdivision - 11 Grasstree Avenue Woongarra*

Item 2.3 *Gosford Heritage Interpretation Strategy*

Item 3.1 *Code of Conduct*

Item 3.2 *2019 National General Assembly of Local Government*

Item 3.3 *Consideration of Submissions and Adoption of the Central Coast Affordable and Alternative Housing Strategy*

Item 3.4 *Cities Power Partnership Pledges*

Item 3.6 *Exhibition of the Draft Operational Plan 2019-20*

Item 4.1 *Snowy Hydro Legacy Fund Update*

Item 4.4 *Investment Report for February 2019*

Item 6.1 *Deferred Item - Notice of Motion - \$2.8 Billion Tuggerah Redevelopment*

Item 6.2 *Deferred Item - Notice of Motion - Gosford and Wyong Pools*

Item 6.3 *Notice of Motion - Community Vs JRPP Legal Challenge - Council to Support*

Item 6.4 *Notice of Motion - Proposed New Intercity Fleet Maintenance Facility Project Kangy Angy*

210/19 *That Council adopt the following items en-masse and in accordance with the report recommendations:*

Item 2.2 *PP/2012/33 - Planning Proposal Bakali Road, Forresters Beach*

Item 3.5 *Community Support Grant Program 2018-2019*

Item 4.2 *2019 State and Federal Election Funding Opportunities*

Item 4.3 *Update on Council's Access to Information Initiatives*

For:

Unanimous

Procedural Motion

Moved: *Councillor Gale Collins*

Seconded: *Councillor Matthews*

Resolved

211/19 *That Council allow meeting practice to be varied to bring the following items forward within the agenda;*

- *Item 3.6 - Exhibition of the Draft Operational Plan 2019-20 and;*

- **Item 6.3 - Notice of Motion - Community Vs JRPP Legal Challenge - Council to Support.**

For:
Unanimous

2.1 DA/1240/2018 - Dual Occupancy and Strata Subdivision - 11 Grasree Avenue Woongarra

Councillor Gale Collins left the chamber at 7.46pm and did not return.

Councillor Best left the chamber at 8.10pm, returning at 8.16pm and did not participate in discussion and voting.

Moved: Councillor Mehrtens
Seconded: Councillor Marquart

Resolved

212/19 That Council grant consent subject to the conditions detailed in the schedule attached to the report and having regard to the matters for consideration detailed in Section 4.15 of the Environmental Planning and Assessment Act 1979 and other relevant issues.

213/19 That Council advise those who made written submissions of Council's decision.

For:
Mayor Smith and Councillors Marquart, Holstein, Mehrtens, Sundstrom, Matthews, Pilon and McLachlan

Against:
Councillors Vincent and Hogan

Abstained: Councillors MacGregor and Greenaway

2.2 PP/2012/33 - Planning Proposal Bakali Road, Forresters Beach

Scott Cox declared a less than significant non pecuniary interest in the matter as his family have been residents of Forresters Beach since 1955 and his father still resides there. Mr Cox chose to remain in the chamber. The matter was dealt with by the exception method.

Moved: Councillor MacGregor
Seconded: Councillor Greenaway

Resolved

214/19 That Council support an amended Planning Proposal to:

- a) **Rezone the following lots to R2 Low Density Residential under Gosford Local Environmental Plan 2014 or Central Coast Local Environmental Plan (whichever is in effect at the time):**
- Lot 1 DP 405510,
 Lot 51 DP 1028301,
 Lot 62 DP 838562,
 Lots 155 & 156 DP 531710,
 Lots 1-14, 18 & 19 DP 23283,
 Lots 1-8 DP 24187,
 Lots 1-3 DP 101649, and part of Lot 522 DP 1077907 Central Coast Highway, Forresters Beach, and Lots 1, 2 & 4 DP 1000694, and part of Lot 3 DP 1000694 Bakali Road, Forresters Beach.**
- b) **Rezone part of Lot 522 DP 1077907 and part of Lot 3 DP 1000694 to E2 Environmental Conservation under Gosford Local Environmental Plan 2014 or Central Coast Local Environmental Plan (whichever is in effect at the time);**
- c) **Rezone part of Lot 522 DP 1077907 and part of Lot 3 DP 101649 Central Coast Highway, Forresters Beach to RE1 Public Recreation under the Gosford Local Plan 2014 or Central Coast Local Environmental Plan (whichever is in effect at the time);**
- d) **Apply the Minimum Lot Size of:**
- **1850 m² to land proposed to be zoned R2 Low Density Residential and fronting Bakali Road on Lot 3 DP 1000694 and parts of Lots 1 & 2 DP 1000694 ,and**
 - **550 m² to all remaining land proposed to be rezoned R2 Low Density Residential, under the Gosford Local Environmental Plan 2014 or the Central Coast Local Environmental Plan (whichever is in effect at the time).**

215/19 That Council submit a revised Planning Proposal to the Minister for Planning in accordance with Section 3.35(2) of the Environmental Planning and Assessment Act 1979, requesting an amended Gateway Determination, pursuant to Section 3.34 of the Environmental Planning and Assessment Act 1979.

216/19 That Council request delegation for Council to finalise and make the draft Local Environmental Plan, pursuant to Section 3.36 of the Environmental Planning and Assessment Act 1979.

217/19 That Council prepare and exhibit the appropriate Development Control Plan provisions to support the development of the land subject to this Planning Proposal.

218/19 That Council enter into a Voluntary Planning Agreement with the owner of

Lot 522 DP 1077907, Lot 4 DP 1000694 and Lot 3 DP 101649 to require:

- **Dedication of 4000m² of land to Council for a park;**
- **Dedication of land for the purposes of a drainage reserve;**
- **Undertake roadworks to satisfy the requirements of the NSW Roads and Maritime Service and Council;**
- **Implement a Vegetation Management Plan for the area proposed to be zoned E2 Environmental Management; and**
- **exhibit with the Planning Proposal.**

219/19 That Council undertakes community and public authority consultation in accordance with the Gateway Determination requirement.

220/19 That Council considers a further report on the results of the public authority and community consultation.

For:

Unanimous

2.3 Gosford Heritage Interpretation Strategy

Councillor Gale Collins left the chamber at 7.46pm and did not return.

Moved: Councillor Matthews

Seconded: Councillor Holstein

Resolved

221/19 That Council, for the purposes of community consultation, endorse the draft Gosford Central Business District Heritage Interpretation Strategy for a minimum period of 28 days.

222/19 That, following exhibition of the draft Gosford Central Business District Heritage Interpretation Strategy, Council considers a further report on results of community consultation.

For:

Unanimous

3.1 Code of Conduct

Councillor Gale Collins left the chamber at 7.46pm and did not return.

Moved: Councillor Hogan

Seconded: Councillor Matthews

Resolved

223/19 That Council adopt the Code of Conduct that is Attachment 1 to this report in accordance with section 440(3) of the Local Government Act 1993 with the following amendments:

a The inclusion of the additional provisions listed at reference d), e), f), h), i), k) and n) in the document titled "Additional Provisions to Draft Code of Conduct" that is Attachment 3 to this report.

224/19 That Council adopt the Procedures for the Administration of the Model Code that is Attachment 2 to this report in accordance with section 440AA of the Local Government Act 1993.

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

3.2 2019 National General Assembly of Local Government

Councillor Gale Collins left the chamber at 7.46pm and did not return.

Councillor Greenaway left the chamber at 8.41pm, returning at 8.43pm, and was absent during voting.

Moved: Mayor Smith
Seconded: Councillor Pilon

Resolved

225/19 That Council endorse the following Councillor attendees and Council voting delegate.

Voting Delegate: Mayor Smith

Attendees:
Councillor Best
Councillor Greenaway
Councillor Pilon
Councillor MacGregor
Councillor Matthews
Councillor Mehrtens
Councillor Sundstrom
Councillor Vincent

For:
Unanimous

3.3 Consideration of Submissions and Adoption of the Central Coast Affordable and Alternative Housing Strategy

Councillor Gale Collins left the chamber at 7.46pm and did not return.

Moved: Councillor Holstein

Seconded: Councillor Hogan

Resolved

226/19 That Council defer the matter to a Council meeting to be held in April 2019 to allow the Councillors to discuss aspects of the new strategy changes.

For:
Mayor Smith and Councillors Holstein,
Mehrtens, Sundstrom, Matthews,
MacGregor, Pilon, McLachlan, Greenaway,
Hogan and Best.

Against:
Councillors Marquart and Vincent

3.4 Cities Power Partnership Pledges

Councillor Gale Collins left the chamber at 7.46pm and did not return.

Moved: Mayor Smith

Seconded: Councillor Mehrstens

Resolved

227/19 That Council note and endorse the Cities Power Partnership Pledge Actions.

228/19 That the Mayor write to the Climate Council and commit to the following Cities Power Partnership Pledge Actions (CPP) as identified in the CPP Program:

- a Pledge Action A3 - Install renewable energy (solar PV and battery storage) on Council buildings for example childcare facilities, libraries, street lighting, recreation centres, sporting grounds and Council offices.**
- b Pledge Action A13 - Identify opportunities to turn waste to energy, specifically organic matter through Council's waste water treatment plants.**
- c Pledge Action A14 - Implement landfill gas methane flaring or capture for electricity generation.**
- d Pledge Action B3 - Public lighting can use a lot of city's energy budget – roll out energy efficiency lighting (particularly street lighting) across the municipality.**
- e Pledge Action C1 - Ensure Council fleet purchases meet strict greenhouse gas emissions requirements and support the uptake of electric vehicles.**
- f Pledge Action D8 - Support local community groups with their**

community energy initiatives.

229/19 That Council provide six monthly progress reports as required by the Cities Power Partnership Program.

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

Against:
Councillors Marquart, Pilon and Best

The meeting adjourned at 9.30pm, resuming at 9.41pm.

3.5 Community Support Grant Program 2018-2019

Councillor Greenaway declared a less than significant non pecuniary interest in the matter as she is associated with some of the community groups. Councillor Greenaway chose to remain in the chamber and participate in discussion and voting.

Councillor McLachlan declared a pecuniary interest in the matter as he made a small donation to the North Entrance Life Saving Club, Coast Life. Councillor McLachlan 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 Greenaway

Resolved

230/19 That Council allocate \$26,980.92 from the 2018-19 grants budget to the community support grant programs as outlined in the following report and Attachment 1.

For:
Unanimous

3.6 Exhibition of the Draft Operational Plan 2019-20

Moved: Councillor Best
Seconded: Councillor Marquart

- 1 That Council rejects the 2019-20 Draft Budget.
- 2 That Council conducts a management audit to investigate why Councils finances are deteriorating at such as rapid rate.
- 3 That Council further staff report to Council around delivering a rate reduction to the rate

payers of the former Wyong Shire Local Government Area to provide parity with rate payers of the former Gosford City Local Government Area.

For:

Councillors Marquart, Pilon, McLachlan and Best

Against:

Mayor Smith and Councillors Holstein, Mehrrens, Sundstrom, Gale Collins, Matthews, MacGregor, Greenaway, Vincent and Hogan

The Motion was put to the vote and declared LOST.

The Motion as foreshadowed by the Mayor was then put.

Moved: Mayor Smith

Seconded: Councillor MacGregor

Resolved

231/19 That Council endorse the draft Operational Plan for the 2019-20 financial year ("Operational Plan 2019-20") for the purposes of public exhibition from Monday 1 April 2019 to Wednesday 1 May 2019 and invite public submissions in accordance with the Local Government Act 1993.

232/19 That Council give public notice of the draft Operational Plan 2019-20 in accordance with s.405(3) of the Local Government Act 1993, and publicly exhibit that draft Operational Plan 2019-20 in accordance with that public notice.

233/19 That Council resolve, for the purpose of s. 405(4) of the Local Government Act 1993, that maps showing the parts of the Central Coast local government area to which each category and sub-category of ordinary and special rates proposed in the draft Operational Plan 2019-20 be made available in Council's Gosford and Wyong Administration Offices.

234/19 That Council authorise the Chief Executive Officer to make appropriate amendments to the draft Operational Plan 2019-20 to correct numerical or typographical errors.

235/19 That Council note that the Council will consider final adoption of the draft Operational Plan 2019-20 and making of rates and charges at a meeting of the Council on 11 June 2019.

236/19 That Council request the Chief Executive Officer to provide a briefing in May 2019 to Councillors on the Workforce Management Strategy including:

- (i) Current resourcing in place to deliver the themes of the Community Strategic Plan – Belonging, Smart, Green, Responsible and Liveable***
- (ii) Detail of historic resources in these areas and justification of changes***
- (iii) Identified gaps in any areas and how this will be rectified***

For:

Mayor Smith and Councillors Holstein,

Against:

Councillors Marquart, Pilon and Best

**Mehrtens, Sundstrom, Gale Collins,
MacGregor, Pilon, McLachlan, Greenaway,
Vincent and Hogan**

4.1 Snowy Hydro Legacy Fund Update

Councillor Gale Collins left the chamber at 7.46pm and did not return.

Scott Cox, Director Environment and Planning left the chamber at 9.43pm, returning at 9.45pm and did not participate in discussion.

Shane Sullivan, Acting Director Governance left the chamber at 9.43pm, returning at 9.45pm and did not participate in discussion.

Moved: Councillor Best
Seconded: Councillor Holstein

Resolved

237/19 That Council note the report on Snowy Hydro Legacy Fund Update.

For:
Unanimous

4.2 2019 State and Federal Election Funding Opportunities

Moved: Councillor MacGregor
Seconded: Councillor Greenaway

Resolved

238/19 That Council receive the report on 2019 State and Federal Election Funding Opportunities.

For:
Unanimous

4.3 Update on Council's Access to Information Initiatives

Moved: Councillor MacGregor
Seconded: Councillor Greenaway

Resolved

239/19 That Council receive the update on the ongoing release of Council held

information under the Government Information (Public Access) Act 2009 and Council's access to information initiatives, including the proactive release program.

For:

Unanimous

4.4 Investment Report for February 2019

Councillor Gale Collins left the chamber at 7.46pm and did not return.

Moved: Councillor MacGregor

Seconded: Councillor Matthews

Resolved

240/19 That Council receive the Investment Report for February 2019.

For:

Unanimous

6.1 Deferred Item - Notice of Motion - \$2.8 Billion Tuggerah Redevelopment

Councillor Gale Collins left the chamber at 7.46pm and did not return.

Moved: Councillor Best

Seconded: Councillor Pilon

Resolved

241/19 That Council request the Chief Executive Officer, in partnership with the Project Proponents, Regional Development Australia Central Coast (RDACC) and Planning Department Representatives, provide Council with a preliminary briefing around this extraordinary initiative.

For:

Mayor Smith and Councillors Marquart, Holstein, Mehrrens, Sundstrom, Matthews, MacGregor, Pilon, McLachlan, Vincent, Hogan and Best

Against:

Councillor Greenaway

6.2 Deferred Item - Notice of Motion - Gosford and Wyong Pools

Councillor Gale Collins left the chamber at 7.46pm and did not return.

Moved: Councillor MacGregor

Seconded: Councillor Mehrtens

Resolved

- 242/19 That Council notes that both Gosford and Wyong Pools are longstanding essential pieces of community infrastructure on the Central Coast and provide essential services for our community for people of all ages and levels of advantage.**
- 243/19 That Council notes that the usage and patronage of both Gosford and Wyong pools as well as our leisure centres has increased and that demand for these facilities is strong across the Central Coast highlighting the importance of their operation to our community.**
- 244/19 That Council identify opportunities to upgrade and renovate these facilities as part of our upcoming budget process for 2019 as discussed at the recent budgeting workshop attended by councillors and senior staff.**
- 245/19 That Council retain these facilities in public ownership, not transferred to for profit organisations or outsourced for profit to private businesses or interests in the future and that these facilities remain in their current location for the duration of their lifespans or until otherwise determined by full Council at a later date.**
- 246/19 That Council thank the staff who maintain and operate these facilities for their hard work, diligence and service to our broader community.**
- 247/19 That Council request the Chief Executive Officer provide councillors with a briefing on the past, current status and future opportunities for the development and construction of an aquatic leisure centre for the northern wards of the Central Coast LGA i.e. the Warnervale leisure centre."**
- 248/19 That Council advises of the current classification of the Wyong and Gosford pool facilities.**

For:

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

Against:

Councillors Marquart and Best

Abstained: Councillor Pilon

6.3 Notice of Motion - Community Vs JRPP Legal Challenge - Council to Support

Councillor Gale Collins left the chamber at 7.46pm and did not return.

Councillor MacGregor declared a pecuniary interest in the matter as he is a member of the Joint Regional Planning Panel (JRPP) and receives income from attending these meetings and believes it to be a significant pecuniary conflict of interest. Councillor MacGregor left the

chamber at 7.46pm, returning at 8.10pm, and did not participate in discussion or voting.

It is noted that Councillor MacGregor declared a pecuniary interest in the matter and left the Public Forum at 6.36pm, did not return to the Public Forum.

Councillor Sundstrom declared a pecuniary interest in the matter as he is an alternative panel member for the JRPP and has been involved in deliberations on this matter. Councillor Sundstrom left the chamber at 7.46pm, returning at 8.09pm, and did not participate in discussion or voting.

It is noted that Councillor Sundstrom declared a pecuniary interest in the matter and left the Public Forum at 6.36pm, and did not return to the Public Forum.

Scott Cox declared a significant non pecuniary interest in that the motion implies potential administrative errors by his Development Assessment staff. Mr Cox left the chamber at 7.46pm, returning at 8.09pm, and did not participate in discussion or voting.

It is noted that Scott Cox, Director Environment and Planning declared a significant non pecuniary interest in the matter and left the Public Forum at 6.37pm, and did not return to the Public Forum.

Moved: Councillor Best
Seconded: Councillor McLachlan

Resolved

249/19 That Council reaffirms its disappointment at the Joint Regional Planning Panel's (JRPP) decision to approve under the Affordable Rental Housing SEPP 2009, DA/44/2018 (JRPP ID 2018HCC04,) a 34 Unit Housing Development in Dunleigh Street, Toukley.

250/19 That Council further reaffirms its support as outlined in its 29 January 2019 decision calling on the JRPP "to reject this proposal".

251/19 That Council notes the ongoing community outrage at this decision and their strong intention to mount a judicial legal challenge in the Land and Environment Court against the JRPP.

252/19 That Council request that the Chief Executive Officer seek urgent legal advice around proceeding, process, timing, costs and prospects of such a Land and Environment Court proceeding.

For:
Unanimous

6.4 Notice of Motion - Proposed New Intercity Fleet Maintenance Facility Project Kangy Angy

Councillor Matthews declared a pecuniary interest in the matter as she has a client who is still challenging this development. Councillor Matthews left the chamber at 9.59pm and did not

return or participate in discussion or voting.

Councillor Gale Collins left the chamber at 7.46pm and did not return.

Councillor Best left the chamber at 10.03pm and did not return.

Moved: Councillor Greenaway

Seconded: Councillor MacGregor

Resolved

253/19 That Council request the Chief Executive Officer review the circumstances relating to Transport for New South Wales application to Office of Environment and Heritage (OEH) for a modification of the threatened species concurrence - proposed New Intercity Fleet Maintenance Facility Project at 53 - 55 Orchard Rd Kangy Angy issued by OEH on 22 August 2016, noting that OEH issued a second concurrence for the project on 29 August 2017.

254/19 That Council request that the Chief Executive Officer identify grounds, if any, to oppose the modification request.

255/19 That Council, in the event that any grounds are identified as per paragraph 2, request the Chief Executive Officer write a submission to OEH detailing the grounds.

256/19 That Council request the Chief Executive Officer provide a copy of the submission to Councillors once it is finalised and further clarify if any trees proposed for removal are on Council land.

**For:
Mayor Smith and Councillors Mehrstens,
Sundstrom, MacGregor, Pilon, McLachlan,
Greenaway, Vincent and Hogan**

**Against:
Councillors Marquart and Holstein**

Questions on Notice

**Q54/19 QON - Tennis Courts
Councillor Jillian Hogan**

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?

**Q55/19 QON - Gwandalan and Summerland Point Peninsula Improvement Group
Councillor Doug Vincent**

Could staff please advise if a response will be provided, in the near future, to the Gwandalan and Summerland Point Peninsula Improvement Group (GASPPIG) Executive (Tony Kirby, President and Bill Symington, Secretary) addressing the groups 15 questions that were emailed to Council regarding statutory obligations under the Local Government Act to publicly notify residents and ratepayers of specific Council matters.

**Q56/19 QON - Lakes and Waterways
Councillor Doug Vincent**

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?

**Q57/19 QON - 'Ask' Service
Councillor Louise Greenaway**

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.

**Q58/19 QON - Baker Park Gifted to Community
Councillor Louise Greenaway**

Would staff please advise how Baker Park was gifted to the community given that it doesn't appear to have been via Gersh Baker's will? I.e. was it by deed during his lifetime or by his widow on her death?

**Q59/19 QON - Empire Bay
Councillor Jilly Pilon on behalf of Councillor Gale Collins**

Can Council assess the extent of drainage issue at Boongala Ave in Empire Bay?

**Q60/19 QON - Boarding Houses
Councillor Jilly Pilon on behalf of Councillor Gale Collins**

Can Council access the number of private boarding houses that do care for homeless people across the Central Coast?

**Q61/19 QON - Concrete Crushing Dust Levels
Councillor Kyle MacGregor**

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?

Q62/19 QON - Councillor Briefings
Councillor Kyle MacGregor

Is Council able to publish the total amount of briefings that have been held since the inception of the current council and have a table which confirms how many of this total number have been attended by individual Councillors with either the number attended or a percentage that reflects the number of total attended published in response to this question on notice in an upcoming business paper?

Q63/19 QON - Gosford Hospital Parking Arrangements
Councillor Jeff Sundstrom

New parking arrangements at Gosford hospital have upset a quite number of staff and they are currently boycotting the location. They had questions about whether paid or timed parking was going to be introduced on Racecourse Road. Do we have plans or investigations going into either paid or timed parking on Racecourse Road or in the vicinity of the Hospital?

Q64/19 QON - Peat Island Development
Councillor Richard Mehrrens

What is Council's current role and involvement in the Peat Island Development?

Q65/19 QON - Gosford Short Term Parking Strategy
Councillor Chris Holstein

Can staff please advise on progress of the Gosford short term parking strategy? When will it commence and what communication strategy is planned to inform the public?

Q66/19 QON - Gosford Pool Leak
Councillor Troy Marquart

Please confirm if any of the three pools at Gosford pool currently leak, if so how much they leak annually and can these leaks be fixed by an upgrade or a renovation?

The Meeting closed at 10.17pm.



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

8 April 2019 Ordinary Council Meeting

Trim Reference: F2018/00020-07 - D13492059

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

Context

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

- 2(a) *personnel matters concerning particular individuals (other than Councillors),*
- 2(b) *the personal hardship of any resident or ratepayer,*
- 2(c) *information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business,*
- 2(d) *commercial information of a confidential nature that would, if disclosed:*
 - (i) *prejudice the commercial position of the person who supplied it, or*
 - (ii) *confer a commercial advantage on a competitor of the Council, or*
 - (iii) *reveal a trade secret,*
- 2(e) *information that would, if disclosed, prejudice the maintenance of law,*

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

- 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.*

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

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

Attachments

Nil



Item No: 2.1
Title: DA/124/2018 - 195 Johns Road, Wadalba
Department: Environment and Planning

8 April 2019 Ordinary Council Meeting

Trim Reference: F2018/00020-06 - D13470571
Author: Salli Pendergast, Principal Development Planner North
Manager: Emily Goodworth, Section Manager, Development Assessment
Executive: Scott Cox, Director, Environment and Planning

Summary

An application has been received for a proposed reconfiguration and expansion of the existing caravan park known as 'Homeland', including a new recreation centre, demolition and other works at 195 John Road, Wadalba. The application has been examined having regard to the matters for consideration detailed in section 4.15 of the *Environmental Planning and Assessment Act 1979* and other statutory requirements with the issues requiring attention and consideration being addressed in the report.

The application is being reported to Council as Councillor's MacGregor and Greenaway have requested that the application be determined at an Ordinary Meeting of Council.

Applicant	Orr Investment Group c/- Progressive Property Solutions
Owner	Homeland Village Pty Ltd
Application No	DA/124/2018
Description of Land	195 Johns Road, Wadalba, Lot 3, DP.536569
Proposed Development	Expansion and reconfiguration of the existing caravan park including new recreation centre, demolition and other works.
Site Area	40470m ²
Zoning	R1 General Residential (Draft R1 General Residential)
Existing Use	Homeland Caravan Park
Estimated Value	\$750,000

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.*
- 3** *That Council advise these government authorities who made submissions of its decision.*

Precis:

Proposed Development	Expansion and reconfiguration of the existing caravan park from 127 to 135 lease lots including construction of a new recreation centre, demolition and other works.
Permissibility and Zoning	The subject site is zoned R1 General Residential under Wyong Local Environmental Plan (WLEP) 2013. Caravan parks are permissible with consent.
Relevant Legislation	<ul style="list-style-type: none"> • <i>Environmental Planning and Assessment Act 1979 and Regulation 2000</i> • <i>Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005</i> • <i>State Environmental Planning Policy (SEPP) 21 - Caravan Parks</i> • <i>SEPP No.55 - Remediation of Land</i> • <i>SEPP No.44 - Koala Habitat Protection</i> • <i>Wyong Local Environmental Plan (WLEP) 2013</i> • <i>Draft Central Coast Local Environmental Plan 2018 (Draft CC LEP 2018)</i>
Current Use	Caravan Park (127 sites) known as 'Homeland'
Integrated Development	Yes
Submissions	1 submission during the first notification period 1 submission including a petition (81 signatures) was received after the close of the second notification period

Variations to Policies

There are no variations to Council's LEP or DCP planning controls.

The Site

The site is located on the northern side of Johns Road and currently operates as a caravan park (known as Homeland Village). The current 'Approval to Operate' for this caravan park allows for 127 long term sites. The site has a frontage of 99.7m, with a gradient to the street. The rear (northern) portion of the site contains partial vegetation cover, which is significantly disturbed with the under-storey removed. The site is identified as bushfire prone land.



Above: Aerial view of site

Surrounding Development

The site adjoins residential land with low density residential development to the east and west. To the rear (north) the land adjoins the Wadalba Wildlife Corridor.

The Proposed Development

The development application seeks approval for the reconfiguration and expansion of the existing caravan park to expand to 135 lease lots (an increase from the current 127 lease lots). The proposed development also includes the construction of additional internal access road, a car park, and a two storey recreation building on the site.

Details of the proposal include:

- Reconfiguration of the existing 127 lease lots to create 94 larger sized lots within the existing developed footprint of the site,
- Expansion of the park into the partially vegetated northern area to create 41 additional lease sites, taking the total to 135 sites,
- Retention of the existing internal access roads and construction of new internal roads,
- Construction of a new two storey recreation building (1,242m²) including function room, offices, recreation, theatre, dining, kitchen, lounge, gym, craft room, indoor bowls, and amenities.

2.1 DA/124/2018 - 195 Johns Road, Wadalba (contd)

- Retention of existing swimming pool and new BBQ area
- Bulk earthworks and removal of existing, disturbed vegetation (approximately 1.1 hectare)
- The demolition of all existing buildings (including amenities)
- Temporary access off Sulky Way (to the west) during construction
- Carpark (16 spaces)
- Landscaping works

The development of the site will be carried out in stages starting with the creation of the new sites located within the currently vacant northern portion of the site. The development of the site will then be sequenced from north to south to allow for the new sites to be created as the existing sites are removed and residents relocated. The timing is dependent on the take up rate of new sites and dwellings by new residents, the time to relocate existing residents, and the provision of services.

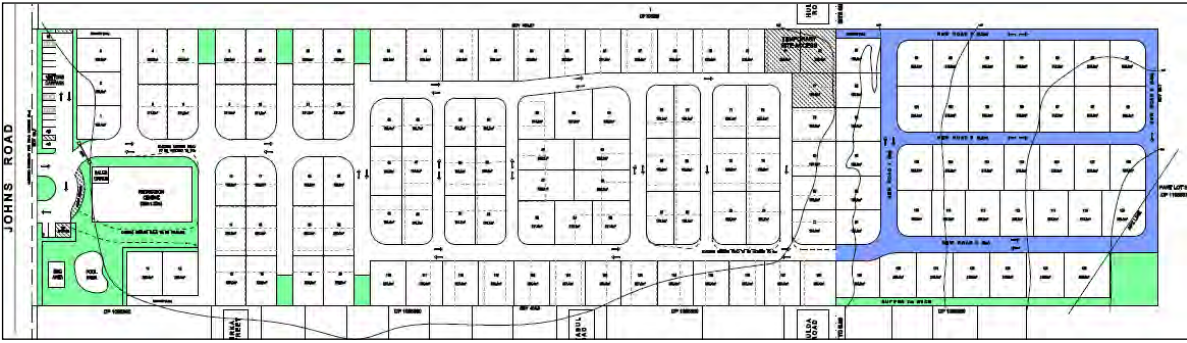
An indicative timeframe is expected to be in the order of 12 months for the completion of the new sites in the vacant area and then around a further 3 years for redevelopment of the remainder of the park to be completed. It is also proposed to complete the recreation building as part of the initial works to allow these facilities to be available to residents as early as possible.



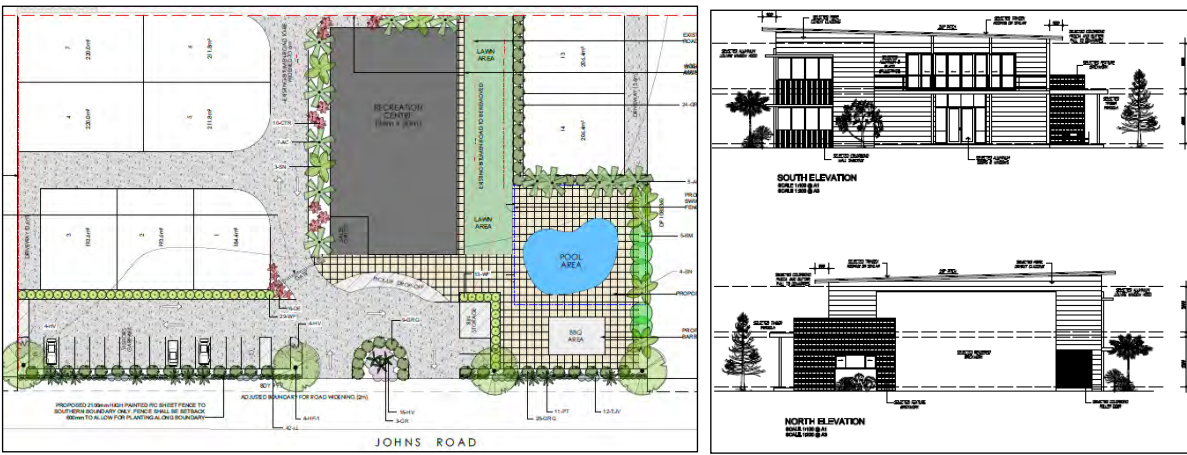
Above: Site plan with aerial overlay

The development application was originally lodged for a significant and substantial redevelopment of the site including wholesale redesign/relocation of internal access roads, a new entry road and community buildings in the northern end of the site. In order to address a number of impacts associated with the original proposal and comply with the relevant planning controls, the amended proposal has revised and scaled down the extent of changes.

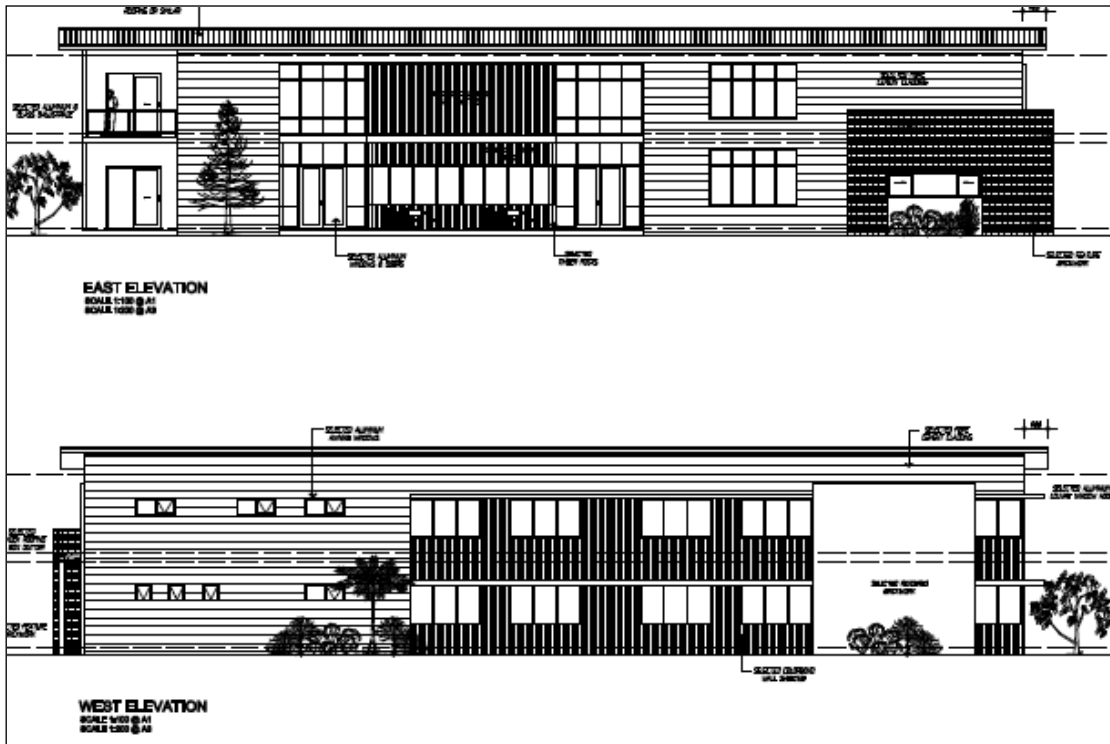
Under the amended plans, the current layout and location for existing internal roads within the caravan park remains unchanged. On this basis, the existing boundary setbacks are adopted for the existing part of the park (maintaining the current boundary setback arrangements allow for an exemption of the Local Government Act and Regulation for licensing purposes). The new lease sites, proposed to be located in the currently undeveloped northern part of the site, will strictly comply with the required boundary setbacks.



Above: Proposed site plan showing existing unchanged roads (white) and new roads (blue) and open space (green) and temporary construction access (hatched)



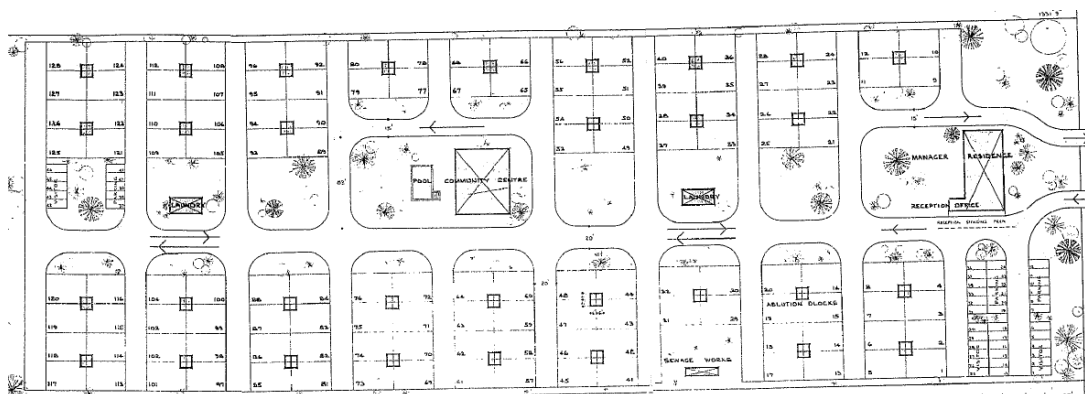
Above: New recreation facilities and retention of existing pool (left) and elevation of new recreation building (right)



Above: Elevation of new recreation building

History

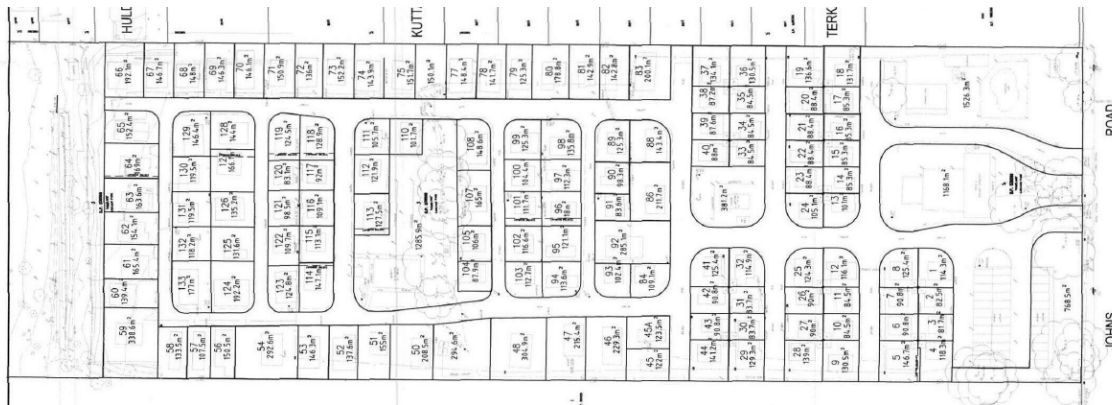
- Development Consent 74/(150) was granted on 1 August 1974 for the establishment of a caravan park with 128 sites. A further approval was issued by Council in 1976 for amended plans reducing the number of sites to 114. Although the southern third of the site (adjacent to Johns Road) reflects the lot and road layout under the 1974 approval and the next third of the site reflects the lot and road layout under the 1976 approval, the rear (northern) third of the developed site does not reflect either approval and includes a different road layout configuration to both the 1974 and 1976 approved plans.



Above: Site layout plans for the 1974 consent (does not include the rear vacant part of the site)

2.1 DA/124/2018 - 195 Johns Road, Wadalba (contd)

- Development Consent DA/848/2014 was granted on 23 December 2014 for the realignment of the internal site boundaries. The consent limited the number of sites to 127.



Above: Approved plan for DA/848/2014 (does not show the rear vacant part of the site).

- Approval to Operate No. LA/55/2015 for a caravan park on the site with 127 long term sites was issued on 12 May 2015.
- Pre-lodgement meeting No. PL/236/2017 was held with the applicant in relation to the proposal.



Above: Photo of within existing caravan park

Submissions

The application was notified on two separate occasions in accordance with DCP 2013 – Chapter 1.2 Notification of Development Proposals. One submission was received during the first notification period (1-15 March 2018) and no submissions were received during the second notification period (11-25 October 2018).

Since the closure of the formal notification period one additional submission has been received (December 2018) which includes a petition with 81 signatures from the residents of Homeland Caravan Park. In accordance with Council's Policy, the petition exceeded 50 signatures and a business update was prepared and sent to the Councillors and Councillors Macgregor and Greenaway have requested that the application be determined at an Ordinary meeting of Council.

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

- *Shortage of places on the coast that are low cost permanent or rental accommodation. Pensioners and others on Centrelink benefits need to know they can afford to live in a caravan park that isn't a home to local "druggos" such as Toukley. I hope this development goes ahead quickly*
- *Unhappy with current situation and lack of community consultation. Been informed that with the upgrading of the park, there will no longer be rental caravans. The redevelopment will be purchase only and none of us can afford to buy them.*
- *Residents told they would be given support throughout this time by the owners being transparent and keeping them updated. But in 12 months residents have heard nothing. Residents have worsening health issues and are insecure about future housing.*
- *Council has not provided any infrastructure to accommodate 100+ vulnerable residents. Is there more affordable housing being provided for low income earners? Residents need rehousing but none can afford to rent in the local rental market. Residents want to stay local and close to current home and doctors and shops in Wadalba. Why hasn't a transition plan been put in place for us?*

Comment:

Under Council's DCP Chapter 1.2 (Notification of Development Proposals), the tenants on the site within the caravan park were not notified by Council of the Development Application as they do not own the land and only adjoining land owners are notified. The obligation is on the land owner to inform the existing tenants on the site of any potential matters that may impact upon their tenancy in accordance with the *Residential Tenancy Act 2010*.

The Social Impact Assessment (SIA) that accompanied the proposal stated the key social impact identified during the community stakeholder consultation process was the displacement of the existing residents of the caravan park. To mitigate the social impacts to the existing park residents the SIA recommended the adoption of a Transition Management Plan for management of the displacement within the development and for the staged sequencing of works on the site.

As such, a Transition Management Plan has been prepared and submitted to Council in support of the application. The Plan sets out mechanisms of engaging with existing residents and undertaking the proposed works in a staged process, along with provision of support for those existing residents needing to find alternate or additional accommodation. The proposed staging approach to the development has been informed by the Transition Management Plan in order to provide sufficient time for affected residents who may be displaced as part of the redevelopment.

The potential alternative for the privately owned site is for the development to proceed in one stage (ie vacating all existing lease sties and wholesale redevelopment). The recommended conditions include provision for implementation of the staged approach, adherence to the Transition Management Plan and additional requirements to provide support for existing residents.

Submissions from Public Authorities

NSW Rural Fire Services

The development application was lodged as integrated development requiring issue of a Bush Fire Safety Authority (BFSA) under Section 100B of the *Rural Fires Act 1997* for a Special Fire Protection Purpose. The development application was accompanied by a Bushfire Assessment Report, which was referred to the Rural Fire Service. A BFSA was issued for the development dated 2 January 2019.

Internal Consultation

The application has been referred within Council to:

- Principal Development Assessment Engineer

Council's Principal Development Engineer reviewed the supporting documentation for the proposal and raised no objection subject to recommended conditions of consent.

- Contributions Officer

There is no objection raised by Council's Contributions Officer subject to the inclusion of a recommended condition in relation to the payment of monetary contributions (under Section 7.11) in accordance with Council's adopted plans.

- Senior Environmental Health Officer (Food and Public Health)

Council's Senior Environmental Health Officer assessed the application with regard to the requirements of the *Local Government (Manufactured Homes Estate, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005* and deemed the proposal suitable subject to conditions.

- Ecologist

Council's Ecologist reviewed the proposal and the flora and fauna assessment provided with the application in accordance with the applicable legislation and concluded that the proposed development is not likely to have a significant impact on any threatened species, populations or ecological communities, or their habitats. The proposed development would result in the removal of up to 1 ha of vegetation. The area which is proposed to be cleared is disturbed having been subject to past slashing

and the shrub/under-storey layer is absent. The community still retains a canopy of native tree species. The vegetation is not identified as an endangered ecological community. The site is located within the area nominated as having deemed concurrence for clearing from the NSW Office of Environmental Heritage under the Wadalba Wildlife Corridor Management Plan (Appendix 1).

A Species Impact Statement is not necessary and the proposal was considered suitable subject to conditions.

- Section Manager - Water Services and Design

Council's Section Manager Water Services and Design has reviewed the proposal. Sufficient capacity exists in Council's water and sewerage network for the proposed development. Water and sewer contributions and other requirements will be imposed under the *Water Management Act 2000* will be needed.

- Social Planner

Council's Social Planner reviewed the amended social impact assessment provided for the proposal and raised concerns regarding the social impacts of the development particularly the displacement of existing residents and how this will be managed. A Transition Management Plan was prepared by the applicant addressing the matters that were raised. The plan was reviewed by Council's Social Planner who made further recommendations which have been addressed as conditions to be adopted for any consent to be granted.

The issues raised in the referral process are discussed in the report and where relevant reflected in the conditions of consent.

Ecologically Sustainable Principles:

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

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

Climate Change

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

This assessment has included consideration of such matters as potential rise in sea level; potential for more intense and/or frequent extreme weather conditions including storm events, bushfires, drought, flood and coastal erosion; as well as how the proposed development may cope / combat / withstand these potential impacts. In this particular case, the following matters are considered to warrant further discussion, as provided below:

Bushfire Protection: The site is identified as bushfire prone land and was referred to the NSW RFS for comment who provided a Bushfire Safety Authority incorporating bushfire mitigation measures.

Assessment

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

Provisions of Relevant Instruments/Plans/Policies

Wyong Local Environmental Plan 2013

Permissibility

The subject site is zoned R1 General Residential under Wyong Local Environmental Plan (WLEP) 2013 caravan parks are permissible with consent. The relevant definition under Wyong LEP 2013 reads:

'caravan park' means land (including a camping ground) on which caravans (or caravans and other moveable dwellings) are, or are to be, installed or placed.

In accordance with Clause 2.3 of WLEP, the proposal is consistent with the R1 zone objectives in providing for the housing needs of the community including a different housing type and density than elsewhere provided in the local area.

Essential Services

In accordance with Clause 7.9, the proposed development can be serviced by Council's water supply reticulation system and sewer. Water service is available for the new proposed development from Johns Road. Council's existing system is adequate to provide water supply to the proposed development. The long term water supply strategy for the area involves the extension of an existing water main outside of Lot 133 DP1194748, connecting with the existing water main in front of the subject property. The proposal triggers the requirement for road frontage improvements including kerb and guttering and realignment of kerb for road widening and the applicant is required to undertake those works concurrently with the

water main installation (for the extent of the frontage improvements) with a credit applicable for the works.

The site is currently connected to Council's sewer network via a private sewage pump station on site. The proposed reconfiguration of the site includes removing the private pump station and connection into the new gravity mains on the adjoining property to the west. The application is required to demonstrate the proposed internal plumbing can be gravitated into Council's network. These requirements will form part of the s305 Application under the *Water Management Act 2000* to be submitted to Council as the Water Authority.

Water and sewer contributions will be applicable to the development in accordance with the Shire Wide charges. Arrangements can be made for the servicing of the new lots for electricity, the provision of vehicular access and satisfactory storm water management subject to recommended conditions.

Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005

The *Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005* (the Regulation) aims to provide opportunities for affordable alternatives in short-term and long-term accommodation by regulating standards for the design of parks, the design and siting of moveable dwellings and the standards to promote health, safety and amenity of the occupiers of moveable dwellings.

An assessment of the proposal against the relevant provisions of the Regulation has been included as a table to the report. The proposal has been assessed against the obligation under the LG Regulation and found to be satisfactory subject to recommended conditions to ensure compliance is achieved.

State Environmental Planning Policies (SEPP)

State Environmental Planning Policy No.21 - Caravan Parks

State Environmental Planning Policy 21 – Caravan Parks ensures that development consent is required for new caravan parks and camping grounds and for additional long term sites in existing caravan parks. The aims of the SEPP are as follows:

- (a) *the orderly and economic use and development of land used or intended to be used as a caravan park catering exclusively or predominantly for short-term residents (such as tourists) or for long-term residents, or catering for both, and*
- (b) *the proper management and development of land so used, for the purpose of promoting the social and economic welfare of the community, and*
- (c) *the provision of community facilities for land so used, and*
- (d) *the protection of the environment of, and in the vicinity of, land so used.*

Clause 9 permits the subdivision of caravan parks for lease purposes only but only with consent and only if Council is satisfied that the lots intended to be created for lease purposes by the proposed subdivision meets the requirements for a site to be used for long-term residence under the *Local Government (Caravan Parks and Camping Grounds) Transitional Regulation 1993 (now Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005)*.

Under Clause 10, *State Environmental Planning Policy No.21 - Caravan Parks* requires Council to consider the following matters prior to granting development consent for a caravan park.

Clause 10 matters to be considered	Proposal
<i>(a) whether, because of its location or character, the land concerned is particularly suitable for use as a caravan park for tourists or for long-term residence,</i>	The operation of the site as a caravan park is existing and dates back to 1974. The land around the park has changed over time from rural residential to low density urban residential. The proposal will include an expansion of the park into a rear undeveloped area and provision of larger sites. The proposal also includes a new recreation building which intends to improve the amenity of the existing park for residents.
<i>(b) whether there is adequate provision for tourist accommodation in the locality of that land, and whether existing or potential tourist accommodation will be displaced by the use of sites for long-term residence,</i>	The site does not have a history of providing tourist accommodation or short term sites. The proposal includes the continuation and expansion of the use of the site as a long term caravan park.
<i>(c) whether there is adequate low-cost housing, or land available for low-cost housing, in that locality,</i>	There is very limited low cost housing of a similar nature available in the area as the surrounding area is dominated by detached 4 bedroom dwelling houses. The area has recently experienced rapid urban growth and increasing population. The site provides very low cost housing and will be replaced by affordable housing at a higher cost than currently provided on the site.
<i>(d) whether necessary community facilities and services are available within the caravan park to which the development application relates or in the locality (or both), and whether those facilities and services are reasonably accessible to the occupants of the caravan park,</i>	The proposal includes the construction of a new two storey community building within the park that includes a function room, offices, recreation, theatre, dining, kitchen, lounge, gym, craft room, indoor bowls and amenities. As well as retention of the existing pool and a new BBQ area. These facilities will be readily accessible to occupants of the park.

Clause 10 matters to be considered	Proposal
(e) any relevant guidelines issued by the Director, and	N/A
(f) the provisions of the Local Government (Caravan Parks and Camping Grounds) Transitional Regulation 1993.	The applicable legislation is the <i>Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005</i> . This replaced the <i>Local Government (Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 1995</i> and the <i>Local Government (Manufactured Home Estates and Manufactured Homes) Regulation 1993</i> under the Local Government Act 1993. This is discussed further in the report with a compliance table included as an attachment.

The proposal has been assessed as being consistent with the objectives and requirements of *State Environmental Planning Policy No.21 - Caravan Parks* as it applies to caravan parks including the Clause 10 matters to be considered.

State Environmental Planning Policy 55 – Remediation of Land

Under the provisions of *State Environmental Planning Policy 55 – Remediation of Land*, contamination and remediation are to be considered in determining a development application. Clause 7(1) of SEPP 55 requires that Council must not consent to the carrying out of any development on land unless it has considered whether the land is contaminated, and if contaminated, that the land is suitable in its contaminated state (or will be suitable, after remediation) for the development proposed to be carried out.

The proposal has considered the potential contamination of the site and previous land uses in accordance with the provisions of SEPP 55 "Remediation of Land". The site has been used for residential purposes since the 70's and there is a low likelihood of potentially contaminating activities prior to this use. As such, a recommended condition of consent is proposed for the resolution of any contamination concerns and unexpected finds. The existing buildings and structures on the site which are proposed for demolition may have the potential of containing asbestos material and conditions will be recommended to address this matter. The proposed site in its current state is considered suitable for the proposed development.

State Environmental Planning Policy No.44 – Koala Habitat Protection

The provisions of SEPP No.44 - Koala Habitat Protection, apply to the site as the land has an area of more than one hectare. Two planted Koala feed tree species *Eucalyptus robusta* (Swamp Mahogany) & *Eucalyptus microcorys* (Tallowwood) listed on Schedule 2 of SEPP 44 were observed within the study area, but these comprise less than the 15% density of these food trees indicated by SEPP 44 for classification as Potential Koala Habitat.

Therefore, this community is not considered to contain 'Potential Koala Habitat' as defined by SEPP 44. No Koalas were observed during the fauna survey and there was no evidence (Scats or scratches) of previous koala habitation in the area. The study area is also not considered to be 'Core Koala Habitat' as defined by SEPP 44. As such the study area is not considered to comprise Potential Koala Habitat as defined under SEPP 44 and no further assessment under this Policy is required.

Draft Central Coast Local Environmental Plan 2018

Draft Central Coast Local Environmental Plan 2018 has been exhibited and has been considered under the assessment of the application. There is no significant change to the zoning of the site or other relevant statutory matters as they apply to the proposal under the draft LEP, that require further discussion in relation to the proposed expansion and reconfiguration of the existing caravan park.

Wyong Development Control Plan (WDCP) 2013

Chapter 2.7 of WDCP 2013 - Caravan Parks

Chapter 2.7 of WDCP provides guidance for the creation of new or expansion of existing non-tourist caravan parks (residential parks), or manufactured home estates. The aim of the Chapter is to promote short term caravan parks (tourist parks) in suitable locations and to identify general opposition to the creation of non-tourist caravan parks (residential parks), or manufactured home estates within the Local Government area, excepting where they can be demonstrated to provide for "affordable housing".

The Chapter also identifies locations where short term caravan parks (tourist parks) and long term caravan parks (residential parks) may be considered and the requirements relating to the development or expansion of long term sites within existing caravan parks.

Under Clause 1.4 and Chapter 2.7, the proposed caravan park would be defined as a long term caravan park which means: a park where more than one-third of sites in a caravan park are licensed to serve long term residents. Presently, all sites are long term and there is no change proposed to this arrangement. The development is a non-tourist caravan park that provides affordable housing within the locality.

Clause 2.1 identifies preservation opportunities for tourism and requires that any caravan park with a frontage to a river, lake or ocean foreshore or foreshore reserve should have a minimum 50% short term sites. The site does not have a frontage to any of these waterways or to foreshore reserve.

Clause 2.2 identifies the location parameters for long term caravan parks and identifies that long term sites are not generally suitable in the following locations:

- *Open space zones;*

- *Scenic protection zones where the site boundaries are greater than 500 metres from existing urban zoned areas;*
- *Where the site boundaries are within 500 metres of lake and ocean high water mark;*
- *Within areas of environmental and/or regional significance including water catchment areas;*
- *On flood prone land;*
- *Within Urban Release Areas identified within Council's Residential Development Strategy;*
and
- *Within bushfire prone areas*

The existing park does not satisfy the location parameters for long term caravan parks as the site is in an area identified as being bushfire prone land and within an urban release area. However, the park has been in existence on the site since 1974. Approval already exists for the caravan park and although the existing internal road configuration remains unchanged, the sites are being reconfigured under the proposal and new sites are proposed in a previously undeveloped part of the site. As the sites are being enlarged, there is no significant increase in the number of sites available (from 127 to 135).

Clause 2.3 identifies a number of considerations in relation to proposals for long term parks. The considerations in relation to the proposal are included in the table below.

Long term site considerations under DCP	Proposal
Impact on servicing strategies (water and sewerage)	The proposal does not impact adversely on Council's servicing strategies. Council's existing system is adequate to provide water supply to the proposed development. The proposed removal and reconfiguration of the site includes removing the private pump station and connection into the new gravity main on the adjoining property to the west. The applicant will need to demonstrate the proposed internal plumbing can be gravitated into Council's network.
Social impact	A Social Impact Assessment accompanied the proposal and the potential impact on existing low income residents is identified. Given the appearance of the park and the large number of older vans and residents on low incomes, the park would be considered to provide very low cost, affordable housing in the locality. A Transition Management Plan has been prepared to assist existing residents and the overall approach to the development scheme has been informed by these assessments (including staging arrangements)

Long term site considerations under DCP	Proposal
	The social impacts associated with the proposal are further discussed later in the report.
Impact on community recreation areas, community facilities and services	A new two storey recreation building is proposed to be constructed along with a new BBQ area and retention of the pool. The new facilities for residents include a function room, offices, recreation, theatre, dining, kitchen, lounge, gym, craft room, indoor bowls, and amenities.
Creation of increased traffic flow in and around the caravan park	The proposal includes the retention of the existing internal road layout within the existing park area and an upgraded entry arrangement and new roads in the vacant area to the north. The road layout around the site remains unchanged. Traffic associated with the park is confined to the existing access point on Johns Road. There is not expected to be a significant increase in traffic associated with the increase of eight sites within the park.
Amenity of the site and surrounding lands	The proposal does not adversely impact on internal or surrounding residential amenity. The recreation areas and building and new car park are all located in similar areas to where they currently exist within the park and there is no increased or new impacts associated with the use of these areas.
Access to public transport	There is a regular bus service along Johns Road (and existing bus stop in front of the site) that currently services the site and there is no change to this under the proposal.
Matters included under Section 3 of the DCP <ul style="list-style-type: none"> • Consent needed for new caravan parks and for conversion of sites between long and short term; And analysis of the park's occupation rates and trends required • Creation of new and expanded non tourist parks where affordable housing will be seen a merit. • A social impact assessment must consider: <ul style="list-style-type: none"> ○ Whether because of its location or character, the land concerned is 	The proposal is considered satisfactory with regards to these aspects. The site has operated as a park since the mid 1970's and all sites are currently long term. The proposal will upgrade the housing and facilities and will continue to provide affordable housing. A social impact assessment has been provided which considered these aspects as follows: <ul style="list-style-type: none"> i <u>Whether because of its location or character, the land concerned is suitable</u>

Long term site considerations under DCP	Proposal
<p>suitable for use as a caravan park for tourists or for long term residence;</p> <ul style="list-style-type: none"> ○ Whether there is adequate provision for tourist accommodation in the locality, and whether existing or potential tourist accommodation will be displaced by the use of the sites for long term residence sites; ○ Whether there is low cost housing or land available for low cost housing in the locality; and ○ Whether necessary community and recreation facilities, medical and support services are available within the caravan park or in the locality, whether these facilities and services are reasonably accessible to the potential occupants of the caravan park, and whether the level of service to existing residents of the locality will be detrimentally impacted by the additional population proposed. 	<p><u>for use as a caravan park for tourists or for long term residence;</u></p> <p>The site does not have a history of use as a caravan park for tourists and its location is not particularly suitable or viable for a tourist use. The site is more suitable as affordable housing for long term residents (which is it's current use). The site is not isolated as services, public transport and facilities are available in reasonable proximity of the site.</p> <p><u>ii. Whether there is adequate provision for tourist accommodation in the locality, and whether existing or potential tourist accommodation will be displaced by the use of the sites for long term residence sites;</u></p> <p>The site is currently being used for long term residential purposes. The locality and site is not suitable for potential tourist accommodation. The site is surrounded by low density housing is not particularly scenic, is not located in a holiday location/destination and does not include natural characteristics attractive to tourists.</p> <p><u>iii. Whether there is low cost housing or land available for low cost housing in the locality; and</u></p> <p>There is limited low cost accommodation available in the local area and land and housing opportunities are predominantly limited to large detached dwellings. Manufactured homes offer an affordable option for some residents. It is considered that the additional long term dwelling sites will provide a form of low cost housing within the locality, although there are some concerns about the impact on existing residents, especially if larger/newer homes on the lease sites are offered at more expensive rates. These matters are proposed to be</p>

Long term site considerations under DCP	Proposal
	<p>managed by the applicant through appropriate staging of the development and adherence to a Transition Management Plan which has been submitted with the application.</p> <p><i><u>iv. Whether necessary community and recreation facilities, medical and support services are available within the caravan park or in the locality, whether these facilities and services are reasonably accessible to the potential occupants of the caravan park, and whether the level of service to existing residents of the locality will be detrimentally impacted by the additional population proposed.</u></i></p> <p>There are a good range of facilities and services available in the locality with Wadalba Shopping Centre providing for daily needs as well as medical and other services. A wider range of services is available by the bus service at the front of the site to nearby centres such as Lakehaven, Toukley, Wyong and Westfield Tuggerah.</p> <p>The proposal includes new recreational facilities on the site comprising a new two storey recreation building (1242m²) with a function room, offices, recreation, theatre, dining, kitchen, lounge, gym, craft room, indoor bowls, and amenities. Also included is the retention of existing swimming pool and new BBQ area.</p> <p>It is considered that the necessary community facilities and services are available either within the park or via a regular bus which services the site which allows for reasonable access for residents to those facilities and services.</p>

Clause 3.2 (Variations to Requirements) states:

Council may vary the provisions of this Chapter where it can be established that the proposal will not prejudice the supply of sites for short term residents, is of innovative design, supplies "affordable housing" and complies with the provisions outlined in State Environmental Planning Policy 21 – Caravan Parks and Department of Planning Fact Sheet "Approval and Operation of Caravan Parks, Camping Grounds and Manufactured Home Estates, July 2010" (Refer to www.planning.nsw.gov.au)

The site is considered to currently provide for lower cost housing in the context of the local housing market and under the proposal the site will continue to provide relatively low cost housing although at a slightly increased rent. Under the proposal, the residents will purchase their moveable dwellings and pay a weekly site rental. The weekly utility costs are usually considerably less than those associated with living in a detached dwelling. Under the current proposal, a number of residents are renting existing vans and accommodation on the site owned by the operator.

Chapter 6.17 of WDCP 2013 - Warnervale East / Wadalba North West

The site is located within an area to which DCP Chapter 6.17 applies. This chapter provides specific development guidelines for the former Warnervale/Wadalba Urban Release Areas and for the development of the remaining lands consistent with current development standards and the desired and likely future of the area.

Indicative Road Layout

The site is located within an area which is identified for future low density residential development including the creation of public roads and future development of the area for residential purposes. There is an indicative public road design through and immediately adjoining the site under Figure 3 of DCP Chapter 6.17. The proposal however, does not trigger this requirement as it does not include any land subdivision or the construction of any public roads as identified under Council's planning controls for the area. The proposal includes the creation of lots for leasing purposes within the continued use of the site as a caravan park albeit reconfigured, upgraded and expanded for the installation of manufactured homes.

Cycleway and Footpath System

A shared path is identified under the DCP in front of the site along Johns Road (refer figure 3 and Clause 2.5). In accordance with the DCP, this requirement will be included under the recommended conditions.

Open Space and Landscaping

The Wadalba Wildlife Corridor, located to the north of the site, is identified as open space under Figure 3 of the DCP and the proposal will not adversely impact on this area. There is no local open space identified on the site to which the requirements under Clause 2.6 apply.

Utilities

Clause 2.7 requires the undergrounding of all services (existing and proposed) for all developments. In accordance with the DCP, this requirement will be included under the recommended conditions.

Development Principles

The site is identified as being within Residential Neighbourhood Precinct 4 ('iv') (Clause 3). The DCP identifies that this neighbourhood is *on the southern side of the Environmental Corridor, east of the drainage corridor and bounded by Johns Road to the south. Development is to maximise views to the environmental corridor and views out of the site to the south.*

The DCP identifies that residential development will achieve a high standard of urban form through:

- i a variety of lots sizes and opportunities to increase housing choice;*
- ii balconies, planters, verandas, steps in the roofline and other architectural features to provide visual relief and individual identity;*
- iii a variety of finishes used on external materials;*
- iv building designs which encourage neighbourly communication and surveillance of streets and public spaces;*
- v garages and parking structures are to be sited and designed to reduce their impact on the street.*

The proposal has been assessed against the above criteria and it is considered that the development is generally consistent. The proposed redevelopment of the caravan park to accommodate manufactured homes will provide further housing choice in the area on a range of lease lot sizes within the park. There is no detail regarding the future manufactured homes to be installed, however, it is likely these will be in a variety of styles and designs as each one is subject to individual choice by the occupant. The new manufactured buildings will replace the existing dated caravans, annexes and structures on the site. The internal design of the park, although gated to the external streets surrounding the site, will include landscaping, a community building and communal areas within the development.

Ecology and Wadalba Environmental Corridor

Chapter 6.17 of WDCP 2013 (Clause 3.3) provides biodiversity requirements for works undertaken within the Wadalba Wildlife Corridor. Most of the requirements apply to development within the corridor and are thus not relevant; however the following is relevant

to the proposed development due to the proximity to the corridor and should be included as a condition:

Properties adjoining, abutting or adjacent to the wildlife corridor (including those separated by only a roadway) are to be provided with a restriction as to user covenant to restrict and control cat ownership.



Above: Photo of undeveloped vacant area at the northern end of the park

Chapter 3.1 of WDCP 2013 - Site Waste Management

In accordance with Chapter 3.1 of WDCP 2013, the applicant submitted a Waste Management Plan for the development outlining the waste disposal, re-use and recycling (on and off site) for the construction and operational stages of the development. A condition has been included requiring the development to be carried out in accordance with the submitted management plan.

Likely Impacts of the Development:

Built Environment

A thorough assessment of the aspects of the proposed development on the built environment has been undertaken in terms of DCP compliance and in terms of the submissions received.

Social impacts

A social impact assessment (SIA) was prepared for the proposal to assess the potential social impacts associated with the expansion and reconfiguration of the sites within the existing caravan park. The SIA included community stakeholder consultation including a drop in session with the existing residents of the park. The key social impact that was identified during this process was the potential for displacement of the existing residents of the caravan park. The specific concerns raised around this displacement are summarised as follows:

- Existing residents have indicated that it will be very difficult for them to find affordable and suitable accommodation elsewhere. The existing residents are low-income earners and the existing rents in the park are very low and below market rates;
- Existing residents have indicated they will not be able to afford to buy into the new development; and
- Existing residents have indicated that the existing caravan park is suitable for their circumstances due to the low-cost rent, easy access to public transport, easy access to services and facilities, a strong sense of community and safety, and the provision of mostly level access for those residents with physical difficulties.

The SIA also identified:

- Negative impacts associated with the originally proposed location of the pool, recreation area and BBQ area in the north-eastern corner of the site near adjoining residential dwelling houses. The applicant has amended the proposal in response to this concern and the relevant facilities have been relocated to the front of the site where the existing facilities are currently located.
- The positive impacts associated with the resulting new high quality housing stock for the area; increased lease sites; and the increased affordable housing options within the local area that the proposal represents (albeit not as affordable as currently exists).

The affordability issue for existing residents is a function of the proposed manufactured homes which are a significant upgrade in quality and amenity from the caravans and annexes currently on the site. These upgrades are considered to be a positive social impact due to the significantly improved amenity that they will afford to future residents and the local area. The downside of this improved amenity is reduced affordability for existing residents.

The proposed development of the site seeks to replace the existing 127 fixed caravans, annexes and moveable dwellings on the site with 135 manufactured homes, including the provision of new recreational facilities, car parking areas and access, and new utilities infrastructure. The proposal will redevelop the caravan park in a way which will require future residents to purchase a new manufactured home and select a site to rent. It is likely that some of the existing residents will be unable to afford to purchase a new home in the redeveloped park (as the vast majority rely on government assistance). As a result they may be displaced which is a negative social impact.

The SIA identified that there are currently 109 renters on the site with only 2 caravan owners and rents are between \$165-\$225 per week. An average of 35 leases turn over per year and 26% of residents have resided on the site for five or more years. The residents are aged between 50-85 years of age and the average size of the caravan is 30m² with most containing 1 bedroom (and a site size of 100-150m²). The infrastructure servicing the site is also

understood to be in poor condition with the site relying on a back-up power generator and ongoing issues with sewerage. The drainage on the site is also poor with no kerb and guttering on the roads and it appears most of the caravans do not have any formal stormwater management systems.

Under the proposal, it is anticipated that the age of residents will remain 50+ years however the size of the manufactured homes will be between 95m² (1 bedroom) – 108m² (3 bedroom) with a site size of 183-268m². The cost of the homes is estimated to be between \$320,000 - \$390,000 with a weekly rent of \$165. The proposal will upgrade the servicing and site infrastructure including drainage, water, sewerage, electricity, and fibre optic internet connections to each of the sites, and includes a new recreational centre and private open space for each of the sites.

The SIA concluded that Wadalba is currently experiencing a strong rate of growth expected to continue until 2036 with an increasing number of families and an expected decline in lone person households. This is representative of the limited housing opportunities which are predominantly large detached dwellings. Based on data sourced from the Index of Disadvantage, the social impact assessment concludes there is a higher prevalence of disadvantage within Wadalba than within the wider Central Coast LGA and this would typically indicate a greater likelihood of housing stress. The suburb of Wadalba is among the 14% of suburbs with the highest prevalence of disadvantage in NSW.

The SIA included a search of online real estate websites which revealed only 2 x 1-bedroom properties available for rent in Wadalba (these were at \$360 - \$405/week). Within the wider Central Coast Region, there was a total of 103 results for rental properties with a maximum of 1 bedroom. Only the property was listed for rent below \$200/week (\$170) which was a granny flat in Bateau Bay. There were approximately 10-15 properties listed in the low \$200 range which were typically small studios and granny flats. The typical rental rate for the majority of properties was between \$230-\$330/week. On this basis, it appears that the majority of private rentals available on the central coast market would be unaffordable to the existing residents.

An important factor with displacement is the duration of notice that is given to those that will be displaced. To mitigate the social impacts to the residents identified above, the SIA recommended the adoption of a Transition Management Plan for management of the displacement within the development and for the staged sequencing of works on the site.

The proposed staging of the development is such that the vacant rear portion of the site (at the northern end of the site) is developed first, then the remaining areas of the site are developed in a staged fashion moving in a southerly direction towards Johns Road. This will maximise the amount of time available for residents to be consulted and relocate if necessary. The Transition Management Plan will seek to ensure the existing residents are given sufficient time and assistance in their relocation. Whilst the new dwellings will not be as affordable as the existing caravans, in comparison to the surrounding dwellings and the Central Coast, these new manufactured homes will be relatively affordable. The housing will

also offer an alternative for smaller households (that meets a targeted group) than the predominant housing form in Wadalba which comprises new 4 bedroom project homes.

The Transition Management Plan includes:

- Details regarding timeframes for demolition works and construction stages;
- Accommodation capability during redevelopment;
- Alternative accommodation options and transition to these options;
- Notification to residents of relocation and displacement;
- Internal relocation during stages;
- Discontinuation of lease notice;
- Advice to new residents;
- Information to existing residents.

Council's Social Planner reviewed the social impact assessment and Transition Management Plan and has raised concern regarding the low level of community engagement undertaken for the development but agrees with the recommendations in the TMP as follows:

Stage 1 – no displacement of residents

Stage 2 – affected residents to be relocated within the park in similar accommodation with the same rental and conditions

Stage 3 – affected residents to be relocated within the park in similar accommodation with the same rental and conditions.

Concern was also raised regarding the wait-list times for social housing included in the TMP as they related to the Newcastle and Raymond Terrace areas which would take residents out of their familiar surroundings, contacts and networks. No wait-list times were provided for the local area.

In addition to the recommendations in the TMP, a further recommended condition which addresses the concerns raised is to be included. The matters to be addressed under the recommended condition require:

- The applicant take a more proactive approach to transitioning residents to alternative accommodation options including the applicant work to co-ordinate assertive outreach (through FACS and including Health, Housing, Mental Health, Aged Care and Community Housing Providers) to all residents of the park to undertake an assessment of a residents needs to establish transitional pathways. The Draft Central Coast Affordable and Alternative Housing Strategy highlights that there is no similar accommodation available anywhere on the Central Coast.
- Regular communication is to be undertaken with residents (both verbally and in written form) including:
 - an initial meeting with all residents
 - development of a bi-monthly update newsletter and resident meetings that clearly state the process, timeframes, internal relocation plan and relocation assistance package.

- the applicant is to advise residents of their rights to access the Central Coast Tenants Advice and Advocacy Service.
- A complaints/ grievances register be made available for residents before and during the staged process. The register is to be monitored and responded to on a weekly basis.
- Provision of a relocation assistance package for all residents and assistance in moving from the site for longer term residents (which is over ¼ of residents).
- Contact with an assertive outreach team (through FACS) prior to the commencement of the first stage.

Whilst the displacement of existing residents is a significant concern, the applicant has demonstrated a willingness to undertake the proposed development with in accordance with the Transition Management Plan, including appropriate staging and support for existing residents. Appropriate conditions are recommended. The alternate arrangement, for the privately owned site, could include immediate closure and redevelopment in a single stage which would not afford appropriate transition arrangement for existing tenants. Alternatively, the site could be lost as affordable housing altogether if an alternate scheme for low density residential developments were to be pursued (such as those in recently developed residential areas adjoining the site).



Above: Various photos of existing accommodation within the park (left and above) and amenities (right)

Whether the development provides safety, security and crime prevention.

The principles of Crime Prevention Through Environmental Design (CPTED) have been considered under the design of the proposed new development. The proposal includes a number of general design considerations and measures to be included with the proposal to discourage anti-social behaviour and minimise the opportunity for criminal activities. Measures include retention of the boom gate system that restricts vehicular access; signage and access restrictions that reinforces territorial separation and all common areas and landscaping being regularly maintained.

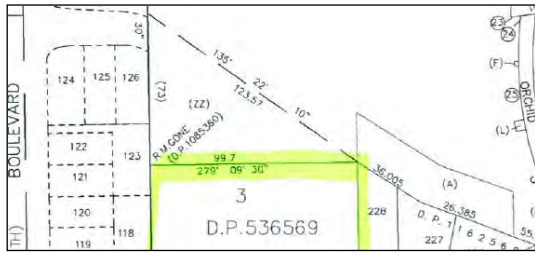
Aboriginal heritage impacts

The proposal will involve ground disturbance in the form of earthworks and clearing for the creation of lease sites and internal infrastructure but will not involve the disturbance of any culturally modified trees. An Aboriginal Heritage Inventory Management System (AHIMS) search was undertaken for the site indicating no aboriginal places declared in or near the above location but two recorded aboriginal sites in the area.

Whilst these are not in the subject site, they are identified in the adjoining Lot 228 which comprises the Wadalba Environmental Corridor. Further clarification establishes that these recorded aboriginal sites are not near the subject site but are located within the corridor some distance away to the east towards the water reservoir. A condition will be recommended requiring works to cease and the Office of Environmental Heritage (OEH) be contacted in the event that an object is found during construction.

Bushfire

The site is identified as bushfire prone land (Category 1 vegetation) and the development proposed is integrated development requiring approval under Section 100B of the *Rural Fires Act 1997*. A bushfire assessment report was prepared for the proposal which identifies that an Asset Protection Zone (APZ) is only needed to the north north/east of the site as all other directions contain developed or managed lands. The proposal relies upon the existing positive covenant over the adjoining land to the north (at Lot 228 DP.1105837) for the provision of an APZ for the development. (refer Figure below)



12	Positive Covenant (ZZ)	Each of Lots 123 & 126 Lot 228 DP 1105837	Central Coast Council
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12. Terms of Positive Covenant Twelfthly referred to in the abovementioned plan.

- 12.1 The registered proprietors of the Lots Burdened ("the Responsible Owners") must, at the cost and risk of such registered proprietors, jointly and severally manage the area denoted (ZZ) within Lot 228 DP 1105837 (Lot 228) as an Asset Protection Zone in accordance with the Asset Protection Zone Management Plan recorded in Memorandum registered number AN 350422.

The NSW Rural Fire Service advised of no objections to the proposal and have provided their General Terms of Approval for the proposal.

Drainage

The subdivision to the west has made provision in its drainage system to accept flows from this development. All drainage lines are to connect to this system.

As a result, the proposed development is considered to be satisfactory in terms of impacts on the built environment.

Access and Transport

The site is subject to dedicated road widening of Johns Road and will include the provision of a new access crossing and the provision of kerb and guttering along the site frontage. Conditions regarding these matters have been recommended.

Context and Setting

The context and setting surrounding the site has changed over the last 10-15 years from rural residential to the development of new residential subdivisions for low density residential development, including sites immediately adjoining the subject land. The future housing to be provided within the site will be single storey in scale and is generally consistent with surrounds land uses.

Natural Environment

Flora and Fauna

Council's Ecologist has assessed the ecological impact of the proposed development in accordance with the requirements of the *Environmental Planning and Assessment Act 1979*

(EP&A Act) and the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act). The DA was lodged on 08/02/2018 and therefore, impacts to biodiversity values are assessed in accordance with the former planning provisions (i.e. section 5A of the EP&A Act), pursuant to the *Biodiversity Conservation (Savings and Transitional) Regulation 2017*.

The E2 zoned Wadalba Wildlife Corridor borders only the north east corner of the site. The proposal relies on an APZ that has been approved on R2 zoned Council land in relation to DA/567/2016 for the residential subdivision to the west. This "triangle" area of land is not part of the Wadalba Wildlife Corridor. The APZ has already been 'under-scrubbed' and is not specifically included in the Flora and Fauna Assessment for the current DA due to the existing approval.

Vegetation Communities and Threatened Ecological Communities

One native vegetation community is present on site; modified Map unit 30 Narrabeen Dooralong Spotted Gum-Ironbark Forest (Bell). This vegetation type is not consistent with any Endangered Ecological Communities (EECs) listed under state or federal legislation.

The understorey within this community has been subject to past slashing and shrub layer is absent although the community still retains a canopy of native tree species. Given that part of the proposed development area is already cleared and the nature of disturbance it is assessed as being in low condition. The canopy tree species includes Spotted Gum, White Mahogany and the disturbed understorey is dominated by Kikuyu, paspalum, Fire Weed and Dandelion.

The proposed development would result in the removal of up to 1.1 ha of vegetation. The vegetation clearing is to occur on land zoned R1 and it is permissible development within the zone. The clearing is necessary for the development to occur and the impacts of the clearing upon local biodiversity are not significant. The vegetation is not identified as significant or an endangered vegetation type.

In this locality a wider strategy involving the Wadalba Wildlife Corridor has been established to provide movement of fauna through the local area within a highly disturbed local landscape. In summary, the Wadalba Wildlife Corridor Management Plan provides 'offset' arrangements that are intended to protect the environmental integrity of the corridor as an offset to the development of other parcels (outside the designated corridor).

The subject site is located within the area nominated as having deemed concurrence for clearing from the NSW Office of Environmental & Heritage under the Wadalba Wildlife Corridor Management Plan (see Appendix 1 for further detail). A discussion on the impact of the proposal on the Wadalba Wildlife Corridor is included later in this report.

Threatened Species

No threatened flora species or populations were recorded on site. No threatened fauna species were recorded during current surveys, but a number are known from the wider

Wadalba Urban Release Area and may use vegetation on the site as foraging, roosting, sheltering or movement habitat from time to time. There are however no hollow bearing trees on the site that would provide nesting or breeding habitat. The vegetation and habitats within the proposed development area are of reduced value for native biodiversity due to the disturbed condition of the understorey and proximity to other disturbed areas. The Wadalba Wildlife Corridor (WWC) provides better quality habitats in the area.

The site is separated from the Wadalba Wildlife Corridor by the triangular piece of R2 zoned Council land, apart from the north eastern corner of the site.

Assessments of significance were undertaken for 17 threatened fauna species. The EPBC Significant Impact Criteria were considered for two threatened species listed under the EPBC Act. The assessments concluded the proposed development is unlikely to result in a significant impact to any of these species as they have not been recorded on the site, extensive areas of suitable habitat will be retained in the WWC and locality and the area of habitat to be removed is relatively small and is in a disturbed condition. A Species Impact Statement or referral to the Commonwealth Environment Minister is therefore not required for the proposal.

Migratory Species

Forty-seven migratory species were identified from EPBC Protected Matters search for the locality (Enviro Ecology 2018). None were recorded during the field survey. A number of migratory species listed under the EPBC Act have previously been recorded in the Wadalba Urban Release Area. The EPBC Significant Impact Criteria (DE 2013) were considered and it was concluded that the proposal is unlikely to have a significant impact on any important habitat for these species. A referral to the Commonwealth Environment Minister is therefore not required for the proposal.

Wadalba Wildlife Corridor Management Plan

The subject land is located outside the Wadalba Wildlife Corridor, although the E2 zoned Corridor borders the north east corner of the site. The proposal relies on an APZ that has been approved on R2 zoned Council land in relation to DA/567/2016 for the residential subdivision to the west. This "triangle" area of land, outside the boundary of the subject property, is not part of the Wadalba Wildlife Corridor and has been 'under-scrubbed'. As such, it is only the very north-eastern corner of the subject land which abuts the designed Wadalba Corridor.



Above: The subject land (highlighted yellow) in relation to the Wadalba Wildlife Corridor (green hatch)

The Wadalba Wildlife Corridor Management Plan provides 'offset' arrangements that are intended to protect the environmental integrity of the corridor as an offset to the development of other parcels (outside the designated corridor). Under this arrangement the NSW Office of Environment & Heritage provide 'assumed concurrence' for clearing, provided that appropriate development assessment processes have been undertaken. The subject site is located within the area nominated as having deemed concurrence for clearing from the NSW Office of Environmental & Heritage under the Wadalba Wildlife Corridor Management Plan (see Appendix 1 for further detail).

The proposed development requires the removal of approximately 1.1ha of disturbed vegetation towards the northern end of the subject land. This land has been subject to previous slashing with the under-storey removal but components of the canopy remain intact. The vegetation is not identified as an endangered ecological community. Council's Ecologist has reviewed the flora and fauna assessment submitted as part of the application and concluded that the proposed development is not likely to have a significant impact on any threatened species, populations or ecological communities, or their habitats.

The preparation of the Management Plan Council's Natural Resources Unit has indicated that provision of large logs along the corridor boundary to restrict unauthorised access to the corridor and provision of smaller branches to provide ground habitat within the corridor would be of benefit to the protection of the corridor and the habitat enhancement works being undertaken by Council. Thus a condition is recommended that some tree trunks and branches felled on the site be retained for re-use in the corridor.

The recommended mitigation measures in the Flora and Fauna Assessment include installation of three nest boxes, but do not specify a location. Given the majority of trees on the site will be cleared, a condition of consent requires the nest boxes to be installed in the Wadalba Wildlife Corridor in accordance with the specifications outlined in the Wadalba Wildlife Corridor Management Plan. Council's Natural Resources Unit have indicated that nest boxes are needed in the corridor to the north of the subject site.

Permanent fencing is required to separate the development from Council land and corridor to act as a physical barrier to impacts. Provision of a 1.6m high timber or colourbond fencing along the northern property boundary would be appropriate, subject to any bushfire requirements.

Wyong Shire Squirrel Glider Conservation Management Plan (Smith 2002)

A Squirrel Glider Habitat Assessment was undertaken in accordance with Appendix 1 of the Squirrel Glider Management Plan. Despite targeted surveys, including the installation of remote sensing cameras, no threatened Squirrel Gliders were recorded during surveys for this current development. This species has been recorded from properties to the north and within the Wadalba Wildlife Corridor as recently as 2016 (Biosis). There are no hollow bearing trees within the site and very little native understorey, reducing the value as habitat for this species. The clearing will be undertaken on the edge of remnant vegetation and will not reduce connectivity for this species.

Flora and fauna impacts conclusion

Based on the field surveys, habitat assessments and impact assessments and provided that the recommended conditions are complied with, Council's Ecologist has concluded that the proposed development is not likely to have a significant impact on any threatened species, populations or ecological communities, or their habitats. A Species Impact Statement is therefore not necessary.

Overall natural and built environment impacts

All other relevant issues regarding the likely impacts of the development have been discussed throughout this report. In general, it is considered that the property is suitable for the continued use as a caravan park subject to conditions.

Suitability of the Site for the Development:

A review of Council's Land Information mapping has identified that the site is bush fire prone land. However, this constraint has been satisfactorily addressed under the proposal and the site is considered suitable for the development.

The caravan park has operated on the site since 1974 and the proposed expansion and reconfiguration of the park sites will positively impact on the character and amenity of the

locality and streetscape through the provision of new landscaping and infrastructure (and future new manufactured homes on the sites). The general number of sites and road layout is largely existing on the site excepting the expansion of the rear portion of the site. The site is within close proximity to the Wadalba shopping centre which includes a number of retail, health, education and other services and facilities. Regular bus services are available from the frontage of the site to other major retail centres.

There are no unreasonable or significant adverse impacts on the natural environment as a consequence of the proposal. Although there is a potential adverse social impact anticipated in the displacement of the current occupants residing in the existing low cost rental caravans and annexes on the site, the adoption of a Transition Management Plan and undertaking construction of the park in a staged manner will assist in mitigating and managing the social impacts. If staged and managed appropriately, it could be as long as 4 years before the last exiting residents will have to relocate.

A form of affordable housing (albeit to a different social group) will continue to operate from the site in an upgraded form. The design of the proposed development is in an appropriate form, layout and scale that suitably balances the opportunities and constraints of the site.

The Public Interest: (s79C(1)(e)):

There are no matters associated with the proposal that are contrary to the local or community interest. The proposal will provide a better quality and upgraded form of affordable housing on the site within the context of an adopted transition management plan which to mitigate the potential social impacts of the development.

Other Matters for Consideration:

Section 94 and 94A Contributions Plans (now referenced as Section 7.11 and 7.12 of the Act)

Contributions are applicable to the proposal under Council's Warnervale District Plan and Shire Wide Plan.

Water and Sewer Contributions

There will be additional water contributions applicable under the Development Servicing Plan for the additional load. Contributions are applicable to the modified development and a Section 306 under the Water Management Act 2000 is required and addressed under the recommended modified conditions.

Conclusion:

The application seeks approval for the reconfiguration and expansion of the existing caravan park to create 135 lease lots (from the existing 127 sites), construction of a carpark and a new, two storey recreation building on the site. The proposal also includes, demolition works, earthworks, clearing of vegetation, internal road construction, provision of services and landscaping.

The proposal will upgrade the servicing and site infrastructure including drainage, water, sewerage, electricity, and fibre optic internet connections to each of the sites, and includes a new recreational centre and private open space for each of the sites. However, the upgrade may see some existing residents displaced if they are unable to afford the new manufactured homes proposed by the applicant. The existing housing on the site is very low cost and although the proposed development will still offer additional affordable housing for the area, the uplift in cost may result in displacement of existing residents.

The development of the site will need to be carefully managed in order to maximise the period available to residents to find alternative accommodation. The Transition Management Plan will seek to ensure the existing residents are given sufficient time and assistance in their relocation. Whilst the new dwellings will not be as affordable as the existing caravans, in comparison to the surrounding dwellings and the Central Coast, these new manufactured homes will be relatively affordable. The housing will also offer an alternative for smaller households and is targeted at an older age group.

The proposal is recommended for approval subject to conditions..

Attachments

- | | | |
|----------|-----------------------------|-----------|
| 1 | Draft Conditions of Consent | D13470707 |
| 2 | Transition Management Plan | D13343821 |
| 3 | Development Plans | D13487467 |

Date: 25 February 2019
Responsible Officer: Salli Pendergast
Location: Homeland Caravan Park, 195 Johns Road, and 50W Orchid Way,
 WADALBA NSW 2259
 Lot 3 DP 536569, Lot 228 DP 1105837
Owner: Homeland Village Pty Ltd and Central Coast Council
Applicant: Orr Investment Group Pty Ltd
Date Of Application: 13 February 2018
Application No: DA/124/2018
Proposed Development: Expansion and reconfiguration of an existing Caravan Park,
 including new recreation building, demoltion and other works.
Land Area: 122960.00
Existing Use: Caravan Park

PROPOSED CONDITIONS

1. PARAMETERS OF THIS CONSENT

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

Architectural Plans:

Description/Title	Drawing No	Rev	Date	Author
Overall Site Plan	A01	G	24.07.18	ceo
Existing Blocks Overlay	A02	H	10.08.18	ceo
Recreation Centre Floor Plans	A03	F	13.08.18	ceo
Recreation Centre Elevations	A04	F	13.08.18	ceo
Landscape Plan	L/00	-	10.09.18	Birdwood Landscape Design
Landscape Plan Sheet 1	L/01	-	10.09.18	Birdwood Landscape Design
Landscape Plan Sheet 2	L/02	-	10.09.18	Birdwood Landscape Design
Landscape Plan Sheet 3	L/03	-	10.09.18	Birdwood Landscape Design
Landscape Plan Sheet 4	L/04	-	10.09.18	Birdwood Landscape Design

Supporting Documentation

Document	Title	Date
D13343821	Transition Management Plan – Creative Planning Solutions (C651)	September 2018
D13151280	Social Impact Assessment - Creative Planning Solutions	

- 1.2 Carry out all building works in accordance with the Building Code of Australia.
- 1.3 Comply with the General Terms of Approval / requirements from the Authorities as listed below and attached as a schedule of this consent.

Government Agency / Department / Authority	Description	Ref No	Date
NSW Rural Fire Service	General Terms of Approval	D18/888	2 January 2019

- 1.4 The development is to be carried out in accordance with the advice and recommended conditions by NSW Rural Fire Service in correspondence dated 2 January 2019.
- 1.5 The redevelopment of this caravan park is to comply with the requirements of the Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005.
- 1.6 Where conditions of this consent require approval from Council under the Roads Act 1993, Local Government Act 1993 or Water Management Act 2000, a completed Subdivision Construction Certificate application form must be lodged with Council and be accompanied by detailed design drawings and supporting information. Upon submission to Council, fees and charges will be calculated in accordance with Council's Management Plan. The fees and charges must be paid prior to Council commencing the design assessment.
- 1.7 A Construction Certificate is to be obtained from the accredited building certifier for the construction works associated with the recreation centre building prior to the placement and installation of any new manufactured homes on the site.
- 1.8 An Occupation Certificate is to be obtained from the accredited building certifier for the recreation centre building prior to the occupation and use of any new manufactured homes on the site.
- 1.9 The development is to be carried out in four stages in accordance with the Transitional Management Plan dated September 2018 prepared by CPS and as further outlined below:

- i. The applicant is to co-ordinate assertive outreach (through FACS and including Health, Housing, Mental Health, Aged Care and Community Housing Providers) to all residents of the park to undertake an assessment of residents needs to establish transitional pathways.
- ii. Regular communication is to be undertaken with residents (both verbally and in written form) including:
 - an initial meeting with all residents and
 - development of a bi monthly update newsletter and resident meetings that clearly state the process, timeframes, internal relocation plan and relocation assistance package.
 - the applicant is to advise residents of their rights and ability for them to access to the Central Coast Tenants Advice and Advocacy Service on (02) 4353 5515 Monday to Thursday 11am - 3pm.
- iii. A complaints/ grievances register before and during the staged process is to be provided for residents. The complaints/ grievance register is to be monitored and responded to on a weekly basis.
- iv. A relocation assistance package is to be provided for all residents and assistance in moving from the site for longer term residents.
- v. Contact with an assertive outreach team (through FACS) prior to the commencement of the first stage.

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 Submit amendments to the approved plans to the Accredited Certifier pursuant to clause 139 of the *Environmental Planning Regulation 2000* that must detail:
 - a) Provision of suitable screening such as advanced shrubs, in the area where the setback from the Recreation Centre building and the swimming pool to the closest dwelling sites is less than 10m.
 - b) Provision of suitable screening such as advanced shrubs, in the area where the swimming pool and BBQ area are less than 10.0m from the eastern property boundary.

- c) A minimum of two (2) disabled persons car parking spaces are to be provided.
- d) Fire hydrants are to be provided in sufficient number throughout the caravan park so that no part of a dwelling site or community building within the caravan park is situated more than 90m from a fire hydrant. Fire hydrants located within the caravan park are to be a double-headed pillar-type.
- e) Fire hose reels are to be provided throughout the caravan park so that all dwelling sites are capable of being reached by at least one (1) fire hose.

2.4 Pay developer contributions to Council as calculated in the formula below:

Developer contribution = \$1,543,155.11 (as at 25/2/19) X Current CPI ÷ Base CPI

where "Current CPI" is the Consumer Price Index (All Groups Index) for Sydney as published by the Australian Statistician at the time of payment of developer contributions pursuant to this condition, and "Base CPI" is the Consumer Price Index (All Groups Index) for Sydney as published by the Australian Statistician at the date of this consent.

This condition is imposed pursuant to Section 94 or 94A of the *Environmental Planning and Assessment Act 1979*.

Note. Any works required for the development that are also identified in the relevant Contributions Plan may be subject to a credit in accordance with that Plan. Any request for a credit for works to be carried out in accordance with the Plan must be requested and agreed to by Council via a Works-in-kind Agreement prior to commencement of any works.

2.5 Prior to the issue of any Construction Certificate, trees and native vegetation proposed for retention and those approved for removal must be clearly marked on all final engineering and landscaping plans. All fenced tree protection areas must be clearly marked as "No Go Area" on all plans.

There is to be no clearing of trees or vegetation or temporary or permanent access on Lot 228 DP 1105837 (the Council owned land).

2.6 Properties adjoining, abutting or adjacent to the wildlife corridor (including those separated by only a roadway) are to be provided with a restriction as to user covenant to restrict and control cat ownership.

2.7 The preparation of Civil Works design drawings and specifications detailing the following design requirements:

- Street stormwater drainage systems.

- Concrete footpath 2.5 metres wide for the western half ~~full~~ of the street frontage of the development.
 - Street lighting
 - Pavement marking & signage.
 - Vehicle access crossing(s).
 - Any associated works to ensure satisfactory transitions to existing infrastructure
 - All services are to be provided in accordance with the Caravan Parks and Camping Grounds Regulation.
- 2.8 All water and sewer works or works impacting on water and sewer assets must be designed and constructed to the requirements of Council as the Water Supply Authority. The requirements are detailed in the Section 306 Notice of Requirements letter. **Note:** The Section 306 Notice may contain requirements associated with the development that must be completed prior to the issue of the Construction Certificate.
- 2.9 The developer must submit an application to Council under Section 305 of the Water Management Act 2000 for any requirements for the obtaining of a Section 307 Certificate of Compliance. The application must be made prior to the issue of the Construction Certificate. **Note:** The Section 305 Notice may contain requirements associated with the development that must be completed prior to the issue of the Construction Certificate.
- 2.10 The submission to Council as the Water Supply Authority of detailed structural design drawings and supporting information for structures within the zone of influence of the sewer main. The design shall indicate the proposed method of protecting the sewer main in accordance with Council's *Requirements for Building Over or Adjacent to Sewer Mains* policy. Design details must be approved by Council as the Water Supply Authority 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.
- 3.2 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

- a) Implementation of environmental protection measures, such as erosion control and the like that are required by this consent
 - b) Demolition approved by this consent.
- 3.3 Appoint a Principal Certifying Authority for the building work:
- a) The Principal Certifying Authority (if not Council) is to notify Council of their appointment and notify the person having the benefit of the development consent of any critical stage inspections and other inspections that are to be carried out in respect of the building work no later than two (2) days before the building work commences.
 - b) Submit to Council a Notice of Commencement of Building Works or Notice of Commencement of Subdivision Works form giving at least two (2) days' notice of the intention to commence building or subdivision work. The forms can be found on Council's website:
www.centralcoast.nsw.gov.au
- 3.4 Erect a sign in a prominent position on any work site on which building, subdivision or demolition work is being carried out. The sign must indicate:
- a) The name, address and telephone number of the Principal Certifying Authority for the work; and
 - b) The name of the principal contractor and a telephone number at which that person can be contacted outside of working hours; and
 - c) That unauthorised entry to the work site is prohibited.
 - d) Remove the sign when the work has been completed.
- 3.5 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 Prior to works associated with the development commencing, all trees and vegetation nominated for retention are to be suitably protected by a temporary 1.8 metre high chain mesh fence. This includes fencing the extent of the northern boundary of Lot 3 DP 536569 to protect vegetation within Council land on the Council land Lot 228 DP 1105837.

The fence is to be clearly marked as a "No Go Area" on the fencing itself. No clearing of vegetation, storage of vehicles or machinery, stockpiling, materials storage or unauthorised access is to occur within the fenced conservation area.

All required tree and vegetation protection measures are to be maintained for the duration of construction works.

- 3.8 No less than two weeks prior to the commencement of clearing, three nest boxes or salvaged hollows are to be provided in the Wadalba Wildlife Corridor in accordance with the following requirements and with the approval of Council's Natural Resources Unit;
- Nest boxes must be constructed of appropriate durable materials (eg. High grade marine ply, native hardwood or similar). Nest boxes or salvaged hollows must be fixed to recipient trees with robust stainless steel or treated pine coach screws.
 - All nest boxes or salvaged tree hollows are to be secured to trees at a minimum height of four metres above ground level facing the east to north east direction. An experienced arborist is required to install. The Project Ecologist is to co-ordinate the construction and erection of nest boxes or salvaged tree hollows and locate appropriate trees and locations for installing the nest boxes.
 - Nest boxes or salvaged tree hollows are not to be placed near locations where public access is planned along entrance points or tracks.
 - Each box or hollow is to be identified with a readable, weather resistant number (75mm) in size for identification and recording purposes.
 - Following installation of each nest box or salvaged tree hollow, a report (including GIS map) will be submitted to Council's Ecologist that records the identification number, GPS location, species and diameter at breast height of the host tree, and salvaged hollow size, height and orientation.
 - Evidence of the installation of the required nesting boxes or salvaged hollows must be received by Council's Ecologist prior to the commencement of clearing.

- 3.9 Prior to commencement of any works the Project Ecologist is to supervise erection of temporary fencing and conduct preclearing fauna surveys in accordance with these conditions of consent.
- The Project Ecologist is to provide updates in writing to Council's Ecologist for review, certifying how the proposal is meeting these requirements, prior commencement of works and within 10 working days following completion of the following stages of the development:
- Following the pre-clearing fauna surveys, marking of trees and vegetation to be retained;
 - Following erection of nest boxes; and
 - Following erection of required tree protection fencing.
- 3.10 A review of residents' status is to be conducted prior to the commencement of each one of the four stages in order to mitigate social impacts.

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 no 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 Re-use, recycle or dispose of all building materials in accordance with the Waste Management Plan submitted with the subject application.
- 4.9 Arrange with the relevant service provider / Authority (eg. Ausgrid, Jemena, communications provider) for the supply of services concurrently with the engineering work approved by this consent. Arrangements must include, where required, any relocation of existing mains and services, and dedication of easements for mains and services.
- 4.10 During construction works, all cut or fill is to be constructed in such a manner that surface water will not be permanently or temporarily diverted to adjoining land and so that natural drainage from adjoining land will not be obstructed or affected.
- 4.11 Supervision by a suitably qualified Ecologist is required for all vegetation clearing and construction works to mitigate any native animal welfare issues and ensure compliance with conditions of consent. The Ecologist must:
- Mark trees for retention and removal
 - Supervise the installation of fencing around tree and vegetation retention areas
 - Provide an environmental induction to civil contractors and subcontractors
 - Undertake pre-clearing fauna surveys and supervise clearing
 - During clearing and felling all fauna and habitat will be protected through fauna protection measures (eg. Soft felling, pre-clearing surveys, sectional dismantling or any measures as required ensuring no fauna is harmed during the works).

The Ecologist must provide updates in writing to Council's Ecologist upon completion of the above environmental control measures.

- 4.12 Vehicles and other equipment to be used on site must be completely free of soil, seeds and plant material before entering/leaving the site to prevent the spread of exotic plant species and pathogens. All vehicles and machinery must be inspected prior to site entry and those failing inspection should be sent away for cleaning. Appropriate records of inspections shall be maintained.
- 4.13 Any top soils imported are to be free of weeds before use.
- 4.14 Maintain the temporary fence around the retained vegetation and trees. The fence must be maintained for the duration of construction works.
- 4.15 Undertake clearing in accordance with the approved tree removal/retention survey plan. Trees must be removed in such a manner so as to prevent damage to surrounding trees to be retained.
- 4.16 Implement the following fauna welfare measures during clearing:
- Supervision by Ecologist
Removal of trees and must be undertaken under the supervision and guidance of a suitably qualified Ecologist.
 - Pre Clearing Inspection
The Ecologist is to inspect all trees prior to removal and identify evidence of fauna use.
 - Staged Clearing
Staged removal is to include clearing of understorey vegetation and non habitat trees in Phase 1 and removal of habitat trees in Phase 2.
 - Fauna Welfare
During clearing and felling all fauna and habitat will be protected through fauna protection measures (eg. Soft felling, pre-clearing surveys, sectional dismantling or any measures as required ensuring no fauna is harmed during the works).

Wildlife must be relocated locally to an area with adequate resources and provided with a nest box or relocated hollow under instruction from the Ecologist. Any fauna rescued during vegetation clearance is to be assessed for injuries and, if unharmed, subsequently released into suitable nearby habitat. Captured fauna may be held until dusk prior to release in accordance with relevant animal ethics licensing and standards. If any fauna are injured during vegetation clearing they are to be taken promptly for treatment to a nearby veterinarian or wildlife carer.

- 4.17 Utilise timber from felled native trees by:
- Place felled tree trunks along the boundary of the Wadalba Wildlife Corridor to prevent unauthorised access to the corridor in consultation with Council's Natural Resources Unit;
 - Re-instate logs or branches as ground habitat in the Wadalba Wildlife Corridor in consultation with Council's Natural Resources Unit;
 - Trees and tree sections to be used as logs within the Wadalba Wildlife Corridor are to be re-instated within one month of their felling;
 - Wood chip or tub grind into mulch for landscaping, soil stabilisation or bush regeneration, and/or
 - Recycling for use in construction materials, furniture or fencing.
- 4.18 Supply any plant stock used in landscaping from provenance specific seed/material collected from locally endemic species to maintain genetic diversity. Non-provenance specific material is prohibited.
- 4.19 All earthworks are to be limited to the area as indicated within the approved development plans. Any additional earthworks and the construction of associated retaining structures outside of the nominated areas, requires separate approval.
- 4.20 During the construction phase of the development, any new information which comes to light during remediation, demolition or construction works which has the potential to alter previous conclusions about site contamination and required remediation must be notified to Council immediately upon discovery.
- 4.21 Suitable dust suppression measures shall be implemented and maintained by the developer during demolition, excavation and construction works associated with the development. Such measures are required to minimise the emission of dust and other impurities into the surrounding environment.

5. PRIOR TO ISSUE OF ANY OCCUPATION CERTIFICATE

- 5.1 All conditions under this section must be met prior to the issue of any Occupation Certificate.
- 5.2 Prior to the occupation or use of the building/structure, an application for an Occupation Certificate for the development must be submitted to and approved by the Principal Certifying Authority. The Occupation Certificate application is to satisfy all of the requirements of the *Environmental Planning and Assessment Regulation 2000*.
- 5.3 The certification by a suitably qualified consultant that all civil works have been completed in accordance with Civil Works design drawings and specifications.

- 5.4 All internal roads, access lanes and carparking areas shall be constructed and drained in accordance with the requirements of the Consent Authority.
- 5.5 The dedication of 2.0 metres of road widening for the full extent of Johns Road frontage, as identified in Development Control Plan 2013, Chapter 6.17 – *Warnervale East and Wadalba North West Urban Release Area*. A credit will be given for this land, which is contained in the Contributions Plan No 7a. The road widening must be shown on the plan of subdivision and approved by Council with the Subdivision Certificate.
- The Developer is to negotiate with Council's Contributions Section to realise any credits available under the Contribution Plan.
- 5.6 The obtaining of a satisfactory final plumbing & drainage inspection advice or Section 307 Certificate of Compliance under the *Water Management Act 2000* for water and sewer requirements for the development from Wyong Shire Council as the Water Supply Authority, prior to issue of the Subdivision/Occupation Certificate. All works for the development must be approved by Council prior to the issue of a Certificate of Compliance.
- 5.7 Utilities/services associated with the development site are to be underground.
- 5.8 The northern boundary of Lot 3 DP 536569 is to be permanently fenced with minimum 1.6 m high timber or colorbond fencing to protect vegetation within Council land on the Council land Lot 228 DP 1105837.
- 5.9 Prepare and submit a final certification report detailing the level of compliance for each stage of the development. The report with all conditions relating to ecology/trees must be prepared by the engaged Ecologist and forwarded to Council for review.
- 5.10 For safety, amenity and maintenance reasons, the waste storage area must be constructed to the following standards prior to the issue of an Occupation Certificate:
- Floors must be constructed of concrete, graded and drained to an approved drainage outlet connected to the sewer and finished to a smooth even trowelled surface;
 - Walls must be constructed with solid impervious material and shall be cement rendered internally to a smooth even steel trowelled surface;
 - All intersections between the walls and floors shall be coved with coving having a minimum radius of 25mm;
 - All entry points into the room must be banded to prevent the escape of liquid waste. Banding shall be for 110% of the likely liquid storage waste

and constructed in such a manner that does not obstruct the removal of waste receptacles from the room or create a safety risk to users;

- Adequate ventilation shall be provided;
- Adequate lighting shall be provided;
- The ceiling must have a minimum height of 2.1 metres from floor level and be finished with a smooth faced non-absorbent material capable of being easily cleaned;
- Waste storage areas shall prevent the access of vermin;
- Waste receptacles used shall be compatible with Wyong Council's waste collection service;
- The door to the storage area shall be weatherproof and shall be openable from the inside at all times; and
- Hot and cold water hose cocks shall be located inside or within close proximity to the waste storage areas to facilitate cleaning.

5.11 Plant street trees on the road reserve. Provide 7 advanced specimens (minimum 25 litre pot size) that are to be evenly located and adequately staked / protected to prevent vandalism. Street trees must be native tree species as recommended by Council's Arborist or Open Space Planner. Where the tree dies or is substantially damaged within five (5) years of planting, it must be replaced and maintained to maturity.

6. PRIOR TO OCCUPATION OF THE MANUFACTURED HOME

- 6.1 All conditions under this section must be met prior to the Occupation of the Manufactured Home.
- 6.2 Do not occupy the dwelling / premises until all required certificates have been provided to Council under section 68 of the Local Government Act 1993 approval.
- 6.3 Prior to the occupation of any new manufactured home, landscaping works are to be properly completed, the landscape designer must provide certification that landscaping has been implemented in accordance with the approved landscape plan as amended by any conditions of this consent.

7. ONGOING

- 7.1 A maximum of 135 long term dwelling sites are permitted under this development consent.

- 7.2 The redevelopment of this caravan park is to comply with the requirements of the Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005.
- Compliance with the requirements of the Rural Fire Service for the placement and construction of new dwellings and any associated structures.
 - Provision of at least one (1) resident car parking space upon each dwelling site.
 - All moveable dwellings proposed for long term sites are to be fully self-contained with their own bathroom, toilet and laundry facilities.
 - The communal laundry facilities are not to be removed and the buildings demolished until each resident has their own private laundry facilities within their dwelling or alternative communal laundry facilities are provided elsewhere within the caravan park.
 - Submit to Council an application to amend the current Approval to Operate for the caravan park to remove the communal laundry facilities from the approval. This application is to include an Objection application under Section 82 of the Local Government Act 1993 and must substantiate that compliance with the requirement for communal laundry facilities is unreasonable or unnecessary in the particular circumstances of the case. The grounds for the objection must be well founded and specified in the Section 82 Objection application.
 - A relocatable home and any associated structure are not permitted to be located closer than 2.0m to the boundary of the caravan park.
 - The open space buffer zone area is not permitted to be used in the determination of the allowable site coverage under Clause 139 of the Local Government (Manufactured Homes Estate, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005.
 - Associated structures, owned by residents, are not permitted to be installed upon open space buffer zone land.
- 7.3 Monitor nest boxes/salvaged hollows to determine their usage and to carry out repairs or replacement as required every six months for a minimum period of three years following installation. Monitoring and reporting is to be undertaken by the consulting Ecologist and reports are to be submitted to Council after each monitoring event.
- 7.4 Use external lighting that minimises overspill into retained vegetated areas.
- 7.5 Distribute a 'Community Education Pamphlet' to each residence. The primary objective of the pamphlet is to provide potential residents with information regarding the Wadalba Wildlife Corridor including:
- Flora and fauna of the area and environmental significance;
 - Cultural values;

- Passive/recreational uses;
 - Prohibited uses; and
 - Responsibilities regarding pet ownership and Council's approach to management of pets within the Wadalba Wildlife Corridor.
- 7.6 To minimise the opportunity for crime and in addition to the applicant's supporting information and CPTED principles, the development shall incorporate the following:
- i. In order to maintain a safe level of visibility for pedestrians within and around the development, adequate lighting to AS1158 is to be provided to all common areas including parking, and any pedestrian routes to these areas. All lighting shall be installed and directed in such a manner so as to ensure that no nuisance is created for surrounding properties.
 - ii. Ensure that the development minimises the opportunities for concealment or entrapment spaces.
 - iii. The means to isolate the various areas of the site shall be incorporated into the development, including measures for after-hours access.
 - iv. Ensure the development management adopts an ongoing policy of rapid repair of vandalism and graffiti and ensuring that all lighting is in working order.
 - v. Adequate signage within the development to identify facilities, entry/exit points and direct movement within the development.
- 7.7 All site landscaping is to be maintained for the life of the development in accordance with the approved landscape plan, as amended by the conditions of this consent, and with any approved maintenance schedule.
- 7.8 All on-site vehicle parking areas, markings, driveways and manoeuvring areas are to be maintained for the life of the development.

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

- 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: www.centralcoast.nsw.gov.au



Transition Management Plan

Proposed expansion and reconfiguration of an existing caravan park



Homeland Park, 195 Johns Road, Wadalba NSW 2259

Lot 3 DP 536569

Job No: C651

Date: September 2018

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1.0 Executive Summary

Further to correspondence with Central Coast Council ("Council"), this Transition Management Plan has been prepared to accompany documentation previously submitted to Council as part of Development Application No. DA-124/2018 ("Development Application"), which proposes the expansion and reconfiguration of an existing caravan park (Homeland Park) at 195 Johns Road, Wadalba.

The preparation of this document has been undertaken in accordance with the recommendations of a Social Impact Assessment (SIA) prepared by Creative Planning Solutions Pty Ltd (dated December 2017) and the requirements of Council in their correspondence dated 10 May 2018.

The purpose of this document is to address likely social impacts associated with the redevelopment of Homeland Park ("Site"), as identified by the SIA and associated community consultation. The impacts are detailed within Part 3 of this document, however they are related to the potential displacement of existing residents and the affordability of alternative housing, both on the redeveloped site and within the surrounding area.

This Transition Management Plan supplements information submitted to Council, and provides strategies that are to be implemented throughout the staged redevelopment of the site, to help ensure existing residents are not displaced without providing opportunities for them to locate to appropriate alternative accommodation.

It is important to note that should consent be granted to the proposed development, that pursuant to Section 4.53 (formerly Section 95) of the *Environmental Planning and Assessment Act 1979*, the consent would not lapse for five (5) years from the date of approval. Noting the high turnover of leases on the site, and as it is possible that works may not commence for an extended period of time, it is likely that at least some of the strategies within this document would become outdated and/or irrelevant as affected residents would have already moved out. Until the specific timing of the development and the associated staging are known, this Transition Management Plan should be treated as a draft document. Should it be requested by Council, a revision of this document could be submitted with more detailed strategies once development timeframes are established.

2.0 Background

Development Application No. DA-124/2018 was lodged with Council on 13 February 2018. The application proposes the expansion and reconfiguration of an existing caravan park. More specifically, the application proposes:

- The demolition of all existing structures and the progressive removal of all caravans from the site.
- A reconfiguration and expansion of the site that would include:
 - The one hundred and thirty-five (135) long-term sites of varying sizes (i.e. approximately 184m² to approximately 258m²) that would accommodate five (5) typical dwelling layouts,
 - The widening of internal roads and the construction of four new internal roads within the Site,
 - The construction of a new recreation building,
 - Construction of new boundary fences,
 - Landscaping works including tree planting, and
 - Relocation of services and associated structures (e.g. waste facilities), and
 - Construction of, and connections to, services and utilities.
- The applicant has sought for the proposal to be approved as a single stage, however construction would essentially be staged, with sequenced construction to occur in varying parts of the site, thereby allowing sufficient time to relocate existing residents.

While the proposal originally included the construction of a new access road to the north of the site (within Lot 228, DP 1105837) this element is no longer proposed.

Following the submission of the application, correspondence was received from Council (dated 10 May 2018) that sought additional information to address a number of matters. Point 16 within that correspondence reads as follows:

The social impact assessment (SIA) has been reviewed by Council's Social Planner and there are some elements within the SIA that require further detail and clarification as outlined below:

- *It is noted that only 14 people attend the community consultation sessions. 12 of these were residents from within the park and 2 were from the surrounding area. This is considered to be a low response rate. Council's social Planner had identified the importance of specifically target residents within and surrounding the park, especially as the residents within are from low socio-economic background and may not feel comfortable attending a larger group session. Individual conversations are more appropriate to capture a broader range of input.*
- *The applicant refers to 'Consultation with Community Housing Providers.' These consultation notes are very broad and refer to some broad wait list times (which are incorrect for the Central Coast) and the process of applying for social housing. It is*

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suggested that the applicant contact Community Housing Providers that are locally based to gain a full understanding of the availability of housing on the Central coast for the people who are to be displaced by the proposed development.

From current research conducted for the Central Coast Affordable and Alternative Housing Strategy, the re-development of this park will further compound a major issue for this region.

- *It is agreed that the main negative social impacts as being:
 1. Displacement of existing residents of the caravan park
 2. Unaffordability of the new caravan park for existing residents and
 3. Suitability, affordability and availability of accommodation elsewhere for displaced residents.However, in understanding the nature of the issue of affordability and homelessness on the Central Coast, these impacts are high negative impact, not moderate-high as listed in the SIA. A thorough investigation of further mitigation measure to address these high impacts needs to be investigated.*
- *The major mitigation measure referred to is the Transition Management Plan. The Social Planner will need to review this plan to understand how displaced residents will be transitioned from the park unto appropriate alternative accommodation that meets their needs.*

This Transition Management Plan has subsequently been prepared in accordance with the requirements of Council (as referenced above) and the recommendations of the SIA prepared by Creative Planning Solutions Pty Ltd.

3.0 Objectives

With regard to the issues raised within Part 3 of this document, the objectives of this Transition Management Plan are as follows:

- To demonstrate that any social impacts associated with potential displacement of residents as a result of the proposed development would be minimised.
- To establish an internal relocation plan and a schedule for the staging of works that would prevent the premature displacement of residents during the progressive redevelopment of the site.
- To prepare a relocation assistance package that would assist displaced residents in finding suitable accommodation elsewhere within the Central Coast area.
- To engage relevant stakeholders and housing providers to ensure that they are given advance notice to reduce the likelihood that displaced residents would be without appropriate accommodation options.
- To notify existing residents of the strategies of the management plan, and to provide them with appropriate time, opportunities and resources to assist them in finding appropriate relocation options.

4.0 Issues for consideration

As identified within the SIA (prepared by Creative Planning Solutions and dated December 2017), a number of potential social impacts with negative implications were identified and are agreed to by Council.

As indicated within Part 2 of this report, Development Application No. DA-124/2018 proposes the demolition/removal of all onsite structures and 132 new allotments that would accommodate new manufactured homes. While the cost of renting the sites may continue to be affordable (i.e. \$165 per week) the purchase of manufactured homes on the sites would cost approximately \$320,000-\$370,000. Such cost outlays would be unaffordable for the vast majority of current residents, many of which are either unemployed and/or rely upon government assistance; these residents may therefore be unable to afford the cost of living at Homeland Park once it is redeveloped. Such residents may therefore be displaced as a result of the proposed development. Further, due to the relatively small supply of very low-cost rental housing within the region, it is unlikely that such displaced residents would be able to afford market rents elsewhere in the area.

It is noted that the issues outlined above are consistent with those raised by residents as part of the community consultation process; for reference relevant matters are outlined as follows:

- Costs of relocating to other residences.
- The timing associated with the movement of residents.
- Affordable rental housing availability and options.
- The existing site provides affordable rent along with a strong sense of community and safety.
- Access to, and availability of, services for displaced residents.

With regard to the above, the main issues for consideration by this document are as follows:

1. Displacement of existing residents of the caravan park.
2. Unaffordability of the new caravan park for new existing residents.
3. Suitability, affordability and availability of accommodation elsewhere for displaced residents of the caravan park.
4. The means by which displaced residents could be reaccommodated elsewhere, and the likely achievable timeframes

It should be noted that while other potential negative impacts were identified by the SIA, such matters (i.e. noise generation, location of certain structures, etc.) are not related to the displacement of residents and as such, are not discussed further within this document.

5.0 Resident Demographics and Site Information

Demographic information of the site's residents was included within the SIA for the development application, and for reference has been provided within the table below. It should be noted that while such information was correct as of December 2017, some information has changed and is therefore likely to be outdated; though statistical information for new residents has not been collected, updated information (where available) has been highlighted in **bold**:

Demographics – Current Residents	Number
Total number of existing residents	126
Number of renters	109 (106)
Number of caravan owners	2
Age of residents	Majority of residents are from 50 to 85 with an average of 65
Gender	Males = 94 Females = 32
Employment status	21 employed 105 unemployed and likely to be relying on government assistance for income
Lease Lengths	All leases are for a maximum of 3 months, then are week by week
Resident turn over	On average 35 leases turn over per year <ul style="list-style-type: none"> • There is currently a 25-30% lease turnover rate for the site. • There have been 30 lease turnovers between November 2017 and September 2018.

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Length of residency	<1 year = 4% 1-2 years = 25% 2-5 years = 45% 5+ years = 26%
Rental costs	Low = \$165 High = \$225 Average = \$185 per week
Size of caravans	Average 30sqm with most containing 1 bedroom

6.0 Demolition and construction stages and timeframes

As has been proposed by the applicant, the construction of the development would be progressively undertaken in stages. During each stage, remaining residents would be internally relocated to prevent premature displacement from the site. Part 5 of this document shall detail the proposed staging of the development, and how internal relocation would occur.

6.1 Commencement of works

At the time of producing this document, Development Application No. DA-124/2018 remains under assessment. It is not known when Council will determine the development application, however it is anticipated that this would occur within three-to-four months from the production of this document.

Should the development application be approved, works would not be able to commence until a construction certificate is approved. While it is not possible to identify specific timeframes at this stage, such a process would ordinarily take three-to-six months to occur. It is therefore unlikely that any works on the site would not commence until mid-2019 at the earliest.

Irrespective of the above, pursuant to Section 4.53 (formerly Section 95) of the *Environmental Planning and Assessment Act 1979*, a development consent lapses 5 years after it is granted. While it is the intention of the developer to commence works well within this timeframe, there may be a possibility that works would not substantially commence for a considerable amount of time after consent is granted. This may subsequently have an effect on the implementation and timing of this document.

6.2 Staging of works

A single-stage planning approval has been sought for the proposed development, however the applicant intends to undertake the proposed development in stages. Since the lodgement of the Development Application, the details of the staging have changed as a result of amendments to the plans and information. The amended details of each stage is outlined below.

Stage 1:

Stage one works would include the following:

- Construction of roads and services for the vacant rear portion of the site (i.e. the area between Lots 59-66 (as approved by Council in 2014) and the rear property boundary), to create forty-three (43) new allotments,
- Construction of a temporary access road from Hulda Road, which adjoins the western boundary of the subject site,
- The construction of car parks and a new front fence, and
- The construction and renovation of community facilities at the front of the site.

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It is anticipated that Stage one works would take six (6) months to complete.

Stage 2:

Stage two works would include the following:

- The removal/demolition of dwellings on allotments 1 to 45, 83, 86 and 88, and
- Construction and connection of services to new allotments.

It is anticipated that Stage two works would take six (6) months to complete.

Stage 3:

Stage three works would include the following:

- The removal/demolition of dwellings on allotments 46 to 52 and 93 to 110, and
- Construction and connection of services to new allotments.

It is anticipated that Stage three works would take six (6) months to complete.

Stage 4:

Stage four works would include the following:

- The removal/demolition of dwellings on all remaining allotments not constructed within Stages one, two and three,
- Construction and connection of services to new allotments, and
- The removal of the temporary access route from Hulda Road. The area occupied by the temporary access route would be occupied by three allotments.

It is anticipated that Stage four works would take six (6) months to complete.

7.0 Lease structure and accommodation rates

As indicated in Part 2 of this document, the site currently contains 127 residential allotments within the site. As of September 2018:

- 106 of the allotments are occupied by renters.
- 115 of the allotments are occupied by caravans.

It should be noted that the number of caravans is being progressively reduced. Many of the caravans are in very poor condition; as it is not financially viable to repair them, caravans not fit for accommodation purposes are subsequently being removed and/or demolished once they become vacant at the end of their leases. As it is anticipated that the site will be redeveloped, the owner is not replacing those caravans that are being demolished and/or removed from the site.

With regard to:

- Caravans that are in a varying state of repair,
- The high turnover rate of leases, and
- Leases that can be ended by residents at short (i.e. one week's) notice after three months,

it is difficult to accurately predict ongoing site occupancy rates. At current lease turnover rates, it is anticipated the number of leases on the site could be reduced at a rate of 25-30% a year, which is consistent with current turnover rates. If leases are not renewed following the cessation of the previous lease, then the estimated number of leases on the site (based on current resident numbers and lease turnover rates) over the next three years are as follows:

Time period	Number of occupied allotments (based on an average lease turnover of 25%)	Number of occupied allotments (based on an average lease turnover of 30%)
September 2019	80	74
September 2020	60	52
September 2021	45	37

Table 1: Estimated number of leases for the next three years based on current lease turnover.

With regard to the information within Table 1 above, it is important to note the following:

- 'Turnover' relates to the discontinuation of leases. Some allotments will continue to be leased to new tenants, while others will remain vacant.
- That the lease numbers specified above are based on current turnover rates, and do **not** consider other factors or variables which may influence the number of people living on the site. Such factors may include (but are not limited to), higher turnover

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rates, demographic changes, the suitability of existing accommodation, a reduction of available housing stock due to the demolition/removal of caravans and other onsite construction works, the availability of alternative accommodation options (e.g. new social housing developments elsewhere in the locality) and/or a combination of such factors. It is likely that the actual future occupancy/lease rates would be less than what is shown above.

- All existing residents have been notified and/or consulted throughout the preparation of the Development Application. Since lodgement of the Development Application, all new residents have been informed of the plan to redevelop the site; residents are required to sign a lease application, which includes a disclosure statement containing details about the development. It is expected that the lease turnover rates will increase as:
 - Residents are informed of development timeframes and dates; and
 - Works physically commence on the site.
- In addition to the very high level of turnover, the vast majority of residents living at the site are on short-to-medium term leases, with only 26% of residents living at the site on long-term (i.e. 5+ year) leases.

In summary, it is difficult to identify specific future occupancy rates of the site. Based on current turnover and external factors however, it is extremely likely that the future occupancy rate of the site would significantly decrease within the next twelve to twenty-four months.

8.0 Accommodation capability during redevelopment of the site

8.1 Timing of works

As indicated by Part 2 of this document, the proposed redevelopment of the site would occur in stages. A timeframe for the determination of the Development Application is not known, however the following post-development timeframes are anticipated:

- A construction certificate would take approximately three-to-six months to be approved;
- Each of the four proposed development stages would take approximately six months to complete.

Should the Development Application be approved, the owner would have up to five years to commence works on the site. Irrespective of when the works commence, the time taken to complete each stage would be unlikely to change.

Assuming that the Development Application is approved by early 2019 and that the owner commences the proposed works as soon as possible, it is anticipated that works would commence as follows:

- The Construction Certificate would be approved sometime around the middle of 2019, thereby facilitating commencement of works (i.e. Stage 1) early in the second half of 2019;
- Stage 2 works would commence in early 2020;
- Stage 3 works would commence early in the second half of 2020;
- Stage 4 works would commence in early 2021.

It must be reiterated that such timeframes are estimates, and are contingent on favourable conditions (e.g. weather, housing market considerations, etc.) and may be subject to change at any time.

With regard to the above and noting that all remaining residences would be removed/demolished as part of Stage 4 of the development, assuming a “best case” scenario whereby all works are completed as soon as possible, the scheduling of the proposed works would provide a window of six to twenty-four months to progressively remove all existing residents from the Site following an approval of the Development Application.

8.2 Feasibility of resident transition

It is proposed that the number of leases would be progressively reduced by the owner not offering new leases on allotments that have become vacant, following the discontinuation of an earlier lease. It is acknowledged however that some longer-term leases may however continue during

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the early stages of the site's redevelopment. Based on current turnover rates (which are expected to change as discussed in Part 7 of this report) once works commence, the number of residents on site and the number of available allotments is as follows:

Time period	Number of occupied allotments (based on an average lease turnover of 25%)	Number of occupied allotments (based on an average lease turnover of 30%)	Proposed number of available dwellings (refer to Part 6.2 of this document)
September 2018 (Current)	106	106	115
September 2019 (Stage 1)	80	74	115
September 2020 (Stage 2)	60	52	76
September 2021 (Stage 3)	45	37	51

Table 2: Estimated number of leases for the next three years based on current lease turnover, compared against the number of dwellings available for lease during each development stage. NOTE: There would be 127 and 124 allotments available as of September 2018 and September 2019 respectively. As of September 2018, only 115 of those sites contain caravans, as caravans on other sites have been removed as they are unfit for residential purposes. Stage 4 has been excluded, as that stage involves the demolition of all remaining allotments within the site.

As indicated by Table 2 above, the site would be easily capable of accommodating the remaining residents during the first three stages of the proposed development, and the proposed strategy of internally transitioning existing residents during the site's redevelopment is feasible.

8.3 Alternative accommodation options

Once Stage 4 of the development commences, all remaining dwellings within the site will be demolished. Unless residents are able to purchase a new dwelling on one of the other redeveloped allotments and/or lease a new dwelling, existing residents would no longer be able to be accommodated on the site.

As reflected by the statistics contained within Parts 7 and 8 of this document, it is likely that most, if not all, residents would have moved away from the Site by the time the Stage 4 works proceed. The Owner has indicated that the redevelopment of Meander Village (formerly Wyong Caravan Park) was undertaken in manner similar to that which is proposed at Homeland Park. During that redevelopment, all residents chose to move off the site prior to the demolition of remaining dwellings, and no residents were forced to leave.

Noting that there is a lack of very-low-cost rental housing within the surrounding locality, there are a number of housing options available to residents requiring ongoing assistance. These include (but may not be limited to) the following:

- Social and community housing, and
- Financial assistance for renting social housing and housing in the private market.

Noting that existing resident demographics contain a very large proportion of older (i.e. 55+ year old) residents, some residents may qualify for accommodation in seniors housing developments and group homes. It is likely that the design of such developments would also be better suited to older demographics and/or persons with a disability, rather than caravans (within a large site which contain steps and internal dimensions that are not suitable for such groups) and a site area that may affect access to transport and services. Further, should it be required, indigenous residents can apply for assistance through the Aboriginal Housing Office (AHO) and associated providers.

8.4 Expected waiting times for social housing

The caravans on the site are considered to provide accommodation that is equivalent to a studio/one-bedroom apartment. Given the employment status and/or low income of some existing residents, it is considered likely that such residents would qualify for social/community housing. A review of the expected wait times for equivalent (i.e. studio/one-bedroom) social housing indicates that wait times across a broad area (as currently provided by the NSW Department of Family and Community Services) are as follows:

Zone name	Zone number	Expected wait time
Lake Macquarie	NN01	5-10 years
Lake Macquarie (East Zone)	NN02	5-10 years
Maitland	NN03	5-10 years
Newcastle	NN07	2-5 years
Raymond Terrace	NN09	5-10 years
Singleton	NN12	2-5 years
Cessnock	NN17	5-10 years
Gosford	NN19	5-10 years
Wyang	NN20	5-10 years
Inner City (Sydney)	CS01	5-10 years
Northern Suburbs (Sydney)	CS04	5-10 years
Northern Beaches (Sydney)	CS05	10+ years
Parramatta/Baulkham Hills	GW01	5-10 years
Richmond/Windsor	GW07	5-10 years

Table 3: Current waiting lists for the Wyong zone and surrounding areas (Source: NSW Department of Families and Community Services).

As indicated by the information within Table 3, there is social housing within two zones (Newcastle and Raymond Terrace) that would become available in as little as two years; noting that redevelopment of the site may not occur immediately, social housing within a further 11 zones may become also become available during the proposed redevelopment of the site. While it is not shown within Table 3, demand for larger (i.e. two, three and four-bedroom housing) also varies considerably within the identified allocation zones. It is important to note that as development timeframes are currently unknown, the availability for social housing may vary depending on a variety of factors (e.g. the number of vacancies, supply of social housing, the number of social housing providers, the number of applicants leaving the register, etc.).

It is important to note that despite the extended waiting list for social housing in NSW, people in a 'crisis' situation can almost always be accommodated within twenty-one days; 'crisis' situations may include people who are potentially facing homelessness.

8.5 Transition to alternative accommodation options

It is likely that most existing residents would be able to find alternative accommodation options within the timeframes permitted by the staged redevelopment of the site. It is however recognised that some residents may require assistance in finding alternative accommodation, should they be unable to find a suitable alternative.

As demonstrated by Part 8.4 of this document, there is a considerable waiting list for affordable housing in New South Wales. Such information however indicates that there are a number of localities on the Central Coast that have current wait times of approximately two to five years, which is within the timeframe that the proposed development is scheduled to occur.

Irrespective of the type of housing or assistance that is required, the site owner is unfortunately unable to apply on the behalf of the site's residents. Any contact made to a relevant Government Authority and/or Social Housing Provider for assistance must be undertaken by the individual. Given the likely wait times for social housing to become available, it is also imperative that individual residents contact relevant housing providers as soon as possible to prevent a situation whereby residents may still be on a waiting list by the time Stage 4 of the redevelopment is ready to proceed.

It is acknowledged that some residents may be unfamiliar with the processes associated with applying for social or community housing, therefore Part 9 of this Transition Management Plan contains strategies and recommendations that will provide information to residents, to assist them in finding accommodation with a Social Housing Provider.

It is strongly recommended that this document and any associated appendices be updated if or when new and/or amended information becomes available as the development progresses.

9.0 Transition to alternative accommodation options

9.1 Notification to residents of relocation and displacement

As indicated in Part 6.2 of this document, the proposed redevelopment of the site would be undertaken in stages, though the anticipated timing of each development stage may be subject to change.

It is important that all residents are sufficiently notified as to key development timelines and dates so they are aware when they can expect to be relocated and/or have their leases discontinued. Such notification shall include the following:

- A meeting that will be held for all residents after the approval of the Development Application. All residents will be sent written notification of the meeting via a letter-drop two weeks prior, and the details of attending residents would be noted at the meeting so that any written correspondence that is distributed at the meeting is delivered to residents who do not attend. Should any modifications to the development consent be approved that would substantially change the nature of the works and/or their timing, then a follow-up meeting(s) shall be held to alert residents to any such changes.
- Written correspondence advising residents about key dates throughout the redevelopment of the site.

All residents will be notified in writing through individually-addressed letters. Where an email address has been provided, the same letter shall also be sent via email, to ensure that all reasonable attempts to contact residents are made. A contact number, postal address and email address shall be provided as part of any written correspondence so that any enquiries from residents can be directly addressed.

Such written correspondence will be sent to all residents during key development stages. Such updates will occur at the following stages:

- Approval of the Development Application and any subsequent modification applications,
- Approval of the relevant Construction Certificate,
- Prior to the commencement of each development stage (as detailed above), and
- At the completion of each development stage (as detailed above).

In addition to the above, residents will be notified in writing should significant unforeseen delays be experienced that would subsequently change the timing of internal relocations and/or lease discontinuation.

The owner has indicated that each of the residents would be given sufficient notice advising them of when:

- They would be relocated within the site to facilitate construction of the next development stage; and/or
- Their leases would be discontinued where internal relocation within the site is no longer possible (i.e. during Stage 4).

Part 9.2 of this document provides information relating to the relocation of residents within the site.

Part 9.3 of this document provides information relating to the discontinuation of residents' leases within the site.

Part 9.5 of this document provides information regarding the details of content to be included as part of such information.

In addition to the notification provided prior to relevant works, it is anticipated that this would provide residents with between 12 and 24 months (i.e. one to two years) notice as to when their lease would be discontinued. In addition to the relocation assistance that would be provided to residents, it is expected that such timeframes would be sufficient to allow for residents to make suitable arrangements.

9.2 Internal relocation of existing residents during staged development

Should residents' homes be scheduled for demolition during Stages 1, 2 or 3 of the proposed development, then they are to be provided with the option of being rehoused in another allotment within the site.

Any such resident(s) shall be given six (6) months written notice that their allotment is scheduled for demolition as part of the forthcoming stage of development; this is to be followed up with a second written notice three (3) months and a third written notice 30 days prior to relocation. Such correspondence is to be provided to the resident in writing and email, where an email address has been provided.

If not done prior, then at the time of the second notice (i.e. three months prior to demolition) the resident must indicate to the owner whether they intend:

- A. To be relocated within the site; **or**
- B. To move out of the site.

Should the resident select the first option, it would be the developer's responsibility to ensure that there is a dwelling in reasonable condition that is available for the resident to live in. The owner shall also ensure that a sufficient number of dwellings are provided to offset the demolition of dwellings that are occupied by long-term residents (e.g. if five dwellings are proposed to be

demolished as part of the next stage, then unless the occupants have signalled their intention to move out of the site, the owner is to ensure that five dwellings are available for the occupants of dwellings to be demolished before accepting any new leases).

Where possible, the owner should attempt to relocate the resident into a dwelling that is not subject to demolition at the next stage (i.e. to prevent a situation where the resident is moved every six months during Stages 1-3), unless the resident is given a choice and they elect to occupy an allotment slated for demolition at the next stage.

If the resident elects to move out, then they are to be provided with a follow-up information package containing the details of alternative housing options; refer to Part 9.5 of this document for details regarding the contents of such information.

9.3 Discontinuation of leases

In the unlikely event that any allotments are still occupied prior to the commencement of Stage 4, then any affected residents are to be notified when their lease(s) will be discontinued, and that relocation within the site will no longer be an option as all dwellings are to be demolished.

Any such resident(s) shall be given six (6) months written notice prior to the discontinuation of the lease; this is to be followed up with a second written notice three (3) months and a third written notice 30 days prior to discontinuation of the lease. Such correspondence is to be provided to the resident in writing and email, where an email address has been provided.

The resident is to be provided with a follow-up information package containing the details of alternative housing options with the six-month notice (refer to Part 9.5 of this document for further information on the contents of such information). Assuming that the resident has not already moved out, another follow-up information package (including details for crisis accommodation options) is to also be provided with the thirty-day notification package.

9.4 Advice provided to new residents

Since the lodgement of the Development Application, the owner has been advising all new residents of the intention to redevelop the sites. New residents will continue to be informed of the proposed development, however once construction and staging dates are known, then such information is to be incorporated into the lease agreement forms.

As indicated within Part 9.2 of this document, the owner shall not agree to any new leases where they would prevent the internal transition of an existing resident whose dwelling would be demolished as part of the next development stage, and that resident has indicated that they wish to be internally relocated.

9.5 Information to be provided to residents regarding alternative accommodation options

As indicated elsewhere within this document, the timeframes of the proposed development have not been finalised. The information contained within this section is indicative, as subject to the timing of relevant approvals and development it would likely be subject to updates and refinement prior to presentation and distribution to residents.

The means of notifying residents and dispatching information to them is also covered by Part 6.1 of this Transition Management Plan.

After commencement of works, any written information sent to residents should include information that includes (but is not limited to):

- The stage at which the redevelopment of the site is up to;
- The specifics of the works that are proposed as part of the respective stage (including the times during which the works would be undertaken and who the resident can contact about the works);
- Timeframes for the completion of works;
- Specifics regarding internal transition and/or the discontinuation of leases (refer to Part 9 of the Transition Management Plan for further information); and
- Details for residents that may need information and assistance in contacting a Community Housing Provider. Such information must include:
 - The contact information of the Community Housing Provider(s) and/or associated organisations (see below); and
 - Any resources and information that are provided by the Community Housing Provider(s) and/or associated organisations as a result of ongoing consultation with such organisations (refer to Part 10 of the Transition Management Plan for further information).

Such information must also very clearly indicate that the developer cannot make individual representations to referenced organisations of the resident's behalf, and that it is the responsibility of the resident to apply for housing assistance. Such information must also clearly indicate the substantial wait times for social housing and strongly encourage the resident to act immediately.

The written correspondence and information packs to residents should include the Organisations and contact details that are listed below. It is strongly recommended that the developer contact these organisations (also refer to Part 10 below), as they may recommend and/or be able to provide additional sources, information and points of contact.

- NSW Department of Family and Community Services (Wyang)
 - Ph. 4321 6500
 - <https://www.facs.nsw.gov.au/about/contact/housing>

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- Help with housing and homelessness:
 - <https://www.facs.nsw.gov.au/housing/>
- Information for Aboriginal People:
 - <https://www.facs.nsw.gov.au/about/Aboriginal-people/info>
- Compass Housing Services – Central Coast
 - Ph. 4351 1191 (Ext. 709)
 - www.compasshousing.org
 - centralcoast@compasshousing.org
- Pacific Link Community Housing Association Limited
 - Ph. 4324 7617
 - www.pacificlink.org.au
 - info@pacificlink.org.au
- Evolve Housing
 - Ph. 1800 693 865
 - <https://evolvehousing.com.au/find-a-home/info@pacificlink.org.au>
 - info@evolvehousing.com.au
- NSW Aboriginal Housing Office (Northern Region)
 - Ph. 6659 2630
 - www.aho.nsw.gov.au
 - aho.northern@facs.gov.au
- Bungree Aboriginal Association
 - Ph. 4350 0100
 - <https://bungree.org.au/>
- Link2home Homelessness Information
 - Ph. 1800 152 152
 - <https://www.facs.nsw.gov.au/housing>

Other useful links and resources Ongoing Engagement with Relevant Housing Providers should include (but may not be limited to) the following organisations:

- Australian Government Department of Human Services
 - Rent Assistance:
 - <https://www.humanservices.gov.au/individuals/services/centrelink/rent-assistance>
- Ask Izzy:
 - <https://askizzy.org.au>

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- Human Services Network (HSNet):
 - <https://www.hsnet.nsw.gov.au/#services/results>

- Church Groups and organisations providing accommodation, which may include (but are not limited to) the following:
 - Baptistcare:
 - <https://baptistcare.org.au/our-services/community-housing/>
 - ask@baptistcare.org.au
 - Support Services: 1300 275 227

 - Anglicare:
 - <https://www.anglicare.org.au/what-we-offer/more-aged-care-services/housing-assistance-for-seniors/>
 - Retirement Living & Residential Aged Care: 1300 111 278

 - Samaritans Housing:
 - <https://www.samaritans.org.au/service/community-housing/>
 - property@samaritans.org.au
 - Central Office: 1300 656 336 or 4960 7100

 - Wesley Mission:
 - <https://www.wesleymission.org.au/find-a-service/housing-and-accommodation/community-housing/housing-options/how-to-apply-for-community-housing/>
 - 1800 770 602

Note: The above information may be subject to change and should be reviewed/updated where necessary prior to issuing any correspondence to residents.

10 Relocation Assistance Package

A Relocation Assistance Package is to be provided to all residents, irrespective of when the lease is signed. This package would include an information pack containing details of alternative housing/crisis accommodation and the contact information for accommodation providers. Such information is contained within Part 9.5 of this document.

Longer-term residents who resided at the site prior to the announcement of the site's redevelopment and who do not own a personal vehicle shall also be eligible for assistance in moving from the site. Assistance with moving personal belongings shall be made available by the development to an area within one (1) hour's drive from the site. For reference, the following towns/suburbs are located approximately one hour's drive from the site:

- North: Raymond Terrace
- South: Gordon/Pennant Hills
- Northwest: Maitland

Any offer to assist long-term residents with moving their belongings will be limited to physical assistance only, and a cash payment will not be offered.

Given that most caravans contain in-built furnishings, a large number of residents (particularly short-term renters) are understood not have a significant number of items to move. Further, new residents have/would continue to be made aware of the proposed redevelopment of the site. Given the logistical challenges that would be associated with assisting all residents from moving from the site, the offer of assisting only long-term renters is considered to be reasonable and appropriate.

11 Ongoing engagement with relevant housing providers

As indicated by Part 8.5 of this document, a request to a Government Authority and/or Social Housing Provider for assistance must be undertaken by the individual.

If it becomes apparent however that residents are going to be displaced and face homelessness as a result of the proposed development, then the developer is to contact community Housing Providers and relevant Authorities and notify them in writing of the details of residents to be displaced.

Ongoing Engagement with Relevant Housing Providers should include (but may not be limited to) the following organisations:

- NSW Department of Family and Community Services (Wyang)
 - Ph. 4321 6500
 - W. <https://www.facs.nsw.gov.au/about/contact/housing>
 - E. feedback@facs.nsw.gov.au

- NSW Aboriginal Housing Office (Northern Region)
 - Ph. 6659 2630
 - W. www.aho.nsw.gov.au
 - E. aho.northern@facs.gov.au

- Compass Housing Services – Central Coast
 - Ph. 4351 1191 (Ext. 709)
 - W. www.compasshousing.org
 - E. centralcoast@compasshousing.org

- Pacific Link Community Housing Association Limited
 - Ph. 4324 7617
 - W. www.pacificlink.org.au
 - E. info@pacificlink.org.au

- Evolve Housing
 - Ph. 1800 693 865
 - <https://evolvehousing.com.au/find-a-home/info@pacificlink.org.au>
 - info@evolvehousing.com.au

Note: The above information may be subject to change.

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If the development application is approved, then irrespective of whether there is a potential for residents to be displaced it is recommended that the developer makes contact with these organisations prior to the meeting with residents (as recommended within Part 9.1 of this document), in case these organisations wish to make staff and/or resources available during any consultation session.

It is also suggested that the developer contact Central Coast Council's Social Planners, in case they also wish to make staff and/or resources available during any future consultation sessions.

12 Conclusions

This Transition Management Plan has been prepared in accordance with the recommendations of the SIA that has been prepared as part an information package to Central Coast Council. Such information is in support of the redevelopment of Homeland Park at 195 Johns Road, Wadalba. The plan details the staging of the proposed development, how existing and future leases and the transition of existing residents would be managed during the staged works and how residents will be kept informed with regard to living arrangements and assistance in finding alternative future accommodation if required.

The Plan has shown that the proposed mitigation measures are feasible, and the existing lease arrangements would not result in the premature discontinuation of leases and would provide sufficient and realistic timeframes for residents to find alternative accommodation in anticipation of the site being redeveloped.

It is recommended that this document be reviewed and amended once development timeframes are established. Further, ongoing consultation with relevant housing providers must be undertaken, should circumstances around community housing change.

Subject to the implementation of the recommendations of this report and the associated SIA, social impacts associated with the potential displacement of residents are considered to be satisfactorily mitigated.



PROJECT: **PROPOSED VILLAGE**
 CLIENT: **ORR INVESTMENT GROUP
 ATF VILLAGE MANAGEMENT UNIT TRUST**
 LOCATION: **LOT 3 DP 536569
 JOHNS ROAD
 WADALBA NSW 2259**

SITE CALCULATIONS	
SITE AREA	4.027 Ha
OPEN SPACE	4045m ² (10.0%)
CAR SPACES	18
DISABLED	2
SITES	135

OPEN SPACE & COMMUNITY RECREATION AREAS



OVERALL SITE PLAN
 SCALE: APPROX. 1:500 @ A1

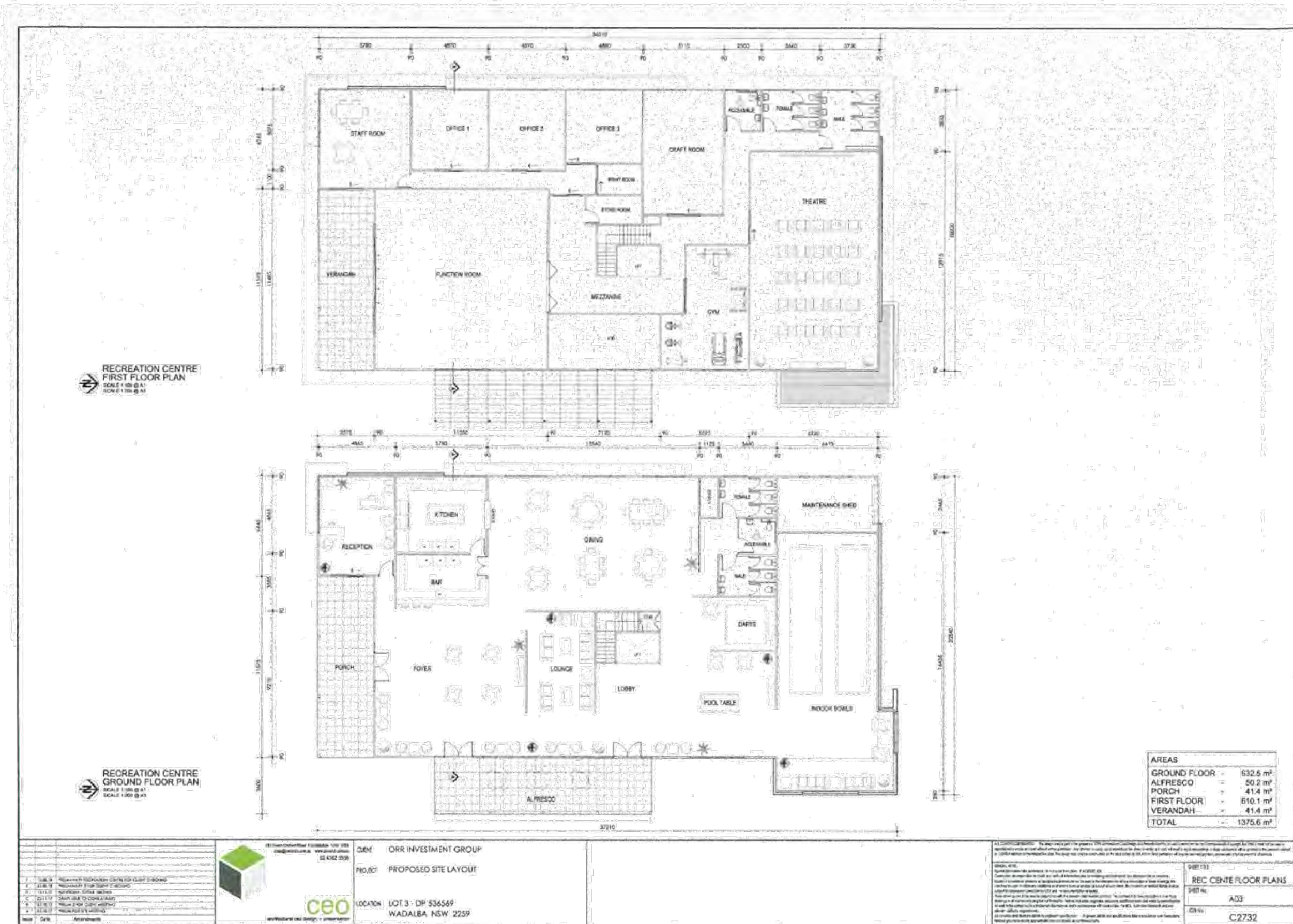
Issue	Date	Amendments
1	10/07/14	FINAL DESIGN
2	10/07/14	PROPOSED SITE LAYOUT
3	10/07/14	PROPOSED SITE LAYOUT
4	10/07/14	PROPOSED SITE LAYOUT
5	10/07/14	PROPOSED SITE LAYOUT
6	10/07/14	PROPOSED SITE LAYOUT
7	10/07/14	PROPOSED SITE LAYOUT
8	10/07/14	PROPOSED SITE LAYOUT
9	10/07/14	PROPOSED SITE LAYOUT
10	10/07/14	PROPOSED SITE LAYOUT



30 Frank Street Wadalba NSW 2259
 ceo
 architecture and design + greenprint

CLIENT: ORR INVESTMENT GROUP
 PROJECT: PROPOSED SITE LAYOUT
 LOCATION: LOT 3 - DP 536569
 WADALBA NSW 2259

<p>NOTES: 1. This plan is subject to the provisions of the Environmental Planning and Assessment Act 1979 and the Environmental Planning and Assessment Regulation 2000. 2. This plan is subject to the provisions of the Environmental Planning and Assessment Act 1979 and the Environmental Planning and Assessment Regulation 2000. 3. This plan is subject to the provisions of the Environmental Planning and Assessment Act 1979 and the Environmental Planning and Assessment Regulation 2000. 4. This plan is subject to the provisions of the Environmental Planning and Assessment Act 1979 and the Environmental Planning and Assessment Regulation 2000. 5. This plan is subject to the provisions of the Environmental Planning and Assessment Act 1979 and the Environmental Planning and Assessment Regulation 2000. 6. This plan is subject to the provisions of the Environmental Planning and Assessment Act 1979 and the Environmental Planning and Assessment Regulation 2000. 7. This plan is subject to the provisions of the Environmental Planning and Assessment Act 1979 and the Environmental Planning and Assessment Regulation 2000. 8. This plan is subject to the provisions of the Environmental Planning and Assessment Act 1979 and the Environmental Planning and Assessment Regulation 2000. 9. This plan is subject to the provisions of the Environmental Planning and Assessment Act 1979 and the Environmental Planning and Assessment Regulation 2000. 10. This plan is subject to the provisions of the Environmental Planning and Assessment Act 1979 and the Environmental Planning and Assessment Regulation 2000.</p>	
<p>DATE: 10/07/14</p>	
<p>TITLE: OVERALL SITE PLAN</p>	
<p>ISSUE: A01</p>	
<p>JOB No: C2732</p>	

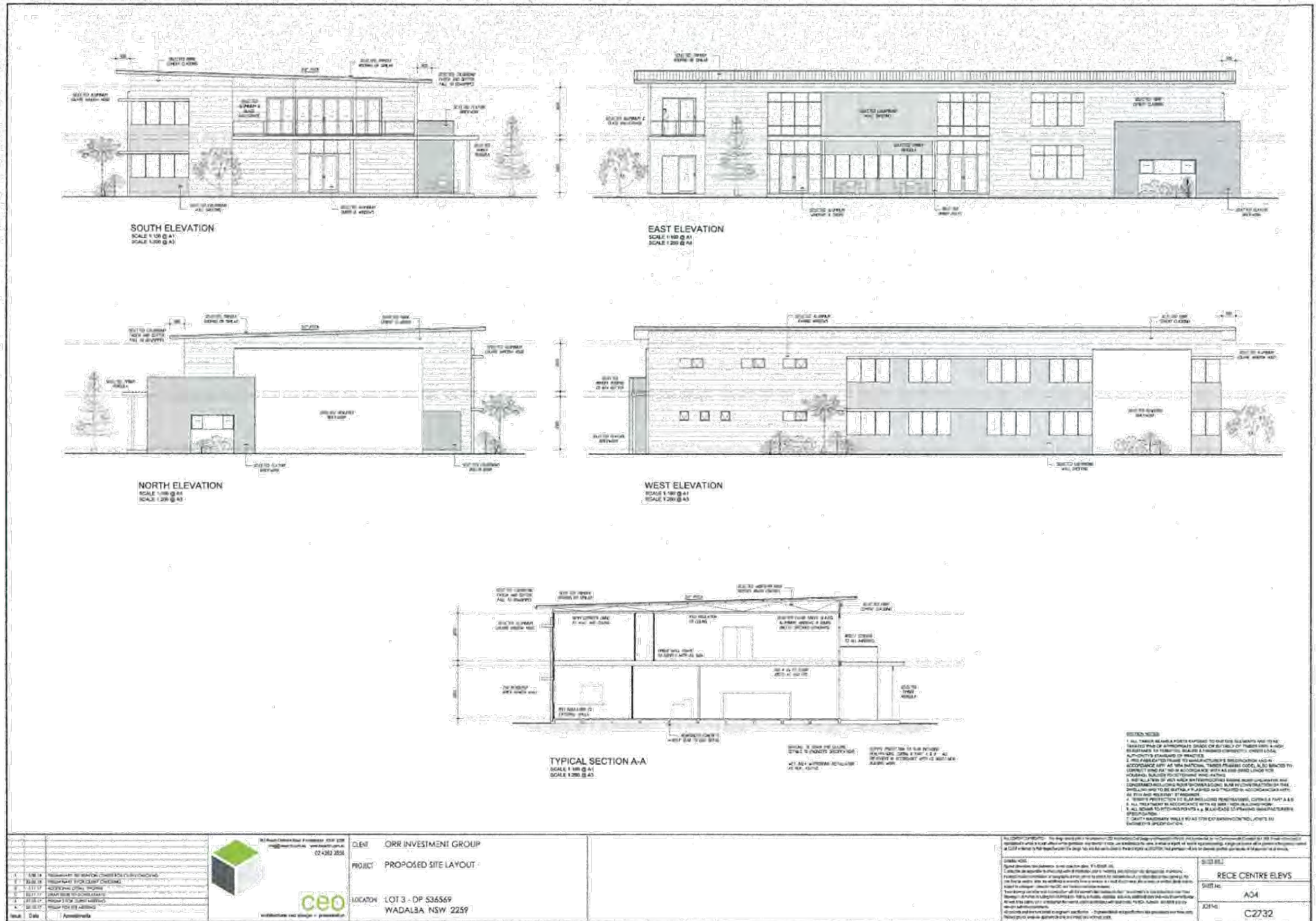


NO.	DATE	REVISIONS
1	13.08.19	REVISIONS FOR APPROVAL
2	13.08.19	REVISIONS FOR APPROVAL
3	13.08.19	REVISIONS FOR APPROVAL
4	13.08.19	REVISIONS FOR APPROVAL
5	13.08.19	REVISIONS FOR APPROVAL
6	13.08.19	REVISIONS FOR APPROVAL
7	13.08.19	REVISIONS FOR APPROVAL
8	13.08.19	REVISIONS FOR APPROVAL
9	13.08.19	REVISIONS FOR APPROVAL
10	13.08.19	REVISIONS FOR APPROVAL



CLIENT: ORR INVESTMENT GROUP
PROJECT: PROPOSED SITE LAYOUT
LOCATION: LOT 3 - DP 536549
 WADALBA NSW 2259

<p>AREAS</p> <table border="1"> <tr> <td>GROUND FLOOR</td> <td>=</td> <td>532.5 m²</td> </tr> <tr> <td>ALFRESCO</td> <td>=</td> <td>50.2 m²</td> </tr> <tr> <td>PORCH</td> <td>=</td> <td>41.4 m²</td> </tr> <tr> <td>FIRST FLOOR</td> <td>=</td> <td>510.1 m²</td> </tr> <tr> <td>VERANDAH</td> <td>=</td> <td>41.4 m²</td> </tr> <tr> <td>TOTAL</td> <td>=</td> <td>1375.6 m²</td> </tr> </table>	GROUND FLOOR	=	532.5 m ²	ALFRESCO	=	50.2 m ²	PORCH	=	41.4 m ²	FIRST FLOOR	=	510.1 m ²	VERANDAH	=	41.4 m ²	TOTAL	=	1375.6 m²	<p>SHEET NO: REC CENTRE FLOOR PLANS</p> <p>SHEET NO: A03</p> <p>DATE: C2732</p>
GROUND FLOOR	=	532.5 m ²																	
ALFRESCO	=	50.2 m ²																	
PORCH	=	41.4 m ²																	
FIRST FLOOR	=	510.1 m ²																	
VERANDAH	=	41.4 m ²																	
TOTAL	=	1375.6 m²																	



NO.	DATE	DESCRIPTION
1	1/1/2024	PRELIMINARY DESIGN CONCEPTS DEVELOPMENT
2	2/1/2024	PRELIMINARY DESIGN CONCEPTS DEVELOPMENT
3	3/1/2024	PRELIMINARY DESIGN CONCEPTS DEVELOPMENT
4	4/1/2024	PRELIMINARY DESIGN CONCEPTS DEVELOPMENT
5	5/1/2024	PRELIMINARY DESIGN CONCEPTS DEVELOPMENT
6	6/1/2024	PRELIMINARY DESIGN CONCEPTS DEVELOPMENT
7	7/1/2024	PRELIMINARY DESIGN CONCEPTS DEVELOPMENT
8	8/1/2024	PRELIMINARY DESIGN CONCEPTS DEVELOPMENT
9	9/1/2024	PRELIMINARY DESIGN CONCEPTS DEVELOPMENT
10	10/1/2024	PRELIMINARY DESIGN CONCEPTS DEVELOPMENT
11	11/1/2024	PRELIMINARY DESIGN CONCEPTS DEVELOPMENT
12	12/1/2024	PRELIMINARY DESIGN CONCEPTS DEVELOPMENT



CLIENT: ORR INVESTMENT GROUP
 PROJECT: PROPOSED SITE LAYOUT
 LOCATION: LOT 3 - DP S36569
 WADALBA NSW 2259

DESIGNER: [Faded text]
 DRAWN BY: [Faded text]
 CHECKED BY: [Faded text]
 APPROVED BY: [Faded text]

PROJECT NO: [Faded text]
 SHEET NO: A04
 DATE: [Faded text]

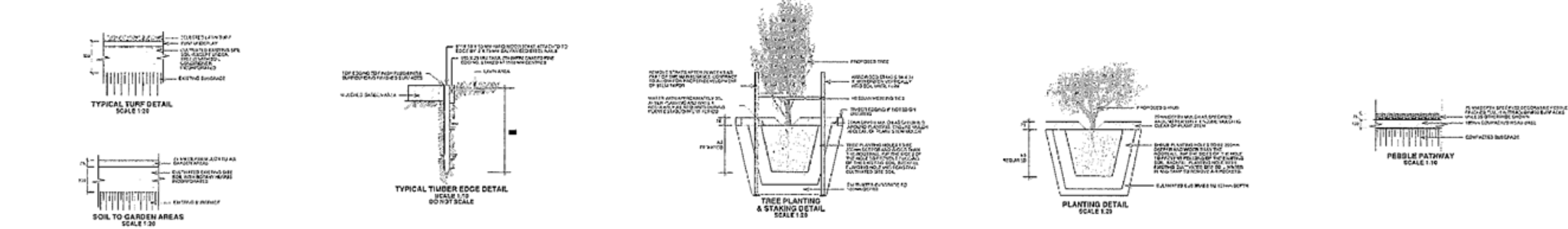
RECE CENTRE ELEVS
 SHEET NO: A04
 DATE: C2732

DEVELOPMENT APPLICATION PROPOSED LANDSCAPE PLAN - CARAVAN PARK 195 JOHNS ROAD, WADALBA

DRAWING LIST

SHEET NO.	SHEET TITLE	DATE
L/00	COVER SHEET	10/09/18
L/01	PROPOSED LANDSCAPE PLAN (SHEET 1)	10/09/18
L/02	PROPOSED LANDSCAPE PLAN (SHEET 2)	10/09/18
L/03	PROPOSED LANDSCAPE PLAN (SHEET 3)	10/09/18
L/04	PROPOSED LANDSCAPE PLAN (SHEET 4)	10/09/18

TYPICAL LANDSCAPE DETAILS



OUTLINE LANDSCAPE SPECIFICATION (AS APPLICABLE)

Responsible Builder: Builder shall remove all existing concrete pathways, fences, footings, walls etc. not related to be retained and complete all necessary excavation work prior to commencement on site by Landscape Contractor (Contractor). Builder shall install new retaining walls, kerbs, backstop kerbs, crossovers, pathways etc. and make good all existing kerbs, gutters etc. as necessary and to approval of Council. Builder shall ensure that a minimum 450mm of topsoil is garden areas and a minimum 150mm of topsoil in lawn areas. Builder shall retain all existing trees and shrubs that are to be retained and ensure that a minimum 450mm of topsoil is applied to the garden areas and a minimum 150mm of topsoil is applied to the lawn areas. Builder shall ensure that a minimum 450mm of topsoil is applied to the garden areas and a minimum 150mm of topsoil is applied to the lawn areas. Builder shall ensure that a minimum 450mm of topsoil is applied to the garden areas and a minimum 150mm of topsoil is applied to the lawn areas.

Soil: Topsoil to be applied to a depth of 300mm in garden areas incorporating a minimum 100mm depth of organic city breaker (e.g. straw) to be retained. Do not cultivate beneath existing trees to be retained. In areas where it is required to remove trees and shrubs, a minimum 450mm of topsoil is to be applied to the garden areas and a minimum 150mm of topsoil is to be applied to the lawn areas. Builder shall ensure that a minimum 450mm of topsoil is applied to the garden areas and a minimum 150mm of topsoil is applied to the lawn areas.

Planting: Contractor shall supply and install an approved fully automatic, variable rate, computerised irrigation system to all garden and lawn areas, excluding council nature strip. Entire system shall be to approval of Water Board and shall include pop-up sprinklers and electronic controller. Contractor shall be responsible for ensuring that the system is able to satisfactorily operate on available water pressure. Power supply for use by irrigation system shall be provided to an approved location as per Council requirements and shall be installed in accordance with the requirements of the Council. Contractor shall ensure that the system is able to satisfactorily operate on available water pressure. Power supply for use by irrigation system shall be provided to an approved location as per Council requirements and shall be installed in accordance with the requirements of the Council.

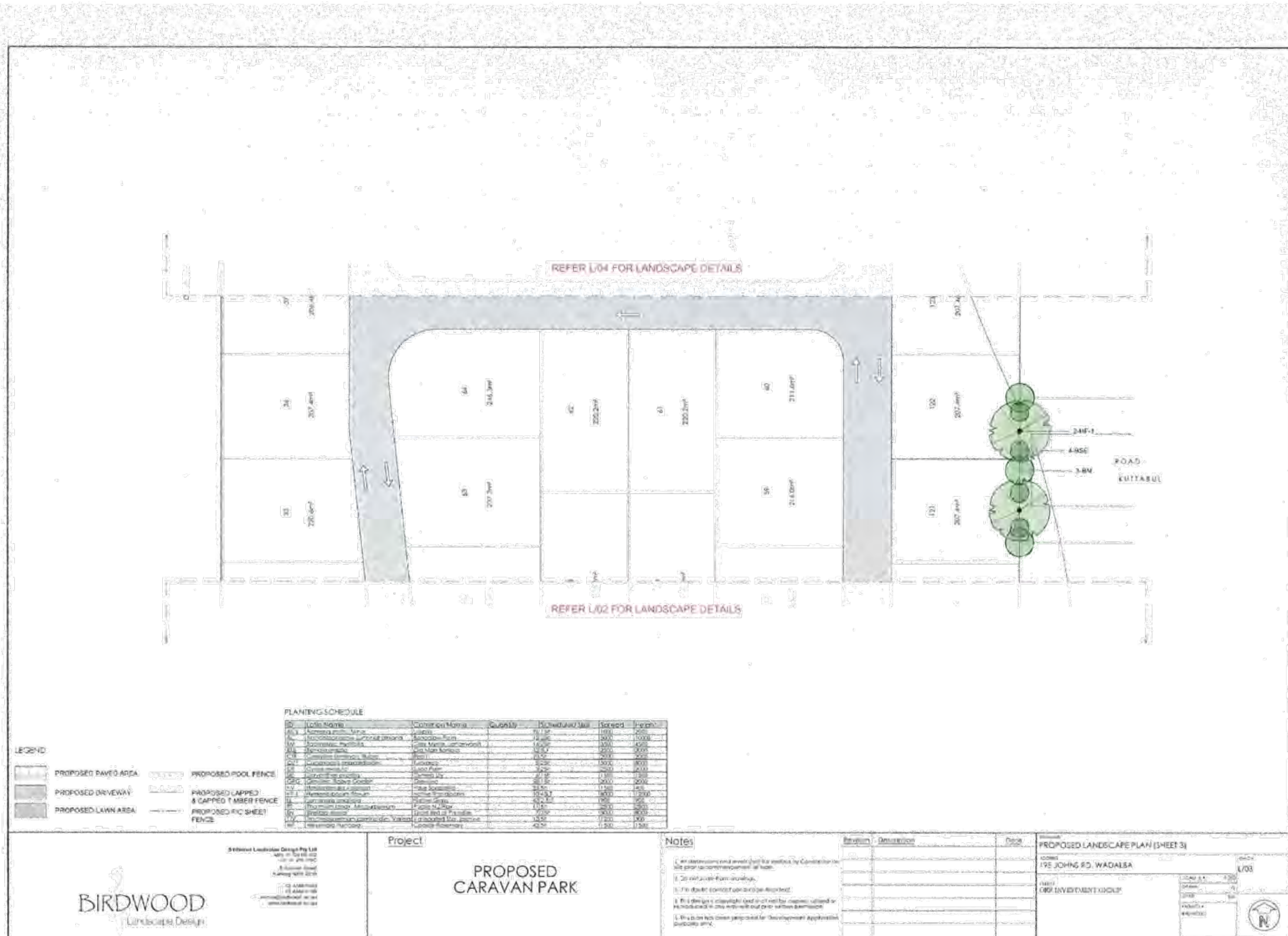
Maintenance: Builder shall provide a twelve month maintenance period that is undertaken by owner or owner representative as set out herein. Owner shall have care and maintenance of all work installed under this Contract and shall rectify any defect or work for a period of 12 weeks following practical completion of Landscape Works. The period to be herein known as the Maintenance Period. Work shall also include the care and maintenance of all existing vegetation to be retained and prepared vegetation. Site shall be attended at least weekly and as otherwise required. The following works shall be undertaken during the Maintenance Period:

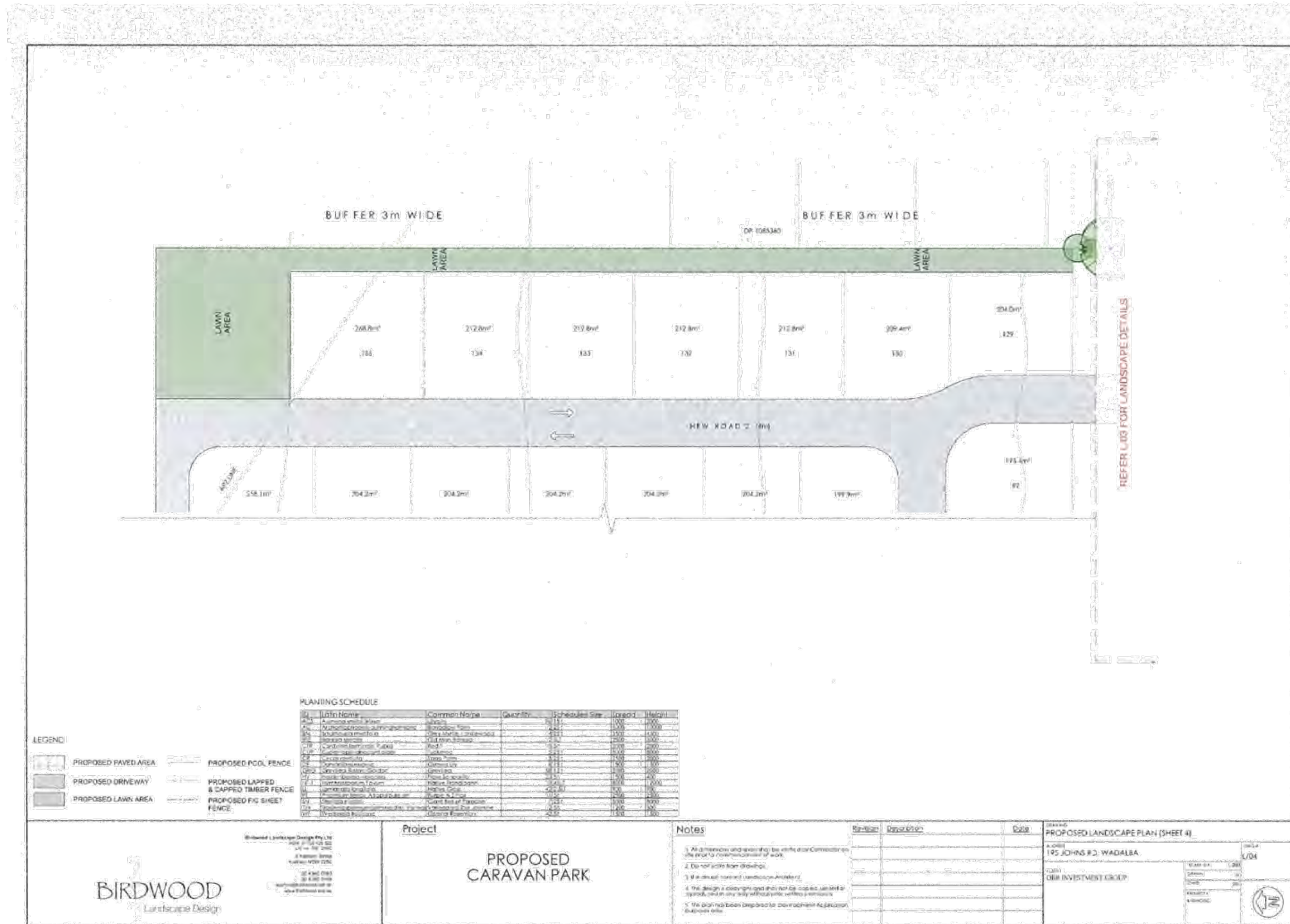
- Watering: Regular watering of plants and lawn areas to maintain optimal growing conditions. Contractor shall use the water quantity advised with regard to specific plant material at the time of purchase.
- Mulching: Regular application of mulch to plants and lawn areas to retain moisture and suppress weeds.
- Pruning: Regular pruning of plants and lawn areas to maintain shape and health.
- Plant Replacement: Replacement of plants that die or become diseased during the Maintenance Period.
- Soil Care: Regular application of soil conditioner to lawn areas to improve soil health.
- Debris Removal: Regular removal of debris from plants and lawn areas.
- Watering: Regular watering of plants and lawn areas to maintain optimal growing conditions.
- Mulching: Regular application of mulch to plants and lawn areas to retain moisture and suppress weeds.
- Pruning: Regular pruning of plants and lawn areas to maintain shape and health.
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- Soil Care: Regular application of soil conditioner to lawn areas to improve soil health.
- Debris Removal: Regular removal of debris from plants and lawn areas.

<p>BIRDWOOD Landscape Design</p> <p>Richard Landscape Design Pty Ltd Rn 27 224 124 222 1 Crn 224 222 8 Havelock Street Kewdale WA 6108</p> <p>08 9430 9233 08 9430 9199 amr@birdwood.com.au www.birdwood.com.au</p>	<p>Project</p> <p style="text-align: center;">PROPOSED CARAVAN PARK</p>	<p>Notes</p> <ol style="list-style-type: none"> All dimensions and levels shall be verified by Contractor on site prior to commencement of work. Do not scale from drawings. If in doubt contact Landscape Architect. This design is copyright and shall not be copied, utilised or reproduced in any way without prior written permission. This plan has been prepared for Development Application purposes only. 	<table border="1"> <thead> <tr> <th>Revision</th> <th>Description</th> <th>Date</th> </tr> </thead> <tbody> <tr> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> </tbody> </table>	Revision	Description	Date													<p>DRAWING PROPOSED LANDSCAPE PLAN</p> <p>ADDRESS 195 JOHNS RD, WADALBA</p> <p>CLIENT ORR INVESTMENT GROUP</p> <p>DRAWN BY JL</p> <p>CHECKED BY SW</p> <p>PROJECT # 1801000</p> <p>SHEET # L/00</p>
	Revision	Description	Date																











Item No: 2.2
Title: DA/42661/2012 - Part 3 - Modification to Avoca Beach Theatre
Department: Environment and Planning

8 April 2019 Ordinary Council Meeting

Trim Reference: F2018/00020-06 - D13465372

Author: Antonia Stuart, Senior Development Planner

Manager: Ailsa Prendergast, Section Manager, Development Assessment (South)

Executive: Scott Cox, Director, Environment and Planning

Summary

An application has been received for modifications to an approved mixed use development at No.'s 69 – 71 Avoca Drive, Avoca Beach.

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

The modification application is required to be reported to Council in accordance with Council's adopted *Policy for Determining Development Applications Subject to Significant Public Objections* as a total of 54 submissions were received at Council associated with the proposal.

Applicant	Doug Sneddon Planning Pty Ltd
Owner	Norbet Enterprises Pty Ltd
Application No	DA 42661/2012 Part 3
Description of Land	LOT: 140 DP: 9359, LOT: 651 DP: 16791, 71 Avoca Drive AVOCA BEACH, 69 Avoca Drive AVOCA BEACH
Proposed Development Site Area	s. 4.56 – Modifications to approved mixed use development 1,802.10m ²
Zoning	R2 LOW DENSITY RESIDENTIAL
Existing Use	Avoca Theatre; Dwelling House
Employment Generation	Yes
Estimated Value	The proposed modifications will not alter the estimated cost of construction further to that previously approved.

Recommendation

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

Precis:

Proposed Development	The applicant is seeking to modify the consent for Development Application No. 42661/2012 under s. 4.56 of the <i>Environment Planning and Assessment Act 1979</i> , comprising both internal and external changes.
Permissibility and Zoning	The subject site is zoned R2 Low Density Residential under the provisions of <i>Gosford Local Environmental Plan 2014</i> (GLEP 2014.) Clause 2.5 of GLEP 2014 identifies additional permitted uses for particular land as described or referred to in Schedule 1. The proposed development is listed in Schedule 1 – Additional permitted uses in GLEP 2014, where cl.1(2) identifies development for the purposes of a residential flat building, an entertainment facility, an information and education facility and a restaurant or cafe is permitted with development consent.
Relevant Legislation/ Policies	<p>The following planning policies and control documents are relevant to the development and were considered as part of the assessment:</p> <ul style="list-style-type: none"> • <i>Environment Planning and Assessment Act 1979 – s. 4.15 and s.4.56 (EP&A Act)</i> • <i>Roads Act 1997 (Roads Act)</i> • <i>State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004</i> • <i>State Environmental Planning Policy No 65 - Design Quality of Residential Apartment Development (SEPP 65)</i> • <i>State Environmental Planning Policy (Coastal Management) 2018 (SEPP Coastal Management)</i> • <i>Gosford Local Environmental Plan 2014 (GLEP 2014)</i> • <i>Draft Central Coast Local Environmental Plan 2018 (Draft CCLEP 2018)</i> • <i>Gosford Development Control Plan 2013 (GDGP 2013)</i> • <i>Draft Central Coast Development Control Plan 2018 (Draft CCDGP 2018)</i> • <i>Apartment Design Guide. Tools for improving the design of residential apartment development (ADG)</i> • <i>Central Coast Regional Plan 2036 (CCRP 2036)</i> • <i>Gosford City Council Climate Change Policy.</i> • <i>Central Coast Council's Community Strategic Plan 2018-2028 'One Central Coast'.</i>

Legislative Clauses Requiring Consent Authority Satisfaction	<ul style="list-style-type: none"> • Section 4.15 of <i>Environmental Planning & Assessment Act 1979</i> - Evaluation. • Clause 8A (2)(d) of <i>the Local Government Act 1993</i> • Clause 28 (Determination of development applications) of <i>State Environmental Planning Policy (SEPP) No 65 – Design Quality of Residential Apartment Development</i>. • Clause 6 (Building to which Policy applies) of <i>State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004</i>. • Clause 2.3 (Zone Objectives and Land Use Table); Clause 4.6(4) (Exceptions to development standards of <i>Gosford Local Environmental Plan 2014</i>).
Current Use	Commercial; Dwelling House
Integrated Development	No
Submissions	Fifty – four (54)

Variations to Policies

Policy	Clause / Description	Variation
Gosford Local Environmental Plan 2014	Clause 4.3(2) (Height of Buildings)	<ul style="list-style-type: none"> • Maximum height of 10m is permitted. The approved development on site exceeds the 10m height control, by providing a roof to Cinema 2 of 10.8m (RL 14.2m AHD), representing a variation of 8%. • The proposed development has a maximum height of 11.5m associated with the roof of Cinema 2 (an increase of 700mm and a maximum RL 14.9m AHD), resulting in a 1.5m or 15% variation with the development standard. • The approved height of the residential component of the development remains unchanged and compliant with cl. 4.3(2) of GLEP 2014.

The Site

The subject land comprises Lot 140 DP 9359 and Lot 651 DP 16791, No's. 69 and 71 Avoca Drive, Avoca Beach. The site has an area of 1,802.10m² and is irregular in shape, with a frontage of 43.94m to Avoca Drive, 40.98m to Burns Street, 40.23m Vine Street/Vale Avenue, and 58.83m to Hunter Park (refer to Figure's 1-4).

The site is flat with a slight falling grade from Avoca Drive (RL 4.95m AHD) towards the rear eastern boundary at Vine Street (RL 2.75m AHD).

No.69 Avoca Drive, Avoca Beach is occupied by a commercial premise known as the Avoca Beach Theatre. A part one and two storey theatre building is located on Lot 651. The building contains the theatre itself, as well as the box office, toilets, projection room, storage rooms and first floor office. An awning extends out over the footpath at the entry to the theatre off Avoca Drive. The area to rear (east) of the theatre across to Vine Street is presently vacant.

No.71 Avoca Drive, Avoca Beach is occupied by three outbuildings (metal, weatherboard and fibro respectively) and a single storey weatherboard garage with a metal roof at the rear of the property towards Vine Street. A lawn area containing two shade sails used for the outdoor viewing of films is located in the north-west corner of this allotment immediately adjacent to Avoca Drive.

The site has road frontages to three sides, with all three street frontages kerb and guttered. In addition, the Vine Street frontage contains 90 degree angle parking up to the boundary of the site.

A paved forecourt is provided within the road reserve in front of the theatre on Avoca Drive, And a footpath is adjacent to the southern side of the building on the northern side of Burns Street (within Lot 650 DP 1120404). Vehicular access to the garage is provided off Vine Street.



Figure 1 - Aerial photograph of the subject site (edged in black)



Figure 2 – Avoca Drive frontage of the site



Figure 3 – Avoca Drive and Burns Street frontages of the site



Figure 4 – Avoca Drive and Burns Street frontages of the site

The site is zoned R2 Low Density Residential under the provisions of *Gosford Local Environmental Plan 2014* (GLEP 2014) (refer to Figure 5).



Figure 5 - Zoning of the site (edged in black) and adjoining properties

Surrounding Development

Hunter Park adjoins the northern site boundary. Directly south of the site, on the opposite side of Burns Street is a public reserve, known as South End Park. Adjacent to the eastern site boundary, located at No.'s 1-5 Vine Street, Avoca Beach, is a residential flat building. Properties located to the west of the site, on the opposite side of Avoca Drive, comprise both single storey dwellings and multi – unit residential development.

History

Development Application No. 42661/2012 (Part 1)

Consent was granted on 18 April 2017 by the Land and Environment Court (LEC), comprising:

- Demolition of the existing cottage, shed, outbuildings and shade sails on Lot 140 and removal of the disused speakerbox and ramp from the rear of the existing theatre on Lot 651, as well as the staircase and ancillary storage rooms on the northern side of the theatre;
- Preparation of the site, including removal of existing trees and the undertaking of earthworks and excavation for the basement; and
- Construction of a part two, part three storey building to the north and east of the existing theatre to provide one mixed use commercial and residential building containing four cinemas and associated foyers and facilities; terrace; cafe/gallery and five apartments.

Development Application No. 42661/2012 (Part 2)

Consent was modified on 24 November 2017, comprising:

- Modification to the waste storage area and changes to the storage room and stair access at the basement floor level.
- Modifications to the 'back of house' areas adjacent to Cinema 3/4, modification to the stair, foyer, kitchen and extension of the roof to the first floor deck.
- Minor change to Unit No.'s 1 – 3.

The Part 2 consent also included a reduction in the width of the roof void to Cinema 2, being setback from Avoca Drive an additional 2m, noting the maximum height of this roof form remained unchanged at RL 14.2m AHD.

The Proposed Development

The current modification application was lodged on 9 August 2018.

On 17 September 2018, the modification application was amended in order to provide for a single staff toilet on Level 1.

On 22 October 2018, the modification application was further amended (Revision E) so as to return the height of the main entry foyer roof on Avoca Drive to its originally approved height. These amendments were as a result of consultation with Council staff and in response to concerns raised in the notification period. The applicant is seeking to modify the consent for Development Application No. 42661/2012 under s. 4.56 of the EP&A Act as follows:

- Increase the height of the roof ridge of Cinema 2 by 700mm.
- Internal reconfiguration of all residential units resulting in a minor increase in the residential gross floor area (being 23.36m²).
- Amendment to the description of the proposal contained within **Condition 1.1A** and plans and supporting documents referenced in **Condition 1.1** to include the following modifications:
 - Basement:
 - Internal reconfiguration of waste areas (residential and commercial).
 - Adjustment of the car park floor levels.
 - Ground Floor:
 - Provision of a backstage area to Cinema 1 to incorporate a change room and storage area.

- Relocate Cinema 3 to the area originally approved as an outdoor terrace on the northern façade of the development, resulting in an additional 57m² commercial gross floor area.
- Internal reconfiguration of the entry foyer area.
- First Floor:
 - Increase the useable area of outdoor terrace on the northern façade of the development.
- Second Floor:
 - Minor increase in roof areas over the extended outdoor terrace on the northern façade of the development (first floor).

Approved renders of the proposal are provided below:



Figure 6 – Render of Avoca Drive elevation



Figure 7 – Render of Vine Street and Hunter Park elevations



Figure 8 - Render of Vine Street and Burns Street elevation

Note: Whilst not sought by the applicant, typographical errors in the numbering of the conditions will be corrected. It is noted the content of affected conditions will remain unchanged.

Consideration

The proposal is required to be assessed having regard to the following matters.

Section 4.56(1) of the EP & A Act enables a consent authority to modify a development consent upon application being sought by the applicant or any person entitled to act on the consent, provided that the consent authority:

- (a) it is satisfied that the development to which the consent as modified relates is substantially the same development as the development for which the consent was originally granted and before that consent as originally granted was modified (if at all).*

Comment

A qualitative and quantitative analysis between the development as originally consented to and the proposed modification is required, and the modification must render the altered development "essentially" or "materially" the same.

Figure 9 indicates the following quantitative (key numerical differences), qualitative changes (i.e. non numerical factors including visual impact, traffic impact and changed land uses) and changes to material and essential features of the approved and subsequent modification applications:

Quantitative Assessment				
Item	Part 1	Part 2	Part 3	Change
Gross Floor Area	1,612.16m ²	1,588.68m ²	1,712.63m ²	+100.47m ²
Floor Space Ratio	0.89: 1	0.88:1	0.95:1	Variation from Pt 2: Increase in floor area of 123.95m ² + 0.06:1
Building Height	9.9m (residential)	No change (residential)	No change (residential)	No change (residential)
Car Parking Spaces	10.8m (commercial)	No change (commercial)	11.5m (commercial)	+ 0.7 metres (commercial)
	14 spaces	No change	No change	No change
No. of Cinemas/ Seating	4 cinemas (603 seats) + 10 wheelchair	4 cinemas (601 seats) + 11 wheelchair	4 cinemas (601 seats) + 15 wheelchair	- 2 cinema seats +5 wheelchair seats
Number of Units	5	5	5	No change
Qualitative Assessment				
Traffic Impact	The proposed modification will not increase the traffic impact associated with the development as originally approved. The proposed modifications are supported by Council's Development Engineer and Council's Waste Officer.			
Visual Impact / External Appearance	Acceptable within the context of site, despite the increase in height.			
Material and essential Features	Fundamental characteristics of the mixed use development remain unchanged.			
Amenity Impact to surrounding properties	There are no environmental impacts arising from the proposed works that have an adverse effect on the environment, or on the amenity of any adjoining properties			

Figure 9 – Qualitative and Quantitative Analysis

The applicant has provided the following information to support the s.4.56 application to demonstrate that the proposal is substantially the same development as previously approved by the LEC:

'In considering whether a development to which the consent as modified relates is substantially the same as the development for which the consent was originally granted, the existing

approved development should be considered in its entirety and compared with the proposed modified development in its entirety. There are legal tests to be satisfied before a modification application can be considered on its merits. There are examples of where the Court has found that modifications to the approved development can be significantly different in important respects but still be substantially the same as that which was approved.

(i) Firstly, a proposal can be regarded as a modification if it involves 'alteration without radical transformation' (Sydney City Council v Ilencance (1984)). The proposed modifications to Development Consent 42661/2012 – Part 2 for alterations and additions to the existing Avoca Beach Picture Theatre do not involve a radical transformation of the approved development, for the following reasons:

- The proposed modified development remains for the same use of the land as originally granted under Consent 42661/2012 and as previously modified under Consent 42661/2012 – Part 2, namely mixed use development comprising four (4) cinemas; cafe; five residential units; and basement car parking. The existing theatre building is retained.
- The proposed modified development involves making minor internal layout and consequential minor elevation changes within the approved building footprint and building envelope and does not significantly transform the bulk and scale or external physical dimensions of the approved development, other than provide for a minor increase in cinema roof height.
- The proposed modified development does not involve any change to the approved maximum building height of the approved residential units.
- The proposed modified development involves only a minor increase in the maximum building height of the approved cinema component of the approved development (+700mm or 6.48%). There is no significant change to the approved roof form.
- The proposed modified development only involves a minor increase in gross floor area (1,712.83m²) in comparison to the previously modified development (1,588.68m²) (i.e. +124.15m² or 7.81%). (**Note:** The GFA of the originally approved development under the Gosford Planning Scheme Ordinance was 1,801.96m²).

(ii) Secondly, consideration must be given as to whether the modification proposed to the consent remains substantially the same when compared to the development as currently approved and the development as proposed to be modified. In *Mojo projects (No.2) Pty Ltd v North Sydney Council* (1999) NSWLEC 280, Bignold J made the following comments:

"The relevant satisfaction required by s 96(2)(a) to be found to exist in order that the modification power be available involves an ultimate finding of fact based upon the primary facts found. I must be satisfied that the modified development is substantially the same as the originally approved development.

The requisite factual finding obviously requires a comparison between the development, as currently approved, and the development as proposed to be modified. The result of the comparison must be a finding that the modified development is essentially or materially" the same as the (currently) approved development.

The comparative task does not merely involve a comparison of the physical features or components of the development as currently approved and modified where that comparative exercise is undertaken in some type of sterile vacuum. Rather, the comparison involves an appreciation, qualitative, as well as quantitative, of the developments being compared in their proper contexts (including the circumstances in which the development consent was granted)."

The proposed consent modifications detailed in this Statement of Environmental Effects can be reasonably considered to be substantially the same as that which was originally approved, for the following reasons:

- *The proposed modified development remains the same use of the land as originally granted under Consent 42661/2012, namely mixed use development comprising four (4) cinemas); café; five residential units; and basement car parking.*
- *The proposed consent modifications do not significantly change to the bulk and scale or external physical dimensions of the approved development and maintain both the approved building footprint and building envelope.*
- *The proposed modifications to the approved consent conditions (as detailed in section 4.4 of this Statement) are not substantive and are merely directed to referencing the modified set of architectural drawings submitted with this section 4.56 application.*

The proposed modified development is therefore essentially or materially the same as the originally approved development (Consent 42661/2012) and the previously modified development (Consent 42661/2012 – Part 2) and consequently, the council is able to approve this application for modification of Development Consent No. 42661/2012 – Part 2 under S.4.56 of the Act.

It is concluded, the proposed modifications can be approved under s.4.56 of the EP & A Act as they result in substantially the same development as the development for which the consent was originally granted and before that consent as originally granted was modified. As detailed elsewhere in this report, there are no environmental impacts arising from the proposed modifications that have an adverse effect on the environment, or on the amenity of any adjoining properties. In addition, the proposed modifications will not detract from the buildings overall design.

(b) it has notified the application in accordance with:

(i) the regulations, if the regulations so require, and

(ii) a development control plan, if the consent authority is a council that has made a development control plan that requires the notification or advertising of applications for modification of a development consent, and

Comment

The modification application was notified in accordance with Chapter 7.3 - Notification of Development Proposals of *Gosford Development Control Plan 2013* (GDGP 2013) from 23 August 2018 until 13 September 2018.

(c) it has notified, or made reasonable attempts to notify, each person who made a submission in respect of the relevant development application of the proposed modification by sending written notice to the last address known to the consent authority of the objector or other person

Comment

All previous submitters were notified of the subject modification application on 21 August 2018. The modification application was notified from 23 August 2018 until 13 September 2018.

(d) it has considered any submissions made concerning the proposed modification within any period prescribed by the regulations or provided by the development control plan, as the case may be.

Comment

The modification application was notified from 23 August 2018 until 13 September 2018, with 54 submissions received objecting to the proposal. Consideration of the issues raised in these submissions is provided elsewhere in this report.

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

Comment

It is considered that the proposed modifications will have no significant impact upon the properties in the near vicinity of the site, and the quantum and quality of the proposed modifications are substantially the same as was originally approved.

Further consideration is provided below with regard to the relevant planning provisions referred to in s. 4.15 of the EP & A Act.

Submissions

The modification application was notified in accordance with Chapter 7.3 - Notification of Development Proposals of GDCP 2013 from 23 August 2018 until 13 September 2018, with a total of 54 submissions received objecting to the proposal.

Consideration of the issues raised in these submissions is provided below:

- ***The proposed development provides inadequate car parking on site which will result in traffic congestion.***

Comment

The proposed modifications will not increase the traffic impact associated with the development as originally approved. The number of cinemas (4), car parking spaces (14) and residential units (5) remain as approved. Furthermore, the number of cinema seats has been reduced from 603 to 601. Furthermore, the proposed modifications are supported by Council's Development Engineer and Council's Waste Officer.

- ***The proposed modifications result in a 7% increase in floor space.***

Comment

The provisions of cl. 4.4 within GLEP 2014 establish a maximum floor space ratio (FSR) for buildings. Clause 4.4 (2) of GLEP 2014 provides that development on the subject land shall not exceed a maximum floor space ratio of 1:1. The proposed modified development complies, having a floor space ratio of 0.95:1.

- ***The proposed development does not adequately address flooding.***

Comment

The land has been classified as being under a "flood planning level". Having regard to Clause 7.2 (3) (a) – (e) of GLEP 2014, Council's Development Engineer has raised no objection subject to the continued imposition of conditions, as originally approved relating to the following:

- **Condition 2.9** require certain engineering works within the development site;
- **Condition 2.11** requires the provision of a flood mitigation report confirming industry best practice strategies and mitigation measures to reduce the risk to life and property associated with the residential building's main access via a floodway;
- **Condition 5.11** requires a registered surveyor to confirm prior to the issuing of any Occupation Certificate, that the finished floor level of the car park and the finished crest level to the car park are in accordance with the design levels;
- **Condition 5.12A** requires a suitably qualified engineer to certify that automatic flood gates have been installed in accordance with the manufacturer's instructions, and that they are operating as designed; and
- **Condition 5.12** requires flood mitigation strategies in accordance with the "Flood Mitigation" report, are to be installed and/or constructed prior to the premises opening.
- ***The proposed increase in height of the development (1.5m above the GLEP 2014 height limit of 10m) will result in the further obstruction of views from neighbouring properties.***

Comment

Clause 4.3 (2) of GLEP 2014 provides that development on the subject land shall not exceed a maximum building height of 10m. The approved development on site exceeds the 10m height control, by providing a roof to Cinema 2 of 10.8m (RL 14.2m AHD), representing a variation of 8%. Figure 10 illustrates the southern elevation of the development, as approved.

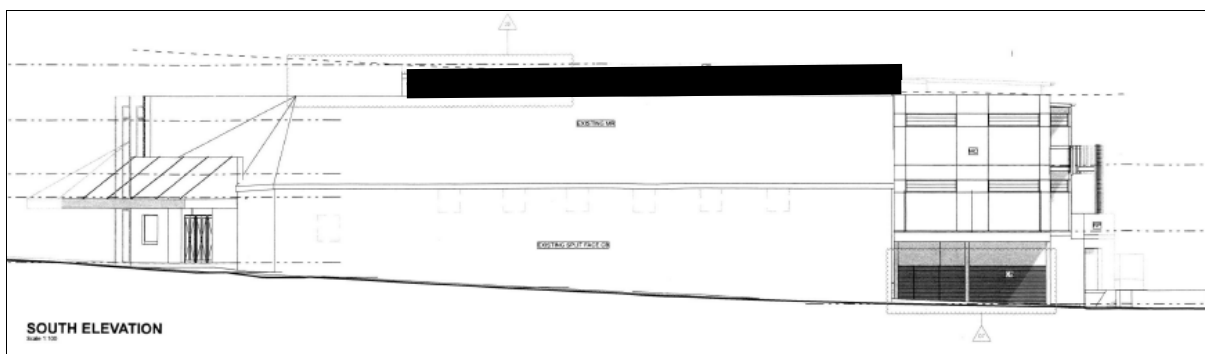


Figure 10 - Southern Elevation of the approved development (cinema 2 roof projection highlighted in black)

The modification application proposes an increase of the approved development's maximum roof height to Cinema 2 by 700mm (11.50m/RL 14.90m AHD), representing a variation of 15% relating only to the roof of the cinema component of the development. It is noted the approved height of the residential component of the development remains unchanged. Figure 11 illustrates the southern elevation of the development, currently proposed.

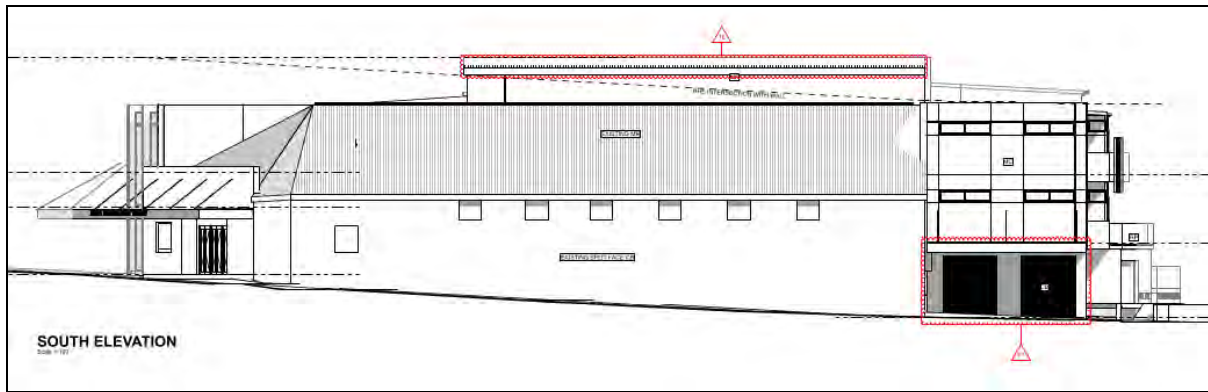


Figure 11 - Southern Elevation of the proposed development (Part 3) (additional height Cinema 2 roof edged in red)

Submissions were received from surrounding residents in relation to potential view loss from neighbouring properties associated with the increase in roof height by 700mm to accommodate Cinema 2.

In *Tenacity Consulting P/L v Warringah Council Halics* [2004] NSW LEC140, the Land and Environment Court established a planning principle for assessment of view loss impact on adjoining properties. The impact to view corridors as a result of the proposed modifications has taken into consideration the parameters of this planning principal.

In undertaking the required view loss analysis, site inspections were carried out, and the expert view loss evidence, provided in the Land and Environment Court of New South Wales court proceedings associated with the original determination, was reviewed.

The assessment undertaken pertaining to private domain view loss associated with the proposed modifications is provided elsewhere in this report (**refer to cl. 4.3 Height of Buildings of GLEP 2014**). It is concluded that that there will be no significant view loss associated with the increase in roof height by 700mm to accommodate Cinema 2 which would justify refusal of the modification application.

- ***The proposed modifications will further restrict solar access to neighboring properties.***

Comment

Shadow diagrams for 21 June (midwinter) and 21 March (equinox) have been submitted which illustrate the overshadowing generated by the proposal between 9am and 3pm. All shadows cast during these periods fall upon adjoining roadways, with a minor encroachment of shadows to the car parking area and vegetation bordering South End Park.

It is not considered the usability of South End Park will be unreasonable compromised by this minor overshadowing. At no time does overshadowing from the proposed development impact neighboring residential properties.

- ***The proposed modifications result in an unacceptable urban design outcome.***

Comment

Council's Architect has reviewed the modification application and supports the proposal without conditions.

- ***The proposed development will detrimentally impact the heritage significance of the existing theatre.***

Comment

The subject site is not listed in Schedule 5 Environmental Heritage (Part 1 Heritage Items) of GLEP 2014.

Council's Architect has reviewed the modification application and supports the proposal without conditions.

Notwithstanding, **Condition 2.16** remains in place and requires an Interpretation Plan be prepared by a suitably qualified heritage consultant. The Interpretation Plan is to be submitted to Council for approval. Approved measures shall be detailed in the application for the Construction Certificate, including:

- A Photographic archival record of the Theatre is to be undertaken by a suitable qualified professional prior to commencement of construction works. Approval by Council must be confirmed in writing prior to construction;
- A report is to be prepared by a practicing structural engineer detailing the structural adequacy of the Theatre building to withstand the proposed excavation works. This report must include any measures required to be incorporated to ensure that no damage will occur during the course of works. The report must be submitted to Council and relevant adjoining property owners prior to the issue of any construction certificate; and
- An amended landscape plan is required. Approval by Council must be confirmed in writing prior to construction.

- ***The proposed modifications reduce wheelchair spaces from 15 to 3.***

Comment

This statement is incorrect. The current modification application increases wheelchair spaces within the cinemas from 11 to 15.

- ***The proposed modifications will negatively impact property values.***

Comment

This concern is speculation and is not a matter for consideration under Section 4.15 of the EP&A Act. In addition, there is no evidence to substantiate this claim.

- ***The proposed development will exceed the capacity of existing infrastructure.***

Comment

Local government infrastructure includes water supply, sewage treatment, local roads, stormwater management and parks. As a result of the subject development, infrastructure within the municipality will be improved via contribution levies and civil works in the roadway adjacent. The existing infrastructure in this location is considered to be adequate for the proposed development.

- ***Concerns noted with the Land and Environment Court proceedings associated with DA 42661 (Part 1) in that the height poles erected on site were incorrect.***

Comment

This statement is incorrect.

Five (5) height poles were erected on site and were verified by Cahill & Cameron, Registered Surveyors, dated 7 June 2016. Two (2) of the height poles were erected in the location of Cinema 2, to a height of RL 14.25m AHD and RL 14.10m AHD.

These height poles were viewed by the Commissioner and parties to the Land and Environment Court proceedings and were referenced in the expert view loss evidence provided.

- ***The proposed modifications are not capable of being determined by Council, any modification must be referred to the Land and Environment Court.***

Comment

This statement is incorrect.

Section 4.56 (1) of the EP & A Act enables a consent authority, being Council in this instance, to modify a development consent granted by the Land and Environment Court upon application being sought by the applicant.

- ***The community does not want a cinema in this location, nor a church.***

Comment

Clause 2.5 of GLEP 2014 identifies additional permitted uses for particular land as described or referred to in Schedule 1 of GLEP 2014. The proposed development is listed in Schedule 1 – Additional permitted uses in GLEP 2014, where cl. 1(2) identifies development for the purposes of a residential flat building, an entertainment facility, an information and education facility and a restaurant or cafe is permitted with development consent.

- ***The proposal represents an over development of the site.***

Comment

It is considered the proposed modified development does not significantly alter the bulk and scale or architectural presentation of the approved development.

Submissions from Public Authorities

There were no public authorities required to be consulted in relation to the proposal.

Internal Consultation

The application was referred to the following internal officers and the following comments have been provided:

Architect

Council's Architect has reviewed the application and supports the proposed modifications without conditions.

Building

Council's Building Officer has reviewed the application and supports the proposed modifications without conditions.

Engineering

Council's Development Assessment Engineer has reviewed the application and supports the proposed modifications without conditions.

Waste Services (Garbage)

Council's Waste Services Officer has reviewed the application and supports the proposed modifications without conditions. However, it is acknowledged that **Conditions 2.13 – 2.15** of Development Application No. 42661/2012 remain in place and must be addressed prior to the issuing of any Construction Certificate.

Ecologist

Council's Ecologist has reviewed the application and supports the proposed modifications without conditions.

Ecologically Sustainable Principles

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

Climate Change

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

Assessment

Having regard for the matters for consideration detailed in Section 4.15 of the *Environmental Planning and Assessment Act 1979* (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.

Provisions of Relevant Instruments/Plans/Policies

Rural Fires Act

The site is identified as "bushfire prone land" on Council's bushfire maps (refer to Figure 12).

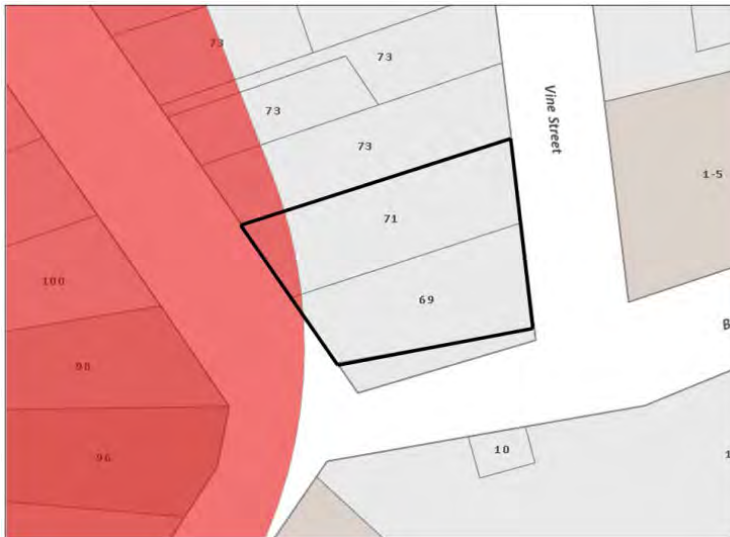


Figure 12 - Bushfire Prone Land (site edged in black)

Having regard to Section 4.14 of the EP & A Act, the development is required to address the requirements of the *Rural Fires Act 1997* (RF Act 1997) and the document *Planning for Bushfire Protection*, published 2006, by the New South Wales Rural Fire Service.

The original development application was referred to the New South Wales Rural Fire Service for consideration, where no objection was raised. The minor nature of the proposed modifications did not require a further referral to New South Wales Rural Fire Service.

Draft Central Coast Local Environmental Plan 2018

The *Draft Central Coast Local Environmental Plan 2018* (Draft CCLEP 2018) is being exhibited until 27 February 2019. The application has been assessed under the provisions of the Draft CCLEP 2018 in respect to zoning, development standards and special provisions.

The zoning of the subject site remains R2 Low Density Residential, where the proposed development remains permissible with the obtainment of development consent via cl.12 in Schedule 1 of Draft CCLEP 2018. The assessment concluded the proposal is consistent with the Draft Plan.

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

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

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

State Environmental Planning Policy (Coastal Management) 2018

The provision of *State Environmental Planning Policy (Coastal Management) 2018* requires Council consider the aims and objectives of the SEPP when determining an application within the Coastal Management Areas. The Coastal Management Areas are areas defined on maps issued by the NSW Department of Planning and Environment and the subject property falls within the mapped coastal management areas. The relevant matters have been considered in the assessment of this application. The application is considered consistent with the stated aims and objectives.

State Environmental Planning Policy No 65 – Design Quality of Residential Apartment Development

The proposal is subject to the requirements of *State Environmental Planning Policy No 65 – Design Quality of Residential Apartment Development* (SEPP 65). Subclause 30(2)(b) of SEPP 65 provides that the consent authority should take into consideration the design quality of the proposed development.

Given the minor nature of the proposed modification to the residential units, a Design Verification Statement was not supplied, nor requested by Council. In any instance, it is considered the minor internal changes to the residential units demonstrate consistency with the design quality principles and will not result in any variations further to that originally approved.

Central Coast Council's Community Strategic Plan 2018-2028 'One - Central Coast'

Central Coast Council's Community Strategic Plan 2018-2028 'One - Central Coast' is a 10 year plan developed by Council through engagement with the community to help set the proprieties and confirm strategies and activities that best achieve the community's desired outcomes for the future.

The proposed redevelopment of the site is consistent with all relevant objectives in 'One-Central Coast' in that upon completion the housing mix of the locality will be increased. Furthermore, the development is generally consistent with the locality, provides for additional population accommodation within walking distance of the shops, services and public transport, and will not adversely impact residential amenity nor create additional demands upon public infrastructure further to that envisaged by the R2 Low Density Residential zone.

Central Coast Regional Plan 2036

The subject site is included in the Central Coast Regional Plan 2036 as an 'urban area' and is located in close proximity to the 'strategic centre' of Erina and 'regional city' of Gosford. Refer to Figure 13.

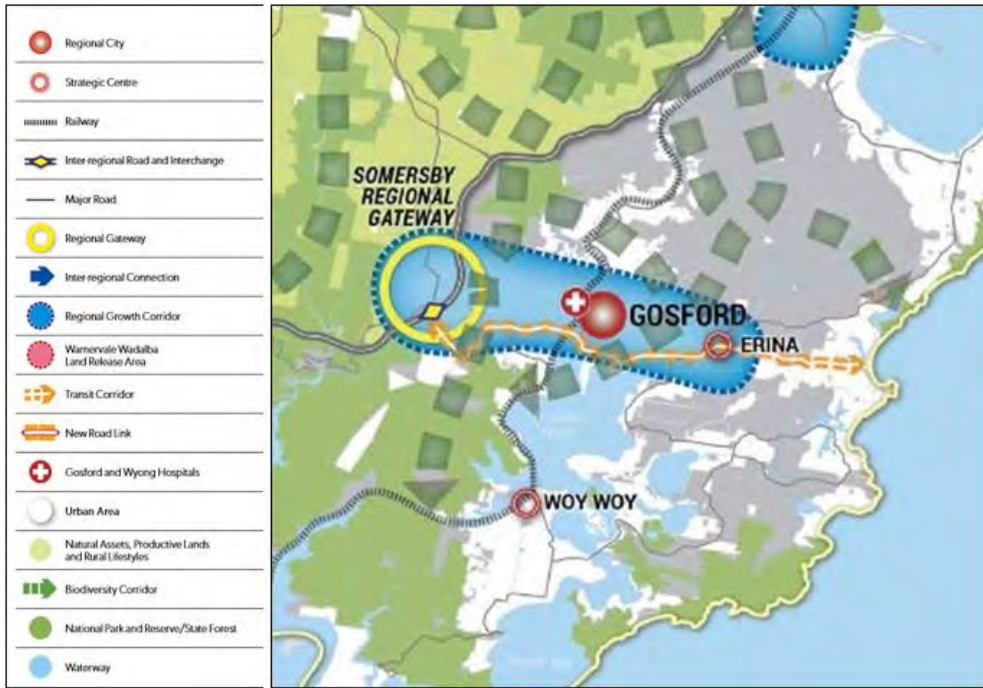


Figure 13 - Central Coast Regional Plan 2036

An assessment of all relevant provisions of the Central Coast Regional Plan 2036 has been carried out to ensure the consent authorities own assessment of the compatibility of the proposed development with the surrounding environment is complete.

The proposed modifications are consistent with all relevant Directions under the *Central Coast Regional Plan 2036* in that upon completion the housing mix of the locality will be increased. Furthermore, the provides for additional population accommodation within walking distance of the shops, services and public transport, and will not adversely impact residential amenity nor create additional demands upon public infrastructure.

Gosford Local Environmental Plan 2014 (GLEP 2014)

Zoning & Permissibility

The subject site is zoned R2 LOW DENSITY RESIDENTIAL under *Gosford Local Environmental Plan 2014 (GLEP 2014)*.

Clause 2.5 of GLEP 2014 identifies additional permitted uses for particular land as described or referred to in Schedule 1 of GLEP 2014. The proposed development is listed in Schedule 1 – Additional permitted uses in GLEP 2014, where cl. 1(2) identifies development for the purposes of a residential flat building, an entertainment facility, an information and education facility and a restaurant or cafe is permitted with development consent. The modifications to the approved works under Development Application No. 42661/2012 are therefore permissible with the consent of Council.

Development Standards

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

Development Standard	Required	Proposed	Compliance with Controls	Variation %	Compliance with Objectives
cl. 4.3 (Height of Buildings)	10m	11.5m	No	15%	Yes
cl. 4.4 (Floor Space Ratio)	1.:1	0.95:1	Yes	NIL	Yes

Figure 14 - GLEP 2014 Development Standards

4.3 Height of Buildings

Clause 4.3 (2) of GLEP 2014 provides that development on the subject land shall not exceed a maximum building height of 10m. The approved development on site exceeds the 10m height control, by providing a roof to Cinema 2 of 10.8m (RL 14.2m AHD), representing a variation of 8%.

The modification application proposes an increase of the approved development's maximum roof height to Cinema 2 by 700mm (11.50m/RL 14.90m AHD), representing a variation of 15% relating only to the roof of the cinema component of the development. It is noted the approved height of the residential component of the development remains unchanged.

A modification application can be approved even though it would contravene a development standard, and no cl.4.6 variation is required. The relevant judgments (originating with *North Sydney Council v Michael Standley & Associates Pty Ltd* [1998] NSWSC 163) identify a modification application may be approved notwithstanding the development would be in breach of an applicable development standard were it the subject of an original development application. Section 4.55 and s.4.56 of the EP & A Act has a broad power to approve, subject to its own stand-alone tests (such as the substantially the same test, and a requirement to consider all relevant s.4.15 matters).

In view of the above, and in order to demonstrate the merit associated with the increase of the approved development's maximum roof height to Cinema 2 by 700mm (11.50m/RL 14.90m AHD), consideration is provided with regard to cl. 1(3) of Schedule 1 in GLEP 2014, the objectives of the R2 Low Density Residential zone contained within cl. 2.3(2) of GLEP 2014, of the objectives of the height development standard contained within cl. 4.3 (1) of GLEP 2014.

Clause 1(3) of Schedule 1 in GLEP 2014 provides the following:

- (3) *Development for the purposes of an entertainment facility may exceed the maximum height shown for the land on the Height of Buildings Map if the consent authority is satisfied that any part of the building that exceeds that height is an integral part of the design of the building in its context.*

The Statement of Environmental Effects, prepared by Doug Sneddon Planning Pty Ltd, dated August 2018, provides the following justification relating to this additional roof height:

- *To achieve preferred sight lines in Cinema 02, the bottom of the screen should be 1700mm above the floor. The screen height is based on an established ratio to width, allowing for curtain asking either side. Masking to the top of the screen for tracking, allowing for the curve of the ceiling, together with the required acoustic separation ceiling zone, requires the ridge of Cinema 02 to be raised from RL 14.20 – RL 14.90 (700mm – 7% increase). The radius of the curved roof has been increased to minimise the rise.*
- *During sight line site inspections of properties in the vicinity of the proposed development, it was established photographically that only one property might be considered affected by the theatre development. Images show that the proposed roofline of Cinema 02 is lost behind existing vegetation when viewed from the subject property. An increase of 0.7m will have no effect on established views.*
- *Consideration of the information should indicate that the proposed variations are within approval parameters and any effect on established view lines can be discounted.*

In order for Cinema 2 to achieve preferred sight lines its roof needs to be raised. Achieving preferred site lines is an integral part of design of any building that will accommodate entertainment. In this regard, it is considered the proposed modification satisfies Clause 1(3) of Schedule 1 in GLEP 2014.

Clause 2.3 (2) of GLEP 2014 provides that the consent authority must have regard to the objectives for development in a zone when determining a development application in respect to land within the zone. Notwithstanding that this is a modification application (not a development application), the following assessment demonstrates that the proposed modified development is consistent with the applicable objectives of the R2 Low Density Residential zone applying to the subject land:

- *To provide for the housing needs of the community within a low density residential environment.*

Comment

The approved and proposed modified development provides for medium density residential development, as permitted under GLEP 2014 – Schedule 1.

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

Comment

The approved and proposed modified development provides cinema facilities and services to meet the day to day needs of residents for entertainment.

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

Comment

The approved and proposed modified development are consistent with the desired future character and development context of the subject land and the scenic quality of the locality intended by the site specific development provisions of Schedule 1 (cl.1) of GLEP 2014.

- *To encourage best practice in the design of low-density residential development.*

Comment

The approved and proposed modified development provides for medium density residential development, as permitted under GLEP 2014 – Schedule 1.

In granting Development Application No. 42661/2012, the Land and Environment Court determined the design of the proposal provided a high standard of urban design and architectural quality. The proposed modifications do not involve any significant change to the approved residential design.

- *To promote ecologically, socially and economically sustainable development and the need for, and value of, biodiversity in Gosford.*

Comment

The subject land does not possess any biodiversity values requiring protection and the approved development provides for socially and economically sustainable development. The proposed modifications do not involve any significant change to the approved design.

- *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.*

Comment

In granting Development Application No. 42661/2012, the Land and Environment Court was satisfied that the design of the proposal did not adversely affect residential amenity or place unreasonable demands on the provision of services. The proposed modifications do not involve any significant change to the approved design.

In order to demonstrate if the proposal has merit, consideration of the proposed height non-compliance identified within cl.4.3(2) of GLEP 2014 has been provided with regard to the objectives of cl. 4.3(1) (height of buildings) of GLEP 2014:

(a) to establish maximum height limits for buildings.

Comment

The maximum height limit for buildings has been identified for this property.

(b) to permit building heights that encourage high quality urban form.

Comment

In this instance, it is considered that the additional building height proposed does not detract from the attainment of providing quality urban form in accordance with the character of the zone. The design incorporates various design elements, which activate the design as viewed from the public domain.

(c) to ensure that buildings and public areas continue to receive satisfactory exposure to sky and sunlight.

Comment

Shadow diagrams for 21 June (midwinter) and 21 March (equinox) have been submitted which illustrate the overshadowing generated by the proposal between 9am and 3pm. All shadows cast during these periods fall upon adjoining roadways, with a minor encroachment of shadows to the car parking area and vegetation bordering South End Park. It is not considered the usability of South End Park will be unreasonable compromised by this minor overshadowing. In view of the above considerations, no objection has been made with regard to the additional shadows cast by height non-complying elements.

(d) to nominate heights that will provide an appropriate transition in built form and land use intensity.

Comment

The approved and proposed modified development provides for a medium density residential development, as permitted by Schedule 1 of GLEP 2014. In granting Development Application No.42661/2012, the LEC was satisfied that the design of the proposal acceptable urban design and architectural quality. The proposed modifications do not involve any significant change to the approved residential design and it is considered the increase in height of Cinema 2 will not detract from providing an appropriate built form and land use intensity.

(e) *to ensure that taller buildings are located appropriately in relation to view corridors and view impacts and in a manner that is complementary to the natural topography of the area.*

Comment

Council has received several submissions to the proposed modifications, particularly as they relate to a loss of views from neighbouring properties associated with the increase in roof height by 700mm to accommodate Cinema 2. The impacts to view corridors are discussed below.

The development site is flanked by residential development to the west and east including dense native evergreen vegetation located in residential gardens to the east and street tree vegetation to the west. Filtered views to areas of open water and landform in the background are available from roadways south and west of the site. The approved development and proposed modifications will provide a contemporary form into the composition of the view from surrounding roadways which is not dissimilar in scale or character of the existing theatre and multi – storey residential development within the immediate context. The view loss associated with the additional roof height is minor from adjoining roadways and will comprise vegetation.

In *Tenacity Consulting P/L v Warringah Council Halics* [2004] NSW LEC140, the Land and Environment Court established a planning principle for assessment of view loss impact on adjoining properties. This planning principle provides:

- 1 Assessment of views to be affected.*
- 2 Consider from what part of the property the views are obtained.*
- 3 Assess the extent of the impact.*
- 4 Assess the reasonableness of the proposal that is causing the impact.*

In respect of the step (2), an expectation to retain side views and sitting views would be unrealistic.

In respect of the step (3), the extent of the impact should be assessed for the whole of the property, not just for the view that is affected. The third step should be qualitatively measured on a scale from negligible to devastating.

In respect of the step (4), a development that affects views may be unreasonable if it comes about as a result of non-compliance with planning standards.

The properties that form part of this view loss assessment are identified in Figure 15.

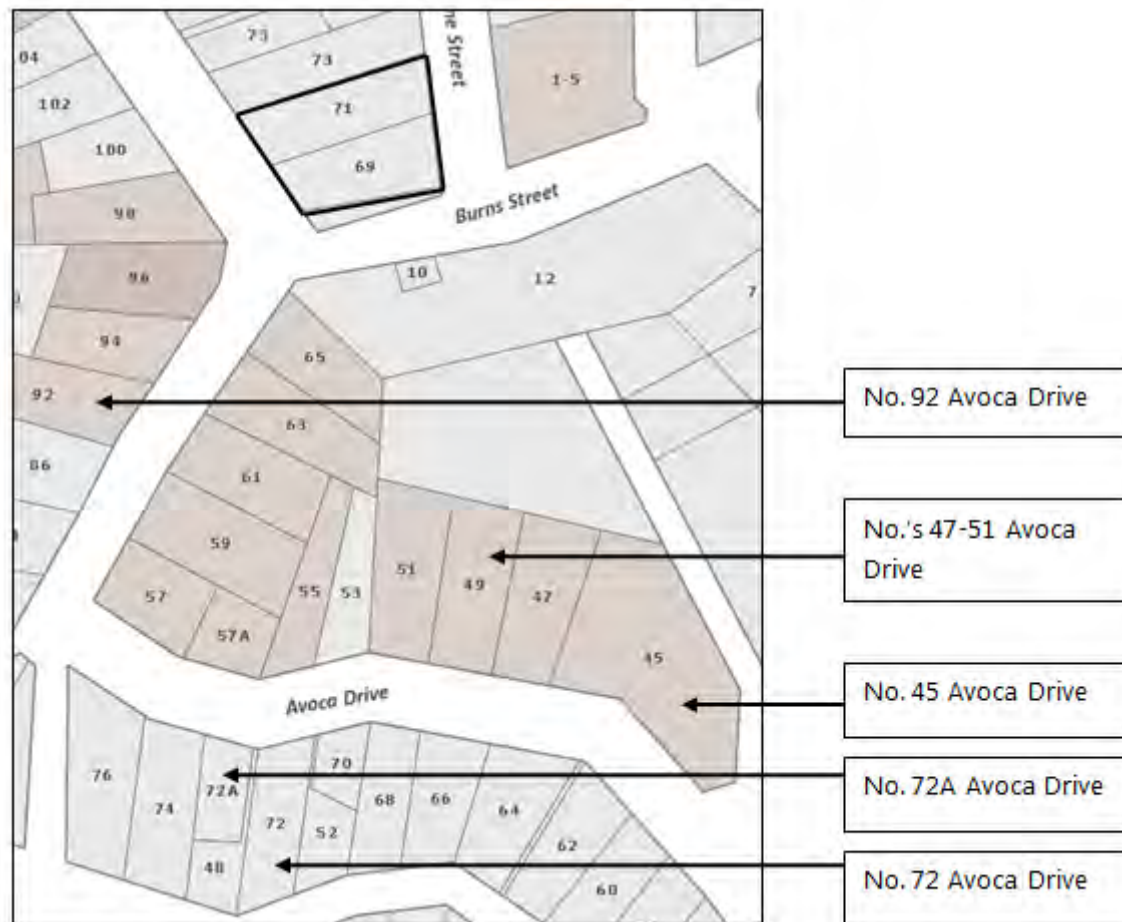


Figure 15 - Properties identified in View Loss Analysis (site edged in black)

In undertaking this view loss analysis, site inspections were carried out, and the expert view loss evidence, provided in the Land and Environment Court of New South Wales court proceedings associated with the original determination, was reviewed. The conclusion of the assessment undertaken pertaining to private domain view loss associated with the proposed modifications is provided below:

- Views from residential units within No. 45 Avoca Drive, Avoca Beach are external views from either the mid – level or upper level balconies. The dwellings do not have existing direct view access to the development site due to either the orientation of the units to views or because of the intervening built form and vegetation (refer to Figure’s 16- 21). View loss from this property as a result of the proposed modifications can be discounted.



Figure 16 - View corridor from 7/45 Avoca Drive (mid - level balcony)



Figure 17 - View corridor from 7/45 Avoca Drive (upper - level balcony)



Figure 18 - View corridor from 8/45 Avoca Drive (mid-level balcony)



Figure 19 - View corridor from 8/45 Avoca Drive (upper-level balcony)



Figure 20 - View corridor from 9/45 Avoca Drive (upper level balcony)



Figure 21 - View corridor from 9/45 Avoca Drive (mid-level balcony)

- Views from No. 2/47 Avoca Drive, Avoca Beach are from a roof terrace from which a minor portion of the south eastern corner of the development may be visible (refer to Figure 22). This minor potential encroachment in the view loss corridor does not block any views to scenic or highly valued items such as Avoca Beach or water. View loss from this property, and No. 49 Avoca Beach Drive, as a result of the proposed modifications, can be discounted.



Figure 22 - View corridor from 2/47 Avoca Drive (rear balcony)

- Views from No. 1/51 Avoca Drive, Avoca Beach are from a rear terrace at the uppermost level of the development, which are visible via a narrow outlook between vegetation at South End Park. The view contains part of the wave zone at the beach which is visible above the existing theatre roof (refer to Figure's 23 and 24).



Figure 23 - View corridor from 1/51 Avoca Drive (rear balcony)



Figure 24 - View corridor from 1/51 Avoca Drive (rear balcony – zoomed in)

The Part 2 consent included a reduction in the width of the roof void to Cinema 2, being setback from Avoca Drive an additional 2m. Whilst the additional height proposed under the current modification application will result in a loss of vegetated outlook, the wave zone, beach and remainder of the whole view toward North Avoca will be retained in a greater capacity than that was previously approved by the LEC and considered acceptable.

A secondary view from this property is retained from a lower terrace (also at the uppermost level) of 1/51 Avoca Drive (refer to Figure 25 and 26). This outlook is largely obscured by vegetation, however the dominant view of the water and land interface will remain unaffected by the proposed modifications.



Figure 25 - View corridor from 1/51 Avoca Drive (lower rear balcony)



Figure 26 - View corridor from 1/51 Avoca Drive (lower rear balcony – zoomed in)

- No.72A Avoca Drive, Avoca Beach is occupied by an elevated dwelling with a northern first floor level balcony. The existing outlook from this balcony is towards the residential development located at No. 57A Avoca Drive, Avoca Beach, beyond which the existing roof of the Avoca Beach Theatre is visible (refer to Figure 27).



**Figure 27 - View corridor from 72A Avoca Drive (first floor balcony)
(Source: www.realestate.com.au)**

Figure 28 details a further view of the outlook from the northern balcony of No. 72A Avoca Drive with the upper level ridgeline of the Avoca Beach Surf Life Saving Club (RL 14.84m AHD) located at No. 10 Vine Street, Avoca Beach visible beyond the vegetation line. The increase of the approved development's maximum roof height to Cinema 2 by 700mm will result in a maximum RL 14.90m AHD, 0.6mm higher than the Avoca Beach Surf Life Saving Club.



Upper level ridgeline of the Avoca Beach Surf Life Saving Club (RL 14.84m AHD) located at No. 10 Vine Street, Avoca Beach

Figure 28 - View corridor from 72A Avoca Drive (first floor balcony)
(Source: www.realestate.com.au)

The approved roof of Cinema 2 will be visible above the roof of the existing Avoca Beach Theatre. The proposed modifications will result in a further loss of view from the northern first floor balcony of No. 72A Avoca Drive comprising built form and a narrow band of water seen heavily filtered through vegetation in the park beyond the development site. However, the wave zone of Avoca Beach and the remainder of the beach visible between Avoca and North Avoca in this view will be retained. Furthermore, the remainder of the outlook from this junction, including a view to the Skillion in Terrigal, will be retained (refer to Figure 29).



Figure 29 - View corridor from 72A Avoca Drive (first floor balcony)
(Source: www.realestate.com.au)

It is considered the proposed modifications do not block a significant proportion of views to scenic items or highly values items. The additional view loss from No. 72A Avoca Drive is considered minor and reasonable being that the loss of outlook associated with the proposed modifications are currently heavily filtered by vegetation and built elements. The loss of these filtered views will not adversely impact the retention and interpretation of significant water and land interface views in the distance.

- No. 72 Avoca Drive, Avoca Beach is occupied by an elevated dwelling with a northern orientated first floor level balcony. The existing outlook from this balcony is towards residential development located on the northern side of Avoca Beach Drive beyond which the existing roof of the Avoca Beach Theatre is visible (refer to Figure 30).



Figure 30 - View corridor from 72 Avoca Drive (first floor balcony)
(Source: www.realestate.com.au)

The approved roof of Cinema 2 will be visible above the roof of the existing Avoca Beach Theatre. It is acknowledged that the proposed modifications will result in a further loss of view comprising built form and a narrow band of water seen heavily filtered through vegetation in the park beyond the development site from the northern first floor balcony of No. 72 Avoca Drive. However, the wave zone of Avoca Beach and the remainder of the beach visible between Avoca and North Avoca in this view will be retained.

It is considered the proposed modifications do not block a significant proportion of views to scenic items or highly values items. The additional view loss from No. 72 Avoca Drive is considered minor and reasonable.

- The residential dwellings located in No. 92 Avoca Drive, Avoca Beach (Unit's 3 and 4) currently have a view of water in a north-easterly direction, visible through a narrow opening in vegetation (refer to Figure's 31, 32 and 33).

These water views are obtained over the existing theatre roof from both the lower and upper level balconies of No. 3/92 Avoca Drive and the upper level balcony of No. 4/92 Avoca Drive via an oblique viewing corridor. This viewing corridor does not comprise the principal outlook from the three affected balconies. The principal outlooks from No.'s 3/92 and 4/92 Avoca Drive are in an easterly direction towards South End Park.

The lower level terrace of No. 3/92 Avoca Drive does not currently obtain water views over the roof of the existing theatre (refer to Figure 34). The proposed modifications will result in a narrow view of vegetation being lost. Any view loss concern from the lower level terrace of No. 3/92 Avoca Drive, can be discounted.

The lower level balconies of No.'s 3/92 and 4/92 Avoca Drive are adjacent to the principal internal living areas, with the upper level balconies adjacent to a bedroom.



Figure 31 - View corridor from 3/92 Avoca Drive (upper level terrace)



Figure 32 - View corridor from 3/92 Avoca Drive (lower level terrace)



Figure 33 - View corridor from 4/92 Avoca Drive (upper level terrace)
(Source: www.realestate.com.au)



Figure 34 - View corridor from 4/92 Avoca Drive (upper level terrace)
(Source: www.realestate.com.au)

The Part 2 consent included a reduction in the width of the roof void to Cinema 2, being setback from Avoca Drive an additional 2m. Whilst the additional height proposed under the current modification application will result in a loss of vegetated outlook, the main view of the ocean in the distance will be retained from all three affected balconies in a greater capacity than that was previously approved by the LEC and considered acceptable. Any view loss concerns from No.'s 3/92 and 4/92 Avoca Drive, can be discounted.

It is concluded that that there will be no significant view loss associated with the increase in roof height by 700mm to accommodate Cinema 2 which would justify refusal of the modification application.

- (f) *to protect public open space from excessive overshadowing and to allow views to identify natural topographical features.*

Comment:

The proposed modifications do not cause excessive overshadowing to public open space areas.

Based on the considerations provided above, it is concluded the proposed modifications are not without merit and will not hinder the attainment of s.1.3 of the EP & A Act. It is considered there are sufficient grounds to justify a further variation of the development standard to that originally approved and subsequently amended.

4.4 Floor Space Ratio

The provisions of cl. 4.4 within GLEP 2014 establish a maximum floor space ratio (FSR) for buildings. Clause 4.4 (2) of GLEP 2014 provides that development on the subject land shall not exceed a maximum floor space ratio of 1:1. The proposed modified development complies, having a floor space ratio of 0.95:1.

7.2 Flooding Planning

The site is identified as flood affected on Council mapping (refer to Figure 35).

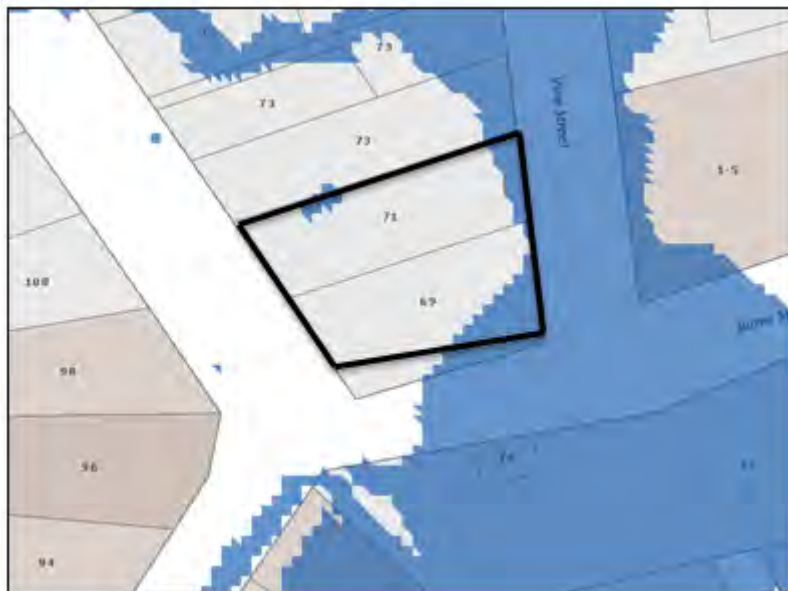


Figure 35 - 1% Flood Extents Mapping (site edged in black)

The development remains satisfactory in respect to cl. 7.2 of GLEP 2014 subject to the continued imposition of flood mitigating conditions originally approved and supported by Council's Development Engineer.

Schedule 1 - Clause 1(5) (a) – (g)

Notwithstanding that this is an application under Section 4.56 of the EP & A Act to modify a consent granted by the Land and Environment Court (and is not a development application), the following consideration is given to the proposed modified development in respect to the matters for consideration under GLEP 2014 Schedule 1 - Clause 1 (5):

(5) Before granting development consent to development on land to which this clause applies, the consent authority must take the following into consideration:

(a) whether the development retains the existing theatre building.

Comment

The proposed modified development retains the existing theatre building.

(b) whether the design of the development complements the heritage character of the existing theatre building.

Comment

The proposed modified development does not alter the relationship of the approved development to the character of the existing theatre building.

(c) whether the development provides a high standard of urban design and architectural quality, including the interface between the development and the adjoining public park.

Comment

The proposed modified development maintains the high standard of urban design and architectural quality of the development approved by the Court, noting Council's Architect has raised no objection to the proposed modifications.

(d) whether the design of the development is appropriate for the location of the land on the coast.

Comment

The proposed modified development does not significantly alter the bulk and scale or architectural presentation of the approved development.

(e) whether adequate car parking is provided.

Comment

The proposed modified development does not generate an additional demand for car parking and does not alter the basement car parking layout or access arrangement of the approved development.

Provisions of any Development Control Plan

Gosford Development Control Plan 2013

An assessment of the proposed development against the relevant chapters of GDCP 2013 is provided below. It is concluded the proposed modifications are appropriate in the locale.

Chapter 2.1: Character

Chapter 2.1 - Character requires development applications to demonstrate consistency or compatibility with development objectives contained within the relevant "Statements of Desired Character". The subject land is located within Character Place "Avoca 9 – Village Centre". The proposed modified development is considered compatible with the following statements of desired character:

- *Scenic potential and amenity of this prominent village of community and recreation facilities, combining recreation-retail businesses, community buildings, open spaces and parking areas, should be enhanced for the benefit of residents and holidaying visitors.*

Comment

Both the approved and proposed modified development provide a recreation/entertainment for local and city-wide communities and for tourists/visitors in a manner which retains the original theatre and provides for an appropriate interface with the public domain generally and the adjoining Hunter Park.

- *Building works should maximise public access and recreation activities along all visible street and park frontages, reflecting a modestly-scaled seaside theme with extensive sunscreened verandahs or upper-storey balconies. Structures with local historical value should be preserved and enhanced. Colour schemes and commercial signs should promote the qualities of a coastal community village, rather than corporate sponsorship.*

Comment

Both the approved and proposed modified development provides for public access and recreational activities along visible street and park frontages, in a manner reflecting the categories of use and the site specific building bulk and scale controls applicable to the

subject land and the materials/colour selection originally approved under Development Application No. 42661/2012.

Chapter 2.2: Scenic Quality

The subject site's landscape unit is identified as Geographic Unit No. 6 – South Coastal. It is considered the proposed modifications satisfy the development objectives for this area in that they will not further erode the the landform and vegetation characteristics of the area, thereby maintaining visual integration.

Chapter 6.3: Erosion and Sediment Control

The approved erosion and sediment control measures proposed are considered satisfactory. Compliance will be continued to be endorsed via conditions.

Chapter 6.4: Geotechnical Requirements

The subject site is not located in an identified landslip area.

Chapter 6.7: Water Cycle Management

The proposed modified development does not involve any significant roof extensions or increase in impervious areas to that of the originally approved development. In this regard, Council's Development Engineers have confirmed the proposed modified development does not require any additional stormwater management measures to those previously approved.

Chapter 7.1: Car Parking

The proposed modified development does not generate any additional demand for car parking and does not involve any modification of the car parking layout or vehicle access arrangements previously approved.

Chapter 7.2: Waste Management

The Waste Management Plan accompanying the development application is supported by Council's Waste Services Division (Garbage), subject to the imposition of conditions requiring compliance.

Likely Impacts of the Development

a) Built Environment

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

There will be no amenity impacts as a result of the variations to cl.4.3 (Height of Buildings) under GLEP 2014 that would warrant further modification of the development application.

b) *Natural Environment*

The proposed modifications are satisfactory in relation to impacts on the natural environment as identified throughout this report.

c) *Economic Impacts*

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

d) *Social Impacts*

No social impacts will arise from the approval of this modification application.

Suitability of the Site for the Development

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

- *Coastal Zone*: The provisions of *State Environmental Planning Policy (Coastal Management) 2018* require Council consider the aims and objectives of the SEPP when determining an application within the Coastal Management Areas. The subject property falls within the mapped coastal management areas. The relevant matters have been considered in the assessment of this application. The proposed modifications are considered consistent with the stated aims and objectives of *State Environmental Planning Policy (Coastal Management) 2018*.
- *Bushfire*: The subject site is mapped as being bushfire affected. In this regard, the original development application contained a bushfire assessment addressing the requirements of the *Rural Fires Act 1997* and the document *Planning for Bushfire Protection*, published in 2006 by the New South Wales Rural Fire Service. The original development application was referred to the New South Wales Rural Fire Service for consideration, where no objection was raised. The minor nature of the proposed modifications did not require a further referral to New South Wales Rural Fire Service.
- *Flooding*: The land has been classified as being under a "flood planning level". Having regard to Clause 7.2 (3) (a) – (e) of GLEP 2014, the proposal is supportable subject to the continued imposition of conditions, as originally approved.

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

The Public Interest

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

Other Matters for Consideration

Contributions

The nature of the proposed modifications do not alter the contributions as originally imposed. **Condition 2.20** remains in place requiring compliance with the Voluntary Planning Agreement signed by Gosford City Council, and Norman Augustus McDonald Hunter and Norbet Enterprises Pty Limited, dated 22 January 2007:

- In accordance with Recital E and cl. 4(a) of the 2006 Voluntary Planning Agreement, payment of the total sum of \$500,000 for the public purpose of the provision of public amenities, namely, the construction and enhancement of car parking facilities near the development in South End Park, Avoca and the embellishment and beautification of the adjoining public open space known as Hunter Park, Avoca all as depicted on the plan annexed to the 2006 Voluntary Planning Agreement and marked with the letter "B"; and
- In lieu of developer contributions, payment of an amount of \$10,296 for the provision of public amenities by Council ("the Contribution Amount"). The Contribution Amount will be increased on each of 1 January, 1 March, 1 July and 1 October in each year from the date of this Agreement [being the date of the 2006 Voluntary Planning Agreement] until the Contribution Amount is paid by the same percentage increase as the percentage change, if any, in the Consumer Price Index in the 3 months prior to the relevant review date.

Water and Sewer Contributions

The nature of the proposed modifications does not alter the water and sewer contributions as originally imposed.

Conclusion

The Development Application has been assessed against the heads of consideration of s.4.15 and s.4.56 of the EP & A Act and all other relevant instruments and polices. The proposed modifications are considered reasonable and therefore it is recommended that Council grant approval to Development Application No. 42661/2012 Part 3.

Attachments

- | | | |
|---|-----------------------------|-----------|
| 1 | Draft Conditions of Consent | D13497923 |
| 2 | Development Plans | D13472984 |

Attachment 1 – Draft Conditions of Consent (Part 3)

1. PARAMETERS OF THIS CONSENT

~~1.1A Description of the Approved Development~~

~~Approval is granted to Development Application No. 42661/2012 for alterations and additions to the Avoca Beach Picture Theatre, to include demolition of an existing cottage and ancillary buildings, retention of the existing theatre/cinema (cinema 1 with a maximum of 311 seats plus 4 wheelchair), three additional cinemas (providing a total of 4 cinemas) (cinema 2 with a maximum of 194 seats plus 2 wheelchair, cinema 3 with a maximum of 29 seats plus 2 wheelchair, and cinema 4 with a maximum of 69 seats plus 2 wheelchair), café, five (5) residential units, basement car parking at Lot 140 DP 9359 and Lot 651 DP 16791 and known as 69 and 71 Avoca Drive, Avoca Beach.~~

1.1A Description of the Approved Development

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1.1. Approved Plans and Supporting Documents

Implement the development in accordance with the approved plans and documents unless modified by any following condition of this consent.

~~Architectural Plans by Artichoke Design Studios & Landscape Plans by Nova Hortus Landscapes~~

Drawing	Description	Sheets	Issue	Date
A.01 to A.12	Plans of proposed Development, prepared by Artichoke Design Studios	A.01 to A.12	A	29/06/2017 Revision C

Supporting Documentation

Document	Title	Date
	Supplementary Statement of Environmental Effects – Doug Sneddon Planning Pty Ltd	Sept 2016
	Report of Drew Bewsher – Flooding and Stormwater Issues	7 Sept 2016

	Draft Flood Emergency Response Plan for Theatre Avoca Beach by Dr Stephen Yeo, Flood Focus Consulting and Mr Drew Bewsher	7 Sept 2016
	Draft Flood Emergency Response Plan Residential Strata Development, Avoca Beach by Dr Stephen Yeo, Flood Focus Consulting and Mr Drew Bewsher	7 Sept 2016
	Traffic Report by Graham Pindar	13 Sept 2016
	Basix Certificate No 797799M	20/2/2017
	Stormwater Concept Management Plan by ADW Johnson	7 Sept 2016

Plans

Drawing	Description	Sheets	Issue	Date
A.01 – A.09 and A.12	Plans of proposed Development, prepared by Artichoke Design Studios	1-10	E	Revision E 23/07/2018

Supporting Documentation

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4	Draft Flood Emergency Response Plan Residential Strata Development, Avoca Beach by Dr Stephen Yeo, Flood Focus Consulting and Mr Drew Bewsher	7 Sept 2016
5	Traffic Report by Graham Pindar	13 Sept 2016
6	Basix Certificate No 797799M	20/2/2017
7	Stormwater Concept Management Plan by ADW Johnson	7 Sept 2016
8	Colours & Materials, prepared by Artichoke Design Studios	Revision E
9	Shadow Diagrams, prepared by Artichoke Design Studios	Revision E
10	Landscape Specifications and Plans by Nova Hortus Landscapes	17 September 2012

1.2A Prior to the issue of a construction certificate, a BCA Report and a BCA Section J Compliance Assessment in relation to the development approved by this consent (which includes any changes to the development made by these conditions) is to be submitted to and approved by Council.

1.2. All building works are to be carried out in accordance with the Building Code of Australia.

1.3 Operating Hours

The Cinemas are to operate only within the following hours:

(a) 8.30am to midnight Sunday to Thursday, 8.30 am to 12:30am Friday and Saturday;

(b) The hours specified in (a) above do not preclude patrons leaving the premises after the times specified in (a) above if the film or performance or other event has finished by the time specified above, provided they leave within 30 minutes of the completion of the film, performance or other event;

(c) The hours specified in (a) above do not preclude attendance on the premises of staff outside the hours specified in (a) above;

(d) The hours specified in (a) above do not preclude special promotions or premiers of films or movie marathons being held outside those hours on a maximum of six occasions in any 12 month period in the existing Cinema 1, and on no more than 2 consecutive days and otherwise with at least 1 month between such promotions, premiers or marathons.

1.4 The applicant is to ensure that patrons leave the premises quietly after 10 pm on any day of the week. In the event that a substantiated noise complaint is received by Council, the applicant/business owner will seek the services of a suitably qualified person to undertake noise assessment of the activity, an acoustic report will be published from the assessment. The acoustic assessment is to be carried out as per procedures and guidelines of Australian Standard AS1055, "Acoustics - Description and Measurement of Environmental Noise, Part 1 General Procedures". A copy of the acoustic report will be provided to Council and noise mitigating measures are to be implemented. An Acoustic Validation Report may be requested by Council to demonstrate that mitigating measures have been effective.

2. PRIOR TO ISSUE OF ANY CONSTRUCTION CERTIFICATE

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

- 2.1. No activity is to be carried out on site until any Construction Certificate required for that activity 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 etc that are required by this consent.
- 2.2. Prior to the issue of a Construction Certificate an application must be submitted to council under Section 138 of the *Roads Act, 1993*, for the approval of required works to be carried out within the road reserve.

Prior to the issue of a Construction Certificate, 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*, must be submitted to and approved by Council. The Engineering plans must be included with the Roads Act application for approval by council.

Design the required works as follows:

- a. Avoca Drive (majority of) & Burns Road - Footway formation graded at +2% from the top of kerb to the property boundary, across the full frontages of the site.
- b. Avoca Drive – Full width reinforced (SL72 steel fabric, 100mm thick) concrete footpath (or similar) across the full frontage of the site.
- c. Burns Street – 1.5 metre wide reinforced (SL72 steel fabric, 100mm thick) concrete path (or similar) and landscaping across the full frontage of the site.
- d. Vine Street - 1.5m wide reinforced (SL72 steel fabric, 100mm thick) concrete footpath across the full frontage of the site.
- e. Vine Street - Heavy-duty vehicle crossing / ramp constructed with 200mm thick concrete reinforced with 1 layer of SL72 steel fabric top and bottom.
- f. Avoca Drive - All redundant vehicular crossings are to be removed and the footway formation reinstated with a full width reinforced (SL72 steel fabric, 100mm thick) concrete footpath.
- g. Vine Street - Minor upgrade of the stormwater drainage system if the stormwater drainage pit is required to be relocated due to a conflict with the location of the proposed driveway crossing. Currently, a stormwater drainage pit is located at the low

point of the frontage adjacent to the proposed driveway crossing servicing the basement car park.

- h. Roadside furniture and safety devices as required e.g. fencing, signage, guide posts, chevrons, directional arrows, and/or guard rail in accordance with RMS and relevant Australian Standards.
- i. Signage and line marking, such as no stopping / parking signage at the intersection of Avoca Drive & Burns Street, loading zone and signage for the access driveway. The signage and line marking plan must be approved by Council's Traffic Committee.
- j. Pram ramps at the intersection of Avoca Drive & Burns Street and Burns Street & Vine Street.
- k. Relocation of the existing plaques and hand imprints to a suitable alternative location.
- l. All retaining walls shall be designed by a practicing Civil/Structural engineer and shall not conflict with services.

The Roads Act application must be approved by council prior to the issue of a Construction Certificate.

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.

All work required to be carried out within a public road reserve must be separately approved by Council, under Section 138 of the Roads Act 1993.

- 2.3. A dilapidation report must be submitted 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.
- 2.4. A security deposit of \$50,000.00 must be paid into Council's trust fund prior to the issue of any Construction Certificate. 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.
- 2.5. Prior to the issue of a Construction Certificate, an application must be submitted to council, under Section 68 of the Local Government Act, for the approval of required drainage works associated with public stormwater / watercourse works.

Engineering plans for the works must be prepared and designed by a suitably qualified professional in accordance with Council's Civil Works Specification and Gosford DCP 2013 Chapter 6.3 - *Erosion Sedimentation Control*, and submitted to council for approval with the Local Government Act application.

The required works to be designed are as follows:

- a. Connection of all stormwater from impervious areas within the site via an on-site stormwater detention structure to council's drainage system located in Vine Street.

The Local Government Act application must be approved by council prior to the issue of a Construction Certificate.

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

- 2.6. Prior to the issue of a Construction Certificate an application, with the relevant fee, must be submitted to council under Section 68 of the Local Government Act 1993 for an approval to discharge liquid trade waste to council's sewerage system. The Application to Discharge Liquid Trade Waste can be found on council's website: www.gosford.nsw.gov.au
- 2.7. Prior to the issue of a Construction Certificate the Applicant/developer must apply for and obtain from Council (Water Authority) a Section 307 Certificate of Compliance under the *Water Management Act 2000*. Conditions and contributions may apply to the Section 307 Certificate.

The 'Application for 307 Certificate under Section 305 *Water Management Act 2000*' form can be found on Council's website www.gosford.nsw.gov.au. Early application is recommended.

- 2.8. Prior to the issue of a Construction Certificate Engineering details prepared and certified by a practicing structural engineer must be submitted to the Council (Water Authority) for development constructed near or over the sewer main and / or adjacent to Council's water mains. The engineering details must comply with Council's guidelines for "Building Over or Near Council Sewer and Water Mains" and must be approved by Council prior to the issue of a Construction Certificate. A fee for engineering plan assessment must be paid when submitting the engineering details.

Additional fees for the submission of contractor's documentation and sewer inspection fees apply for the adjustment or encasement of Councils sewer main. Subject to approval of the engineering plans, and payment of the prescribed fees, the developer must contact Council's Water and Sewer Quality Inspector on mobile phone 0419 412 725 a minimum of one week prior to commencement of any work involving building over and / or adjacent to sewer mains.

- 2.9. Design details of the following engineering works within private property must be submitted to and approved by Council prior to the issue of a Construction Certificate:
- 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. A longitudinal driveway profile between the parking level and Vine Street centreline, along the eastern (shortest) edge, shall be prepared by a suitably qualified and experienced engineer demonstrating that the driveway grades comply with the above standard.
 - 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. On-site stormwater retention measures must be designed in accordance with council's DCP Chapter 6.7 - Water Cycle Management. 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.
 - d. 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.
 - e. Piping of all stormwater from impervious areas within the site via an on-site stormwater detention structure to council's drainage system located in Vine Street. This shall include the provision of a flap valve on the outlet to prevent backwater entering into the basement.
 - f. Full details of the holding tank capacity, pump type and system, discharge rate and the delivery line size for the basement drainage.
 - g. The minimum floor level of all habitable rooms in the development must be RL 4.1m AHD.
 - h. All building materials used or located below RL 3.6m AHD must be of a type that is able to withstand the effects of immersion.
 - i. The crest level to the basement carpark to be RL 3.6m AHD.
 - j. Proposed structure certified to withstand the expected forces of floodwater.

These design details and any associated reports must be included in the construction certificate. The plans shall be generally in accordance (with required amendments) with the submitted stormwater concept management plan by ADW Johnson (refer Reference No. 238328 (1), dated 7/9/2016), which are to be advanced as necessary for Construction Certificate issue purposes.

- 2.10. A Road Safety Check prepared by a Road Safety Auditor recognised on the NSW Register of Road Safety Auditors must be submitted to the Council as the Roads Authority prior to the issue of a Construction Certificate. Any deficiencies identified within the audit must be resolved in consultation with Council prior to the approval of design drawings.
- 2.11. A "Flood Mitigation" report is to be submitted to and approved by Council prior to the issue of a Construction Certificate. The report is to detail industry best practice strategies and mitigation measures that will reduce the risk to life and property associated with the residential building's main access via a floodway (as detailed in Report of Drew Bewsher – Flooding and Stormwater Issues, Sept 2016).
- 2.12. The recommendations of the "Draft Emergency Response Plan for Residential and for the Theatre – Sept 2016" report are to be incorporated into the design of the development prior to the issue of a Construction Certificate.
- 2.13. Prior to the issue of a Construction Certificate, amended plans are to be submitted to and approved by Council which provide the following changes to the development to address waste management matters:
 - a. Submission of revised plans to indicate separate fully dimensioned Residential and Commercial waste storage enclosures.
 - b. The Residential waste storage enclosure is to be sized to accommodate a minimum of 5 x 120 litre mixed waste MGB's, 5 x 240 litre recyclable waste MGB's and a nominal number of 240 litre green waste MGB's should they be required for resident use only.
 - c. The Residential waste storage enclosure is to be located to provide internal resident access to the enclosure having a gradient not exceeding 10% alternatively an interim residential waste holding enclosure located adjacent to the resident lift may be considered with residential waste within the interim waste holding enclosure to be transferred by a caretaker or similar to a principal Residential waste enclosure located to facilitate roll out of MGB's to Burns St for kerbside collection.
 - d. Suitable internal access to the Residential and Commercial waste enclosure/s is required to ensure transfer of waste can be undertaken without travel outside the boundaries of the property.
 - e. A 10.0m long kerbside presentation location is to be indicated on the revised plans within Burns St adjacent to the proposed waste storage enclosure.
 - f. The Commercial waste storage enclosure is to be sized consistent with the multiple uses

within the proposed development in accordance with Chapter 7.2 - Waste Management of Gosford DCP 2013 and the Better Practice Guide for Waste Management in Multi-Unit Dwellings published by DECC.

- g. Mixed and recyclable mobile garbage bins for kerbside collection by a Private waste contractor are to be indicated.
- h. Note: Bulk waste bins are not supported for servicing off the street. Bulk waste bins require the servicing to be undertaken with the Private waste contractor vehicle entirely within the boundaries of the property. Mixed waste and recyclables mobile garbage bins for kerbside collection are to be wheeled out on arrival of the Private waste collection contractor and returned to the Commercial waste storage enclosure immediately after servicing.
- i. Assessment of Dwg No ABTDA-A.02, Revision A dated August 2016 notes the waste storage area located to require residents and the Commercial operator to transport waste from the carpark level down a ramp with excessive gradient, cross fall and stairs to access the waste storage area. Re-assessment of waste storage is required to provide for a sustainable, safe waste storage outcome for the proposed development. The waste storage enclosure/s are to be located to be readily accessible to the occupants of the residential units, the Commercial operator and the Residential and Commercial waste collection contractors.
- j. The Residential and Commercial waste enclosure/s are required to be in accordance with Chapter 7.2 - Waste Management of Gosford DCP 2013 to ensure waste is appropriately stored to minimise any potential odour/vermin issues within the proposed development and the public domain.

2.14 Prior to the issue of a Construction Certificate the revised signed and dated Waste Management Plan consistent with advice provided to address/clarify solid waste issues, and consistent with the amended plans approved pursuant to condition 2.13 of this consent, must be submitted to and approved by Council.

2.15 A Waste Management Strategy to detail responsibilities of transfer of Residential and Commercial waste, servicing frequencies and management of waste enclosure/s, consistent with the amended plans approved pursuant to condition 2.13 of this consent, must be submitted to and approved by Council prior to the issue of a Construction Certificate.

2.16 An Interpretation Plan shall be prepared by a suitably qualified heritage consultant to include appropriate measures to interpret the heritage significance of the original theatre to be retained and adaptively reused, including measures for ongoing maintenance. The Plan is to be submitted to Council for approval and approval obtained prior to the approval of the Construction Certificate and approved measures shall be detailed in the application for the Construction Certificate, and the following:

- a. A Photographic archival record of the Theatre is to be undertaken by a suitable qualified professional prior to commencement of construction works. The archival record and

measured drawings should be undertaken in accordance with the Office of Environment and Heritage, Heritage Branch Guidelines *Photographic Recording of Heritage Items*. Two copies of the Record must be submitted to Council for approval and made available in the Library. Approval by Council must be confirmed in writing prior to construction.

A report is to be prepared by a practicing structural engineer by the applicant detailing the structural adequacy of the Theatre building to withstand the proposed excavation works. This report must include any measures required to be incorporated to ensure that no damage will occur during the course of works. The report must be submitted to Council and relevant adjoining property owners prior to the issue of any construction certificate.

b. Submit an updated landscape plan is required. Approval by Council must be confirmed in writing prior to construction.

2.17 The fitout of the food premises is to comply with the Food Act, 2003, Food Regulation 2010, Food Standards Code and the Australian Standard AS4674 for the Design, Construction and Fitout of Food Premises. Details of compliance are to be included in the plans and specifications for the **Construction Certificate** to the satisfaction of the certifying authority

2.18 Details of any proposed mechanical ventilation systems, detailing compliance with the relevant requirements of Clause F4.12 of the Building Code of Australia (BCA) and Australian Standard AS1668 Parts 1 & 2 (including exhaust air quantities and discharge location points) are to be submitted to and approved by the PCA **prior to a Construction Certificate being issued** for the subject works.

A certificate is to be submitted at the completion of the installation and prior to the issue of a Occupation Certificate, from a practising Mechanical Engineer certifying that the construction, installation and operation of the exhaust hood ventilation system meets the requirements as AS 1668.1 and/or AS 1668.

2.19 Appropriate noise attenuation is to be incorporated into the design of the residential units to minimise the impacts of elevated noise in accordance with a specification to be provided by an appropriately qualified and experienced Acoustic Consultant.

2.20 In accordance with the Voluntary Planning Agreement (ECM Doc No 3080720 – incorporating the Voluntary Planning Agreement executed between the parties dated 15 September 2006) signed by Gosford City Council, and Norman Augustus McDonald Hunter and Norbet Enterprises Pty Limited dated 22 January 2007 (the terms of which are incorporated herein as if fully set out herein), compliance with the following:

- In accordance with Recital E and clause 4(a) of the 2006 Voluntary Planning Agreement, payment of the total sum of \$500,000 for the public purpose of the provision of public amenities, namely, the construction and enhancement of car parking facilities near the development in South End Park, Avoca and the embellishment and beautification of the adjoining public open space known as Hunter Park, Avoca all as depicted on the plan annexed to the 2006 Voluntary Planning Agreement and marked with the letter "B"; and
- In lieu of Section 94 Contributions, payment of an amount of \$10,296 for the provision of public amenities by Council ("the Contribution Amount"). The Contribution Amount will be increased on each of 1 January, 1 March, 1 July and 1 October in each year from the date of this Agreement [being the date of the 2006 Voluntary Planning Agreement] until the Contribution Amount is paid by the same percentage increase as the percentage change, if any, in the Consumer Price Index in the 3 months prior to the relevant review date.

The above contribution amounts are to be paid prior to the issue of any Construction Certificate.

Any Construction Certificate is not to be issued by a certifying authority until the developer has provided the certifying authority with a copy of a receipt issued by Council that verifies that the contributions have been paid in accordance with the wording of this condition. A copy of this receipt is to accompany the documents required to be submitted by the certifying authority to Council under Clause 104 of the Environmental Planning and Assessment Regulation 2000.

- 2.21 Prior to the issue of a Construction Certificate the development consent to DA 6344/1999 for the Outdoor Theatre is to be relinquished.

3. PRIOR TO COMMENCEMENT OF ANY WORKS

All conditions under this section must be met prior to the commencement of any works

- 3.1. A Principal Certifying Authority is to be appointed after the construction certificate for the building work has been issued and prior to the commencement of any works.
- 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.gosford.nsw.gov.au
- 3.2. A copy of the stamped approved plans must be kept on site for the duration of site works and the plans must be made available upon request to either the Principal Certifying Authority or an officer of Council.

- 3.3. Site works must not be commenced until the sediment control measures have been installed in accordance with the approved plans / Gosford DCP 2013 Chapter 6.3 - *Erosion Sedimentation and Control*.
- 3.4. Prior to the commencement of any works a sign is to be erected 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 may be contacted outside of working hours; and
 - c. That unauthorised entry to the work site is prohibited.

Remove the sign when the work has been completed.

- 3.5. Both a Plumbing and Drainage Inspection Application must be submitted to Council prior to the commencement of any works, 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.gosford.nsw.gov.au.

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

- 3.6. Prior to the commencement of any works, a Tree Protection Zone is to be established around the Eucalyptus tree located on the road reserve corner of Vine and Burns Street. Due to the limited area available, the distance from the tree to a protective fence should be no less than 2m. The protective fence is to consist of a 1.8 metre high chain mesh fence erected around the tree and must remain intact until construction is completed. The fence is to be sign posted to warn of its purpose.
- 3.7. Prior to the commencement of any works a Construction Traffic Management Plan is to be prepared for the development and submitted to and approved by Council. The Plan shall include Traffic Control Plans prepared by a suitably qualified and experienced consultant with necessary construction management measures identified during demolition, excavation, delivery and construction phases. All works must ensure the safety of all vehicles and pedestrians.
- 3.8. Demolition involving asbestos must be undertaken in accordance with the *Work Health and Safety Act 2011*.

The person having the benefit of this consent must ensure that the removal of:

- a. more than 10m² of non-friable asbestos or asbestos containing material is carried out by a licensed non-friable (Class B) or a friable (Class A) asbestos removalist, and
- b. friable asbestos of any quantity is removed by a licensed removalist with a friable (Class A) asbestos removal licence.

The licensed asbestos removalist must give notice to the regulator before work commences in accordance with Clause 466 of the *Work Health and Safety Regulation 2011*.

4. DURING WORKS

All conditions under this section must be met during works

- 4.1. Clearing of land, excavation, and / or earthworks, building works, and the delivery of building materials must only be carried out between the following hours:

Mondays to Fridays - 7:00am to 6:00pm

Saturdays - 8:00am to 4:00pm except as noted in Clause 'b'

- a. No work is permitted on Sundays and Public Holidays
- b. No work is permitted on:
 - Saturdays when a public holiday is adjacent to that weekend.
 - Construction industry awarded rostered days off.
 - Construction industry shutdown long weekends.

Clause b does not apply to works of a domestic residential nature as below:

- i. Minor renovation or refurbishments to single dwelling construction.
- ii. Owner occupied renovations or refurbishments to single dwelling construction.
- iii. Owner builder construction of single dwelling construction; and / or
- iv. Any cottage constructions, single dwellings or housing estates consisting of predominantly unoccupied single dwellings.

- 4.2. Erosion and Siltation control measures must be undertaken and maintained during the carrying out of all works, in respect to any part of the land where the natural surface is disturbed or earthworks are carried out. The controls must comply with Gosford DCP 2013 Chapter 6.3 - *Erosion and Sedimentation Control*.
- 4.3. A copy of the stamped approved plans must be kept on site for the duration of site works and the plans made available upon request to either the Principal Certifying Authority or an officer of Council.
- 4.4. Council must be notified when plumbing and drainage work will be ready for inspection(s) and the work must be made accessible for inspection in accordance with the *Plumbing and Drainage Act 2011*.

- 4.5. The following Crime Prevention Through Environmental Design (CPTED) principles and strategies must be incorporated into the development during the carrying out of "works" to minimize the opportunity for crime:
- a. Provide adequate lighting to common areas as required under *AS1158: Lighting for roads and public spaces*.
 - b. Paint the ceiling of the car park white.
 - c. Design of landscaping, adjacent to mailboxes and footpaths, must not provide concealment opportunities for criminal activity.
 - d. Design the development to avoid foot holes or natural ladders so as to minimise unlawful access to the premises.
 - e. Provide signage within the development to identify all facilities, entry/exit points and direct movement within the development.
- 4.6. The works within the road reserve that required approval under the Roads Act must be constructed in accordance with Council's Civil Works Specification and Gosford DCP 2013 Chapter 6.3 - Erosion Sedimentation Control.
- 4.7. The location of all electrical fixtures and/or gas outlets are to be at a minimum height of RL 3.6m AHD.
- 4.8. All Site Preparation, Demolition and Construction commitments as detailed within the required revised signed and dated Waste Management Plan in accordance with the Gosford City Council Development Application Guide and Chapter 7.2 – Waste Management of Gosford DCP 2013 must be complied with during the carrying out of works.
- 4.9. During construction, the Applicant/developer must arrange with the relevant service provider / Authority (e.g. Ausgrid, Jemena, communications provider) for the supply of services concurrent with the engineering work. Arrangements must include where required any relocation of existing mains and services and dedication of easements for mains and services.
- 4.10. Filling or debris must not be placed within any watercourse or drain.
- 4.11. Should any Aboriginal objects or artefacts be uncovered during works on the site, all works shall cease. The Office of Environment and Heritage shall be contacted immediately and any directions or requirements complied with.

5. PRIOR TO ISSUE OF ANY OCCUPATION CERTIFICATE

All conditions under this section must be met prior to the issue of any Occupation Certificate

- 5.1. An application for the Occupation Certificate is to be submitted to the Principal Certifying Authority for approval.
- 5.2. The premises must not be occupied until the Occupation Certificate has been issued.
- 5.3. 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* must be submitted prior to the issue of an Occupation Certificate.
- 5.4. Lot 140 DP 9359 and Lot 651 DP 16791 must be consolidated into a single allotment under one Certificate of Title prior to the issue of any Occupation Certificate.
- 5.5. Prior to the issue of an Occupation Certificate, the Applicant must construct, grade, drain, seal and line mark including directional arrows with impervious paving material the driveway, vehicle manoeuvring area and 14 car parking spaces as shown on the approved plan, in accordance with *AS2890.1-2004: Parking facilities - Off-street parking*.
- 5.6. Prior to the issue of an Occupation Certificate, mail receptacles appropriately numbered for each dwelling unit in the development, as well as for the managing body, in consultation with Australia Post, must be provided.
- 5.7. Prior to the issue of an Occupation Certificate, works within the road reserve that required approval under the Roads Act are to be completed in accordance with Council's 'Civil Construction Specification', 'GCC Design Specification for Survey, Road and Drainage Works' and Policy 'D6.46 Erosion Sedimentation Control'. Documentary evidence for the acceptance of such works obtained from the Roads Authority must be provided prior to the issue of any Occupation Certificate.

Note 1: A maintenance bond shall be paid on completion of the works in accordance with Section 1.07 Maintenance of the 'Civil Construction Specification'.
- 5.8. Any damage not shown in the dilapidation report submitted to Council before site works had commenced, will be assumed to have been caused as a result of the site works undertaken and must be rectified at the applicant's expense, prior to release of any Occupation Certificate.
- 5.9. Prior to the issue of an Occupation Certificate the internal engineering works within private property must be completed in accordance with the plans and details approved with the construction certificate.

5.10. Prior to the issue of any Occupation Certificate the Deposited Plan (DP) must be amended 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 shall be defined by bearings and distances shown on the plan.
 - a To 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 an 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.

Registered title documents showing the restrictive and positive covenants must be submitted to and approved by the Principal Certifying Authority prior to the issue of any occupation certificate.

5.11. Prior to the issue of an Occupation Certificate, a registered surveyor is to confirm that the finished floor level of the car park and the finished crest level to the car park are in accordance with the design levels.

5.12A. Prior to the issue of an Occupation Certificate, a suitably qualified engineer is to certify that the automatic flood gates have been installed in accordance with the manufacturer's instructions, and that they are operating as designed.

5.12. Flood mitigation strategies, in accordance with the "Flood Mitigation" report, are to be installed and/or constructed.

- 5.13. Prior to the issue of an Occupation Certificate the Applicant/developer must arrange with the relevant service provider / Authority (e.g. Ausgrid, Jemena, communications provider) for the supply of services concurrent with the engineering work. Arrangements must include where required any relocation of existing mains and services and dedication of easements for mains and services.
- 5.14. Prior to the issue of an Occupation Certificate all existing buildings and structures must be connected to the stormwater systems.
- 5.15. Prior to the issue of an Occupation Certificate all existing buildings with plumbing fixtures must be connected to the sewer systems.
- 5.16. Pursuant to clause 4(c) of the Voluntary Planning Agreement (ECM Doc No 3080720 - incorporating the Voluntary Planning Agreement executed between the parties dated 15 September 2006) signed by Gosford City Council, and Norman Augustus McDonald Hunter and Norbet Enterprises Pty Limited dated 22 January 2007 (the terms of which are incorporated herein as if fully set out herein), the Applicant will, on registration of a strata plan of subdivision for the Land [as defined in the Voluntary Planning Agreement] or the issue of an occupation certificate for the development of the Land, whichever occurs first, dedicate to the Council without costs to the Council the strip of land 1.2 metres wide along Vine Street frontage (Vale Street) depicted on the plan annexed to the Voluntary Planning Agreement and marked with the letter "D".
- 5.17. Certification from a suitably qualified and experienced flooding consultant demonstrating that the recommendations within the Report of Drew Bewsher dated 7 September 2016 have been fully implemented for the development, including the Flood Emergency Response Plans (FERP's) must be submitted to Council prior to the issue of an Occupation Certificate.
- 5.18. Prior to the issue of an Occupation Certificate the refrigerated/cooling/freezing chamber, which is of sufficient size for a person to enter must have-
- (a) a door which is capable of being opened by hand from inside without a key; and
 - (b) internal lighting controlled only by a switch is located adjacent to the entrance doorway inside the chamber; and
 - (c) an indicator lamp positioned outside the chamber which is illuminated when the interior light is switched on; and
 - (d) An alarm that is-
 - a. located outside but controllable only from within the chamber; and
 - b. able to achieve a sound pressure level outside the chamber of 90dB(A) when measured 3m from the sounding device.

The door required by (a) above must have a doorway with a clear width of not less than 600mm and a clear height of not less than 1.5m.

Reason: to ensure compliance with the Building Code of Australia (BCA).

5.19. Council is to be notified upon completion of work and following the issue of the occupation certificate, prior to trading commencing to enable the premises to be inspected by Council's Environmental Health Officer and for the premises to be registered with the Council as a food premises.

Reason: to ensure that the fit out of the food premises complies with relevant standards and to enable registration of the food premises.

5.22. A Liquid Trade Waste Approval must be obtained from council prior to the issue of an Occupation Certificate.

6. ONGOING OPERATION

- 6.1. The on-site stormwater detention facility is to be maintained in accordance with the operation and maintenance plan.
- 6.2. The nutrient / pollution control facilities are to be maintained in accordance with the operation and maintenance plan.
- 6.3. No obstructions to the wheel out of the waste bins are permitted including grills, speed humps, barrier kerbs etc.
- 6.4. All Use of Premises and On-Going Management of waste requirements as detailed within the required revised signed and dated (and approved) Waste Management Plan in accordance with the Gosford City Development Application Guide and Chapter 7.2 – Waste Management of Gosford DCP 2013 must be complied with.
- 6.5. Comply with all commitments as detailed within the approved, required Waste Management Strategy.
- 6.6. The Residential mobile garbage/recycling/green waste containers must be placed at the approved location at the kerbside no earlier than the evening prior to the collection day and return to the approved Residential waste storage enclosure as soon as possible after service, no later than the evening on collection day. The residents, caretaker and Body Corporate are responsible for the placement and return of the mobile waste containers.
- 6.7. Commercial waste mixed and recyclable mobile garbage bins to be wheeled out on arrival of the private Commercial waste collection contractor and immediately returned to the approved Commercial waste storage enclosure.
- 6.8. Commercial waste to be serviced at such times to not conflict with Residential waste services.
- 6.9. Commercial waste to be serviced at a suitable frequency to ensure adequate storage capacity is available within the sealed mixed and recyclable waste MGB's at all times and to minimise potential odour issues.

- 6.10. Food waste to be serviced at maximum 3 day intervals. Alternatively, food waste may be stored within a dedicated food waste refrigerator/chiller and placed in waste MGB's on arrival of the Commercial waste collection contractor for immediate servicing.
- 6.11. No waste material, waste packaging or waste product to be placed or stored outside of the approved, sealed mixed and recyclable waste storage containers within the approved waste storage enclosures.
- 6.12. The waste storage enclosure must be constructed and managed in accordance with the provisions of Gosford DCP 2013, Part 7: Chapter 7.2 - *Waste Management, Appendix D and Appendix G*, as applicable.
- 6.13. The conditions of the Liquid Trade Waste Approval must be complied with at all times.
- 6.14. The cinemas are limited to 75% of their seating capacity prior to 4pm on Sundays during the summer public school holiday period in December/January. The Applicant will restrict seat availability in the cinemas through the cinema Point of Sale ticket system by 25% for screenings or other performances or events which commences before 4.00 pm. Records of daily ticket sales for these specified days will be kept and will be made available for inspection by Council or will be produced to Council on request.
- (reason: to limit parking impacts of the proposed development)*
- 6.15. The area identified on the approved plans as "Foyer" (previously noted as "gallery") is an ancillary use to the cinema and is not permitted to be leased separately or operated as a separate entity.

7. GENERAL

- 7.1. Public authorities who may have separate requirements in the following aspects are to be consulted:
- 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.

- 7.2. All work under this Consent is to be carried out 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.
- 7.3. 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.
- 7.4. Separate application is required should the applicant require a new or upsized water supply connection to Council's water supply system.
- 7.5. Backflow prevention device(s) must be installed and maintained in accordance with Council's *WS4.0 Backflow Prevention Containment Policy*. This policy can be found on Council's website at: www.gosford.nsw.gov.au
- 7.6. The inspection fee for works associated with approvals under the Roads Act is calculated in accordance with council's current fees and charges policy.
- 7.7. 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.
- 7.8. The inspection fee for works associated with approvals under the Local Government Act is calculated in accordance with council's current fees and charges policy.

8. 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.

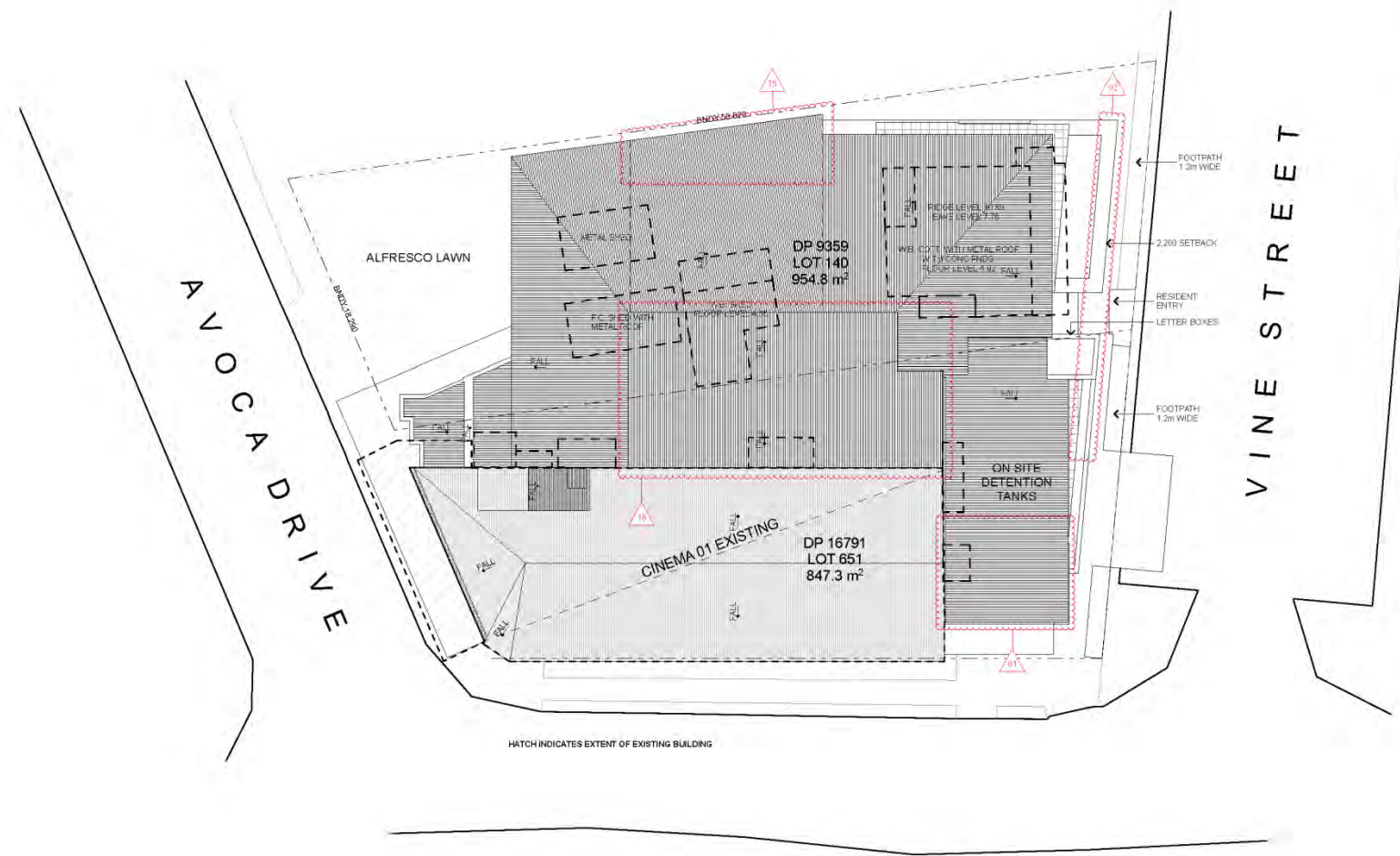
Warnings as to Potential Maximum Penalties

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

Basic Building Fabric Requirements: 69-71 Avoca Drive

Element	Material Type	Detail
External walls	Concrete Block + R1.0 Insulation + PB	Medium colour
	Lightweight cladding + R1.0 Insulation + PB	
Internal walls	Plasterboard on studs	Intra-tenancy walls
	Brick + R1.0 Insulation + PB	Intra-tenancy walls
Windows	ALM-002-02 A Aluminium B SG Tint	NFRC Glazing System values: → U ≤ 6.80 and SHGC = 0.49 (± 10%)
Skylights	N/A	
Floor	Concrete slab	Tile: kitchen & wet Timber: living areas Carpet: bedrooms
Ceiling	Concrete	
	Plasterboard + foil (top floor)	
Roof	Metal + R1.0 Insulation	Light

HUNTER PARK



Layout Index

#	Name
A.01	SITE PLAN
A.02	CARPARK
A.03	GROUND FLOOR PLAN
A.04	1ST FLOOR PLAN
A.05	2ND FLOOR PLAN
A.06	ROOF
A.07	ELEVATIONS
A.08	ELEVATIONS
A.09	SECTIONS
A.10	SHADOW DIAGRAMS
A.11	COLOUR AND MATERIALS PALETTE
A.12	FSR

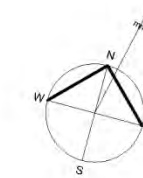
SITE AREA 1,802.10

GROSS FLOOR AREA

Level	Zone	Area
GROUND FLOOR	CINEMAS GFA	742.98
GROUND FLOOR	UNIT 1	118.06
GROUND FLOOR	UNIT 2	118.04
1ST FLOOR	CINEMAS GFA	357.52
1ST FLOOR	UNIT 3	117.56
1ST FLOOR	UNIT 4	119.48
2ND FLOOR	UNIT 5	140.00
		1,712.63 m²

PROPOSED FSR = 0.95 : 1

EXISTING BUILDINGS TO BE DEMOLISHED



#	AMENDMENT	DATE
01	SITE AREA DIVISION	
02	VENTILATION OPENINGS TO CARPARKS	
11	EXTEND BALCONY ROOF	23/07/2011
12	CINEMA 12 FLOOR HEIGHT REVISED	
17	FSR CHANGES	

MIXED USE COMMERCIAL & RESIDENTIAL DEVELOPMENT
69-71 AVOCA DRIVE, AVOCA BEACH

FOR: LA PALOMA PROPERTY TRUST
ARCHITECT: ROB PULLAR REG. No. 5004

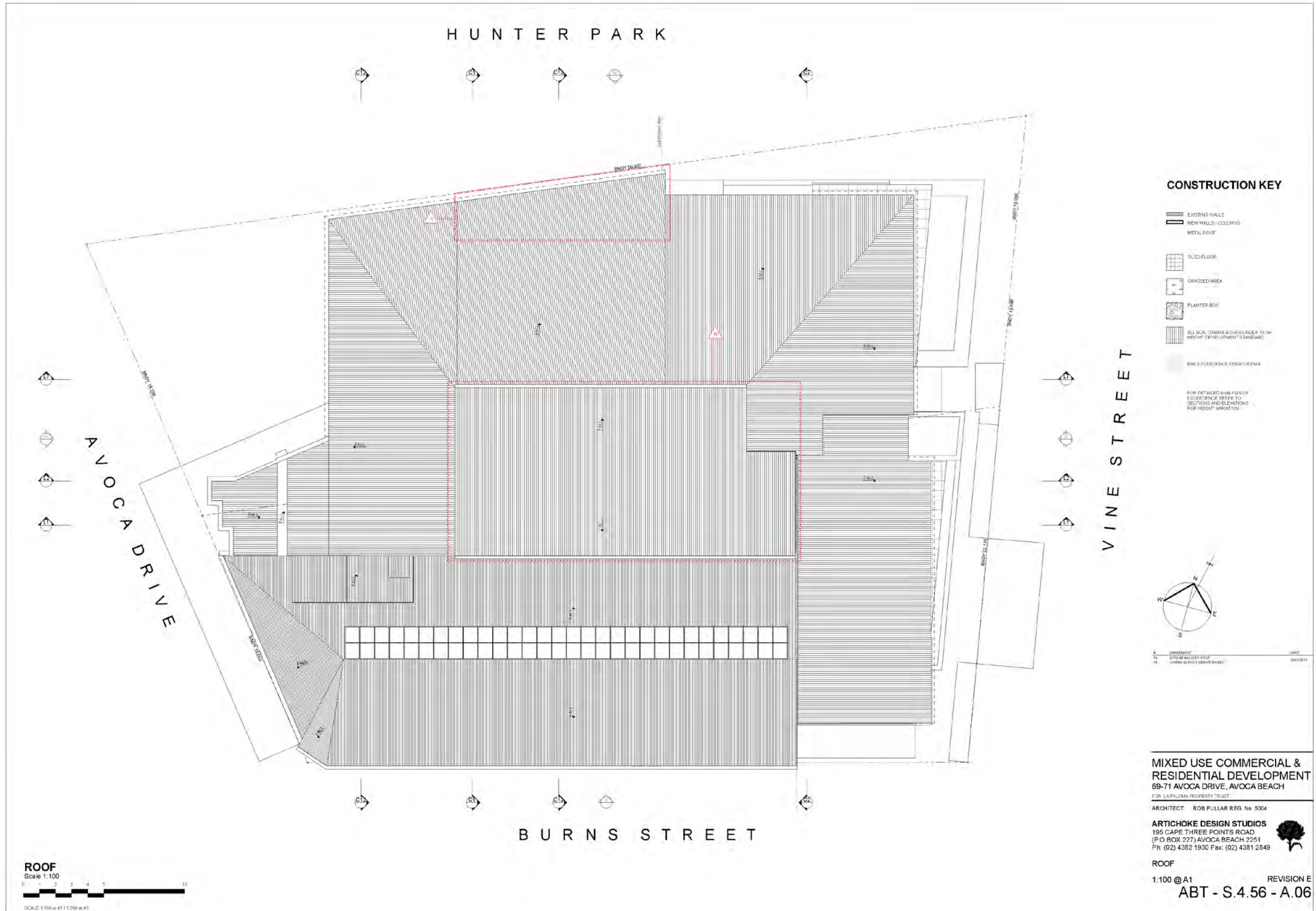
ARTICHOKE DESIGN STUDIOS
195 CAPE THREE POINTS ROAD
(P.O. BOX 227) AVOCA BEACH 2251
Ph: (02) 4382 1930 Fax: (02) 4381 2849



SITE PLAN
1:200 @ A1 REVISION E
ABT - S.4.56 - A.01



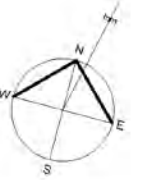
SCALE: 1:200 @ A1 / 1:400 @ A3



CONSTRUCTION KEY

- EXISTING WALLS
- NEW WALLS / COLUMNS
- METAL ROOF
- TILED FLOOR
- GRASSED AREA
- PLANTER BOX
- ALL NEW CREMA ROOFS UNDER 10M HEIGHT DEVELOPMENT STANDARD
- ONE EXCEEDS 10M OVER CREMA

FOR DETAILED ANALYSIS OF EXCEEDANCE REFER TO SECTIONS AND ELEVATIONS FOR HEIGHT VARIATION



DATE: 24/06/14
 DRAWN BY: ROBERT PULLAR
 CHECKED BY: ROBERT PULLAR

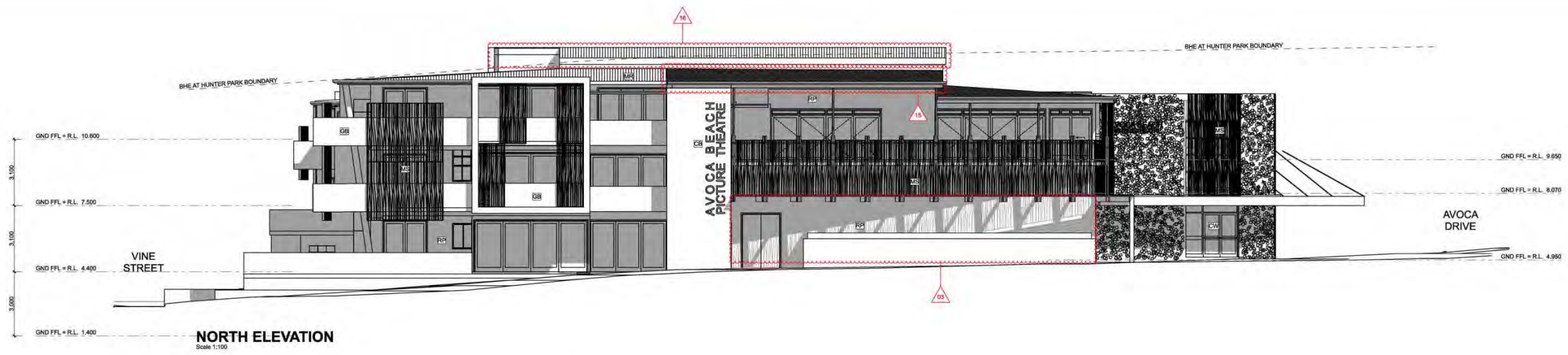
MIXED USE COMMERCIAL & RESIDENTIAL DEVELOPMENT
 69-71 AVOCA DRIVE, AVOCA BEACH
 FOR LAPINLOMA PROPERTY TRUST

ARCHITECT: ROB PULLAR REG No 5004

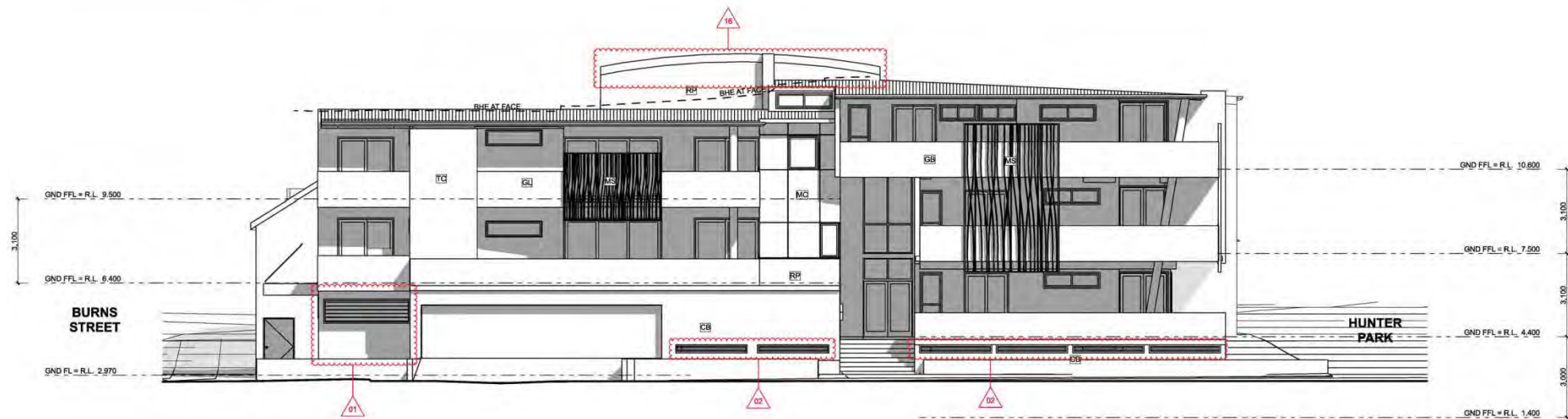
ARTICHOKE DESIGN STUDIOS
 195 CAPE THREE POINTS ROAD
 (P.O. BOX 227) AVOCA BEACH 2251
 Ph: (02) 4382 1930 Fax: (02) 4381 2849

ROOF
 1:100 @ A1 REVISION E
ABT - S.4.56 - A.06

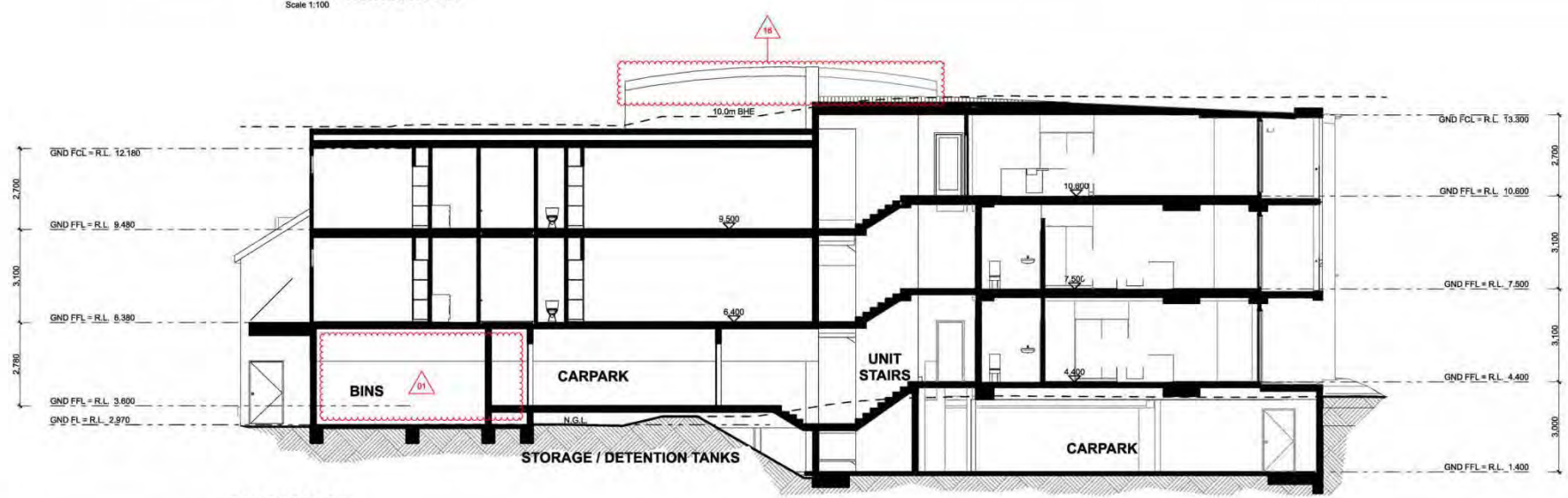
ROOF
 Scale 1:100
 0 1 2 3 4 5 10
 SCALE 1:100 @ A1 (1:200 @ A3)



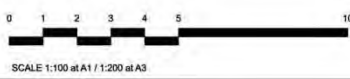
NORTH ELEVATION
Scale 1:100



EAST ELEVATION
Scale 1:100



SECTION C2
Scale 1:100



SCALE 1:100 at A1 / 1:200 at A3

FINISHES KEY

- CB CONCRETE BLOCK
- CW GLASS CURTAIN WALL
- GB GLASS BALUSTRADE
- GL GLASS LOUVRES
- MC METAL CLADDING
- MR METAL ROOF
- RP RENDERED & PAINTED
- TC TERRAZZITA TILES
- MS METAL SCREEN

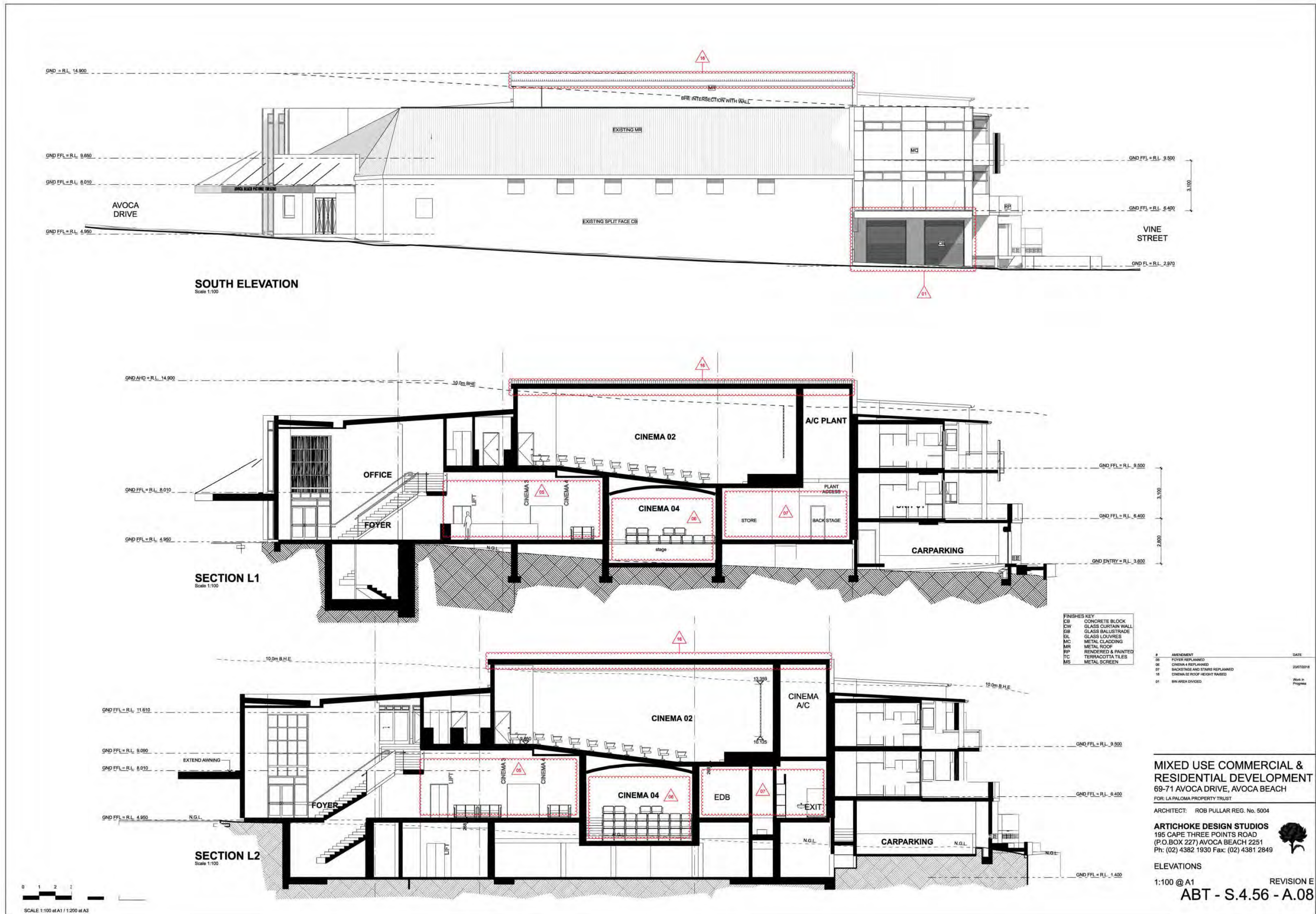
#	AMENDMENT	DATE
01	SH AREA DIVIDED	
02	VENTILATION OPENINGS TO CARPARK	
03	CONCRETE REPLACED WITH REPLAINED CINEMA'S	23/07/2016
05	EXTEND BALCONY ROOF	
10	CINEMA 02 ROOF HEIGHT RAISED	

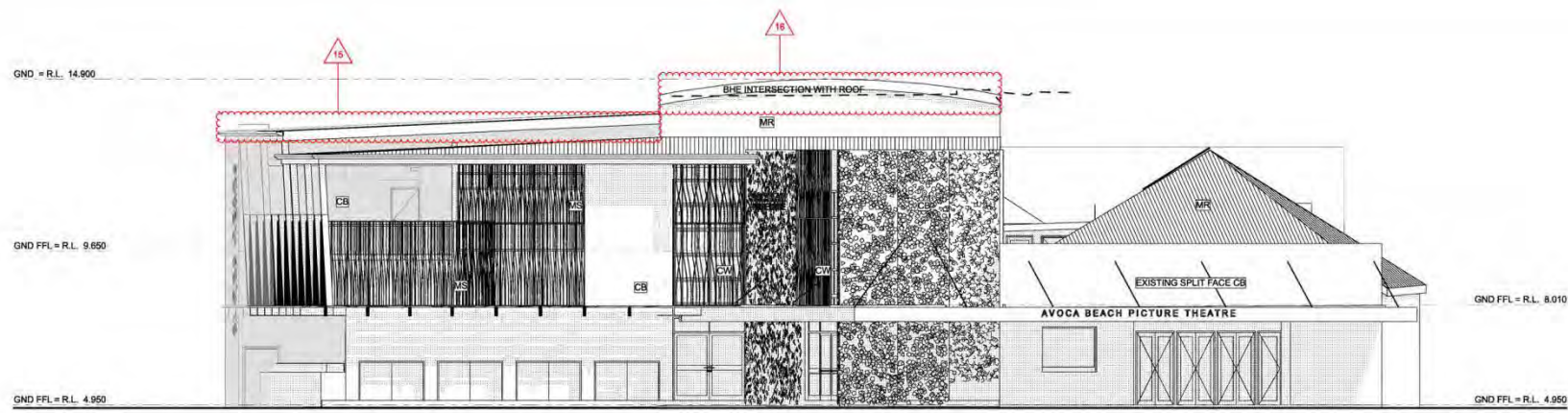
MIXED USE COMMERCIAL & RESIDENTIAL DEVELOPMENT
69-71 AVOCA DRIVE, AVOCA BEACH
FOR: LA PALOMA PROPERTY TRUST

ARCHITECT: ROB PULLAR REG. No. 5004

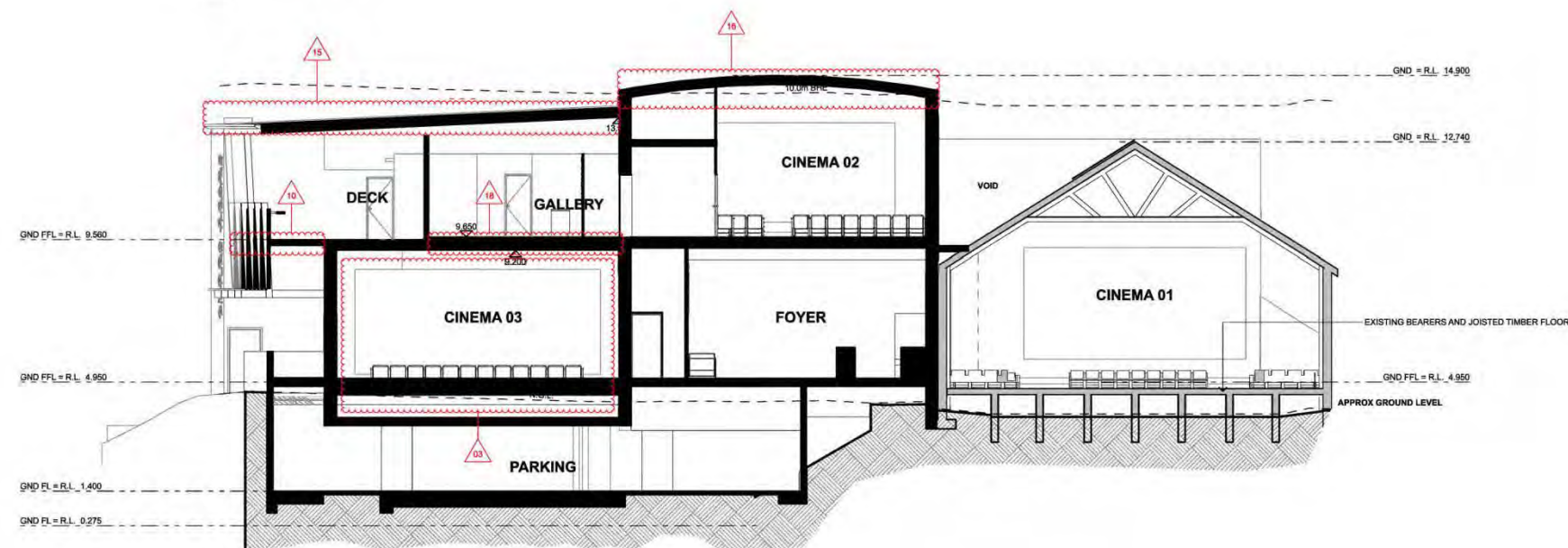
ARTICHOKE DESIGN STUDIOS
195 CAPE THREE POINTS ROAD
(P.O. BOX 227) AVOCA BEACH 2251
Ph: (02) 4382 1930 Fax: (02) 4381 2849

ELEVATIONS
1:100 @ A1 REVISION E
ABT - S.4.56 - A.07

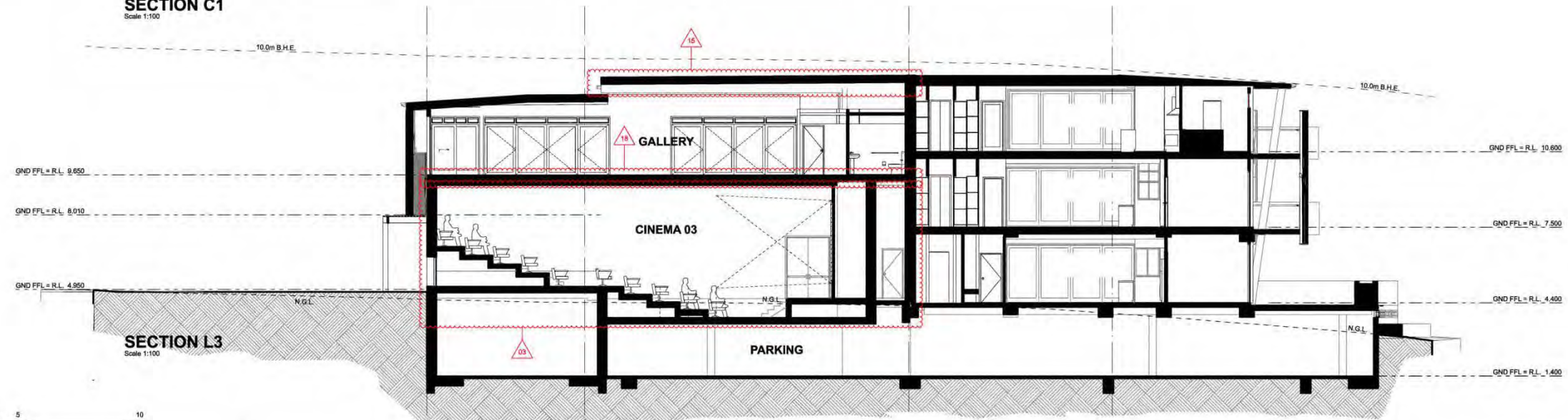




WEST ELEVATION
Scale 1:100



SECTION C1
Scale 1:100



SECTION L3
Scale 1:100

FINISHES KEY

CB	CONCRETE BLOCK
CW	GLASS CURTAIN WALL
DB	GLASS BALUSTRADE
GL	GLASS LOUVRES
MC	METAL CLADDING
MR	METAL ROOF
RP	RENDERED & PAINTED
TC	TERRACOTTA TILES
MS	METAL SCREEN

#	AMENDMENT	DATE
03	CONCOURSE REPLACED WITH REPLANNED CINEMA 3	
10	EXTEND DECK	23/07/2018
15	EXTEND BALCONY ROOF	
16	CINEMA 02 ROOF HEIGHT RAISED	
18	GALLERY FLOOR LEVEL RAISED	

MIXED USE COMMERCIAL & RESIDENTIAL DEVELOPMENT
69-71 AVOCA DRIVE, AVOCA BEACH
FOR: LA PALOMA PROPERTY TRUST

ARCHITECT: ROB PULLAR REG. No. 5004

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195 CAPE THREE POINTS ROAD
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SECTIONS
1:100 @ A1



REVISION E

ABT - S.4.56 - A.09



MIXED USE COMMERCIAL & RESIDENTIAL DEVELOPMENT
 69-71 AVOCA DRIVE, AVOCA BEACH
 FOR LA PALOMA PROPERTY TRUST

ARCHITECT: ROB PULLAR REG. No. 5004

ARTICHOKE DESIGN STUDIOS
 195 CAPE THREE POINTS ROAD
 (P.O. BOX 227) AVOCA BEACH 2251
 Ph: (02) 4382 1930 Fax: (02) 4381 2849

FSR

REVISION E
ABT - S.4.56 - A.12



Item No: 2.3
Title: Supplementary Report - DA/54005/2018 - Lot D DP 29752, 12 Ascot Avenue, Avoca Beach - Proposed New Dwelling & Swimming Pool & Demolition of Existing Dwelling
Department: Environment and Planning

8 April 2019 Ordinary Council Meeting

Trim Reference: F2019/00041 - D13470744
Author: Wayne Herd, Section Manager, Central Coast Building Certification
Manager: Brian Jones, Acting Unit Manager, Environment and Compliance
Executive: Scott Cox, Director, Environment and Planning

Summary

A development application has been received for demolition of existing dwelling and construction of a new dwelling and swimming pool at No. 12 Ascot Avenue, Avoca Beach.

Development Application 54005/2018 was referred to Council for consideration on 29 January 2019, where Council resolved to defer consideration of the item until a site inspection was conducted.

A site inspection was conducted on 18 February 2019. The purpose of this supplementary report is for Council to consider the matters raised at 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

The Development Application was considered, but not determined, at an Ordinary Meeting of Council on 29 January 2019. At that meeting Council resolved the following:

14/19 That Council defer the matter pending a site inspection.

In accordance with the resolution of Council, a site inspection was held onsite on 18 February 2019 at 12.30pm. The meeting concluded at 1.00pm. The following Councilors were in attendance:

2.3 Supplementary Report - DA/54005/2018 - Lot D DP 29752, 12 Ascot Avenue, Avoca Beach - Proposed New Dwelling & Swimming Pool & Demolition of Existing Dwelling (contd)

Councillor Jane Smith (Mayor)
 Councillor Chris Holstein (Deputy Mayor)
 Councillor Jeff Sundstrom
 Councillor Bruce Mclachlan

Also present at the site inspection were:

Council staff:

- Scott Cox, Director Environment and Planning;
- Jamie Loader, Unit Manager, Environment and Certification;
- Wayne Herd, Section Manager, Building Certification (South).

The meeting commenced with Wayne Herd providing an overview of the proposed development, a summary of the areas of non-compliance with the Gosford Local Environment Plan 2014 and the Gosford Development Control Plan 2013 development standards and a summary of the issues raised as part of the public consultation process.

The Councillors then asked Council staff questions in relation to the proposed development. The questions and responses are provided below.

- **How high is the proposed development in relation to the adjoining dwelling?**

The architectural plans were viewed onsite. The proposed dwelling will be 760mm higher than the neighbours dwelling on 10 Ascot Avenue.

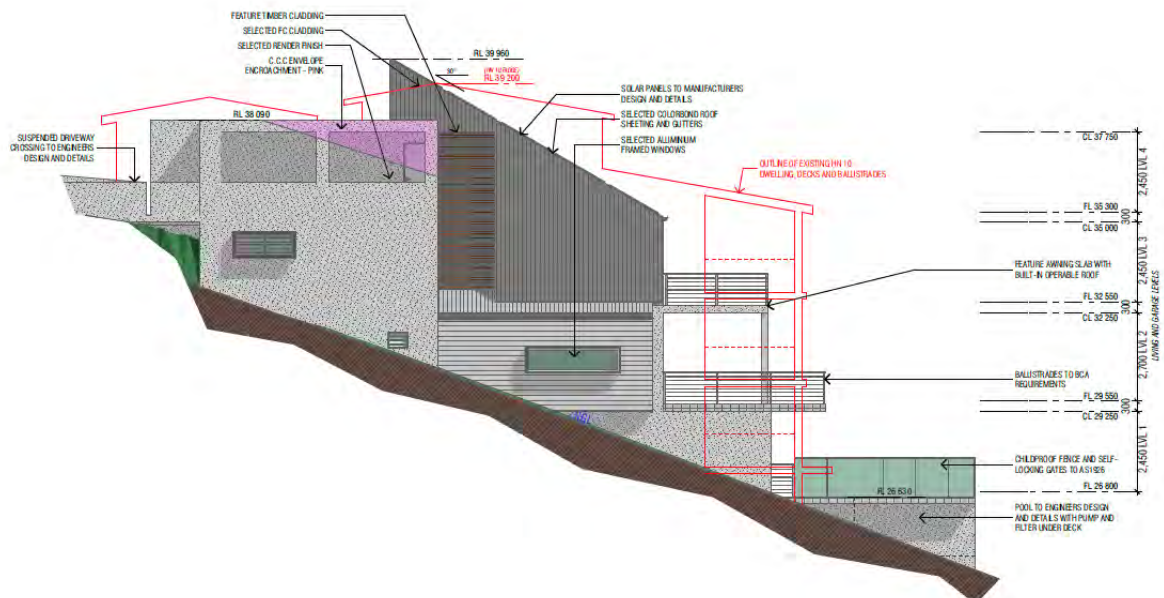


Figure 1 - southeast elevation of proposed dwelling including the profile of the northwestern adjoining dwelling outlined in red

2.3 **Supplementary Report - DA/54005/2018 - Lot D DP 29752, 12 Ascot Avenue, Avoca Beach - Proposed New Dwelling & Swimming Pool & Demolition of Existing Dwelling (contd)**

- **How far forward towards the road will the building extend on the site?**

The proposed dwelling will be setback 2.29metres from the front property boundary. The front property boundary is not the edge of bitumen. The property boundary is setback from the bitumen and is approximately in line with the garage at 10 Ascot Avenue. There were no survey pegs observed during the site inspection and therefore the exact location of the property boundary was not known.

- **What is the extent of the side boundary setback variation?**

The side boundary setback controls are 1.87m and 1.59m.

The proposed development seeks a side boundary setback of 1.2m for the garage and carport. The remainder of the building complies with the required side boundary setback. The amount of encroachment decreases towards the front of the garage and carport due to the slope of the land.

The architectural plans were viewed onsite and the areas of encroachment on the side boundary controls were shown to the Councillors.

- **What is the depth of excavation proposed?**

The proposal involves an excavation depth of 3.4m. The application has been supported by a Geotechnical Engineers report.

The planning control allows a maximum excavation depth of 3m. The control does not relate to the volume of material excavated from the site.

- **Where does the overshadowing occur on the neighbours property?**

The applicant has provided shadow diagrams. The shadows would be cast over part of the neighbours dwelling at 14 Ascot Ave within the front yard area. The overshadowing will be at its worst during the afternoon period.

The applicant has provided a comparison of a 'compliant in height' proposal and the proposal before Council, which is 600mm above the height control.

The extent of overshadowing between the two comparisons is considered minor and reasonable.

- **How will privacy be addressed from the balconies?**

2.3 Supplementary Report - DA/54005/2018 - Lot D DP 29752, 12 Ascot Avenue, Avoca Beach - Proposed New Dwelling & Swimming Pool & Demolition of Existing Dwelling (contd)

The proposed dwelling will increase the rear boundary setback when compared to the current dwelling. The increase will be approximately 2 metres. The adjoining neighbours view from 14 Ascot Avenue to the ocean and coastline will be improved.

The proposal involves balconies to the rear of the dwelling on each level. The proposed balconies are consistent in form and size to other dwellings along the hillside. It is not unreasonable for a degree of overlooking to occur where there is also a view to be enjoyed.

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 policies. The proposed development is considered reasonable and therefore it is recommended that Council grant development consent approval to DA 54005/2018.

Attachments

- 1 Original Report to Council 29 January 2019 with Development Plans and Draft Conditions of Consent D13493106



Item No: 2.2
Title: DA/54005/2018 - Lot D DP 29752, 12 Ascot Avenue, Avoca Beach - Proposed New Dwelling & Swimming Pool & Demolition of Existing Dwelling
Department: Environment and Planning

29 January 2019 Ordinary Council Meeting

Trim Reference: F2018/00020-05 - D13371863
 Author: Wayne Herd, Section Manager, Central Coast Building Certification
 Manager: Jamie Loader, Unit Manager, Development Assessment
 Executive: Scott Cox, Director, Environment and Planning

Summary

An application has been received for demolition of existing dwelling and construction of a new dwelling and swimming pool at No. 12 Ascot Avenue Avoca Beach. 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 required to be reported to Council due to the maximum floor space ratio for the building exceeding the development standard specified within clauses 4.4 and 4.5 of *Gosford Local Environment Plan 2014 (GLEP 2014)* by more than 10%. The proposal exceeds the permissible maximum floor space ratio of 0.5:1 by 0.12:1 (proposed at 0.62:1) or by 24%.

Applicant	Beehive Holdings Pty Ltd
Owner	Beehive Holdings Pty Ltd
Application No	54005/2018
Description of Land	Lot: D DP: 29752, 12 Ascot Avenue AVOCA BEACH
Proposed Development	New Dwelling & Swimming Pool & Demolition of Existing Dwelling
Site Area	404.7m ²
Zoning	R2 Low Density Residential
Existing Use	Dwelling House
Employment Generation	Nil
Estimated Value	\$948,000.00

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

**2.2 DA/54005/2018 - Lot D DP 29752, 12 Ascot Avenue, Avoca Beach -
Proposed New Dwelling & Swimming Pool & Demolition of Existing
Dwelling (contd)**

2 That Council advise those who made written submissions of its decision.

ORDINARY COUNCIL MEETING OF 29 JANUARY 2019

Moved: Councillor Sundstrom

Seconded: Mayor Smith

Resolved

14/19 That Council defer the matter pending a site inspection.

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

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

Background

Proposed Development	New Dwelling & Swimming Pool & Demolition of Existing Dwelling.
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	<p>The following planning policies and control documents are relevant to the development and were considered as part of the assessment.</p> <ul style="list-style-type: none"> • <i>Environmental Planning & Assessment Act 1979 - Section 4.15</i> • <i>State Environmental Planning Policy No. 71 - Coastal Protection (SEPP 71)</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 (GDGP)</i>

2.2 DA/54005/2018 - Lot D DP 29752, 12 Ascot Avenue, Avoca Beach -
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Dwelling (contd)

	2013)
Current Use	Dwelling House
Integrated Development	No
Submissions	One submission was received during the notification period.

2.2 DA/54005/2018 - Lot D DP 29752, 12 Ascot Avenue, Avoca Beach -
Proposed New Dwelling & Swimming Pool & Demolition of Existing
Dwelling (contd)

Variations to Policies

Gosford Local Environmental Plan 2014

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 253.8m ² on a 404.7m ² parcel of land equating to a FSR of 0.62:1. This represents a variation of 24%.

Clause	4.3 – Height of Buildings
Standard	Maximum Building Height - 8.5 metres.
Departure basis	The proposal seeks a maximum height of 9.1 metres to the ridge of the solar panel clad roof skillion. This represents a variation of 0.6 metre or 7% at the highest point.

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 9.1 metres to the ridge of the solar panel clad roof skillion. This represents a variation of 0.6 metre or 7% at the highest point. - The design of the proposed dwelling contains four storeys.

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 253.8m ² on a 405m ² parcel of land equating to a FSR of 0.62:1. This represents a variation of 24%.

2.2 DA/54005/2018 - Lot D DP 29752, 12 Ascot Avenue, Avoca Beach -
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Clause	3.1.3.1a – Front Boundary Setback
Planning Control	The permissible front setback is 7.35m. 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 and carport should have a 8.35m front setback.
Departure basis	The proposal seeks a front setback of 2.29m to the front garage and carport which is a 69% variation. The proposed garage and carport has a 2.29m front boundary setback which is a 73% variation.

Clause	3.1.3.1c – Side Setback
Planning Control	Side boundary setback of 1.87m (with a wall height of 8.375m) to eastern boundary and 1.59m (with a wall height of 7.29m) to western boundary.
Departure basis	The proposal seeks a minimum side boundary setback of 1.2m for the garage and carport to the eastern and western side boundaries which is a variation of 36% and 25% respectfully. The remainder of the building complies with the required side boundary setback due to the increase in setback to other components of the building and decreasing building height with the slope of the land.

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 6.21 metres wide. This represents a variation of 55%.

Clause	3.1.6.1 - Earthworks
Planning Control	Maximum cut permitted is 3m if located more than 1m from any boundary
Departure basis	A 3.4m excavation is proposed over the central portion of the development. This represents a variation of 13%.

2.2 DA/54005/2018 - Lot D DP 29752, 12 Ascot Avenue, Avoca Beach -
Proposed New Dwelling & Swimming Pool & Demolition of Existing
Dwelling (contd)

The Site

The site is known as No. 12 Ascot Ave, Avoca Beach and is located on the north-eastern side of Ascot Ave. The site is rectangular in shape and has an overall area of 404.7m² with a street frontage of 15.253 metres and an average depth of 26.775 metres.

The site slopes from the southwest (street level) to the north east (rear boundary) at an average of approximately 20 -22°. Site cutting and filling associated with the existing residence and existing retaining walls has reduced the amount of slope on the site.

The site currently has a two-storey brick veneer and tile roofed residential dwelling positioned centrally on the site and a brick veneer and concrete roofed garage parking platform in the southwestern portion of the site. All structures on the site are proposed to be demolished as part of this application.

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

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 12.5 to be included on any consent.



Figure 1 – Aerial view of Ascot Ave with the site highlighted in light blue. Since this aerial view was taken the four storey residential unit development to the northeast of the site (currently depicting as excavation with heavy machinery) has been completed.

**2.2 DA/54005/2018 - Lot D DP 29752, 12 Ascot Avenue, Avoca Beach -
Proposed New Dwelling & Swimming Pool & Demolition of Existing
Dwelling (contd)**

Surrounding Development

With the exception of the recent residential unit development to the rear of this site, the surrounding development consists of single dwellings within the R2 zone. The existing dwellings are stepped down the hillside with expansive glass openings facing the east to take advantage of ocean and coastal views.

A recently constructed residential unit development is situated on land fronting Avoca Drive and adjoining the rear boundary of the subject site. The residential unit development (known as the Quarterdeck) consists of 6 units over 4 levels and was permitted in the R2 zone under existing use rights provisions.



Figure 2 – Zoning map. Pink shading is the R2 zone with the subject site outlined in light blue. The light green shade is Avoca Beach zoned RE1 (Public Recreation).

2.2 DA/54005/2018 - Lot D DP 29752, 12 Ascot Avenue, Avoca Beach - Proposed New Dwelling & Swimming Pool & Demolition of Existing Dwelling (contd)



Photograph 1: subject site is the blonde brick dwelling (highlighted with a yellow arrow). Photo taken from a beachfront property along Avoca Drive.



Photograph 2: Photos taken from public footpath along Avoca Drive. Subject site highlighted with yellow arrow. Note the four storey residential unit development downslope of the site.

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Photograph 3: Taken from Ascot Ave. Black arrow points to north-western adjoining property. Blue arrow is the dwelling on the subject site. Red arrow points to south-eastern adjoining property.



Photograph 4: Taken from Ascot Ave looking northwest. Car in photo parked on parking platform above existing garage located on subject site.

2.2 DA/54005/2018 - Lot D DP 29752, 12 Ascot Avenue, Avoca Beach - Proposed New Dwelling & Swimming Pool & Demolition of Existing Dwelling (contd)



Photograph 5: Taken from Ascot Ave looking southeast. Car in photo parking on the existing parking platform of subject site.



Photograph 6: Taken from rear of existing parking platform representing relationship with subject site (marked with blue arrow) and northwestern adjoining dwelling.

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Proposed New Dwelling & Swimming Pool & Demolition of Existing
Dwelling (contd)



Photograph 7: Taken from rear of existing parking platform representing current relationship of subject site (marked with blue arrow) and south-eastern adjoining property.

The Proposed Development

The proposal seeks the demolition of the existing dwelling and the construction of a 2-storey dwelling and pool which will be sited more upslope of the existing dwelling footprint on the subject site. It is proposed to have 3 spaces for off-street parking consisting of a double garage and single carport separated by the entry to the dwelling.

The dwelling will be of a split level contemporary design over four levels consistent to hillside developments. The building is articulated with different roof forms, visually contrasted with a variety of textures and colours of external materials and of innovative design with a skillion roof to harness solar energy.

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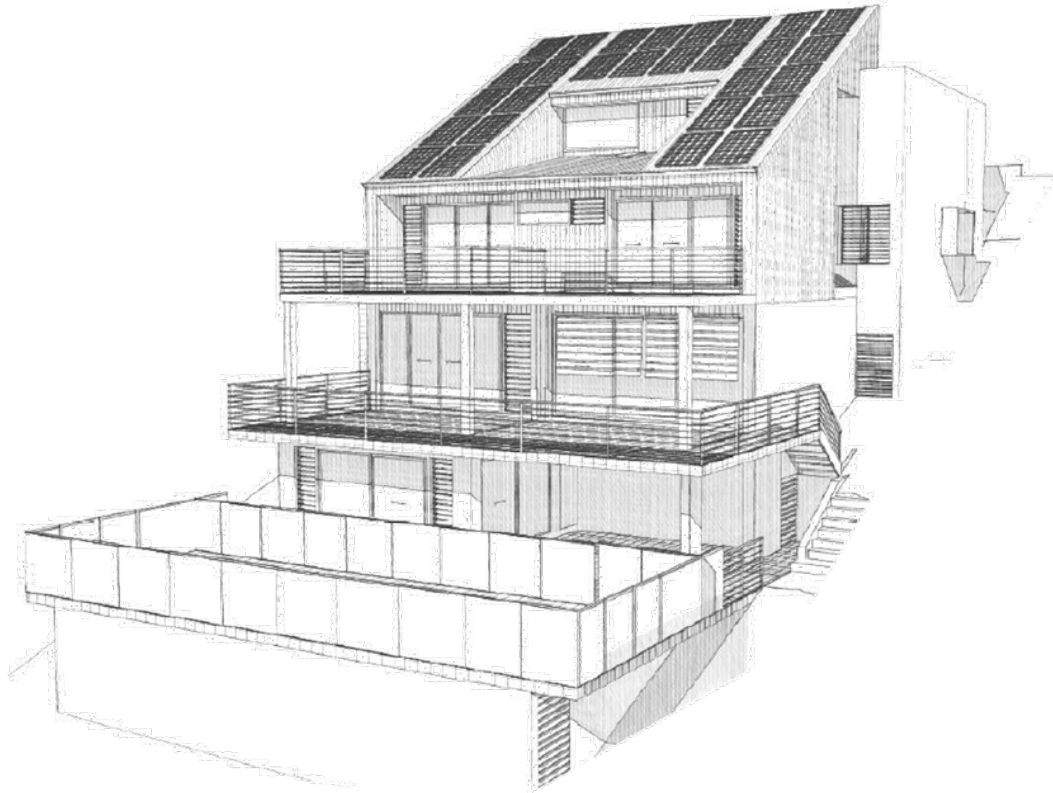


Figure 3 - Architectural perspective when viewed from the north of proposal supplied by the architect.

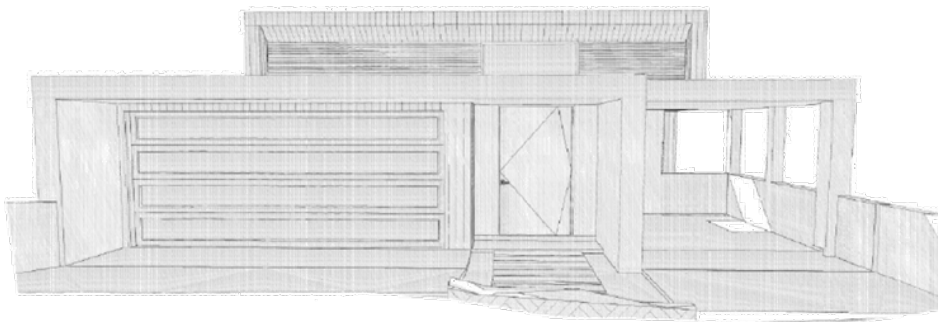


Figure 4 - Architectural street view perspective supplied by the architect

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Proposed New Dwelling & Swimming Pool & Demolition of Existing
Dwelling (contd)**

History

The current two storey dwelling received building approval in 1968 under (BA768/68). Building approval (47899/88) was also granted in 1988 for a timber deck and in 1990 approval (59312/90) was granted for the garage and parking platform above.

Consultation

Public Consultation

The development was notified between 27 March 2018 and 12 April 2018 in accordance with Chapter 7.3 of GDCP 2013.

One (1) public submission was received in relation to the application.

The issues raised in the submission are detailed below:

1. *Pool in back yard- requesting time constraint on use due to potential noise.*

Comment

The proposed pool is generally at ground level along the side adjacent to the dwelling, however is elevated above the ground towards the rear of the site due to the steep topography. Decking is proposed to the pool surround with the main usable portion of deck positioned on the northern western side of the pool, away from the objectors dwelling. The pool is associated with a single dwelling and the expected noise generated from pool activities would be consistent with family activities within a residential environment. A draft condition has been included requiring pool filter to be adequately sound proofed (Condition 6.1).

2. *Potential loss of view and privacy*

Comment

The proposal provides an increase to the rear boundary setback when compared to the current dwelling. The increase is measured at approximately 2m. The south-eastern adjoining neighbours view of the ocean and coastline will be greater with the proposed position of the dwelling.

The proposal involves decking areas to the rear of the dwelling at each habitable level. The proposed decking is to take advantage of paramount views of the coastline and ocean. Furthermore the proposed decks are consistent in form and size to other more recent dwellings along this hillside. It is not unreasonable for a degree of overlooking to occur where there is also a view to be enjoyed.

2.2 DA/54005/2018 - Lot D DP 29752, 12 Ascot Avenue, Avoca Beach - Proposed New Dwelling & Swimming Pool & Demolition of Existing Dwelling (contd)

3. *Shadowing of front yard area of south-eastern adjoining property.*

Comment

The applicant has provided shadow diagrams presenting the degree of shadow cast on the south-eastern adjoining property. Considering the orientation of the side boundaries, it is expected that shadows would be cast over portion of the dwelling and within the front yard of the adjoining dwelling, particularly during the afternoon period.

The applicant has provided a comparison of a 'compliant in height' proposal and the proposal before Council, being 600mm above the height control. The diagrams included within the report are during the winter solstice, at the time when the sun is at its lowest in the sky.

The extent of overshadowing between the two comparisons represents little difference. Furthermore the shadowing is cast mainly over the area between the front of the dwelling and parking structure. This area is relatively steep and would be predominately used to traverse between the dwelling and parking structure and roadway.

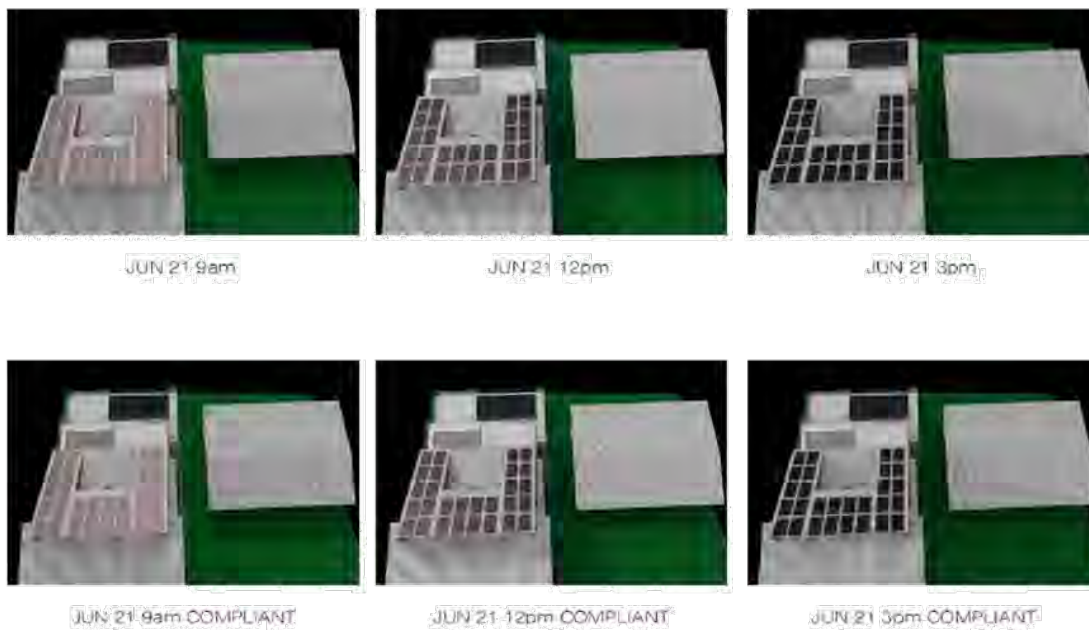


Figure 5 - Shadow diagrams provided by architect of the winter solstice. The top three diagrams are the proposed building, whilst the bottom three represents a compliant building, 600mm lower.

**2.2 DA/54005/2018 - Lot D DP 29752, 12 Ascot Avenue, Avoca Beach -
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Dwelling (contd)**

4. *Land slippage*

Comment

The proposal involves bench excavation of the site to accommodate the levels of the dwelling by up to 3.4m. Having regard to the slope of the site and extent of excavation, the application is supported by a geotechnical engineers report prepared by a qualified and experienced geotechnical engineer.

The geotechnical engineers report has regard to the extent of excavation of the site and references the drawings forming part of this application. The report states that a fieldwork analysis has occurred and there were no visual signs either on or around the site which would prohibit site redevelopment.

Draft Conditions have been included requiring compliance with the recommendations of the Geotechnical Engineers report (Condition 3.9 & 4.12)

5. *The extent of green space*

Comment

It is not unusual for developments on steep sloping sites to have reduced green space than what is normally anticipated on a level or near level site. Inevitably, on a steep site the building takes up a larger footprint by stepping of the building to accommodate the slope and to limit the amount of excavation.

The proposed dwelling complies with the site coverage provisions. Site coverage is defined within *Chapter 3.1 – Dwelling Houses, Secondary Dwellings and Ancillary Development of GDCP 2013*, being the proportion of a site that is covered by buildings and ensures that there is an appropriate area of the site that is not built upon. The proposed dwelling has a site coverage of 43% which is 17% below the maximum coverage of 60%.

Internal Consultation

Development Engineering

Council's Development Assessment Engineer has reviewed the application and provides the following comments:

Supported, subject to conditions relating to works within the road reserve. (Conditions 2.2, 2.3, 5.6 & 5.7)

**2.2 DA/54005/2018 - Lot D DP 29752, 12 Ascot Avenue, Avoca Beach -
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Water and Sewer Assessment

Council's Water and Sewer section has reviewed the application and provides the following comments:

Supported without conditions.

Ecologically Sustainable Principles:

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

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

Climate Change

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

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

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Dwelling (contd)

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 No. 71 – Coastal Protection

State Environmental Planning Policy No. 71 (Coastal Protection) (SEPP 71) was repealed on 3 April 2018 when the *State Environmental Planning Policy (Coastal Management) 2018* (SEPP Coastal Management) came into effect. The savings and transitional provisions contained within the SEPP Coastal Management state the SEPP 71 provisions continue to apply if a development application is lodged and not finally determined prior to the commencement of the SEPP Coastal Management.

The provisions of SEPP 71 require Council to consider the Aims and Objectives of the SEPP 71 together with the matters for consideration listed in Clause 8 of the SEPP 71 when determining an application within the Coastal Zone. The Coastal Zone is an area defined on maps issued by the NSW Department of Planning & Environment and the subject property falls within this zone.

The relevant matters have been considered in the assessment of this application. The application is considered consistent with the stated aims and objectives.

State Environmental Planning Policy (Coastal Management) 2018

Whilst the savings and transitional provisions of SEPP Coastal Management apply, the proposed development has also been considered against the provisions of SEPP Coastal Management and considered satisfactory.

Gosford Local Environmental Plan 2014

Permissibility

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.

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Dwelling (contd)**

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.

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	9.1 metres to the ridge of the solar panel clad roof skillion.	No – see comments below	7%	Yes – see comments below
4.4 – Floor space ratio	0.5:1 maximum	0.62:1	No- see comments below	24%	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.

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Proposed New Dwelling & Swimming Pool & Demolition of Existing
Dwelling (contd)**

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 9.1 metres in lieu of the 8.5 metre mapped maximum height limit applicable to the allotment, resulting in a variation of 7%.

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 maximum floor space ratio for the building of 0.62:1 in lieu of the 0.5:1 ratio as shown for the land on the Floor Space Ratio Map, resulting in a variation of 24%.

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*
 - 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 7%. In requesting the variation, the applicant has provided the following comments in support of the proposal:

- *The land slopes steeply from the front to the rear boundary which causes the building to project above the existing ground level more than the maximum height of 8.5m in the centre of the site. The portion of the building that exceeds the height limit is indicated on the plans submitted with the application.*
- *The part of the building that exceeds the height limit is limited to a small section of roof at the middle of the site where the roof extends over the centre core of the building that contains a lift that connects all of the levels of the building. Due to the stepping of the building down the site it is not possible to relocate the lift to any other location.*

**2.2 DA/54005/2018 - Lot D DP 29752, 12 Ascot Avenue, Avoca Beach -
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Dwelling (contd)**

- *The overall height of the building could be reduced by extending the flat roof of the garage over the entry and lift, however this would be detrimental to the design of the dwelling and result in a less attractive building.*
- *The additional height does not result in any significant impact on the amenity of any adjoining properties in relation to overshadowing or loss of view.*
- *The height of the building is consistent with the height of other developments in the locality in particular the 4 level dwelling on the adjoining site to the north of the subject site at 10 Ascot Ave and the existing dwelling at 8 Ascot Ave which has a similar roof form.*
- *Other than the small part of the building that encroaches on the height limit the remaining part of the dwelling is well under the maximum height control.*

Comment:

In terms of the proposed design, it is noted that the height exceedance is at 600mm across the ridge and will be consistent to the height of other buildings on the hillside. The proposal meets the relevant zone objectives and does not cause view loss impacts to the adjoining properties.

The proposed development is consistent with the height and scale of other dwellings within the immediate area. In addition, the development would not impose any detrimental impact on the amenity of residents in nearby dwellings. It has been concluded the steepness of the site together with the current levels set by the existing buildings contribute to the difficulty in complying with the height controls.

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

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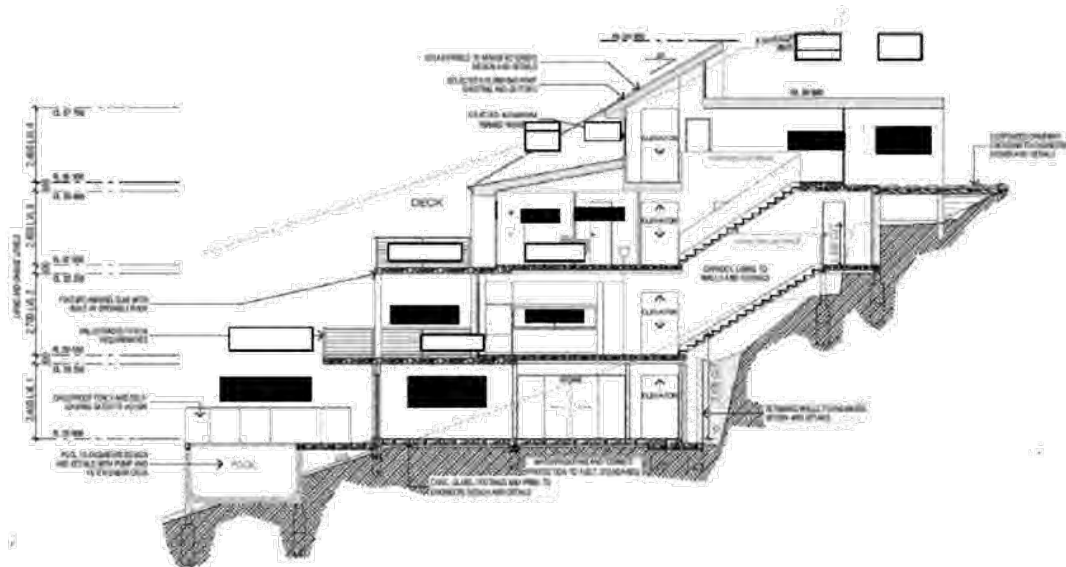


Figure 6 - Section drawing presenting building height encroachment

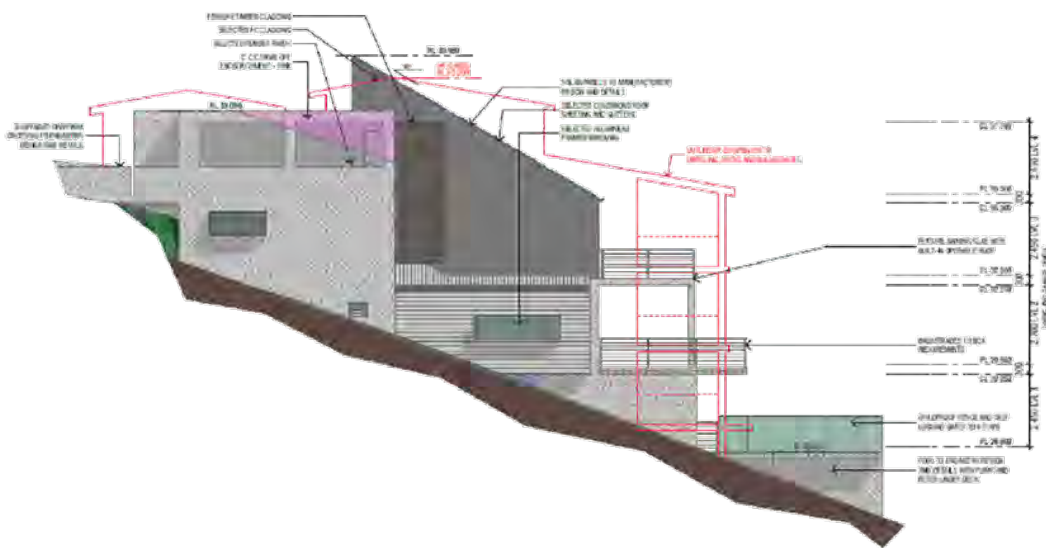


Figure 7 - southeast elevation of proposed dwelling including the profile of the northwestern adjoining dwelling outlined in red

The applicant has provided a detailed request to vary the mapped floor space ratio development standard of Clause 4.4 by the proposed 24%. In requesting the variation, the applicant has provided the following matters in support of the proposal: -

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Dwelling (contd)**

- *The site has an area of 404.7m² which significantly restricts the size of any future dwelling on the site to 202.35m² when the 0.5:1 FSR is applied.*
- *Other development in the locality in particular the four level dwelling to the north on a similar size site and the recent residential flat building development to the east at 120 Avoca Drive, have considerable more bulk than the proposed development.*
- *Development consent was issued by council for a dwelling at 22 Ascot Ave DA44164/2013 with a FSR of 0.644:1 on a site with an approximate area of 584m² i.e. floor area of 22 approx. 376m².*
- *Part of the building is located below ground level. This part of the building adds to the gross floor area of the building however it does not add to the bulk and scale of the building.*
- *Notwithstanding the strict numerical non-compliance with the maximum allowable FSR, the proposed development will relate reasonably in terms of bulk, scale and height with existing and likely future development on adjoining properties and in the immediate locality. As such, the proposed development is consistent with the objective of establishing standards for the maximum development density and intensity of land use.*
- *The proposed development will result in acceptable amenity impacts on the adjoining development and the adequate measures ensure visual and acoustic privacy will minimise adverse environmental effects on the use and enjoyment of adjoining properties and the public domain.*
- *The proposed development will maintain an appropriate visual relationship between new development and the existing character of the area which includes numerous multi dwelling housing developments along Avoca Drive to the east of the site.*
- *The proposed development includes a well-articulated building form and utilizes a good variety of building materials that serve to reduce the apparent bulk and scale of the building. The resultant built form will provide for an appropriate correlation between the size of a site and the extent of the development on the site.*

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Proposed New Dwelling & Swimming Pool & Demolition of Existing
Dwelling (contd)**

Comment:

It is considered the proposed development would be consistent with the scale and bulk of other dwellings within the immediate area. The dwelling on the north western adjoining land has a similar size land area and a floor space ratio of 0.71:1.

The applicants submission, specified a floor space ratio of 0.644:1 of the new dwelling under construction at No. 22 Ascot Ave (located 5 properties to the south of the subject land), however Council records specify a floor space ratio of 0.62:1. The application was approved by Council at its meeting of 8 March 2016. There are some older dwellings along the hillside with complying floor space ratio, however they are not excavated into the site as the proposed development and would therefore appear to have a similar bulk and scale to the proposed development.

In addition, the development would not impose any detrimental impact on the amenity of residents in nearby dwellings. It has been concluded the relatively small size of the allotment together with the consistency of bulk and scale of nearby dwellings would support the justification to vary the floor space ratio controls.

Having regard to the site factors, minimal impact on the character of the area and that of the residents, the applicants request to vary the maximum floor space ratio development standard is considered reasonable and therefore 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 and the objectives of the development standards as outlined under GLEP 2014 in that the development is consistent with the planned residential densities and heights of other dwellings surrounding the subject site. The design is considered to be compatible with the desired future character and therefore 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 recent developments on this eastern facing hillside of Avoca Beach. The development will not unreasonably impact on the amenity to the adjoining properties with regards to overshadowing and the design effectively takes into consideration view sharing and privacy.

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Dwelling (contd)**

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.

Accordingly, after consideration, the applicant's written request is considered to have adequately justified that compliance with the development standard is unreasonable and unnecessary in this instance and there are sufficient environmental planning grounds to justify contravening the development standard.

Gosford Development Control Plan 2013 (GDGP 2013)

Chapter 2.1 Character

The site is located within the Avoca 4: Open Woodland Hillsides precinct of Avoca Beach. The desired character of this precinct states:

'to minimise the scale and bulk of buildings by stepping floor-levels to follow natural slopes and by using irregular floorplans to create well-articulated forms.'

The proposed dwelling design has both these features and is considered to be consistent with the desired character of the precinct.

Chapter 3.1 Dwelling Houses, Secondary Dwellings & Ancillary Development

Chapter 3.1	Requirement	Proposed	Compliance
Clause 3.1.2.1 Building Height	Three storeys on steeply sloping sites	The dwelling has four storeys	No – see comments below
	8.5 metre maximum building height	9.1 metres	No – see comments below

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Dwelling (contd)**

Chapter 3.1	Requirement	Proposed	Compliance
Clause 3.1.2.2 Site Coverage	Maximum 60% site coverage on land size less than 450m ²	Less than 60% site coverage is proposed (43%)	Yes
Clause 3.1.2.3 Floor Space Ratio	0.5:1 floor space ratio	0.62:1 floor space ratio proposed	No – see comments below No – see comments below
Clause 3.1.3.1a – Front Setback	The permissible front setback is 7.35m. This is the average of the two adjoining properties (excluding the garage structures built close to the front boundary). Garage setback to be setback 1.0 metre behind front boundary setback	2.290 metres to the front garage and carport Garage is forward of the proposed dwelling on the allotment	No – see comments below No – see comments below
Clause 3.1.3.1b – Rear Setback	6m Rear setback to a private allotment with a wall height greater than 4.5m	7.2 metres	Yes
Clause 3.1.3.1c – Side Setback	Side boundary setback of 1.87m (with a wall height of 8.375m) to eastern boundary and 1.59m (with a wall height of 7.29m) to western boundary.	1.2 metres	No – see comments below
Clause 3.1.3.3.2 – Garage Door Articulation	Maximum 6m width garage door	5.6metres	Yes
Clause 3.1.4.1	To encourage view sharing between properties	Meets the requirements for view sharing under the NSW Land and Environment Court Planning Principles	Yes

**2.2 DA/54005/2018 - Lot D DP 29752, 12 Ascot Avenue, Avoca Beach -
Proposed New Dwelling & Swimming Pool & Demolition of Existing
Dwelling (contd)**

Chapter 3.1	Requirement	Proposed	Compliance
Clause 3.1.4.2 Visual Privacy	To minimise direct overlooking between main living areas and areas of principle private open space within the site and adjoining sites	Given the steep topography of the site, the proposal is considered to meet the requirements of this clause.	Yes
Clause 3.1.5 – Car Parking and Access	2 car spaces 4 metres driveway width required	3 car spaces 6.21 metres	Yes No – see comments below
Clause 3.1.6 Earthworks, Structural Support and Drainage	Cut – 3m if more than 1m from the boundary	3.4 metres over the central portion of the development.	No – see comments below
Clause 3.1.6.2 Retaining Walls and Structural Support	Retaining wall greater than 600mm in height shall be designed by a structural Engineer.	No structural Engineering details provided at DA stage	Yes – see comments

Clause 3.1.2.1 Building Height

The proposed development seeks variation to the permitted number of storeys and the maximum building height.

Chapter 3.1 of GDCP 2013 permits 3 storeys on steeply sloping land and a maximum building height of 8.5m. The proposed development is 4 storeys with a maximum building height of 9.1 metres as shown in Figure 6.

The multi-level design is consistent with other developments in the vicinity of the site given the topography of the area. The proposal when viewed from the Ascot Ave would be perceived as having two levels. The adjoining dwelling to the northwest has four levels. The upper level of the proposed dwelling is contained within the skillion roof. The proposed variation related to number of storeys is considered acceptable and supported in this instance.

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Dwelling (contd)**

The applicant seeks a variation to the proposed maximum height of the dwelling. In this regard, the proposal seeks a maximum overall height of 9.1 metres in lieu of the 8.5 metre mapped maximum height limit applicable to the allotment. The variation proposed is 7%.

An assessment of the building height has been carried out under GLEP 2014. In terms of the proposed design, it is noted that the height exceedance is at 600mm across the ridge and will be consistent to the height of other buildings on the hillside. The proposal meets the relevant zone objectives and does not cause view loss impacts to the adjoining properties.

It is considered the applicants request to vary the development standard would result in a dwelling which is consistent to the height and scale of other dwellings within the immediate area. In addition, the development would not impose any detrimental impact on the amenity of residents in nearby dwellings. The assessment has concluded the steepness of the site contributes to the difficulty in complying with the height controls together with the current levels set by the existing surrounding buildings, strict compliance with the set standards is difficult to justify.

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

Clause 3.1.2.3 Floor Space Ratio

The applicant seeks a variation in relation to the proposed maximum floor space ratio of the dwelling. In this regard, the proposal seeks a maximum floor space ratio for the building of 0.62:1 in lieu of the 0.5:1 ratio as shown for the land on the Floor Space Ratio Map, resulting in a variation of 24%.

An assessment of the floor space ratio has been carried out under GLEP 2014. It is considered the applicants request to vary the development standard would be consistent to the scale and bulk of other dwellings within the immediate area. The dwelling on the north western adjoining land having a similar size land area has a floor space ratio of 0.71:1.

The applicant in their submission, specified a floor space ratio of 0.644:1 for the new dwelling under construction at No. 22 Ascot Ave (located 5 properties to the south of the subject land), however Council records specify a floor space ratio of 0.62:1. The application was approved by Council at its meeting of 8 March 2016. There are some older dwellings along the hillside with complying floor space ratio, however they are not excavated into the site as much as the proposed development and would therefore appear to have a similar bulk and scale.

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The development would not impose any detrimental impact on the amenity of residents in nearby dwellings. It has been concluded the relatively small size of the allotment together with the consistency of bulk and scale of nearby dwellings would support the justification to vary the floor space ratio controls.

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

Clause 3.1.3.1a – Front Setback

The proposed development seeks variation for the front setback to Ascot Avenue. The subject lot is heavily constrained due to the slope of the land; therefore car parking behind the required setback is impractical in this instance. The proposal is to have three parking spaces on the site which is appropriate in this instance as Ascot Ave is narrow and street parking is very limited. Garages and parking structures forward of the building line are a consistent part of the Ascot Avenue streetscape.

The proposal is also to include a 2.1m projection adjacent to the double garage and entry area. The projection is similar to an awning structure designed with masonry blade walls at each end and joined with an architectural parapet concealing the roof. The projection is proposed to extend to the front boundary and would introduce some visual impact on the streetscape. The removal of this component would improve streetscape and the desired character of the area and also not significantly impact on the functionality of the proposed dwelling. Accordingly, condition 2.6 requires the removal of this component of the building.

The proposed variation is considered to achieve the objectives of Chapter 3.1 of GDCP 2013 by ensuring the setback is compatible with adjacent development and compliments the character and streetscape. No objections have been raised in relation to the setback encroachment. Therefore it is considered acceptable and supported in this instance.

Clause 3.1.3.1 – Side Setback

The proposed development seeks a variation to the permitted side boundary setbacks as a result of the building's height. In considering the requested variation, a review of the proposal in terms of the relevant objectives of Chapter 3.1 of GDCP 2013 is necessary. Relevant objectives of Chapter 3.1 are as follows:

- To ensure that setbacks are compatible with adjacent development and complements the character, streetscape, public reserve, or coastal foreshore
- To protect the views, privacy and solar access of adjacent properties

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- To maintain view corridors to coastal foreshores and other desirable outlooks
- To provide appropriate articulation of facades and horizontal elements reduce the appearance of bulk and provides visual interest to the building and subsequent streetscape where they face a street frontage/s.

Part of the proposed carport and double garage will encroach beyond the required setback as indicated on the plans. These structures are located close to the street frontage and adjoin a carport to the east and garage to the west. The encroachment on the building setback is unlikely to have any significant impact on the adjoining properties. The extent of the encroachment only relates to a triangular section part of the building. Additionally the carport section of the building is open to the side which reduces any potential impact.

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

Clause 3.15 – Car Parking and Access

GDCP 2013 requires a maximum 4.0m wide driveway measured at the crossover. The proposed driveway is 6.21m which is a variation of 55%. The garage and carport are located close to the road alignment and a splay to the driveway at the intersection with the road alignment would create access issues with a narrow roadway adjacent to the site. Furthermore, the existing width of driveway at the road alignment is the same as proposed.

The proposed driveway is considered to be in keeping with the driveways located on the street and will have minimal impact on the environment. The variation is supported in this instance.

Clause 3.1.6 Earthworks, Structural Support and Drainage

The proposal seeks a maximum cut of approximately 3.4 metres at the rear wall of the garage in lieu of the permitted 3.0 metres. This represents a variation of 400mm or 13%.

The main bulk of excavation occurs centrally on the site and is relatively concealed by the proposed dwelling. It is further noted that the subject application is supported by an appropriate geotechnical assessment which provides recommendations on site excavation and subsequent retaining design.

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

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Clause 3.1.6.2 Retaining Walls and Structural Support

The applicant has not provided Structural Engineering details with the development application, however the Principal Certifying Authority appointed for this development will be required to acquire structural engineering drawings referring to the geotechnical engineers report during the construction stage (Condition 3.9)

Chapter 6.4 Geotechnical Requirements for Development Applications

The property is mapped as being in a medium & high hazard landslip risk. In this regard, the development proposal has been supported by an appropriate geotechnical report prepared by Forum Consulting Engineers Reference 801001, dated 16 February 2018 and addendum report dated 5 June 2018. This report provides an assessment of ongoing slope stability and provides recommendations on structural engineers design and is considered appropriate. Accordingly, it is considered that no further information is required in order to support the subject development application from a geotechnical perspective.

Chapter 7.2 Waste Management

A Waste Management Plan has been submitted in support of the proposed development. Appropriate conditions have been included in the draft conditions of consent. (Condition 4.7)

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

Built Environment

Given the position of the proposed dwelling on the allotment, the existing driveway access to the site and 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.

A thorough 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.

Natural Environment

The proposal involves substantial site excavation in order to cater for the site's sloping topography. Whilst there is some impact upon the natural environment, this is considered to be reasonable as the main bulk of excavation occurs centrally on the site and is relatively concealed by the proposed dwelling. Accordingly, the proposal is considered satisfactory in relation to impacts on the natural environment.

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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 Sulfate Soils – The subject site has been identified as containing potential Class 5 acid sulfate soils. Whilst the proposal involves excavation up to some 3.4metres depth, given the site is located on a hillside above Avoca beach coastline, it is considered that the provisions of an acid sulfate soils management plan is not required.
- Bushfire – The subject site is mapped as being bushfire affected. In this regard, the development proposal has been accompanied by an appropriate bushfire self-assessment report. The building will need to be constructed to BAL 12.5 bushfire resisting construction.

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



Figure 8 - Extract from Councils bushfire mapping with the site highlighted in blue

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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 one (1) public submission which has been addressed previously in this report.

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

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 | Draft Conditions of Consent | D13372122 |
| 2 | Development Plans | D13372139 |

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Attachment 1 - Draft conditions of consent

1. PARAMETERS OF THIS CONSENT

1.1. Approved Plans and Supporting Documents

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

Architectural Plans by: Max Thitchener Design

Drawing	Description	Sheets	Issue	Date
1705	Architectural details	1 to 10	C	15/8/18

Supporting Documentation

Document	Title	Date
Ref 801001	Geotechnical Engineers report and addendum from Forum Consulting Engineers	16/2/18 &5/6/18
Sheet CE112202-1 sheets 1 to 5 rev 1	Driveway design from CBH Surveyors and Engineers	9/7/18
895746S	Basix Certificate	23/1/18

- 1.2. Carry out all building works in accordance with the Building Code of Australia.
- 1.3. Comply with all commitments listed in BASIX Certificate as required under clause 97A of the *Environment Planning and Assessment Regulation 2000*.

2. PRIOR TO ISSUE OF ANY CONSTRUCTION CERTIFICATE

- 2.1. All conditions under this section must be met prior to the issue of any Construction Certificate.
- 2.2. Submit an application to Council under section 138 of the Roads Act 1993 for the approval of required works to be carried out within the road reserve.

Submit to Council Engineering plans for the required works within a public road that have been designed by a suitably qualified professional in accordance with Council's Civil Design Guide, Construction Specifications and Standard Drawings and *Chapter 6.3 - Erosion Sedimentation Control of the Gosford Development Control Plan 2013*. The

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Engineering plans must be included with the Roads Act application for approval by Council.

Design the required works as follows:

1. vehicle crossing that has a width of 4.00 meters and constructed with 150mm thick concrete reinforced with SL72 steel fabric
2. all redundant vehicular crossings are to be removed and footway formation reinstated
3. retaining walls. Retaining walls must be designed by a practising Civil / Structural engineer and must not conflict with services (if required)
4. elevated vehicular access crossing generally in accordance with the plan prepared by CBH Surveyors and Engineers , Drawing No., Sheet CE112202-1 sheets 1 to 5 rev 1, dated 9/7/18, and including the following:
 - the elevated structure being supported adjacent to the road pavement and within the boundary of the site. Intermediate supports are not permitted
 - no retaining walls within the road reserve
 - safety rails on both sides of the elevated vehicle crossing capable of withstanding vehicular impact loads in accordance with relevant Australian Standards
 - control joints are to be provided between the proposed vehicle crossing and the proposed driveway
 - 0.5 meters wide bitumen berm along the edge of the road
 - Proposed structures must not conflict with existing services/utilities
 - erosion and sedimentation control plan

The Roads Act application must be approved by Council prior to commencing works in the road reserve.

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 Service Centre on (02) 4325 8222)

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Dwelling (contd)**

- 2.3 Submit a dilapidation report to Council with the Roads Act application and / or Construction Certificate application. The report must document and provide photographs that clearly depict any existing damage to the road, kerb, gutter, footpath, driveways, street trees, street signs or any other Council assets in the vicinity of the development. The dilapidation report may be updated with the approval of the Principal Certifying Authority prior to the commencement of works.
- 2.4 Retain the land where any excavation is required below the adjoining land level and preserve and protect from damage any improvements or buildings upon that land including public roads and utilities.

If necessary, the improvements or buildings must be designed by a suitably qualified Registered Structural Engineer. Any design proposals prepared to comply with this condition are to include geotechnical investigations, any excavation that impacts on public infrastructure, and are to be submitted for the approval of the Accredited Certifier.

- 2.5 Assessment of the development against the provisions of Planning for Bush Fire Protection (2006) (NSW) has determined a Bush Fire Attack level (BAL) of **12.5**.

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.

- 2.6 Submit amendments to the approved plans to the Accredited Certifier pursuant to Clause 139 of the Environmental Planning Regulation 2000 that must detail a 600mm projection from the garage façade and entry of all blade walls, roofing and parapet/beam as opposed to a 2100mm projection.

3. PRIOR TO COMMENCEMENT OF ANY WORKS

- 3.1. All conditions under this section must be met prior to the commencement of any works.
- 3.2. No activity is to be carried out on-site until the Construction Certificate has been issued, other than;
- a) Site investigation for the preparation of the construction, and / or
 - b) Implementation of environmental protection measures, such as erosion control and the like that are required by this consent

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- c) Demolition approved by this consent.
- 3.3. Appoint a Principal Certifying Authority for the building work:
- a) The Principal Certifying Authority (if not Council) is to notify Council of their appointment and notify the person having the benefit of the development consent of any critical stage inspections and other inspections that are to be carried out in respect of the building work no later than two (2) days before the building work commences.
- b) Submit to Council a *Notice of Commencement of Building Works* or *Notice of Commencement of Subdivision Works* form giving at least two (2) days' notice of the intention to commence building or subdivision work. The forms can be found on Council's website www.centralcoast.nsw.gov.au
- 3.4. Erect a sign in a prominent position on any work site on which building, subdivision or demolition work is being carried out. The sign must indicate:
- a) The name, address and telephone number of the principal certifying authority for the work; and
- b) The name of the principal contractor and a telephone number at which that person can be contacted outside of working hours; and
- c) That unauthorised entry to the work site is prohibited.
- d) Remove the sign when the work has been completed.
- 3.5. Submit both a Plumbing and Drainage Inspection Application, with the relevant fee, and a Plumbing and Drainage Notice of Work in accordance with the *Plumbing and Drainage Act 2011* (to be provided by licensed plumber). These documents can be found on Council's website at: www.centralcoast.nsw.gov.au
- [Contact Council prior to submitting these forms to confirm the relevant fees.](#)
- 3.6. 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.
- 3.7. Notify the intention to commence works by giving written notice to the owner of the adjoining property affected by the proposed excavation and/or structural protective

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Dwelling (contd)**

works. The required notice must be accompanied by details of the proposed work at least seven (7) days prior to the commencement of proposed excavation and/or structural protection works.

- 3.8. Disconnect, seal and make safe all existing site services prior to the commencement of any demolition on the site. Sewer and water services must be disconnected by a licensed plumber and drainer with a Start Work Docket submitted to Council's Plumbing and Drainage Inspector as the Water and Sewer Authority.
- 3.9. 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(s) listed as supporting documentation in this development consent.
- 3.10. Erect a temporary hoarding or temporary construction site fence between the work site and adjoining lands before the works begin and must be kept in place until after the completion of the works, if the works:
- 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.

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

Each toilet must:

- 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*.
- 3.12. Undertake any demolition involving asbestos in accordance with the *Work Health and Safety Act 2011*.

The person having the benefit of this consent must ensure that the removal of:

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- a) more than 10m² of non-friable asbestos or asbestos containing material is carried out by a licensed non-friable (Class B) or a friable (Class A) asbestos removalist, and
- b) friable asbestos of any quantity is removed by a licensed removalist with a friable (Class A) asbestos removal licence.

The licensed asbestos removalist must give notice to the regulator before work commences in accordance with Clause 466 of the *Work Health and Safety Regulation 2011*.

4. DURING WORKS

- 4.1. All conditions under this section must be met during works.
- 4.2. Carry out construction or demolition works during the construction phase of the development only between the hours as follows:
 - 7:00am and 5:00pm Monday to Saturday

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

- 4.3. During the construction phase of the development, if any Aboriginal object (including evidence of habitation or remains) is discovered during the course of the work:
 - a) All excavation or disturbance of the area must stop immediately in that area, and
 - b) The Office of Environment & Heritage must be advised of the discovery in accordance with section 89A of the *National Parks and Wildlife Act 1974*.

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

- 4.4. Implement and maintain all erosion and sediment control measures at or above design capacity for the duration of the construction works and until such time as all ground disturbed by the works has been stabilised and rehabilitated so that it no longer acts as a source of sediment.
- 4.5. Keep a copy of the stamped approved plans on-site for the duration of site works and make the plans available upon request to either the Principal Certifying Authority or an officer of Council.

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- 4.6. Notify Council when plumbing and drainage work will be ready for inspection(s) and make the work accessible for inspection in accordance with the *Plumbing and Drainage Act 2011*.
- 4.7. Re-use, recycle or dispose of all building materials in accordance with the Waste Management Plan submitted with the subject application.
- 4.8. Erect or install prior to the swimming pool being filled with water all the required swimming pool safety barriers and gates in accordance with the approved plans and specifications and the provisions of the Swimming Pools Act 1992, Swimming Pools Regulations 2018 and Australian Standard AS 1926.1-2012 including the display of an approved sign regarding pool safety and resuscitation techniques that contains all of the following information:
- "YOUNG CHILDREN SHOULD BE SUPERVISED WHEN USING THIS SWIMMING POOL"
 - "POOL GATES MUST BE KEPT CLOSED AT ALL TIMES"
 - "KEEP ARTICLES, OBJECTS AND STRUCTURES AT LEAST 900mm CLEAR OF THE POOL FENCE AT ALL TIMES" and
 - A simple flow sequence (which may be the flow sequence depicted in the Cardiopulmonary Resuscitation Guideline) containing details of resuscitation techniques (for infants, children and adults)
- 4.9. Dispose filter backwash and overflow to the sewer. The sewer connection must be completed prior to the filling of the pool with water and in a manner that will not cause a nuisance, or where sewer is not available, the disposal of filter backwash must be discharged into a rubble absorption trench to the satisfaction of the Principal Certifying Authority.
- 4.10. Demolish all buildings and/or building components in a safe and systematic manner in accordance with Australian Standard AS 2601-2001: *The demolition of structures*. Waste materials must be disposed of at a waste management facility.
- 4.11. No fill other than that as indicated within the approved plans is permitted to be placed upon the site.
- 4.12. Implement all recommendations of the geotechnical report(s) listed as supporting documentation in this development consent. Furthermore, the geotechnical engineer must provide written certification to the Principal Certifying Authority that all works have been carried out in accordance with the recommendations contained within the geotechnical report(s).

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Dwelling (contd)**

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*.
- 5.3. 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 of BAL 12.5.
- 5.4. Install the required rainwater tank in the location as detailed within the approved development plans 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 supplementary flow from domestic mains does not take place until the capacity of the tank has been reduced to 20%.
- 5.5. Drain all stormwater from impervious surface areas, including pathways, driveways, roof and water tank overflow, to Avoca Drive via the inter-allotment drainage easement located on the rear adjoining property.
- 5.6. Complete works within the road reserve in accordance with the approval under the Roads Act 1993. The works must be completed in accordance with Council's Civil Design Guide, Construction Specifications and Standard Drawings and Chapter 6.3 - Erosion Sedimentation Control of the Gosford Development Control Plan 2013. Documentary evidence for the acceptance of such works must be obtained from the Roads Authority.
- 5.7. Rectify to the satisfaction of Council any damage not shown in the dilapidation report submitted to Council before site works had commenced. Any damage will be assumed to have been caused as a result of the site works undertaken and must be rectified at the developer's expense.

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6. ONGOING OPERATION

- 6.1. Insulate and / or isolate the motor, filter, pump and all sound producing equipment or fitting associated with or forming part of the pool filtering system so as not to create an offensive noise to the occupants of the adjoining premises as defined in the *Protection of the Environment Operations Act 1997*.

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

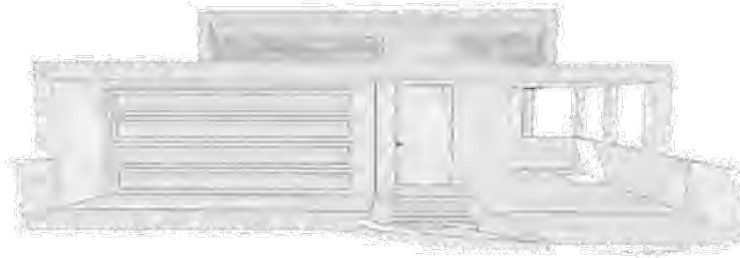
- Discharge of sediment from a site may be determined to be a pollution event under provisions of the *Protection of the Environment Operations Act 1997*. Enforcement action may commence where sediment movement produces a pollution event.
- The following public authorities may have separate requirements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

**2.2 DA/54005/2018 - Lot D DP 29752, 12 Ascot Avenue, Avoca Beach -
Proposed New Dwelling & Swimming Pool & Demolition of Existing
Dwelling (contd)**

- 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
 - The inspection fee for works associated with approvals under the *Roads Act 1993* is calculated in accordance with Council's current fees and charges policy.

DEVELOPMENT APPLICATION

NEW DWELLING AND SWIMMING POOL
No. 12 ASCOT AVENUE, AVOCA BEACH

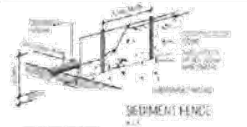


DRAWING INDEX	
DRAWING #	DRAWING NAME
1	COVER PAGE
2	SITE PLAN AND WATER CYCLE MANAGEMENT PLAN
3	LEVEL 4
4	LEVEL 3
5	LEVEL 2
6	LEVEL 1
7	ELEVATIONS
8	ELEVATIONS
9	ELEVATIONS
10	SECTION & BASIS COMMENTS

	MAX TRITCHENER DESIGN 170 Rex St 4 Telopea NSW 2260 PH: 654 8733 WWW.DELTA.DESIGN.COM.AU	PROJECT: NEW DWELLING AND SWIMMING POOL LOCATION: No. 12 ASCOT AVENUE AVOCA BEACH	DATE: 15/08/2018 DRAWING: COVER PAGE	SCALE: BEEHIVE HOLDINGS DRAWING: COVER PAGE	DRAWN: RT CHECKED: NTS	DATE: 15/08/2018 SCALE: C	SHEET: 1 / 10 TOTAL SHEETS: 1705	APPROVED: [Signature] DATE: 08/07/2018 PROJECT NO: 15-00-001
	PRODUCT ORIGINATOR'S PROPERTY - NOT TO BE REPRODUCED WITHOUT PERMISSION							

2.2 DA/54005/2018 - Lot D DP 29752, 12 Ascot Avenue, Avoca Beach - Proposed New Dwelling & Swimming Pool & Demolition of Existing Dwelling (contd)

SITE CALCULATIONS		
SITE AREA		204.7 m ²
OPEN SPACE AREA	32%	128.14 m ²
FSR		0.65:1
RESIDENCE		N/A m ²
EXISTING LIVING		N/A m ²
PROPOSED LIVING		296.03 m ²
TOTAL LIVING		296.03 m ²
EXISTING DECKS		N/A m ²
PROPOSED DECKS		172.43 m ²
PROPOSED SWIMMING POOL		60.32 m ²

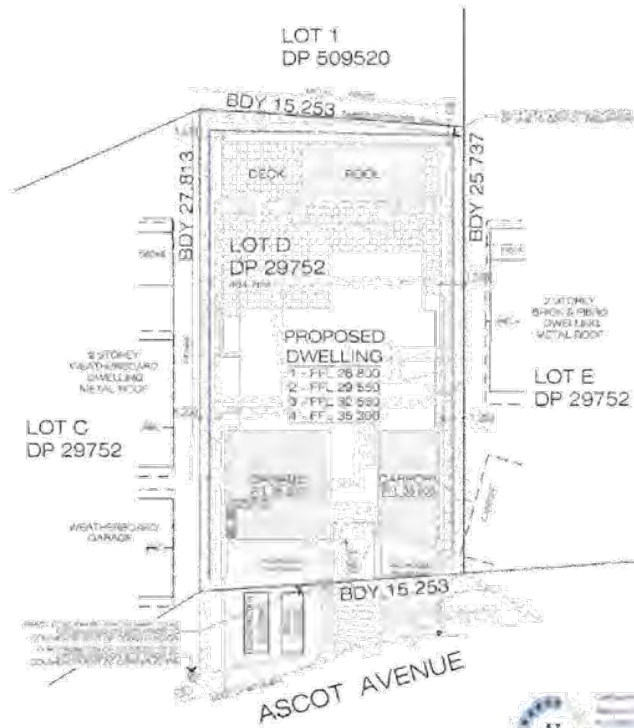


SEDIMENT FENCE

1. All structures and foundations shall be constructed according to the relevant Australian Standards. The design shall be approved by the Council. The design shall be based on the following assumptions:

1. The design shall be based on the relevant Australian Standards.
2. The design shall be based on the relevant Australian Standards.
3. The design shall be based on the relevant Australian Standards.
4. The design shall be based on the relevant Australian Standards.
5. The design shall be based on the relevant Australian Standards.
6. The design shall be based on the relevant Australian Standards.
7. The design shall be based on the relevant Australian Standards.
8. The design shall be based on the relevant Australian Standards.
9. The design shall be based on the relevant Australian Standards.
10. The design shall be based on the relevant Australian Standards.

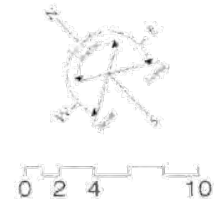
- SITE NOTES:**
- NO KNOWN OR SUSPECTED CONTAMINATION ON SITE
 - NO KNOWN OR SUSPECTED CONTAMINATION ON SITE
 - CUT AND FILL SHOWN CALCULATIONS & SECTION
 - PROVIDE SUTATION BARRIERS AS REQUIRED BY COUNCIL
 - WASTEWATER MUST BE DISCHARGED TO WATER SINK WITH OVERFLOW TO LOCAL POINT OF DISPOSAL
 - NO EXISTING TREES TO BE REMOVED
 - THE BUILDING SITE IS TO BE SECURED BY A SAFETY FENCE TO PREVENT UNAUTHORIZED PUBLIC ACCESS DURING THE COURSE OF CONSTRUCTION
 - ALL LEVELS TO AHD



NOTE: THE PROPOSED DEVELOPMENT IS TO BE CONSTRUCTED IN ACCORDANCE WITH THE RELEVANT AUSTRALIAN STANDARDS AND THE RELEVANT LOCAL GOVERNMENT REGULATIONS. THE PROPOSED DEVELOPMENT IS TO BE CONSTRUCTED IN ACCORDANCE WITH THE RELEVANT AUSTRALIAN STANDARDS AND THE RELEVANT LOCAL GOVERNMENT REGULATIONS.

- NOTES:**
1. The proposed development is to be constructed in accordance with the relevant Australian Standards and the relevant local government regulations.
 2. The proposed development is to be constructed in accordance with the relevant Australian Standards and the relevant local government regulations.
 3. The proposed development is to be constructed in accordance with the relevant Australian Standards and the relevant local government regulations.
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 8. The proposed development is to be constructed in accordance with the relevant Australian Standards and the relevant local government regulations.
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 10. The proposed development is to be constructed in accordance with the relevant Australian Standards and the relevant local government regulations.

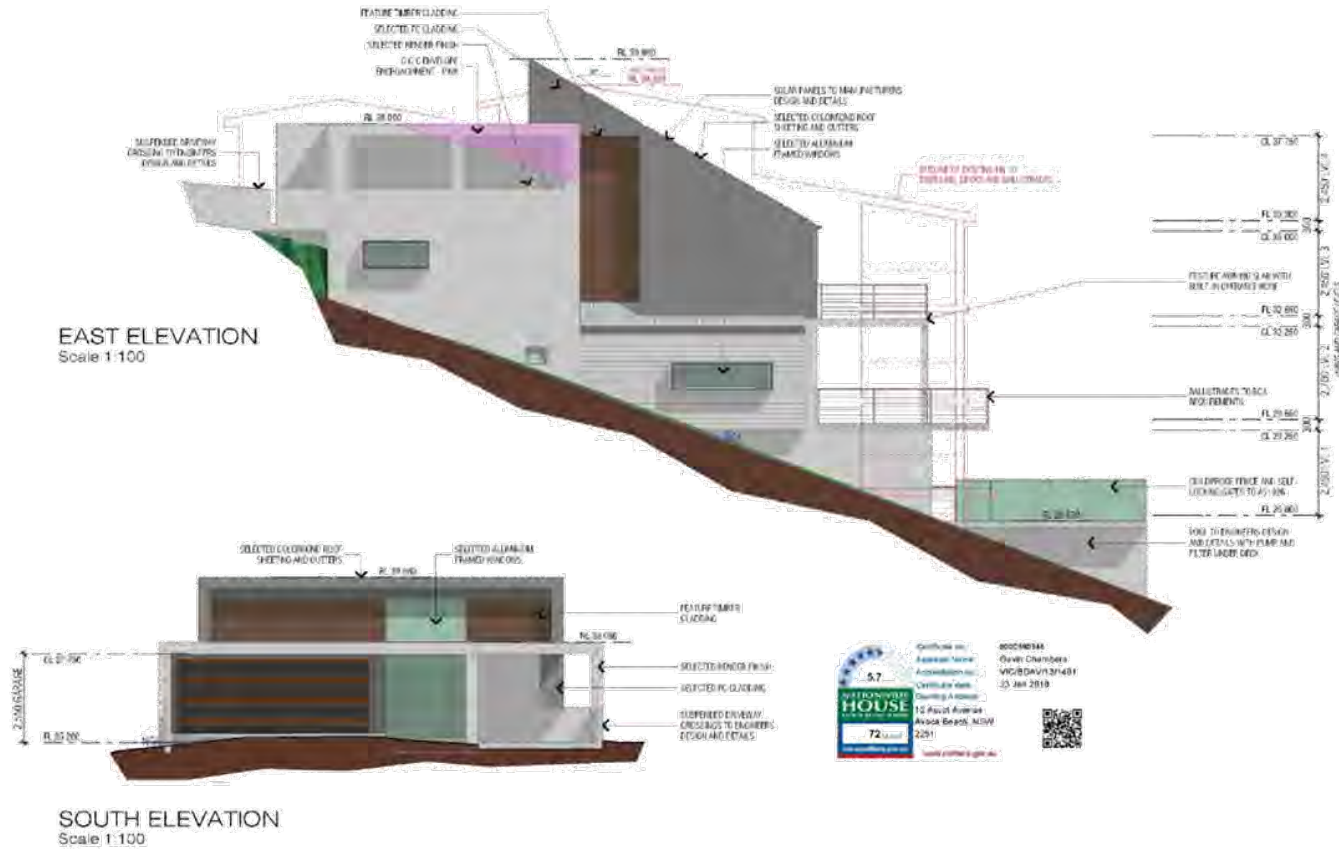
BUSHFIRE NOTE:
The proposed development shall be constructed to comply with Section 3.4.0.5 (IAL 12.5) of AC/SPR-2004 in Attachment Appendix 3.7 of POP.



SITE PLAN AND WATER CYCLE MANAGEMENT PLAN
Scale 1:200

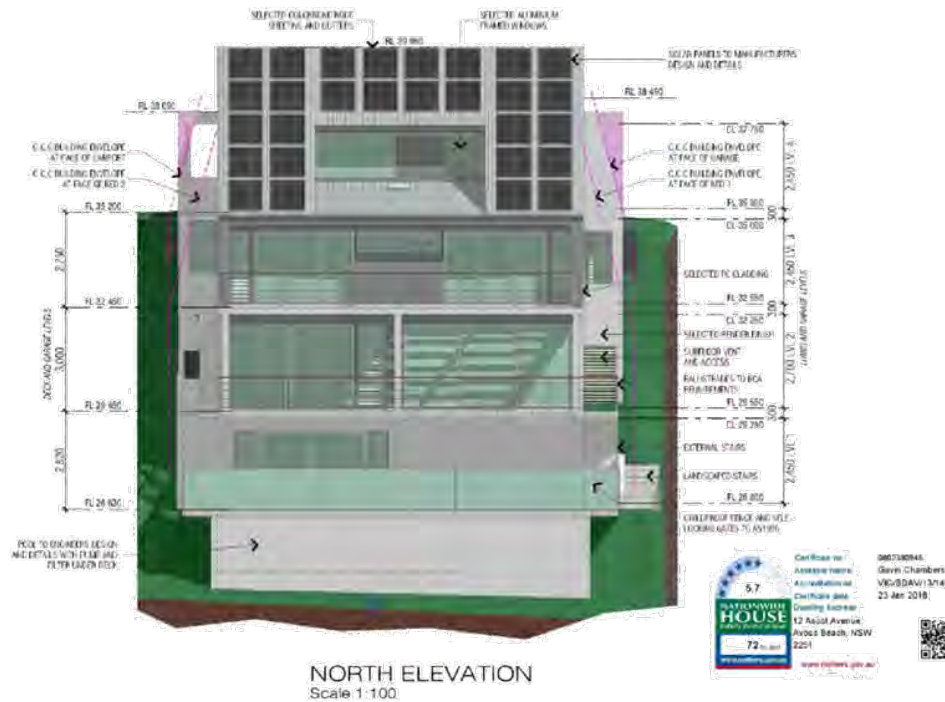
<p>MAX TRENCHER DESIGN PO Box 524 Tarragone NSW 2586 PH: 02 4311 3173 WWW.MXTDESIGN.COM.AU</p>	<p>PROJECT: NEW DWELLING AND SWIMMING POOL</p> <p>ADDRESS: No. 12 ASCOT AVENUE, AVOCA BEACH</p>	<p>CLIENT: BEEHIVE HOLDINGS</p> <p>SCALE: 1:200</p>	<p>DATE: 15/05/2018</p> <p>BY: C</p>	<p>NO. OF SHEETS: 2 / 10</p> <p>TOTAL SHEETS: 1795</p>	<p>PROJECT CHECKED BY: [Name]</p> <p>DATE: 15/05/2018</p>
	<p>DATE: 15/05/2018</p> <p>BY: C</p>	<p>DATE: 15/05/2018</p> <p>BY: C</p>	<p>DATE: 15/05/2018</p> <p>BY: C</p>	<p>DATE: 15/05/2018</p> <p>BY: C</p>	<p>DATE: 15/05/2018</p> <p>BY: C</p>

2.2 DA/54005/2018 - Lot D DP 29752, 12 Ascot Avenue, Avoca Beach - Proposed New Dwelling & Swimming Pool & Demolition of Existing Dwelling (contd)



	MAX THITCHENER DESIGN P.O. Box 624 Tarragindi NSW 2280 0414 654 871 max@thitchener.com.au www.thitchener.com.au	PROJECT NEW DWELLING AND SWIMMING POOL LOCATION No. 12 ASCOT AVENUE AVOCA BEACH	DRAWING BEEHIVE HOLDINGS ELEVATIONS	SCALE RT 1:100	DATE 15/08/2018	SHEET NO. 7 / 10 TOTAL SHEETS 1705	REVISION ACTION IN PART OR FULL IS PROHIBITED BY COPYRIGHT ©
	P.A. 12/08/2018 D:\SUBMISSION 14_10_DRAWING_APPROV WORKING FILES\						

2.2 DA/54005/2018 - Lot D DP 29752, 12 Ascot Avenue, Avoca Beach - Proposed New Dwelling & Swimming Pool & Demolition of Existing Dwelling (contd)



NORTH ELEVATION
Scale 1:100

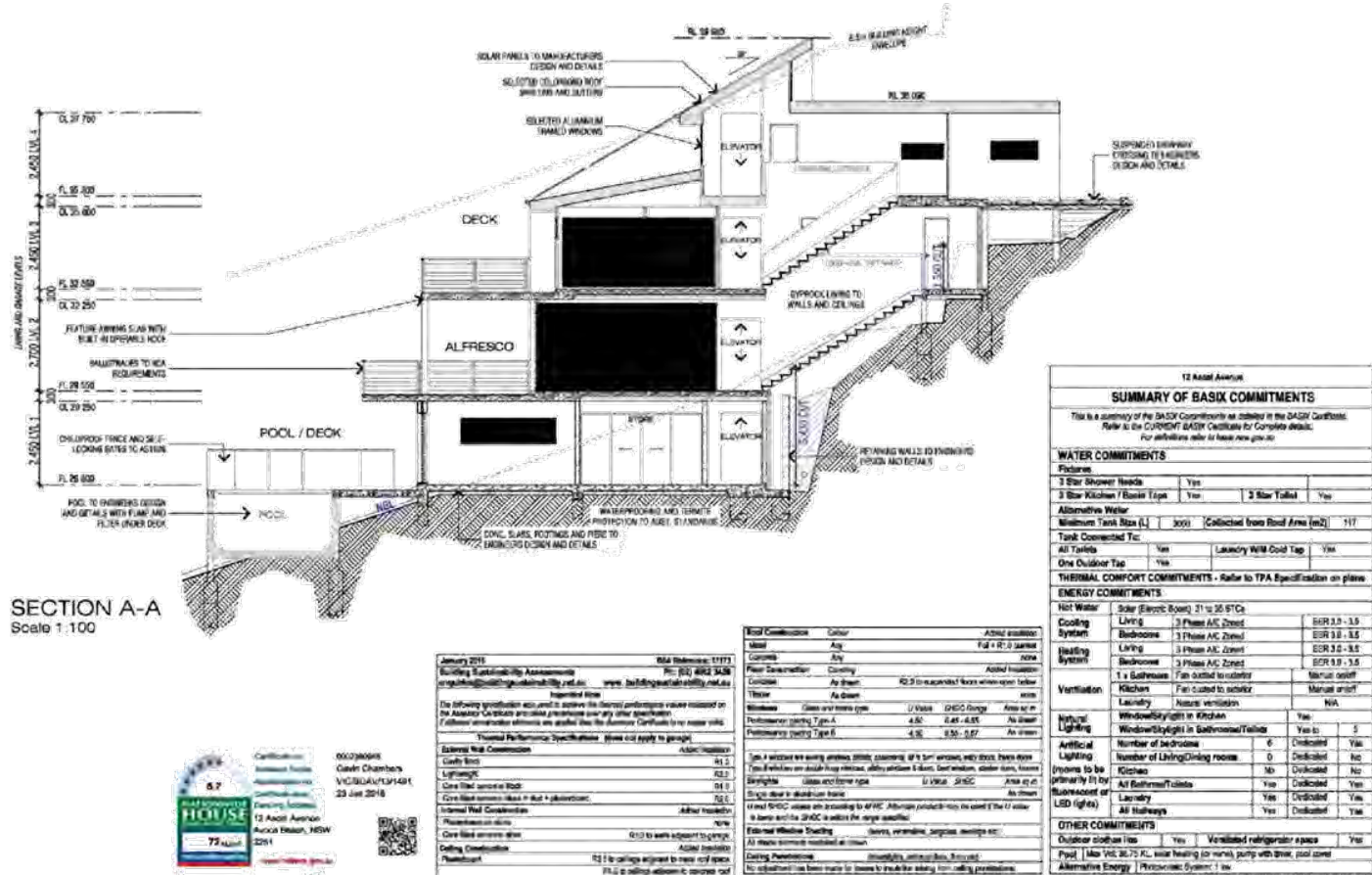
	MAX THITCHENER DESIGN P.O. Box 624 Terrigal NSW 2260 0414 654 871 max@thitchenerdesign.com.au www.thitchenerdesign.com.au	PROJECT NEW DWELLING AND SWIMMING POOL 12 ASCOT AVENUE AVOCA BEACH	DRAWING BEEHIVE HOLDINGS ELEVATIONS	SCALE RT 1:100	DATE 15/08/2018	SHEET NO. 8 / 10 1705	REVISIONS A. 12.03.2018 B. 23.07.2018 C. 15.04.2018	APPROVALS DA SUBMISSION 14.10 OUTLINE APPROVED 14.10.18
	REPRODUCTION IN PART OR FULL IS PROHIBITED BY COPYRIGHT ©							

2.2 DA/54005/2018 - Lot D DP 29752, 12 Ascot Avenue, Avoca Beach - Proposed New Dwelling & Swimming Pool & Demolition of Existing Dwelling (contd)



	MAX THIDENER DESIGN P.O. Box 624, Tarroona NSW 2260 0414 654 872 30 Maxwell Street, Tarroona NSW www.maxthidenerdesign.com.au	PROJECT NEW DWELLING AND SWIMMING POOL (SHEETS) No. 12 ASCOT AVENUE, AVOCA BEACH	SHEET BEEHIVE HOLDINGS ELEVATIONS	SCALE RT 1:100	DATE 15/08/2018	SHEET NO. 9/10 OF NO. 1705	PREPARED BY M.T.	CHECKED BY M.T.	APPROVED BY M.T.
	REPRODUCTION IN PART OR FULL IS PROHIBITED BY COPYRIGHT ACTS								
	DRAWING NO. 15/08/2018								
	DATE 20/01/2019								

2.2 DA/54005/2018 - Lot D DP 29752, 12 Ascot Avenue, Avoca Beach - Proposed New Dwelling & Swimming Pool & Demolition of Existing Dwelling (contd)



SECTION A-A
Scale 1:100

Item	Requirement	Proposed Solution	Notes
1	January 2015 Building Sustainability Assessment (BSA) Reference: 11773	BSA Reference: 11773	
2	Building Sustainability Assessment (BSA) Reference: 11773	BSA Reference: 11773	
3	Building Sustainability Assessment (BSA) Reference: 11773	BSA Reference: 11773	
4	Building Sustainability Assessment (BSA) Reference: 11773	BSA Reference: 11773	
5	Building Sustainability Assessment (BSA) Reference: 11773	BSA Reference: 11773	
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7	Building Sustainability Assessment (BSA) Reference: 11773	BSA Reference: 11773	
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10	Building Sustainability Assessment (BSA) Reference: 11773	BSA Reference: 11773	
11	Building Sustainability Assessment (BSA) Reference: 11773	BSA Reference: 11773	
12	Building Sustainability Assessment (BSA) Reference: 11773	BSA Reference: 11773	
13	Building Sustainability Assessment (BSA) Reference: 11773	BSA Reference: 11773	
14	Building Sustainability Assessment (BSA) Reference: 11773	BSA Reference: 11773	
15	Building Sustainability Assessment (BSA) Reference: 11773	BSA Reference: 11773	
16	Building Sustainability Assessment (BSA) Reference: 11773	BSA Reference: 11773	
17	Building Sustainability Assessment (BSA) Reference: 11773	BSA Reference: 11773	
18	Building Sustainability Assessment (BSA) Reference: 11773	BSA Reference: 11773	
19	Building Sustainability Assessment (BSA) Reference: 11773	BSA Reference: 11773	
20	Building Sustainability Assessment (BSA) Reference: 11773	BSA Reference: 11773	
21	Building Sustainability Assessment (BSA) Reference: 11773	BSA Reference: 11773	
22	Building Sustainability Assessment (BSA) Reference: 11773	BSA Reference: 11773	
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24	Building Sustainability Assessment (BSA) Reference: 11773	BSA Reference: 11773	
25	Building Sustainability Assessment (BSA) Reference: 11773	BSA Reference: 11773	
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27	Building Sustainability Assessment (BSA) Reference: 11773	BSA Reference: 11773	
28	Building Sustainability Assessment (BSA) Reference: 11773	BSA Reference: 11773	
29	Building Sustainability Assessment (BSA) Reference: 11773	BSA Reference: 11773	
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31	Building Sustainability Assessment (BSA) Reference: 11773	BSA Reference: 11773	
32	Building Sustainability Assessment (BSA) Reference: 11773	BSA Reference: 11773	
33	Building Sustainability Assessment (BSA) Reference: 11773	BSA Reference: 11773	
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35	Building Sustainability Assessment (BSA) Reference: 11773	BSA Reference: 11773	
36	Building Sustainability Assessment (BSA) Reference: 11773	BSA Reference: 11773	
37	Building Sustainability Assessment (BSA) Reference: 11773	BSA Reference: 11773	
38	Building Sustainability Assessment (BSA) Reference: 11773	BSA Reference: 11773	
39	Building Sustainability Assessment (BSA) Reference: 11773	BSA Reference: 11773	
40	Building Sustainability Assessment (BSA) Reference: 11773	BSA Reference: 11773	
41	Building Sustainability Assessment (BSA) Reference: 11773	BSA Reference: 11773	
42	Building Sustainability Assessment (BSA) Reference: 11773	BSA Reference: 11773	
43	Building Sustainability Assessment (BSA) Reference: 11773	BSA Reference: 11773	
44	Building Sustainability Assessment (BSA) Reference: 11773	BSA Reference: 11773	
45	Building Sustainability Assessment (BSA) Reference: 11773	BSA Reference: 11773	
46	Building Sustainability Assessment (BSA) Reference: 11773	BSA Reference: 11773	
47	Building Sustainability Assessment (BSA) Reference: 11773	BSA Reference: 11773	
48	Building Sustainability Assessment (BSA) Reference: 11773	BSA Reference: 11773	
49	Building Sustainability Assessment (BSA) Reference: 11773	BSA Reference: 11773	
50	Building Sustainability Assessment (BSA) Reference: 11773	BSA Reference: 11773	

<p>MAX THITCHENER DESIGN PO Box 624 Terrigal NSW 2260 0414 854 879 maxthitchener@optusnet.com.au www.maxthitchener.com.au</p>	<p>NEW DWELLING AND SWIMMING POOL</p> <p>No. 12 ASCOT AVENUE AVOCA BEACH</p>	<p>CLIENT: BEEHIVE HOLDINGS</p> <p>DATE: 15/08/2018</p> <p>SCALE: 1:100</p> <p>NO: C</p>	<p>DATE: 10/10</p> <p>NO: 1705</p>	<p>DATE: 12.02.2016</p> <p>DATE: 23.07.2016</p> <p>DATE: 15.08.2018</p>	<p>DATE: 04/08/2016</p> <p>DATE: 04/08/2016</p> <p>DATE: 19/08/2016</p>



Item No: 2.4
Title: Request to prepare a Local Environmental Plan Amendment (Planning Proposal) - 3 Battley Avenue, The Entrance
Department: Environment and Planning

8 April 2019 Ordinary Council Meeting

Trim Reference: F2018/00020-05 - D13400405

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

The purpose of this report is for Council to consider a request to prepare a Planning Proposal to amend *Wyong Local Environmental Plan 2013 (WLEP 2013)* or draft *Central Coast Local Environmental Plan 2018 (dCCLEP 2018)* in relation to Lot 65 DP 18372, Lot 66 DP 18372, Lot 67 DP 18372, Lot 68 DP 18372, Lot 69 DP 18372, Lot 70 DP 18372, Lot 71 DP 18372, Lot 72 DP 18372, Lot 73 DP 18372 (3 Battley Avenue), The Entrance. The request seeks to rezone the subject lots from E2 Environmental Conservation to R3 Medium Density Residential to enable residential development of the site.

This report recommends that the request to prepare a Planning Proposal be refused.

Recommendation

1 *That Council resolve not to support the making of a planning proposal for Gateway Determination, to rezone Lot 67 DP 18372, Lot 69 DP 18372, Lot 70 DP 18372, Lot 71 DP 18372, Lot 72 DP 18372, Lot 73 DP 18372, Lot 65 DP 18372, Lot 66 DP 18372, Lot 68 DP 18372 (3 Battley Avenue), The Entrance from E2 Environmental Conservation to R3 Medium Density Residential for the following reasons:*

- a)** *The proposed amendment to Wyong Local Environmental Plan 2013 fails to meet the Strategic Merit Test for a planning proposal, in that:*
- *The proposal is inconsistent with Direction 8, 12,13 and 14 of the Central Coast Regional Plan 2036*
 - *The proposal is inconsistent with section 9.1 Ministerial Direction 2.1 Environment Protection Zones*
- b)** *The proposed amendment fails to meet the Site Specific Merit Test for a planning proposal, in that:*

2.4 Request to prepare a Local Environmental Plan Amendment (Planning Proposal) - 3 Battley Avenue, The Entrance (contd)

- **The proposal does not avoid or minimise the removal of high ecological value vegetation.**

2 That Council notify the applicant of the Council's determination in accordance with clause 10A of the Environmental Planning and Assessment Regulation 2000.

Background

The subject site was part of the former The Entrance Infants School. The Entrance Infants School was closed in 2002, with students and staff and amalgamated into The Entrance Primary School site, located on Oakland Avenue, The Entrance.

A rezoning of the infants school site from 5(a) Special Use-School to 2(c) Medium Density Residential and 6(a) Open Space and Recreation under Wyong Local Environmental Plan 1991 (WLEP 1991) was previously considered and supported by the fWSC (Figure 1). This rezoning did not proceed to finalisation and was discontinued at the request of the Department of Education (DoE).

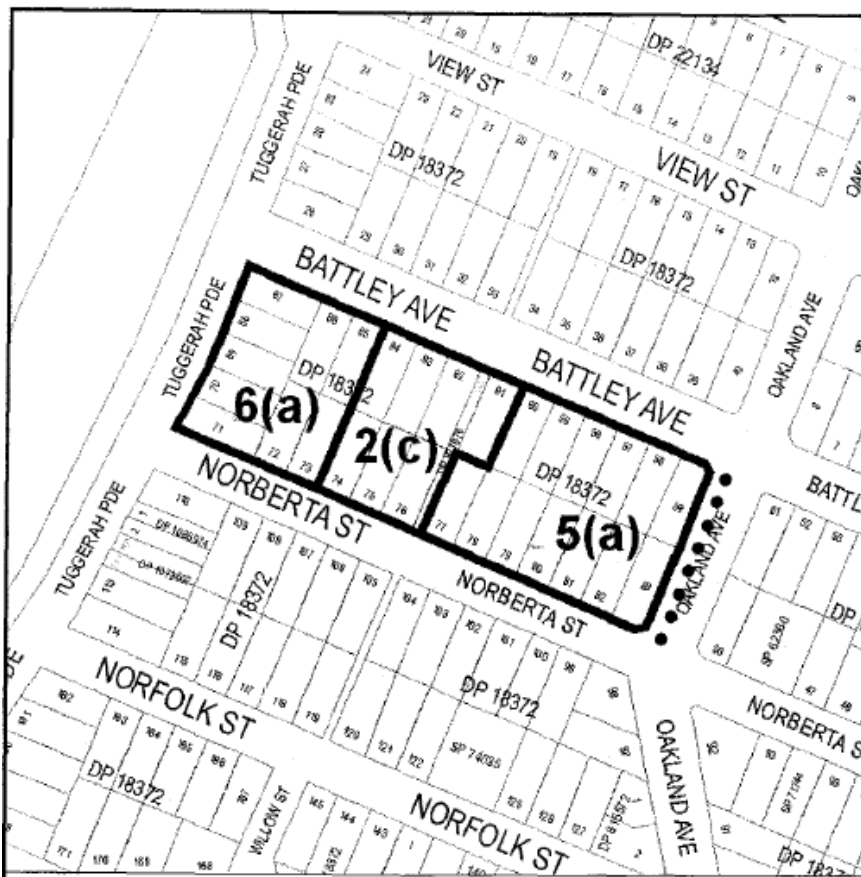


Figure 1 Proposed rezoning under WLEP 1991

Instead, the DoE sought, and were granted a Site Compatibility Certificate (SCC) in 2008 under the provisions of *State Environmental Planning Policy (SEPP) Infrastructure 2007*. The SCC permitted residential development on central portion of the land, however did not

2.4 Request to prepare a Local Environmental Plan Amendment (Planning Proposal) - 3 Battley Avenue, The Entrance (contd)

permit residential development on the land subject to this proposal. The SCC required that both the central portion of the site and the land subject to this proposal be included in any land sale. The land was subsequently purchased by a private entity.

The eastern section of the former school site was sold by DoE to the former Wyong Shire Council (fWSC) in 2006. The fWSC transformed this site into The Entrance Community Centre.

As part of the introduction of the Standard Instrument WLEP 2013 on December 23 2013 the land was zoned to reflect the terms of the SCC issued in 2008. The western section of the land was zoned E2 Environmental Conservation and the eastern section of the site zoned R3 Medium Density Residential (Figure 3).

The E2 Environmental Conservation zoning reflected the Endangered Ecological Community (EEC) mapping available at the time, which identified the site as the Swamp Sclerophyll Forest on Coastal Floodplain EEC.

A request to prepare a planning proposal to rezone the subject land from E2 Environmental Conservation to a mix of R3 Medium Density Residential and R2 Low Density Residential (RZ/9/2014) was lodged with the fWSC in September 2014 (Figure 2).

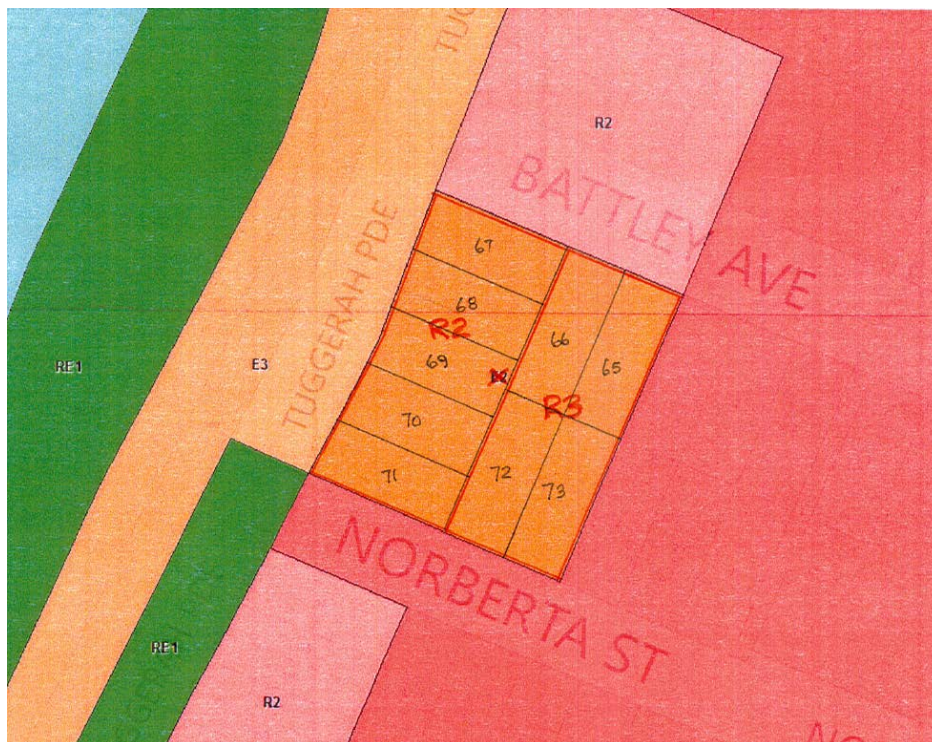


Figure 2 Proposed rezoning under WLEP 2013, September 2014

The information provided to support this request incorporated a review of the EEC determination, prepared by PDA Services (2014). This review identified that the vegetation on the site is not an EEC as the elevated position of the site within the landscape precludes it

2.4 Request to prepare a Local Environmental Plan Amendment (Planning Proposal) - 3 Battley Avenue, The Entrance (contd)

from meeting the EEC criteria with regard to being located on an alluvial flat or drainage line associated with a coastal floodplain.

The proposal was considered by the fWSC on 22 July 2015 and resolved the following:

733/15 That Council not proceed with the planning proposal as outlined in this report.

A 46 unit residential flat building consented to under DA/1185/2014 has been constructed on the land currently zoned R3 Medium Density Residential.

The Site

The subject site (Figure 3) consists of nine lots comprising Lot 65 DP 18372, Lot 66 DP 18372, Lot 67 DP 18372, Lot 68 DP 18372, Lot 69 DP 18372, Lot 70 DP 18372, Lot 71 DP 18372, Lot 72 DP 18372, Lot 73 DP 18372. The subject site has a street address of 3 Battley Avenue, The Entrance. The area of the site is approximately 4818.1m².

The site is bounded by Norberta Street in the south, Tuggerah Parade in the west and Battley Avenue in the north.

The subject site is currently zoned E2 Environmental Conservation under Wyong Local Environmental Plan 2013 (WLEP 2013), see Figure 3.

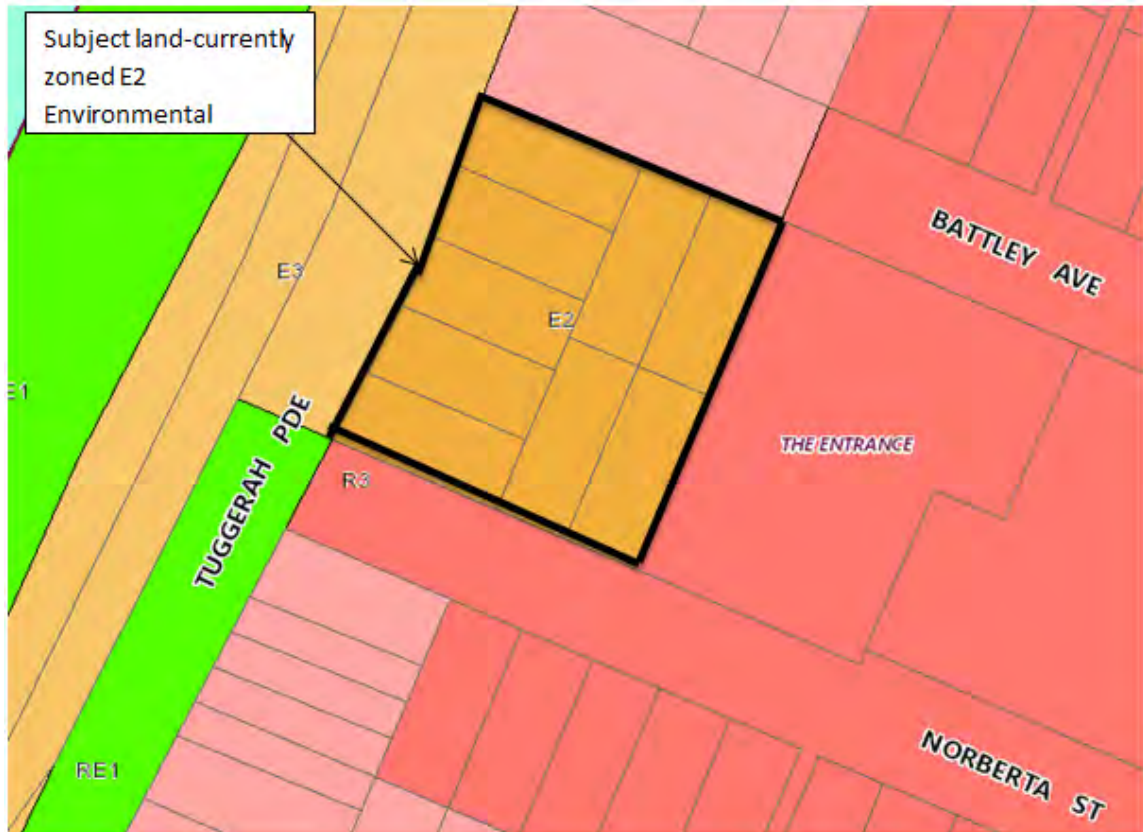


Figure 3 - Subject Site Zoning

The Proposal

The request to prepare a planning proposal seeks to rezone Lot 65 DP 18372, Lot 66 DP 18372, Lot 67 DP 18372, Lot 68 DP 18372, Lot 69 DP 18372, Lot 70 DP 18372, Lot 71 DP 18372, Lot 72 DP 18372, Lot 73 DP 18372 from E2 Environmental Conservation to R3 Medium Density Residential. The rezoning would enable residential development of the site, including residential flat buildings.

The request has not identified any height or floor space ratio controls, however, if supported, similar development standards would be applied to the site, including a building height of 12m and floor space ratio of 0.9:1.

Internal Consultation

Internal consultation has been undertaken and the outcomes informed the assessment of this proposal as discussed below.

Ecology

Council's Ecologist does not support the proposal in its current form. Vegetation of the site is consistent with the Plant Community Type (PCT) 1717, Broad-leaved Paperbark - Swamp Mahogany - Swamp Oak - Saw Sedge swamp forest of the Central Coast and Lower North

2.4 Request to prepare a Local Environmental Plan Amendment (Planning Proposal) - 3 Battley Avenue, The Entrance (contd)

Coast. This community is classified as an Ecologically Endangered Community (EEC) under the *Biodiversity Conservation Act 2016* (BCA 2016) and has also been identified as an EEC in Council mapping systems. Council's Ecologist is of the opinion that vegetation qualifies as an EEC known as *Swamp Sclerophyll Forest on Coastal Floodplains* based on its floristic composition. Whilst the consultant's ecologist contends that it is not an EEC.

Irrespective, of whether the site qualifies as an EEC, the site contains vegetation and ecological qualities to be zoned E2 Environmental Conservation. The subject proposal to rezone the site would require extensive clearing of this vegetation community to enable the intended outcome, i.e. residential development.

In 2016, The NSW State Government also introduced new requirements under the BCA 2016 and the subject site was identified on the Biodiversity Values Map. This means that any clearing would require a Biodiversity Development Assessment Report (BDAR) and any residual impacts to biodiversity identified in the BDAR would need to be offset in a Biodiversity Stewardship site Agreement (BSA) if the matter was to proceed.

Information addressing these matters has not been provided to support the proposal. The ecological assessments that have been provided regarding biodiversity offsets pre date the introduction of the BCA 2016. Further, the assessments do not demonstrate how the development would be offset if the proposal was to proceed.

The vegetation on site also provides connectivity within the site to surrounding Tuggerah Lakes foreshore. Artificial nesting boxes have been positioned on the site indicating it is currently being used for biodiversity management.

Development Engineering

Comment has been received from Council's Development Engineers which has identified some road and storm water constraints which would need to be addressed should the proposal proceed.

Any road construction within Tuggerah Parade poses environmental, storm water and asset management issues. Alternative arrangements would be required to be facilitated, namely via a right of carriageway from either Battley Road or Norberta Street.

The topography of the sites suggests that overland flows are directed through the site. Appropriate management (possibly diverted within formation of the upstream Council pathway) of this stormwater would be required to develop the lots.

Interallotment drainage easements would also be required where there was insufficient capacity for gravity fed systems. Any direct stormwater discharge to Tuggerah Parade and Norberta Street would require suitable treatment to protect any downstream properties and vegetation.

2.4 Request to prepare a Local Environmental Plan Amendment (Planning Proposal) - 3 Battley Avenue, The Entrance (contd)

Waterways Unit

The proponent indicated that offsetting for clearing could be achieved through contribution toward embellishment projects being undertaken in the area. At the time of assessment of RZ/9/2014, Council was undertaking the Tuggerah Lakes Clean-up Project (TLCuP). This project is now completed and only fully funded ongoing maintenance is currently occurring in the area.

Assessment

The request to rezone the subject lands from E2 Environmental Conservation to R3 Medium Density Residential is not supported. The site forms an important connectivity link with the Tuggerah Foreshore area and provides habitat for flora and fauna species in the areas that should be retained.

The site and existing vegetation also functions as a scenic buffer, transitioning from the lake foreshore to the adjacent residential area. The scale of vegetation on site softens the height and scale of the adjoining residential development.

Under previous assessment for this development it has been indicated that the community values this area and would not support the rezoning of the site for residential purposes.

Statutory Compliance and Strategic Justification

The planning proposal has been assessed having regard for relevant State Environmental Planning Policies, Ministerial Section 9.1 (former s.117) Directions and the relevant guidelines set out within the regional and local plans, including the Central Coast Regional Plan (CCRP) 2036 and the One – Central Coast Community Strategic Plan 2018 – 2028 as detailed in Attachment 2.

The consistency of the rezoning request with these strategic documents cannot be established.

Social Impacts

The site has been demonstrated to be valued by the community and is considered to have high amenity and ecological value.

The subject proposal if progressed would require the clearing of the existing vegetation on site and remove the scenic buffer that is afforded to residents and the community. Retention of the vegetation communities on site is considered to be a positive social benefit.

Environmental Impacts

The site is considered to be of high ecological value.

2.4 Request to prepare a Local Environmental Plan Amendment (Planning Proposal) - 3 Battley Avenue, The Entrance (contd)

The proposal does not incorporate any measures to avoid impacts to environmental values, with the likelihood that if the site was rezoned, most of the vegetation and habitat would be removed to facilitate future residential development.

Removal of the vegetation on site would also decrease the total amount of urban vegetation in The Entrance contributing to heat island effects.

Risk Management

Adoption of the recommendation has no budget implications for Council and will not pose any risks for Council.

Link to Community Strategic Plan

The proposal is inconsistent with Central Coast Council One Community Strategic Plan. The proposal to rezone the site from E2 Environmental Conservation to R3 Medium Density Residential is considered to be in direct conflict with the following theme:

Theme 3: Green

Goal F: Cherished and protected natural beauty

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

Conclusion

The assessment of the proposal has determined that there is no strategic merit for the proposal as presented.

The site is heavily constrained containing vegetation which is of high ecological value.

It is recommended that Council not support the request to prepare a Planning Proposal to rezone Lot 65 DP 18372, Lot 66 DP 18372, Lot 67 DP 18372, Lot 68 DP 18372, Lot 69 DP 18372, Lot 70 DP 18372, Lot 71 DP 18372, Lot 72 DP 18372, Lot 73 DP 18372 from E2 Environmental Conservation to R3 Medium Density Residential.

Attachments

- | | | |
|----------|----------------------|-----------|
| 1 | Proposal Summary | D13466444 |
| 2 | Strategic Assessment | D13498354 |

Proposal Summary

Applicant	Wales and Associates Pty Limited		
Owner	Central Coast Land Pty Ltd		
Application Number	RZ/2/2018		
Description of Land subject of planning proposal	Property Description: 3 Battley Avenue The Entrance Legal Description: Lot 65-73, DP 18372		
Site Area	4,818m ²		
Existing Use	Vacant- E2 Conservation		
Proposed Amendments – Gosford/Wyong Local Environmental Plan 2014/2013			
Provisions	Existing Provision	Proposed Amendment	Outcome (Supported/Not Supported)
Zoning	E2 Conservation	R3 Medium Density Residential	Not supported
Minimum Lot Size	40h	As per minimum lot size map	Not supported
Schedule 1- Additional permitted use	N/A	N/A	N/A
Height of Building	N/A	N/A	N/A
Floor Space Ratio	N/A	N/A	N/A



Central Coast Council
Planning Proposal Strategic Assessment
Lot 65-73 DP 18372 (3 Battley Avenue), The Entrance

RZ/2 /2018
February 2019

Strategic Planning Context

Central Coast Regional Plan Assessment

The Central Coast Regional Strategy 2036 (CCRP) applies to the Central Coast local government area (LGA). The Planning Proposal will assist Council in meeting the targets set by the State Government in the Regional Strategy for provision of housing and/or jobs.

The CCRP is to provide the basis of the planning by the local government sets out a number of actions. The table below demonstrates that the Planning Proposal is consistent with the relevant actions identified in the CCRP:

<i>Direction</i>	<i>Applicable</i>	<i>Assessment/Comment</i>
1. <i>Grow Gosford City Centre as the region's capital</i>	N/A	The subject site is not located proximate to Gosford City Centre
2. <i>Focus economic development in the Southern and Northern Growth Corridors</i>	No	The proposal seeks to rezone the subject site from environmental conservation to medium density residential. The subject proposal does not conflict with the location of any economic development.
3. <i>Support priority economic sectors</i>	Yes	The proposal does not conflict with priority economic sectors.
4. <i>Strengthen inter-regional and intra-regional connections for business</i>	N/A	The proposal does not include and business related uses.
5. <i>Support new and expanded industrial activity</i>	N/A	The proposal does not include industrial activity.
6. <i>Strengthen the economic self-determination of Aboriginal communities</i>	N/A	The proposal has no connection with the Aboriginal community.
7. <i>Increase job containment in the region</i>	N/A	The proposal does not relate to job containment
8. <i>Recognise the cultural landscape of the Central Coast</i>	Applicability	The subject site has environmental and cultural values suitable for retention. The vegetation on site present high amenity value for residents and visitors to the area.
9. <i>Protect and enhance productive agricultural land</i>	N/A	The subject site is not within proximity to or identified as productive agricultural land.
10. <i>Secure the productivity and capacity of resource lands</i>	N/A	The subject site is not within proximity to or identified as resource lands
11. <i>Sustain and balance productive landscapes west of the M1</i>	N/A	The subject land is not west of the M1.

12. <i>Protect and manage environmental values</i>	Yes	The proposal seeks to rezone the site from E2 Environment Conservation to R3 Medium Density Residential. The subject proposal is inconsistent with this direction as the subject site has environmental values suitable for retention.
13. <i>Sustain water quality and security</i>	Yes	If the proposal were to proceed it may result in irreversible impacts to the water table. The subject site however is not located within the Drinking Water Catchment.
14. <i>Protect the coast and manage natural hazards and climate change</i>	Yes	The proposal is inconsistent with this direction. The removal of vegetation on site will increase the urban heat island affect in the area.
15. <i>Create a well-planned, compact settlement pattern</i>	Yes	The proposal is consistent with this Direction. The subject site sits within an existing urban centre.
16. <i>Grow investment opportunities in the region's centres</i>	N/A	The proposal does not include opportunities for investment at this stage.
17. <i>Align land use and infrastructure planning</i>	Yes	The proposal is consistent with this direction. The subject site sits within an existing urban area where infrastructure is available.
18. <i>Create places that are inclusive, well-designed and offer attractive lifestyles</i>	Yes	The preliminary nature of the proposal means that it is hard to determine as to whether the end development would be inclusive, well designed or offer an attractive lifestyle.
19. <i>Accelerate housing supply and improve housing choice</i>	Yes	The proposal is consistent with this Direction. The subject proposal seeks to rezone the subject site from E2 Environmental Conservation to R3 Medium Density Residential
20. <i>Grow housing choice in and around local centres</i>	Yes	The proposal is consistent with this Direction. The subject proposal seeks to rezone the subject site from E2 Environmental Conservation to R3 Medium Density Residential in an existing urban area proximate to local centres.
21. <i>Provide housing choice to meet community needs</i>	Yes	The consistency with this direction is difficult to determine at this stage as full detail of the proposed housing stock is not available.
22. <i>Deliver housing in new release areas that are best suited to building</i>	N/A	The subject site is not within an urban release area.

<i>new communities</i>		
23. <i>Manage rural lifestyles</i>	N/A	The subject site is not within a rural area.

State and Sydney Region Environmental Planning Policy Assessment

State/Sydney Region Environmental Planning Policy	Comment
SREP 8 – Central Coast Plateau Areas	
<p>Aims:</p> <ul style="list-style-type: none"> (a) to provide for the environmental protection of the Central Coast plateau areas and to provide a basis for evaluating competing land uses, (b) to encourage the use of land having a high agricultural capability for that purpose and, as much as possible, to direct development for non-agricultural purposes to land of lesser agricultural capability, (c) (Repealed) (d) to protect regionally significant mining resources and extractive materials from sterilization, (e) to enable development for the purposes of extractive industries in specified locations, (f) (Repealed) (g) to protect the natural ecosystems of the region, and (h) to maintain opportunities for wildlife movement across the region, and (i) to discourage the preparation of draft local environmental plans designed to permit rural residential development, and (j) to encourage the preparation of draft local environmental plans based on merits. 	Not applicable to the subject proposal.
SREP 20 - Hawkesbury Nepean River (No 2 – 1997)	
The aim of this plan is to protect the environment of the Hawkesbury-Nepean River system by ensuring that the impacts of future	Not applicable to the subject proposal.

State/Sydney Region Environmental Planning Policy	Comment
land uses are considered in a regional context.	

SEPP No. 19 – Bushland in Urban Areas

Aims to protect and preserve bushland within urban areas because of:

- a) Its value to the community as part of the natural heritage,
- b) Its aesthetic value, and
- c) Its value as a recreational, educational and scientific resource

No applicable to the subject site.

SEPP No. 44 – Koala Habitat

Aims to encourage the proper conservation and management of areas of natural vegetation that provide habitat for koalas to ensure a permanent free-living population over their present range and reverse the current trend of koala population decline:

- (a) by requiring the preparation of plans of management before development consent can be granted in relation to areas of core koala habitat, and
- (b) by encouraging the identification of areas of core koala habitat, and
- (c) by encouraging the inclusion of areas of core koala habitat in environment protection zones

No assessment was undertaken by the proponent in regards to the requirements of SEPP 44.

SEPP 55 – Remediation of Land

Aims to promote the remediation of contaminated land for the purpose of reducing the risk of harm to human health or any other aspect of the environment

- (a) by specifying when consent is required, and when it is not required, for a remediation work, and
- (b) by specifying certain considerations that are relevant in rezoning land and in determining development applications in general and development applications for consent to carry out a remediation work in particular,

Assessment undertaken by the proponent determined due to the vegetated nature of the site and no historical record of activity on the site the likelihood of contamination is minimal.

The analysis of past uses on the site is supported and considered acceptable in this instance in regards to the requirements of SEPP 55.

<p>and</p> <p>(c) by requiring that a remediation work meet certain standards and notification requirements.</p>	
<p>SEPP 62 – Sustainable Aquaculture</p>	
<p>Aims</p> <p>(a) to encourage sustainable aquaculture, including sustainable oyster aquaculture, in the State, namely, aquaculture development which uses, conserves and enhances the community’s resources so that the total quality of life now and in the future can be preserved and enhanced, and</p> <p>(b) to make aquaculture development permissible in certain zones under the Standard Instrument, as identified in the NSW Land Based Sustainable Aquaculture Strategy, and</p> <p>(c) to set out the minimum site location and operational requirements for permissible aquaculture development (the minimum performance criteria), and</p> <p>(d) to establish a graduated environmental assessment regime for aquaculture development based on the applicable level of environmental risk associated with site and operational factors (including risks related to climate change, in particular, rising sea levels), and</p> <p>(e) to apply the Policy to land-based aquaculture development and oyster aquaculture development in the State and to include facility for extension of the Policy to natural water-based aquaculture.</p>	<p>Not applicable to the subject proposal.</p>
<p>SEPP (Coastal Management) 2018</p>	
<p>Aims:</p> <p>The aim of this Policy is to promote an integrated and co-ordinated approach to land use planning in the coastal zone in a manner consistent with objects of the <i>Coastal Management Act 2016</i>, including the management objectives for each coastal</p>	<p>The proposal is inconsistent with the requirements of State Environmental Planning Policy (Coastal Management) 2018. The subject site is mapped within the coastal zone.</p> <p>The SEPP requires consideration as to whether the proposal will cause increased risk of coastal hazards on that land. It is considered that the</p>

<p>management area, by:</p> <ul style="list-style-type: none"> (a) managing development in the coastal zone and protecting the environmental assets of the coast, and (b) establishing a framework for land use planning to guide and decision-making in the coastal zone, and (c) mapping the 4 coastal management areas that comprise the NSW coastal zone for the purpose of the definitions in the Coastal Management Act 2016. 	<p>removal of all the vegetation on site could potential pose risk in terms of the loss of flora and fauna and potential water table impacts and should therefore not be supported.</p>
SEPP – (Mining, Petroleum & Extractive Industries) 2007	
<p>Aims:</p> <ul style="list-style-type: none"> (a) to provide for the proper management and development of mineral, petroleum and extractive material resources for the purpose of promoting the social and economic welfare of the State, and (b) to facilitate the orderly and economic use and development of land containing mineral, petroleum and extractive material resources, and (b1) to promote the development of significant mineral resources, and (c) to establish appropriate planning controls to encourage ecologically sustainable development through the environmental assessment, and sustainable management, of development of mineral, petroleum and extractive material resources, and (d) to establish a gateway assessment process for certain mining and petroleum (oil and gas) development: <ul style="list-style-type: none"> (i) to recognise the importance of agricultural resources, and (ii) to ensure protection of strategic agricultural land and water resources, and (iii) to ensure a balanced use of land by potentially competing industries, and (iv) to provide for the sustainable growth of mining, petroleum and agricultural industries. 	<p>The subject site has not been identified as containing any mineral, petroleum or extractive resource materials.</p>

SEPP (Vegetation in Non-Rural Areas) 2017	
<p>The aims of this Policy are as follows:</p> <p>(a) to establish the process for assessing and identifying sites as urban renewal precincts,</p> <p>(b) to facilitate the orderly and economic development and redevelopment of sites in and around urban renewal precincts,</p> <p>(c) to facilitate delivery of the objectives of any applicable government State, regional or metropolitan strategies connected with the renewal of urban areas that are accessible by public transport.</p>	<p>The subject site is zoned E2 Environmental Conservation and is identified on the Biodiversity Values Map. The identification of the site on the Values Map requires consideration under the Biodiversity Conservation Act 2016.</p>
SEPP (Aboriginal Land) 2019	
<p>The aims of this Policy are as follows:</p> <p>(a) to provide for development delivery plans for areas of land owned by Local Aboriginal Land Councils to be considered when development applications are considered, and</p> <p>(b) to declare specified development carried out on land owned by Local Aboriginal Land Councils to be regionally significant development.</p>	<p>The subject site is not owned by a LALC or adjoining an area owned by an LALC.</p>

Ministerial Section 9.1 Directions

Direction	Comment
Employment & Resources	
1.1 Business & Industrial Zones	
<p>Aims to encourage employment growth in suitable locations, protect employment land in business and industrial zones and to support the viability of identified strategic centres.</p> <p>Applies when a planning proposal affects land within an existing or proposed business or industrial zone.</p>	Not Applicable
1.2 Rural Zones	
<p>Aims to protect the agricultural production value of rural land.</p> <p>Applies when a planning proposal affects land within an existing or proposed rural zone.</p>	Not Applicable
1.3 Mining, Petroleum Production and Extractive Industries	
<p>Aims to ensure that the future extraction of State or regionally significant reserves of coal, other minerals, petroleum and extractive materials are not compromised by inappropriate development.</p> <p>Applies when a planning proposal would have the effect of prohibiting the mining of coal or other minerals, production of petroleum, or winning or obtaining of extractive materials, or restricting the potential of development resources of coal, other mineral, petroleum or extractive materials which are of State or regional significance by permitting a land use that is likely to be incompatible with such development.</p>	<p>Applicable</p> <p>The subject site does not sit within an area to which State or regionally significant reserves of coal, minerals, petroleum or extractive minerals have been identified.</p>
1.4 Oyster Aquaculture	
<p>Aims to ensure that Priority Oyster Aquaculture Areas and oyster aquaculture outside such an area are adequately considered, and to protect Priority Oyster Aquaculture Areas and oyster aquaculture outside such an area from land uses that may result in adverse impacts on water quality and the health of oysters and consumers.</p> <p>Applies when a planning proposal could result in adverse impacts on a Priority Oyster Aquaculture Areas or current oyster aquaculture lease in the national parks estate or results in incompatible use of land between oyster aquaculture in a Priority Oyster Aquaculture Area or current oyster aquaculture lease in the national parks estate and other land uses.</p>	Not Applicable
1.5 Rural Lands	

Direction	Comment
<p>Aims to protect the agricultural production value of rural land; and facilitate the orderly and economic development of rural lands for rural and related purposes.</p> <p>Applies to local government areas to which State Environmental Planning Policy (Rural Lands) 2008 applies and prepares a planning proposal that affects land within an existing or proposed rural or environment protection zone.</p>	<p>Not Applicable</p> <p>This Direction does not apply to the Central Coast Local Government Area (or former Wyong or Gosford LGAs).</p>
Environment & Heritage	
2.1 Environmental Protection Zones	
<p>Aims to protect and conserve environmentally sensitive areas.</p> <p>Applies when the relevant planning authority prepares a planning proposal.</p>	<p>Applicable</p> <p>The subject proposal to rezone the site from E2 Environmental Conservation to R3 Medium Density Residential is inconsistent with Ministerial Direction 2.1. If approved the proposal would result in the removal of all vegetation on site.</p>
2.2 Coastal Management	
<p>Aims to implement the principles in the NSW Coastal Policy.</p> <p>Applies when a planning proposal applies to land in the <i>Coastal Zone</i>.</p>	<p>Applicable</p> <p>The subject site is within the Coastal zone, the proposed zone change from E2 Environmental Conservation to R3 Medium Density Residential is considered to be inconsistent with this Direction due to the proposed vegetation clearing.</p>
2.3 Heritage Conservation	
<p>Aims to conserve items, areas, objects and places of environmental heritage significance and indigenous heritage significance.</p> <p>Applies when the relevant planning authority prepares a planning proposal.</p>	<p>Applicable</p> <p>There are no items of European heritage on the site. The site has not been formally surveyed for items of indigenous cultural heritage; any items are likely to be contained in the area zoned for conservation purposes.</p>
2.4 Recreational Vehicle Areas	
<p>Aims to protect sensitive land or land with significant conservation values from adverse impacts from recreational vehicles.</p> <p>Applies when the relevant planning authority prepares a planning proposal.</p>	<p>Applicable</p> <p>The subject proposal is not located within proximity to a recreational vehicle area nor does it propose to introduce one.</p>
2.5 Application of E2 and E3 Zones and Environmental Overlays in Far North Coast LEPs	
<p>Aims to ensure that a balanced and consistent approach is taken when applying environmental protection zones and overlays to land on the NSW Far North Coast.</p>	<p>Not Applicable</p> <p>This Direction does not apply to the Central Coast Local Government Area (or former Wyong or Gosford LGAs).</p>

Direction	Comment
Housing, Infrastructure and Urban Development	
3.1 Residential Zones	
<p>Aims to encourage a variety and choice of housing types to provide for existing and future housing needs, to make efficient use of existing infrastructure and services and ensure that new housing has appropriate access to infrastructure and services, and to minimise the impact of residential development on the environmental and resource lands.</p> <p>Applies when a planning proposal affects land within an existing or proposed residential zone, and any other zone in which significant residential development is permitted or proposed to be permitted.</p>	<p>Applicable</p> <p>The subject proposal is considered to be consistent with Direction 3.1 as it proposes to introduce a residential zone in an existing urban context.</p>
3.2 Caravan Parks and Manufactured Home Estates	
<p>Aims to provide for a variety of housing types and provide opportunities for caravan parks and manufactured home estates.</p> <p>Applies when the relevant planning authority prepares a planning proposal.</p>	<p>Applicable</p> <p>The subject proposal seeks to rezone the subject site from E2 Environmental Conservation to R3 Medium Density Residential. The subject proposal does not outline intent to provide a caravan park or manufactured home estate.</p>
3.3 Home Occupations	
<p>Aims to encourage the carrying out of low impact small business in dwelling houses.</p> <p>Applies when the relevant planning authority prepares a planning proposal.</p>	<p>Applicable</p> <p>The subject proposal seeks to rezone the subject site from E2 Environmental Conservation to R3 Medium Density Residential. Home Occupation is a permitted use within this zone.</p>
3.4 Integrating Land Use & Transport	
<p>Aims to ensure that urban structures, building forms, land use locations, development designs, subdivision and street layouts to achieve: improving access to housing, jobs and services by walking, cycling and public transport; increasing choice of available transport and reducing transport on cars; reducing travel demand; supporting efficient and viable public transport services; and provide for efficient movement of freight.</p> <p>Applies when a planning proposal creates alters or moves a zone or provision relating to urban land, including land zoned for residential, business, industrial, village or tourist purposes.</p>	<p>Applicable</p> <p>The subject proposal seeks to zone the subject site for residential purposes in an existing urban area. The proposal is considered to be consistent with this Direction.</p>
3.5 Development Near Licensed Aerodromes	
<p>Aims to ensure the effective and safe operation of</p>	<p>Not Applicable</p>

Direction	Comment
<p>aerodromes, their operation is not compromised by development which constitutes an obstruction, hazard or potential hazard to aircraft flying in the vicinity, development for residential purposes or human occupation (within the ANEF contours between 20 & 25) incorporates appropriate mitigation measures so that the development is not adversely affected by aircraft noise.</p> <p>Applies when a planning proposal creates, alters or removes a zone or provision relating to land in the vicinity of a licensed aerodrome.</p>	
3.6 Shooting Ranges	
<p>Aims to maintain appropriate levels of public safety and amenity when rezoning land adjacent to an existing shooting range, to reduce land use conflict arising between existing shooting ranges and rezoning of adjacent land, and to identify issues that must be addressed when giving consideration to rezoning land adjacent to an existing shooting range.</p> <p>Applies when a relevant planning authority prepares a planning proposal that will affect, create, alter or remove a zone or a provision relating to land adjacent to and/ or adjoining an existing shooting range.</p>	<p>Not Applicable</p> <p>Subject site is not near a shooting range.</p>
3.7 Reduction in non-hosted short term rental accommodation period	
<p>Aims to mitigate significant impacts of short-term rental accommodation where non-hosted short-term rental accommodation periods are to be reduced, and ensure the impacts of short-term rental accommodations and views are considered.</p>	<p>Not Applicable</p> <p>This Direction does not apply to the Central Coast Local Government Area (or former Wyong or Gosford LGAs).</p>
Hazard & Risk	
4.1 Acid Sulfate Soils	
<p>Aims to avoid significant adverse environmental impacts from the use of land that has a probability of containing acid sulfate soils.</p> <p>Applies when a planning proposal applies to land having a probability of containing acid sulfate soils on the Acid Sulfate Soils Planning Maps.</p>	<p>Applicable</p> <p>The subject site is mapped as containing ASS, the subject site sits within an existing urban area. For the purpose of rezone ASS is not considered a impediment.</p>
4.2 Mine Subsidence & Unstable Land	
<p>Aims to prevent damage to life, property and the environmental on land identified as unstable or potentially subject to mine subsidence.</p> <p>Applies when a planning proposal permits development on land which is within a mine subsidence district, or identified as unstable in a study or assessment undertaken</p>	<p>Not Applicable</p>

Direction	Comment
by or on behalf of the relevant planning authority or other public authority and provided to the relevant planning authority.	
4.3 Flood Prone Land	
<p>Aims to ensure: development on flood prone land is consistent with NSW Government's Flood Prone Land Policy and principles of the Floodplain Development Manual 2005; and provisions of an LEP on flood prone land are commensurate with flood hazard and include consideration of the potential flood impacts both on and off the subject land.</p> <p>Applies when a planning proposal creates, removes or alters a zone or provision that affects flood prone land.</p>	<p>Not Applicable</p> <p>The subject site has not been identified as flood liable lands.</p>
4.4 Planning for Bushfire Protection	
<p>Aims to protect life, property and the environment from bushfire hazards, and encourage sound management of bushfire prone areas.</p> <p>Applies when a planning proposal affects or is in proximity to land mapped as bushfire prone land.</p>	<p>Applicable</p> <p>The subject site is not mapped as Bush Fire Prone land</p>
Regional Planning	
5.1 Implementation of Regional Strategies	
<p>Aims to give legal effect to the vision, land use strategy, policies, outcomes and actions contained in regional strategies.</p>	<p>Not Applicable.</p> <p>This Direction does not apply to the Central Coast Local Government Area (or former Wyong or Gosford LGAs).</p>
5.2 Sydney Drinking Water Catchments	
<p>Aims to protect water quality in the hydrological catchment.</p> <p>Applies when a relevant planning authority prepares a planning proposal that applies to Sydney's hydrological catchment.</p>	<p>Not Applicable.</p> <p>This Direction does not apply to the Central Coast Local Government Area (or former Wyong or Gosford LGAs).</p>

5.3 Farmland of State and Regional Significance on the NSW Far North Coast	
Aims to: ensure that the best agricultural land will be available for current and future generations to grow food and fibre; provide more certainty on the status of the best agricultural land, assisting councils with strategic settlement planning; and reduce land use conflict arising between agricultural use and non-agricultural use of farmland caused by urban encroachment into farming areas. Applies to Ballina, Byron, Kyogle, and Tweed Shire Councils, Lismore City Council and Richmond Valley Council.	Not Applicable. This Direction does not apply to the Central Coast Local Government Area (or former Wyong or Gosford LGAs).
5.4 Commercial and Retail Development along the Pacific Highway, North Coast	
Aims to manage commercial and retail development along the Pacific Highway, North Coast. Applies to all councils between and inclusive of Port Stephens and Tweed Shire Councils.	Not Applicable. This Direction does not apply to the Central Coast Local Government Area (or former Wyong or Gosford LGAs).
5.9 North West Rail Link Corridor Strategy	
Aims to promote transit-oriented development and manage growth around the eight train stations of the North West Rail Link (NWRL) and ensure development within the NWRL corridor is consistent with the proposals set out in the NWRL Corridor Strategy and precinct Structure Plans. Applies to the This Direction applies to Hornsby Shire Council, The Hills Shire Council and Blacktown City Council.	Not Applicable This Direction does not apply to the Central Coast Local Government Area (or former Wyong or Gosford LGAs).
5.10 Implementation of Regional Plans	
Aims to give legal effect to the vision, land use strategy, goals, directions and actions contained within Regional Plans. Applies when the relevant planning authority prepares a planning proposal.	Applicable The subject proposal is inconsistent with Goal 2- <i>Protect the natural environment and manage the use of agricultural resource lands</i> of the Central Coast Regional Plan 2036.
5.11 Development of Aboriginal Land Council Land	
Aims to provide for the consideration of development delivery plans prepared under State Environmental Planning Policy (Aboriginal Land) 2019 when planning proposals are prepared by a planning proposal authority. Applies when the relevant planning authority prepares a planning proposal for land shown on the Land Application Map of State Environmental Planning Policy (Aboriginal Land) 2019.	Applicable The subject site is not shown on the Land Application Map of State Environmental Planning Policy (Aboriginal Land) 2019.

Local Plan Making	
6.1 Approval and Referral Requirements	
Aims to ensure that LEP provisions encourage the efficient and appropriate assessment of development. Applies when the relevant planning authority prepares a planning proposal.	Applicable The subject proposal will not include any restrictive approval or referral requirements.
6.2 Reserving Land for Public Purposes	
Aims to facilitate the provision of public services and facilities by reserving land for public purposes, and facilitate the removal of reservations of land for public purposes where land is no longer required for acquisition. Applies when the relevant planning authority prepares a planning proposal.	Applicable The subject proposal does not include reserving any land for public purposes.
6.3 Site Specific Provisions	
Aims to discourage unnecessarily restrictive site specific planning controls. Applies when the relevant planning authority prepares a planning proposal to allow particular development to be carried out.	Applicable The subject proposal does not seek any restrictive site specific planning controls.
Metropolitan Planning	
7.1 Implementation of A Plan for Growing Sydney	
Aims to give legal effect to the planning principles, directions and priorities for sub regions, strategic centres and transport gateways contained in A Plan for Growing Sydney	Not Applicable. This Direction does not apply to the Central Coast Local Government Area (or former Wyong or Gosford LGAs).
7.2 Implementation of Greater Macarthur Land Release Investigations	
Aims to ensure development within the Greater Macarthur Land Release Investigation Area is consistent with the Greater Macarthur Land Release Preliminary Strategy and Action Plan.	Not Applicable. This Direction does not apply to the Central Coast Local Government Area (or former Wyong or Gosford LGAs).
7.3 Parramatta Road Corridor Urban Transformation Strategy	
Aims to facilitate development within the Parramatta Road Corridor that is consistent with the Parramatta Road Corridor Urban Transformation Strategy (November, 2016) and the Parramatta Road Corridor Implementation Tool Kit.	Not Applicable. This Direction does not apply to the Central Coast Local Government Area (or former Wyong or Gosford LGAs).

7.4 Implementation of North West Priority Growth Area Land Use and Infrastructure Implementation Plan	
Aims to facilitate development within the Parramatta Road Corridor that is consistent with the Parramatta Road Corridor Urban Transformation Strategy (November, 2016) and the Parramatta Road Corridor Implementation Tool Kit.	Not Applicable. This Direction does not apply to the Central Coast Local Government Area (or former Wyong or Gosford LGAs).
7.5 Implementation of Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	
The objective of this direction is to ensure development within the Greater Parramatta Priority Growth Area is consistent with the Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan dated July 2017 (the interim Plan).	Not Applicable. This Direction does not apply to the Central Coast Local Government Area (or former Wyong or Gosford LGAs).
7.6 Implementation of Wilton Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	
The objective of this direction is to ensure development within the Wilton Priority Growth Area is consistent with the Wilton Interim Land Use and Infrastructure Implementation Plan and Background Analysis.	Not Applicable. This Direction does not apply to the Central Coast Local Government Area (or former Wyong or Gosford LGAs).
7.7 Implementation of Glenfield to Macarthur Urban Renewal Corridor	
The objective of this direction is to ensure development within the precincts between Glenfield and Macarthur is consistent with the plans for these precincts.	Not Applicable. This Direction does not apply to the Central Coast Local Government Area (or former Wyong or Gosford LGAs).
7.8 Implementation of Western Sydney Aerotropolis Interim Land Use and Infrastructure Implementation Plan	
The objective of this direction is to ensure development within the Western Sydney Aerotropolis is consistent with the Stage 1 Western Sydney Aerotropolis Land Use and Infrastructure Implementation Plan dated August 2018 (the Stage 1 Land Use and Implementation Plan).	Not Applicable. This Direction does not apply to the Central Coast Local Government Area (or former Wyong or Gosford LGAs).
7.9 Implementation of Bayside West Precincts 2036 Plan	
The objective of this direction is to ensure development within the Bayside West Precincts (Arncliffe, Banksia and Cooks Cove) is consistent with the Bayside West Precincts 2036 Plan (the Plan).	Not Applicable. This Direction does not apply to the Central Coast Local Government Area (or former Wyong or Gosford LGAs).

7.10 Implementation of Planning Principles for the Cooks Cove Precinct	
The objective of this direction is to ensure development within the Cooks Cove Precinct is consistent with the Cooks Cove Planning Principles.	Not Applicable. This Direction does not apply to the Central Coast Local Government Area (or former Wyong or Gosford LGAs).

Community Strategic Plan Assessment

Objective/Requirement	Comment
BELONGING	
B4 Activate spaces and places to complement activity around town centres, foreshores, lakes and green spaces for families, community and visitors	The proposal does not support this direction. The high environmental value of the site is a key stepping stone to the existing lake foreshore area.
SMART	
C4 Promote and grow tourism that celebrates the natural and cultural assets of the Central Coast in a way that is accessible, sustainable and eco-friendly	The proposal seeks to remove vegetation on site which is of high aesthetic, amenity and environmental value to the community.
GREEN	
F1 Protect our rich environmental heritage by conserving beaches, waterways, bushland, wildlife corridors and inland areas and the diversity of local native species	The subject proposal is inconsistent with this objective. The proposal seeks to remove all vegetation on site.
F2 Promote greening and ensure the wellbeing of communities through the protection of local bushland, urban trees, tree canopies and expansion of the Coastal Open Space System (COSS)	The proposal is inconsistent as it seeks to remove all vegetation on site. The flora and fauna communities on site have been identified as being of environmental, aesthetic and amenity value.
RESPONSIBLE	
H4 Plan for adequate and sustainable infrastructure to meet future demand for transport, energy, telecommunications and a secure supply of drinking water	The subject sites sits within an existing urban context to which infrastructure is available. The proposal is able to be supported by necessary infrastructure.
BALANCED AND SUSTAINABLE DEVELOPMENT	
I3 Ensure land use planning and development is sustainable and environmentally sound and considers the importance of local habitat, green corridors, energy efficiency and stormwater management	The subject proposal is not sustainable or environmentally sound as the removal of the vegetation on site which results in multiple negative externalities.
LIVABLE	
L1 Promote healthy living and ensure sport, leisure, recreation and aquatic facilities and open spaces are well maintained and activated	The role of the site from an amenity, aesthetic and environmental perspective is of greater public benefit than a private residential development.



Item No: 3.1
Title: Deferred Report - Consideration of Submissions and Adoption of the Central Coast Affordable and Alternative Housing Strategy
Department: Connected Communities

8 April 2019 Ordinary Council Meeting

Trim Reference: F2018/00020-07 - D13500102

Author: Ellen Bridge, Team Leader Community and Cultural Programs
Belinda McRobie, Social Planner

Manager: Glenn Cannard, Unit Manager, Community Partnerships

Executive: Julie Vaughan, Director, Connected Communities

Summary

At the Council Meeting of 25 March 2019, Council resolved:

226/19 That Council defer the matter to a Council meeting to be held in April 2019 to allow the Councillors to discuss aspects of the new strategy changes.

Recommendation

- 1 That Council note the deferred Consideration of Submissions and Adoption of the Central Coast Affordable and Alternative Housing Strategy report which is Attachment 1 to this report.**
- 2 That Council note that the Draft Central Coast Affordable and Alternative Housing Strategy was publicly exhibited from 10 September 2018 to 21 December 2018.**
- 3 That Council consider the submissions received during the exhibition period outlined in Attachment 2 of this report**
- 4 That Council note and endorse the amendments recommended by Council staff as outlined in Attachment 3 of this report.**
- 5 That Council authorise the Chief Executive Officer to make final editorial amendments to the Draft Central Coast Affordable and Alternative Housing Strategy, to ensure correctness and clarity.**
- 6 That Council adopt the Central Coast Affordable and Alternative Housing Strategy, (Attachment 1), and make available on Council's website.**

Attachments

- | | | | |
|----------|--|--|-----------|
| 1 | 25 March 2019 - Consideration of Submissions and Adoption of the Central Coast Affordable and Alternative Housing Strategy | <i>Attached in a separate document</i> | D13500086 |
|----------|--|--|-----------|



Item No: 3.2
Title: 2018-19 Community Support Grant Program
Department: Connected Communities

8 April 2019 Ordinary Council Meeting

Trim Reference: F2018/00020-07 - D13486193
Author: Stuart Slough, Team Leader, Community Planning and Funding
Manager: Glenn Cannard, Unit Manager, Community Partnerships
Executive: Julie Vaughan, Director, Connected Communities

Summary

This report considers the applications and recommendations for the following community grant program:

Community Support Grant Program – supports the community to deliver community activities which require a small amount of funding and/or in-kind support.

Recommendation

- 1 That Council allocate \$29,433.50 from the 2018-19 grants budget to the community grant programs as outlined in the following report and Attachment 1.**
- 2 That Council decline applications for the reasons indicated in the attached tables (Attachment 2), the applicants be advised and where relevant, directed to alternate funding.**

Context

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

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

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

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

Table 1: Community Support Grant Program

Program	Budget	Opening Period	2018/2019 allocation to date	Recommendation allocation within this report	Allocation to date + Recommendation within report
Community Support Grant Program	\$300,000	Ongoing	\$139,772.43	\$29,433.50	\$169,205.93
TOTAL			\$139,772.43	\$29,433.50	\$169,205.93

Current Status

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

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

Assessment

Twenty two applications were received and assessed by 28 February with nine recommended for funding in this Council report.

The Community Support Grant applications were assessed by Council’s Unit Manager Community Partnerships, the Community Planning and Funding Team and the Events Team Leader.

Consultation

The availability of grant funding is provided on Council’s website and promoted through Council’s Social Media platforms.

An email with relevant information was provided to the community grants database.

Council staff also provided information and individual appointments for the period that the grants were open.

General grant information sessions and drop-in sessions were held during February 2019 at:

- Council’s Wyong office

- Smart Work Hub, Gosford
- The Hub, Erina
- Charmhaven Community Hall

Options

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

Financial Impact

Council's 2018/2019 Council Operational Expenditure budget allocates \$300,000 to the Community Support Grant Program. The \$29,433.50 recommended to be allocated by this report combined with previous funds granted by Council, represents 56% of the total annual budget leaving 44% available for the remainder of the financial year.

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

Theme 1: Belonging

Goal A: Our community spirit is our strength

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

Risk Management

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

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

Critical Dates or Timeframes

This Grant Program is open all year and assessed on a monthly basis with the intention to allow applicants to apply for funding support which has a quicker response time.

Attachments

- | | | |
|----------|--|-----------|
| 1 | Attachment 1 - 2018-2019 Community Support Grant Program - Recommended for Funding | D13494332 |
| 2 | Attachment 2 - 2018-2019 Community Support Grant Program - Not Recommended for Funding | D13494338 |

February 2019 Applications

Recommended for Funding

Organisation name	Project Title	Staff Funding Recommendation	Staff Assessment
Central Coast Cycling Club	Cyclocross NSW State Series Round 5	\$4,717.00	Recommended for funding as community benefit is demonstrated, required information is provided and all required approvals are confirmed.
Copacabana Surf lifesaving club	Auditorium upgrade	\$4,997.00	Recommended for funding as community benefit is demonstrated, required information is provided and all required approvals are confirmed.
Lions Club of Green Point Avoca Inc.	Awning over BBQ at Lions Park Avoca Beach	\$3,407.00	Recommended full funding project has merit and community benefit is demonstrated.
Rotary Club of Gosford City	2019 Central Coast MUNA event	\$800.00	Recommended for funding as community benefit is demonstrated, required information is provided and all required approvals are confirmed.
SUMMERLAND POINT PROGRESS ASSOCIATION INC	Purchase of Tools	\$2,924.50	Recommended for funding as community benefit is demonstrated and all required information is provided..
Alison Homestead	Community support and education in conjunction with Alison Homestead, Wyong and the Central Coast Harvest Festival	\$3,770.00	Recommended for funding as community benefit is demonstrated, required information is provided and all required approvals are confirmed.
Toukley and Districts Art Society Inc.	Toukley Arts and Craft Fair by the Lake	\$1,980.00	Recommended for funding as community benefit is demonstrated, required information is provided and all required approvals are confirmed.

Organisation name	Project Title	Staff Funding Recommendation	Staff Assessment
Volunteer Marine Rescue NSW	Digital Projector system	\$2,018.00	Recommended for funding as community benefit is demonstrated and required information is provided.
We Care Connect Limited	Charity Promotion Change Strategy	\$4,820.00	Recommended for funding as community benefit is demonstrated, required information is provided and all required approvals are confirmed.
	Total	\$29,433.50	

February 2019 Applications

Not Recommended for Funding

Organisation name	Project Title	Staff Assessment
Cancer Council NSW	Stars of the Central Coast - Dance for Cancer	Not recommended for funding as the applicant is ineligible as per Community Support Grant Program Guidelines '7.16 General fundraising events'.
Central Coast Council of P&C's	Kid's Day Out & Educational Program	Not recommended for funding as insufficient information is provided. Recommend applicant liaise with Council grants staff and resubmit in a subsequent round.
Central Coast District Golf Association Incorporated	Central Coast District Golf Association's Seniors Week of Golf 2019	Not recommended for funding as insufficient information is provided. Recommend applicant liaise with Council grants staff and resubmit in a subsequent round.
For Benefits Medicines Pty Ltd	In-Kind Council Services for November 2019 Twilight Soiree	Not recommended for funding as the applicant is ineligible as per Community Support Grant Program Guidelines '7.16 General fundraising events'.
Gosford and District Tennis Association Incorporated	Volunteers Tools	Not recommended for funding as insufficient information is provided. Recommend applicant liaise with Council grants staff and resubmit in future rounds.
Gulan Friends Club	Venue Cost and Cost for conducting activities for kids and adults	Not recommended for funding as insufficient information is provided. Recommend applicant liaise with Council grants staff and resubmit in future rounds.
Kincumber Uniting Church	Security System for Kincumber Uniting Church	Not Recommended for funding as funds requested for upgrade to church and broader community benefit is not demonstrated.
Niagara Park Ourimbah Dockers AFL Club	Safety & training equipment	Not recommended for funding as insufficient information is provided. Recommend applicant liaise with Council grants staff and resubmit in a subsequent round.
NSW Wildlife Information Rescue & Education Service, Inc.	WIRES Central Coast Sound System Project	Project deemed ineligible as per Community Support Grant Guidelines '7.10 Applications seeking funds for retrospective projects or activities (any project or activity commencing within four weeks from the end of the application month'.

Organisation name	Project Title	Staff Assessment
The Entrance Bateau Bay Australian Football Club Inc	Request for additional sporting and canteen equipment	Not recommended as currently proposed. Recommend applicant liaise with CCC grants staff and resubmit in a subsequent round.
Central Coast Cross Country Incorporated	Funding to create a sporting experience	Not recommended for funding as insufficient information is provided. Recommend applicant liaise with Council grants staff and resubmit in future rounds.
We Care Connect Limited	Donation collection and delivery project	Not recommended as currently proposed. Recommend applicant liaise with Council grants staff and resubmit in future rounds.
Wingers Softball	Uniform and Equipment Upgrade	Not recommended as currently proposed. Recommend applicant liaise with Council grants staff and resubmit in future rounds.



Item No: 3.3
Title: Meeting Record of the Coastal Open Space System (COSS) Committee held 30 January 2019
Department: Governance

8 April 2019 Ordinary Council Meeting

Trim Reference: F2018/00020-06 - D13460840

Author: Kelly Drover, Advisory Group Support Officer

Manager: Luke Sulkowski, Unit Manager, Natural and Environmental Assets

Executive: Scott Cox, Director, Environment and Planning

Report Purpose

To note the draft Meeting Record of the Coastal Open Space System (COSS) Committee held on 30 January 2019, and consider the recommendations to Council from the Committee, including staff comments of those recommendations.

Recommendation

- 1 That Council note the draft Meeting Record of the Coastal Open Space System (COSS) Committee held on 30 January 2019 that is Attachment 1 to this report.**
- 2 That Council continues to advocate for the introduction of an E5 zone to protect priority conservation lands including COSS lands.**

Link to Community Strategic Plan

Theme 4: Responsible

Goal G: Good governance and great partnerships

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

Committee Recommendation

The Advisory Committee recommends that Council continues to advocate for the introduction of an E5 zone to protect priority conservation lands including COSS lands.

Staff Response

Staff have no objection to the recommendation of the Committee.

Recommendation to Council

That Council continues to advocate for the introduction of an E5 zone to protect priority conservation lands including COSS lands.

3.3 Meeting Record of the Coastal Open Space System (COSS) Committee held 30 January 2019 (contd)

Committee Recommendation

The Advisory Committee recommends that Council seek to implement provisions within the Consolidated LEP to provide the highest level of protection for priority conservation lands including COSS lands

Staff Response

The consolidated Local Environmental Plan proposes to rezone deferred matters under the Interim Development Order 122 which are identified as Coastal Open Space Systems lands to E2 Environmental Conservation. This zone provides the highest level of environmental protection for land outside National Parks.

Recommendation to Council

That Council seek to implement provisions within the Consolidated LEP to provide the highest level of protection for priority conservation lands including COSS lands.

Attachments

- 1** Draft COSS Committee Meeting Record - 30 January 2019 D13460753

Coastal Open Space System (COSS) Committee Meeting Record 30 January 2019



Location:	Wyong Administration Building Committee Room 2 Hely Street, Wyong	
Date:	30 January 2019	
Time	Started at: 4.08pm	Closed at: 5.58pm
Chair	Mayor Jane Smith	
File Ref	F2018/00099	

Present:

Mayor Jane Smith, Councillor Chris Holstein (left 5.20pm), Councillor Jeff Sundstrom, John Andrews, Deb Holloman, Paul Links, Douglas Williamson (arrived 4.43pm), Barbara Wills

External Representatives present:

Gary Chestnut, Stephen Atkins – National Parks and Wildlife Services (Hunter Central Coast Branch), Maree Whelan – Local Land Services (Greater Sydney)

Council Staff present:

Vivienne Louie – Unit Manager Financial Performance (left 4.46pm), Luke Sulkowski – Unit Manager Natural and Environmental Assets, Scott Duncan – Section Manager Land Use and Policy (left 5.24pm), Larry Melican – Section Manager Emergency Protection Natural Assets, Dr Anumitra Mirti – Section Manager Environmental Strategies, Rochelle Lawson – Senior Ecologist, Kelly Drover – Advisory Group Support Officer

Item 1 Apologies

Councillor Louise Greenaway, David Holland, Jonathan Eccles – Local Land Services (Greater Sydney), Joel Stibbard – Biodiversity Conservation Trust, Matthew Prendergast – Acting Executive Manager Innovation and Futures

Item 2 Disclosures of Interest

Mayor Smith previously declared a less than significant non-pecuniary interest as a former Chief Executive Officer of the Community Environment Network (CEN). CEN is delivering a project that works with COSS landholders, Council and other stakeholders to deliver on ground rehabilitation works.

Councillor Sundstrom declared a less than significant non-pecuniary interest as a Labour candidate for Terrigal.

Coastal Open Space System (COSS) Committee Meeting Record 30 January 2019



Item 3 Confirmation of Previous Meeting Record

The Advisory Group confirmed the Meeting Record from 29 November 2018.

The Advisory Group reviewed the Action Log.

Item 4 Update from Finance – Former Gosford City Council Loan

Vivienne Louie (Unit Manager Financial Performance) provided an update on the Former Gosford City Council Loan.

Action: An update to be provided at the next meeting on the previous RMS proposal regarding widening of Woy Woy Road.

Action: The Committee seek clarification whether the \$1.5million generating interest for POET is separate to or part of the \$5.7million current balance.

Action: The Committee requests further information regarding the use of POET to allow community donations for COSS acquisitions.

Action: An update to be provided at the next meeting how we might estimate the total amount of funds required in terms of the identified COSS land and acquisitions.

Item 5 Update on Urban Forest Strategy

Dr Anumitra Mirti (Section Manager Environmental Strategies) provided an update to the Committee on the Urban Forest Strategy which has been renamed to the Central Coast Greener Places Strategy.

At this stage a briefing is to be provided to Councillors 1st April with an exhibition period commencing in March/April.

The Committee had a discussion around Council's Draft Tree Policy and the levels of qualifications of Arborists.

Item 6 Update on E5 Zone

Scott Duncan (Section Manager Land Use and Policy) provided the Committee with an update on E5 Zones and tabled the response letter from Department of Planning and Environment regarding creation of a new environmental zone, which had previously been circulated to Committee Members (as attached).

Recommendation

The Advisory Committee recommends:

1. That Council continues to advocate for the introduction of an E5 zone to protect priority conservation lands including COSS lands.

Coastal Open Space System (COSS) Committee Meeting Record 30 January 2019



2. That Council seek to implement provisions within the Consolidated LEP to provide the highest level of protection for priority conservation lands including COSS lands.

Adopted unanimously.

Item 7 Draft Biodiversity Strategy

Rochelle Lawson (Senior Ecologist) gave a presentation to the Committee on Draft Biodiversity Strategy. The following three questions were briefly discussed:

- How would the Central Coast community benefit from having a Biodiversity Strategy?
- What actions should Council take to protect biodiversity?
- What topics should be included in the Biodiversity Strategy?

The Committee also discussed a handout regarding issues and ideas raised by Community Members in Community Strategic Plan workshops and whether these ideas were addressed in the Biodiversity Strategy.

Action: Advisory Group Support Officer to circulate the above 3 questions, the presentation and the handout to Advisory Committee Members. Advisory Committee Members to provide any comments or feedback to Advisory Group Support Officer by Thursday 14th February.

There was some discussion about the history and success of the COSS branding, and views of the group were sought in regards to how the program should be branded following adoption of a new Biodiversity Strategy.

Action: Advisory Committee Members to provide any comments or feedback to the Advisory Group Support Officer by Thursday 14th February on the naming of COSS.

Item 8 Draft Offset Policy

This item was deferred to the next meeting.

Item 9 Land Acquisition Investment Plan

Rochelle Lawson (Senior Ecologist) gave a presentation to the Committee on the Land Acquisition Investment Plan.

Action: Advisory Group Support Officer to circulate presentation to Advisory Committee Members to review prior to discussion at the next meeting.

Action: Advisory Group Support Officer to distribute former Gosford Biodiversity Strategy to Committee Members.

Coastal Open Space System (COSS) Committee Meeting Record 30 January 2019



Item 10 Update from External Representatives

Stephen Atkins gave a brief update on the National Parks and Wildlife Services (Hunter Central Coast Branch) including recent restructure and office relocation.

Maree Whelan, Local Land Services (Greater Sydney) advised that the Rabbit Haemorrhagic Disease Virus, commonly known as RHDV1-K5 was released throughout the whole of the Central Coast on 11 February 2019.

Item 11 General Business and Close

Working Group meeting to be held. Chair will liaise with Convenor to arrange.

Joel Stibbard to give a presentation at the next meeting on the Biodiversity Conservation Trust and its programs.

The meeting closed at 5.58pm

Next Meeting: Wednesday 27 March 2019
4pm – 6pm
Central Coast Council Gosford Office
Level 1 Committee Room



Item No: 3.4
Title: Meeting Record of the Gosford CBD and Waterfront Advisory Committee held on 13 February 2019
Department: Governance

8 April 2019 Ordinary Council Meeting

Trim Reference: F2018/00020-06 - D13475086

Author: Kelly Drover, Advisory Group Support Officer

Executive: Scott Cox, Director, Environment and Planning

Report Purpose

To note the Meeting Record of the Gosford CBD and Waterfront Advisory Committee held on 13 February 2019 and consider the recommendations to Council from the Committee, including staff consideration of those recommendations.

Recommendation

- 1 That Council note the Meeting Record of the Gosford CBD and Waterfront Advisory Committee held 13 February 2019 that is Attachment 1 to this report.**
- 2 That Council request the Chief Executive Officer to write to the Minister for Planning seeking funding for a Masterplan for Kibble Park.**

Background

The Gosford CBD and Waterfront Advisory Committee held a meeting on Wednesday 13 February 2019. The Meeting Record of that meeting is Attachment 1 to this report.

The Gosford CBD and Waterfront Advisory Committee Meeting Record is being reported to Council in accordance with the relevant Terms of Reference.

At the meeting the Committee considered the items and made recommendations. The items have been reviewed by staff and the following is now provided to Council:

Committee Recommendation – Kibble Park Fountain

The Advisory Committee recommends that Council seek funding from the State Government for a Masterplan for Kibble Park.

3.4 Meeting Record of the Gosford CBD and Waterfront Advisory Committee held on 13 February 2019 (contd)

Staff Response

Staff will write to the Minister for Planning the Honourable Mr Anthony Roberts seeking funding for a Masterplan for Kibble Park.

Recommendation to Council

That Council request the Chief Executive Officer to write to the Minister for Planning seeking funding for a Masterplan for Kibble Park.

Link to Community Strategic Plan

Theme 4: Responsible

Goal G: Good governance and great partnerships

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

Attachments

- | | |
|--|-----------|
| 1 Gosford CBD and Waterfront Advisory Committee Meeting Record - 13 February 2019 | D13475049 |
|--|-----------|

Draft Gosford CBD and Waterfront Advisory Committee Meeting Record 13 February 2019



Location:	Central Coast Council Gosford Administration Building Level 1 Committee Room 49 Mann Street, Gosford
Date:	13 February 2019
Time	Started at: 4.08pm (Quorum achieved 4.33pm) Closed at: 6.24pm
Chair	Mayor Jane Smith
File Ref	F2018/00101

Present:

Mayor Jane Smith, Councillor Chris Holstein (arrived 4.33pm), Councillor Richard Mehrtens, Michael Conroy, Joy Cooper (arrived 4.26pm), Rod Dever, Chris Krogh

External Agencies:

Nicola Robinson – Central Coast Regional Development Corporation (CCRDC), Caine King – Urban Development Institute Australia

Also present were:

Scott Cox – Director Environment and Planning (left 5.12pm), Glenn Cannard – Unit Manager Community Partnerships (arrived 5.25pm), Brett Sherar – Unit Manager Open Space and Recreation, Janine Crawford – Team Leader Marketing and Brand (left 4.40pm), Gary Hamer – Section Manager Urban Growth Strategies, Rebecca Cardy – Heritage Officer, Kelly Drover – Advisory Group Support Officer

Item 1 Apologies and Acknowledgement of Country

Dianne Haydon, Edwina Nikora, Councillor Louise Greenaway, Councillor Rebecca Gale Collins, Corinne Thompson – Roads and Maritime Services

The Chair, Mayor Jane Smith, declared the meeting open at 4.08pm and undertook an Acknowledgement of Country. Quorum was not achieved till 4:33pm at which point the previous meeting record was confirmed.

Draft Gosford CBD and Waterfront Advisory Committee Meeting Record
13 February 2019



Item 2 Disclosure of Interest

Councillor Holstein previously declared a less than significant non-pecuniary interest having casual employment with Coast Shelter and Regional Youth Services in the Gosford CBD.

Councillor Holstein previously declared a less than significant non-pecuniary interest being a Council representative on the GBID Management Committee.

Rod Dever previously declared a less than significant non-pecuniary interest as a member of the GBID Management Committee.

Mayor Smith declared a less than significant non-pecuniary interest as a teacher with the Department of Education (DoE) in regards to Item 6.

Chris Krogh declared a less than significant non-pecuniary interest as a researcher with University of Newcastle (Central Coast) who may bid for grants that may be relevant to the Committee.

Item 3 Confirmation of Previous Meeting Record

The Advisory Group confirmed the 7 November 2018 Meeting Record.

The Advisory Group discussed the action log.

Item 4 Signage Project

Janine Crawford – Team Leader Marketing and Brand gave a presentation on the Signage Project.

NOTE: This presentation occurred before the meeting achieved quorum.

Item 5 Urban Sustainability Initiatives

Gary Hamer – Section Manager Urban Growth Strategies gave a presentation on Sustainability Initiatives for Gosford CBD.

Action: Section Manager Urban Growth Strategies to follow up the timing of Sustainability Strategy biennial reporting and how that fits in with the IPR Reporting requirements.

Item 6 Heritage Initiatives

Rebecca Cardy – Heritage Officer gave a presentation on Heritage Initiatives and the Gosford CBD Heritage Interpretation Strategy.

Draft Gosford CBD and Waterfront Advisory Committee Meeting Record
13 February 2019



Item 7 Kibble Park Fountain

Brett Sherar – Unit Manager Open Space and Recreation gave a presentation on Kibble Park Fountain including options for restoration of the fountain and sculpture retention options.

Action: The Advisory Committee recommends that Council seek funding from the State Government for a Masterplan for Kibble Park.

Action: Upon receipt of a response from the State Government regarding a Masterplan for Kibble Park, Unit Manager Open Space and Recreation to provide an update to the Advisory Committee including mock ups of potential designs for the restoration of Kibble Park fountain.

Item 8 Engagement Opportunities – Live Music and Entertainment

Glenn Cannard – Unit Manager Community Partnerships gave an update on Live Music and Entertainment opportunities.

Action: At the next meeting, Unit Manager Community Partnerships to provide a calendar of events including proposed and confirmed events for Gosford CBD for the remainder of the year. An updated calendar to be provided for each meeting of the committee.

Item 9 Updates from Committee members if applicable

No updates from Committee Members.

Item 10 General Business and Close

Action: Agenda Item requests for the next meeting to be forwarded to Advisory Group Support Officer.

The meeting closed at 6.24pm.

Next Meeting: **Wednesday 8th May 2019**
 4 – 6pm
 Central Coast Council Gosford Admin Building
 Level 1 Committee Room
 49 Mann Street, Gosford



Item No: 3.5
Title: Meeting Record of the Pedestrian Access and Mobility Advisory Committee held on 12 February 2019
Department: Governance

8 April 2019 Ordinary Council Meeting

Trim Reference: F2018/00020-06 - D13471450

Author: Kelly Drover, Advisory Group Support Officer

Manager: Jeanette Williams, Unit Manager, Roads Business Development and Technical Services

Executive: Boris Bolgoff, Director, Roads Transport Drainage and Waste

Report Purpose

To note the Meeting Record of the Pedestrian Access and Mobility Advisory Committee held on 12 February 2019 and consider the recommendations to Council from the Committee.

Recommendation

- 1 That Council note the Meeting Record of the Pedestrian Access and Mobility Advisory Committee held on 12 February 2019 that is Attachment 1 to this report.**
- 2 That Council adopt the Terms of Reference for the Pedestrian Access and Mobility Advisory Committee, as set out in Attachment 2 to this report.**
- 3 That Council appoint the Mayor as the Chairperson for the Pedestrian Access and Mobility Advisory Committee.**

Background

The Pedestrian Access and Mobility Advisory Committee held its inaugural meeting on Tuesday, 12 February 2019. The Meeting Record of that meeting is Attachment 1 to this report.

At that meeting the Committee considered and adopted the Terms of Reference and recommended that Council appoint Mayor Jane Smith as Chairperson of the Committee.

The Pedestrian Access and Mobility Advisory Committee is being reported to Council in accordance with the relevant Terms of Reference.

Link to Community Strategic Plan

Theme 4: Responsible

3.5 Meeting Record of the Pedestrian Access and Mobility Advisory Committee held on 12 February 2019 (contd)

Goal G: Good governance and great partnerships

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

Attachments

- | | | |
|----------|--|-----------|
| 1 | Draft PAMP Committee Meeting Record - 12 February 2019 | D13469539 |
| 2 | Terms of Reference - Pedestrian Access and Mobility Advisory Committee | D13471398 |

Pedestrian Access and Mobility Advisory Committee Meeting Record 12 February 2019



Location:	Central Coast Council Gosford Office Level 1 Committee Room 49 Mann Street, Gosford	
Date:	12 February 2019	
Time	Started at: 4.06pm	Closed at: 5.41pm
Chair	Mayor Jane Smith	
File Ref	F2018/00788	

Present:

Mayor Jane Smith, Councillor Jillian Hogan, John Anderson, Helen Beazley, Rachael Thelwell

Council Staff present:

Boris Bolgoff – Director Roads Transport Drainage and Waste, Stephen Dignam – Unit Manager Roads Maintenance and Asset Evaluation, Jay Spare – Unit Manager Roads Assets Planning and Design, Jeanette Williams – Unit Manager Roads Business Development and Technical Services, Kelly Drover – Advisory Group Support Officer, Zoie Magann – Advisory Group Support Officer

Item 1 Apologies and Acknowledgement of Country

Councillor Rebecca Gale Collins, Councillor Doug Vincent, Wendy Baylis

Mayor Jane Smith, declared the meeting open at 4.06pm and undertook an Acknowledgement of Country.

Item 2 Introductions

Each member of the Advisory Group introduced themselves.

Item 3 Nomination of Chairperson

The Advisory Group discussed the election of a Chairperson.

Action: The Advisory Group recommends to Council that Mayor Jane Smith be appointed as the Chair of the Pedestrian Access and Mobility Advisory Committee. Councillor Jillian Hogan to be appointed as an alternate Chair.



Item 4 Disclosure of Interest

No disclosures were received.

Item 5 Terms of Reference

The Advisory Group discussed the draft Terms of Reference.

Minor administrative changes to be made as discussed.

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

Item 6 Pedestrian Access and Mobility Plan and Bike Plan

Jay Spare – Unit Manager Roads Assets Planning and Design gave an update on the Pedestrian Access and Mobility Plan and Bike Plan.

Hard copies were provided to Advisory Group Members and an electronic version to be distributed.

Advisory Group Members to provide comments and feedback on:

- Readability and usability of the two plans
- Any major concerns
- Any additional events or promotion suggestions on how we can encourage the use of active transport through the entire LGA.

Action: Advisory Group Support Officer to distribute electronic version of the PAMP and Bike Plan to Advisory Group Members.

Action: Advisory Group Members to provide feedback to Advisory Group Support Officer by Thursday 14 March 2019.

Item 7 Action Plan for next 12 Months

The Advisory Group discussed an action plan for the next 12 months.

Future agenda items are as below.

April 2019	May 2019	August 2019	November 2019	February 2020
<ul style="list-style-type: none"> • Feedback from Committee Members on PAMP and Bike Plan 	<ul style="list-style-type: none"> • What is proposed for 19/20 budget • Best Practice 	<ul style="list-style-type: none"> • Review Draft Program for 20/21 • Council's Disability Inclusion Officer 	<ul style="list-style-type: none"> • RMS Projects (possible RMS representative to attend) • Invite Cycle Police 	<ul style="list-style-type: none"> • Update on consultation with Schools in LGA • Invite Primary and Secondary School Principal Representative



Item 8 General Business and Close

Next meeting to be held in Gosford.

The meeting closed at 5.41pm

Next Meeting: **Interim Meeting to discuss PAMP and Bike Plan**
Tuesday 2 April 2019
4pm – 6pm
Central Coast Council Gosford Office
Level 1 Committee Room
49 Mann Street, Gosford

Next Ordinary Meeting of the Pedestrian Access and Mobility Advisory Committee
Tuesday 14 May 2019
4pm – 6pm
Central Coast Council Gosford Office
Level 1 Committee Room
49 Mann Street, Gosford

Terms of Reference – Pedestrian Access and Mobility Advisory Committee

1. Role

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

The role of the Pedestrian Access and Mobility Advisory Committee is to consider, review, contribute to and participate in discussions regarding projects and directions of Central Coast Council to achieve objectives in the CSP relating to Active Transport.

2. Responsibilities

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

- Active Transport Projects
- Strategic documents relating to Active Transport such as Pedestrian and Mobility Plan
- Safe movement of people through Council pathway network

3. Membership, Chairperson and Voting

Membership

Councillors:	Mayor Smith (Chair)	Voting Member
	Councillor Gale Collins	Voting Member
	Councillor Hogan (Alternate Chair)	Voting Member
	Councillor Vincent	Voting Member
Community Members:	John Anderson	Voting Member
	Wendy Bayliss	Voting Member
	Helen Beasley	Voting Member
	Rachel Thelwell	Voting Member

- Specialists may be invited from time to time to provide advice on certain matters (non-voting representatives)

Community representatives shall be appointed by resolution of Council following advertisement for nominations. Nominations are to be in writing and will circulate in full to Councillors for evaluation and consideration. The Advisory Group is not involved in the evaluation or selection process, it is a matter for Council.

Terms of Reference – Pedestrian Access and Mobility Advisory Committee

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

- Director, Roads Transport Drainage and Waste, or a representative as nominated
- Unit Manager, Roads Assets Planning and Design, or a representative as nominated
- Unit Manager, Roads Business Development and Technical Services, or a representative as nominated
- Unit Manager Roads, Maintenance and Asset Evaluation, or a representative as nominated.

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

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

Membership can be withdrawn by resolution of Council.

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

Casual Vacancy

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

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

Terms of Reference – Pedestrian Access and Mobility Advisory Committee

Chairperson

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

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

Convenor

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

The Unit Manager Roads Business Development and Technical Services shall be the convenor of the Pedestrian Access and Mobility Advisory Committee.

Voting

No formal voting rules apply.

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

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

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

As no formal voting rules apply, there is no proxy voting.

The Quorum for a meeting is half the Advisory Group voting membership plus one, including a Councillor. However the Chairperson shall use their discretion to determine if a meeting should be postponed due to insufficient members being able to attend.

4. Meetings

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

Terms of Reference – Pedestrian Access and Mobility Advisory Committee

5. Communications and reporting

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

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

Staff will prepare the report that recommends that the Council note the minutes of the Advisory Group. Reporting of Advisory Group recommendations to Council will be reported as Committee Recommendations without change, noting that staff are encouraged to provide comment where appropriate. The Council may, at its discretion, resolve to adopt some or all of the Advisory Group's recommendations and advice and will provide the Group's recommendation to Council with the minutes of the relevant meeting. Staff will also provide professional commentary on the Group's recommendation and provide a staff recommendation which may or may not align to that of the Group.

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

6. Conduct

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

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



Item No: 3.6
Title: Appointments to the Tourism Advisory Committee
Department: Governance

8 April 2019 Ordinary Council Meeting

Trim Reference: F2018/00020-07 - D13478119

Author: Zoie Magann, Advisory Group Support Officer

Manager: Sue Ledingham, Unit Manager Community Engagement

Executive: Julie Vaughan, Director, Connected Communities

Report Purpose

To recommend Council determine the Councillor and community representative positions on the Tourism Advisory Committee.

Recommendation

- 1 That Council determine the Councillor representatives on the Tourism Advisory Committee are:**
 - **Mayor Jane Smith**
 - **Councillor Holstein**
 - **Councillor Pilon**
 - **Councillor Sundstrom**

- 2 That Council determine the community representatives of the Tourism Advisory Committee are:**
 - **<NAME>**
 - **<NAME>**
 - **<NAME>**
 - **<NAME>**
 - **<NAME>**
 - **<NAME>**

- 3 That Council resolve, pursuant to s1.11(3) of the Local Government Act 1993, that Attachment 2 to this report remains confidential as the attachment includes "personal information" about individuals who are not Councillors.**

- 4 That Council endorses the applicants recommended in the confidential attachment that is attachment 2 to this report titled "EOI Applications Evaluations".**

Context

At its Ordinary Meeting on 10 September 2018, Council resolved to establish a Central Coast Tourism Advisory Committee (the Committee). A draft Terms of Reference for the Committee

3.6 Appointments to the Tourism Advisory Committee (contd)

was then reported to Council at the 12 November 2018 Ordinary Council meeting. The draft Terms of Reference are at Attachment 1 to this report.

At the 12 November 2018 Ordinary Council meeting, the below was resolved.

- 1007/18 *That Council note the report on the Central Coast Tourism Advisory Committee.*
- 1008/18 *That Council note the draft Terms of Reference for the Central Coast Tourism Advisory Committee as provided in Attachment 1 to this report and amend these terms of reference to include:*
- *A representative from Central Coast Tourism Inc;*
 - *A representative from a Council funded provider of marketing and industry services.*
- 1009/18 *That Council request the Chief Executive Officer invite expressions of interest from members of the community to participate in the Central Coast Tourism Advisory Committee, and that the Chief Executive Officer provide a further report to Council for the purpose of determining the membership of this group.*
- 1010/18 *That Council note the following Councillors indicated their interest in being on the Central Coast Tourism Advisory Committee:*
- *Mayor Smith*
 - *Councillor Holstein*
 - *Councillor Pilon*
 - *Councillor Sundstrom*

In response to the above, advertising to fill the community vacancies on the Committee was undertaken as follows:

- An article on the [Expressions of Interest page of Council's website](#) on 11 December 2018.
- A post on Council's Facebook page on 10 December 2018 and 20 January 2019
- An advertisement in the 11 December 2018 edition of the Wyong Regional Chronicle.
- An advertisement in the 13 December 2018 edition of the Central Coast Express Advocate.
- An advertisement in the 17 December 2018 edition of the Peninsula News.
- An advertisement in the 20 December 2018 edition of the Coast Community News.
- A notification in the Tourism Central Coast newsletter on 18 December 2018, which was emailed to contacts in database.

Applications closed on 25 January 2019 and a total of 14 Expressions of Interest (EOIs) were received from community representatives. These EOIs were made available to Councillors via the 8 March 2019 Councillor Support Update and are in the confidential attachment that is Attachment 2 to this report.

3.6 Appointments to the Tourism Advisory Committee (contd)

All 14 EOIs have been reviewed by the Staff Convenor of the Committee, who considered each submission on its merit against the draft Terms of Reference for the Committee.

The recommendation of the Staff Convenor is that six of the community representatives who submitted an EOI be appointed to the Committee as outlined in Attachment 2.

As resolved at the Ordinary Council meeting on 12 November 2018, Councillors who indicated their interest in being on the Committee were Mayor Smith, Councillor Holstein, Councillor Pilon, and Councillor Sundstrom.

It is proposed that the Councillor Chair will be determined by the Committee at its inaugural meeting and this will be reported back to Council with the Committee's first Meeting Record.

Link to Community Strategic Plan

Theme 4: Responsible

Goal G: Good governance and great partnerships

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

Attachments

- | | | |
|----------|---|-----------|
| 1 | Draft Terms of Reference - Central Coast Tourism Advisory Committee | D13371178 |
| 2 | EOI Application Evaluations - Confidential - | D13480361 |

Draft Terms of Reference – Central Coast Tourism Advisory Committee

1. Role

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

The role of the Central Coast Tourism Advisory Committee is to advise Council on matters relating to tourism destination management and marketing for the Central Coast Council local government area.

2. Responsibilities

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

- The advocacy of the Destination Management Plan and Tourism Opportunity Plan;
- Improving collaboration with tourism industry representation groups and relevant government funding bodies; and
- Promoting and supporting sustainable tourism.

3. Membership, Voting and Quorum.

Membership

Councillors:	Mayor Smith	Voting Member
	Councillor Holstein	Voting Member
	Councillor Pilon	Voting Member
	Councillor Sundstrom	Voting Member

- **Six** community representatives (voting members)
 - o Two representatives demonstrating their connection to tourism for the Central Coast and from small to medium sized business enterprises
 - o One representative demonstrating their connection to tourism for the Central Coast and from a large sized business enterprise
 - o One representative demonstrating senior marketing experience in any business field
 - o Two representatives demonstrating senior business development experience in any business field
- Destination Sydney Surrounds North representative (voting member)
- Central Coast Tourism Inc. representative (voting member)
- A representative from a Council funded provider of marketing and industry services (voting member)

Draft Terms of Reference – Central Coast Tourism Advisory Committee

Community representatives shall be appointed by resolution of Council following advertisement for nominations. Nominations are to be in writing and will circulate in full to Councillors for evaluation and consideration. The Advisory Group is not involved in the evaluation or selection process, it is a matter for Council.

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

- Director Connected Communities (or their delegate)
- Unit Manager Community Engagement
- Section Manager Marketing and Tourism
- Tourism and Marketing Officer

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

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

Membership can be withdrawn by resolution of Council.

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

Casual Vacancy

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

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

Chairperson

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

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

Draft Terms of Reference – Central Coast Tourism Advisory Committee

Convenor

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

The Director Connected Communities (or their delegate) shall be the convenor of the Central Coast Tourism Advisory Committee.

Voting

No formal voting rules apply.

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

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

The Advisory Group may agree to allow participation in meetings through conference calls and other technology. As no formal voting rules apply, there is no proxy voting.

Quorum

The Quorum for a meeting is half the Advisory Group voting membership plus one and must include at least one Councillor.

However the Chairperson shall use their discretion to determine if a meeting should be postponed due to insufficient members being able to attend.

4. Meetings

- Meetings are held quarterly;
- The Chairperson has the authority to call additional meetings;
- The agenda and meeting papers will be distributed to members at least three days prior to the meeting;
- Meetings will be recorded by the taking of minutes (meeting record) – the minutes will document agreed outcomes and will not record discussions.

5. Communications and reporting

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

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

Draft Terms of Reference – Central Coast Tourism Advisory Committee

Staff will prepare the report that recommends that Council note the meeting record of the Advisory Group. Reporting of Advisory Group recommendations to Council will be reported as Committee Recommendations without change. Staff will also provide professional commentary on the Group's recommendation and provide a staff recommendation which may or may not align to that of the Group.

Council may then, at its discretion, resolve to adopt some or all of the Advisory Group's recommendations.

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

6. Conduct

Code of Conduct training will be provided to all Advisory Group members, and must be completed prior to attending a meeting of the Advisory Group.

Each member of the Advisory Group will be provided with Council's adopted Code of Conduct and the Conduct of members is expected to be consistent with the principles outlined in the Code of Conduct.

For the avoidance of doubt, members of the Advisory Group are not permitted to speak to the media or make representations on social media on behalf of the Advisory Group or Council unless approved by Council.



Item No: 3.7
Title: Presentation of Financial Reports and related Auditor's Reports for Central Coast Council Water Supply Authority for the period 1 July 2017 to 30 June 2018
Department: Finance

8 April 2019 Ordinary Council Meeting

Trim Reference: F2018/00566 - D13479060

Author: Mellissa McKee, Financial Controller
Michelle Best, Financial Controller

Manager: Vivienne Louie, Unit Manager, Financial Performance - Responsible Accounting Officer

Summary

This report, including external audit reports, presents the 2017-18 Financial Reports for Central Coast Council Water Supply Authority. The 2017-18 Financial Reports cover the period 1 July 2017 to 30 June 2018 including analysis of the financial position and financial performance for the reporting period.

Recommendation

That Council adopt the audited 2017-18 financial reports for Central Coast Council Water Supply Authority as presented in accordance with section 41B of the Public Finance and Audit Act 1983 (PF&A Act) and the Public Finance, the Australian Accounting Standards and other pronouncements of the Australian Accounting Standards Board and the Local Government Act 1993 (NSW) and the Local Government Code of Accounting Practice.

Context

Central Coast Council Water Supply Authority was formed on 12 May 2016. The first statutory reporting period for Central Coast Council Water Supply Authority covered the period 13 May 2016 to 30 June 2017 (13.5 months). 2017-18 is the second statutory reporting period for Central Coast Council Water Supply Authority and covers the period 1 July 2017 to 30 June 2018. It should be noted therefore, that when undertaking comparative analysis that the two statutory reporting periods cover 13.5 months compared to 12 months respectively.

Adoption of financial statements

The financial statements for the 2017-18 reporting period are the formal record of the business performance of the Water Supply Authority and are prepared in accordance with accounting standards and legislative requirements for the period from 1 July 2017 to 30 June 2018.

3.7 Presentation of Financial Reports and related Auditor's Reports for Central Coast Council Water Supply Authority for the period 1 July 2017 to 30 June 2018 (contd)

Current Status

The audit clearance meeting for Central Coast Council Water Supply Authority financial statements was held on Thursday 28 February 2019 with the Audit Office and its contractor PricewaterhouseCoopers (PwC).

The financial statements were presented to the Audit Risk and Improvement Committee on 5 March 2019.

The Audit Office issued an unmodified audit opinion on the 7 March 2019.

Analysis – 2017-18 Financial Statements

This analysis provides an overview of the financial performance and the financial position of Central Coast Council Water Supply Authority for the reporting period from 1 July 2017 to 30 June 2018. Key statements and notes detailed in this analysis include:

- Income statement
- Statement of financial position
- Statement of performance measures (Note 23 to the financial statements)

Central Coast Council Water Supply Authority's primary financial statements are in the format required by accounting standards and the Local Government Code of Accounting Practice and Financial Reporting (Guidelines) issued by the Office of Local Government (OLG).

Central Coast Council Water Supply Authority is required to publish in the Financial Statements the 2017-18 original budget, in line with the Local Government Code of Accounting Practice and Financial Reporting update number 26 issued in April 2018. To provide context for the actual results for the reporting period, the tables in this report also reference the original budget for 2017-18.

This report provides commentary on significant items in the financial statements for Central Coast Council Water Supply Authority. The financial reporting for the Water Supply Authority contains the water, sewer and drainage funds of Council.

General Purpose Financial Statements

For 2017-18 Central Coast Council Water Supply Authority continued to focus on delivery of services and infrastructure with minimal disruption to the community as a result of the amalgamation and aligning processes and systems.

The comparison of the financial performance for Central Coast Council Water Supply Authority from the first statutory reporting period (13 May 2016 to 30 June 2017 – 13.5 months) to the 2017-18 financial year (1 July 2017 to 30 June 2018 – 12 months) is difficult

3.7 Presentation of Financial Reports and related Auditor's Reports for Central Coast Council Water Supply Authority for the period 1 July 2017 to 30 June 2018 (contd)

due to the different time frames covered in the reporting periods. A summary of the impact of the first statutory reporting period is reflected in the table below.

	2017-18 Financial Year	2016-17 Statutory Reporting Period
Reporting Period Covers	1 July 2017 to 30 June 2018	13 May 2016 to 30 June 2017
Operating Income	12.0 months	13.5 months
Operating Expenditure	12.0 months	13.5 months
Capital Income	12.0 months	13.5 months

Operating Result

Income Statement	2017-18 Actual \$'000	2016-17* Actual \$'000
Income from operations	204,070	226,377
Expenditure from operations	212,046	213,532
Net operating result (excluding capital grants and contributions)	(7,976)	12,845
Gain on amalgamation (net assets transferred from former Water Supply Authorities)	-	3,397,409
Operating result for the period (excluding capital grants and contributions)	-	3,410,254
Income from capital grants and contributions	25,729	37,548
Net operating result (including capital grants and contributions)	17,753	3,447,802

* 2016-17 report period is from 13 May 2016 to 30 June 2017.

The operating deficit before capital grants and contributions for the 2017-18 financial year is \$8.0 million which is attributable to the revaluation decrement in operational land of \$26.0 million. The operating surplus including capital grants and contributions (of \$25.7 million) is \$17.8 million.

During the 2017-18 financial year Central Coast Council Water Supply Authority undertook a revaluation of buildings and operational land. An external Valuer was engaged to perform the valuation in accordance with Australian Accounting Standards and the Office of Local Government Code of Accounting Practice and Financial Reporting – Update No. 26. The impact of the revaluation is an increase to the value of Central Coast Council Water Supply Authority's buildings of \$4.7 million, plus indexation of Water and Sewer assets of \$46.5 million (which are reflected in Revaluation Reserve on the Statement of Financial Position) and a decrease to the value of Council's operating land of \$26.0 million (which is reflected in the Income Statement as there is no asset revaluation reserve balance to reflect the decrease in the operating land value – this is in accordance with Australian Accounting Standards).

3.7 Presentation of Financial Reports and related Auditor's Reports for Central Coast Council Water Supply Authority for the period 1 July 2017 to 30 June 2018 (contd)

Central Coast Council Water Supply Authority does not have a balance in the asset revaluation reserve for land as the value of all assets and liabilities from the former Water Supply Authorities were transferred to Central Coast Council Water Supply Authority on 13 May 2016 and recognised as a gain on amalgamation via the Income Statement. The movement in the value of buildings and operational land is based on the assessed fair value as at 30 June 2018 and represents an unrealised gain or loss in value.

If we exclude the revaluation decrement the operating result for the 2017-18 financial year before capital grants and contributions is \$18.0 million surplus.

Income Statement	2017-18 Actual \$'000	2016-17 Actual \$'000
Net Operating Result for the Period	17,753	3,447,802
Less: Adjustment for net assets transferred from former Councils	-	3,397,409
Less: Adjustment for Capital Grants and Contributions	25,729	37,548
Net Operating Surplus/(Deficit) for the Period before capital grants and contributions and gain on amalgamation	(7,976)	12,845
Add back the adjustment for revaluation decrement of Infrastructure, Property, Plant & Equipment (IPP&E) -Land	26,007	-
Net Operating Surplus/(Deficit) for the Period before capital grants and contributions, gain on amalgamation and revaluation decrement of land	18,031	12,845

Below is a table comparing the 2017-18 actual results to the original budget adopted.

Income Statement	2017-18 Actual \$'000	2017-18 Original Budget \$'000	Variance to Original Budget Favourable / Unfavourable \$'000
Income from operations	204,070	190,992	13,078
Expenditure from operations	212,046	184,848	(27,198)
Net operating result (excluding capital grants and contributions)	(7,976)	6,144	(14,120)
Add back the adjustment for revaluation decrement of Infrastructure, Property, Plant & Equipment (IPP&E) -Land	26,007		(26,007)
Net operating result adjusting for revaluation (excluding capital grants and contributions)	18,031	6,144	11,887

When we exclude the revaluation decrement the variance between the actual net operating result (excluding capital grants and contributions) of \$18.0 million and the original budgeted net operating result (excluding capital grants and contributions) of \$6.1 million is a \$11.9 million favourable variance.

3.7 Presentation of Financial Reports and related Auditor's Reports for Central Coast Council Water Supply Authority for the period 1 July 2017 to 30 June 2018 (contd)

Income from Operations

The following table shows income by category and is followed by explanations relating to variations between actual income to the original budget.

Income from Operations	2017-18	2017-18	Variance to	Variance to
	Actual	Original Budget	Original Budget	Original Budget
	\$'000	\$'000	Favourable /	Favourable /
			Unfavourable	Unfavourable
			\$'000	%
Rates and Annual Charges	121,097	117,861	3,236	2.7%
User Charges and Fees	74,242	66,592	7,650	11.5%
Interest and Investment Revenue	5,256	2,832	2,424	85.6%
Other Revenues	296	344	(48)	(14.0%)
Grants and Contributions - Operating	3,179	3,363	(184)	(5.5%)
Grants and Contributions - Capital	25,729	8,480	17,249	203.4%
Net Gain from the Disposal of Assets	-	-	-	-
Total Income	229,799	199,472	30,327	

Rates and annual charges

The favourable variance of \$3.2 million for rates and annual charges is attributable to water annual charges of \$1.1 million and sewer annual charges of \$2.3 million.

User charges and fees

The favourable variance of \$7.7 million for user fees and charges is largely attributable to water supply usage charges of \$4.0 million, \$2.2 million in internal (Council) revenues, \$0.9 million in trade waste user charges and \$0.6 million in miscellaneous fees.

Interest and investment revenue

The favourable variance of \$2.4 million for interest and investment revenue is attributable to tighter cash flow management and higher cash and investment balances.

Other revenue

The unfavourable variance of \$48k for other revenue relates to miscellaneous income streams and is not material.

Grants and contributions - Operating

The unfavourable variance of \$0.2 million in operating grants and contributions relates to miscellaneous grant income and is not material.

Grants and contributions - Capital

The favourable variance of \$17.2 million in capital grants and contributions income relates to additional income received from developer contributions for water and sewer infrastructure. Budgets for capital developer contributions are based on developments in the pipeline – the

3.7 Presentation of Financial Reports and related Auditor's Reports for Central Coast Council Water Supply Authority for the period 1 July 2017 to 30 June 2018 (contd)

timing of capital contributions will be dependent on the progress of each development which makes budgeting for capital contributions difficult.

Expenditure from Operations

The following table shows expenditure by category and is followed by explanations relating to variations between actual expenses compared to the 2017-18 original budget.

Expenditure from Operations	2017-18	2017-18	Variance to	Variance to
	Actual	Original Budget	Original Budget	Original Budget
	\$'000	\$'000	Favourable / Unfavourable	Favourable / Unfavourable
			\$'000	%
Employee benefits and on-costs	30,848	32,621	(1,773)	(5.4%)
Borrowing costs	19,980	18,889	1,091	5.8%
Materials and contracts	20,625	32,163	(11,538)	(35.9%)
Depreciation and amortisation	73,853	71,623	2,230	3.1%
Other expenses	39,329	29,552	9,777	33.1%
Net losses from the disposal of assets	1,404	-	1,404	-
Revaluation Decrement	26,007	-	26,007	-
Total Expenditure	212,046	184,848	27,198	

Employee Costs

The favourable variance of \$1.8 million in employee costs relates to some staff vacancies that were experienced throughout 2017-18 and the capitalisation of labour to capital projects.

Borrowing Costs

The unfavourable variance of \$1.0 million is due to an error in the classification of a loan in General Fund that was a Drainage Fund external loan in the original budget. This was corrected as part of a quarterly budget review, but has resulted in a variance when comparing actuals to the original budget.

Materials and Contracts

The favourable variance of \$11.5 million in Materials and Contracts is attributable to underspend in materials of \$1.0 million and \$10.5 million internal expenses that were incorrectly mapped in the original budget Materials and Contracts and should have been mapped to Other Expenses. A \$10.8 million correction was included in the quarterly budget review process during 2017-18, but has resulted in a variance when comparing actuals to the original budget. This also impacts Other Expenses - see below.

Depreciation

Depreciation is a "non-cash" expense reflecting the economic use of fixed assets. Depreciation and amortisation expense is unfavourable to budget due to the impact of capitalising capital works which increased depreciation by \$2.2 million over the original budget estimate.

3.7 Presentation of Financial Reports and related Auditor's Reports for Central Coast Council Water Supply Authority for the period 1 July 2017 to 30 June 2018 (contd)

Other Expenses

The unfavourable variance of \$9.8 million in Other Expenses is largely attributable to Internal Expenses in the original budget mapped to Materials and Contracts but actuals were mapped to Other Expenses. This has resulted in a \$9.3 million variance when comparing actuals to the original budget. The remaining \$0.5 million variance relates to lower corporate overheads being charged to the Water Supply Authority compared to original budget.

For ease of comparison and to eliminate mapping issues, Materials and Contracts and Other Expenses could be looked at together which would result in an aggregate variance of \$1.8million. The \$1.8 million is made up of the \$1.0m underspend in Materials and Contracts and \$0.5 million variance in Corporate Overheads as explained above, this is shown below.

Expenditure from Operations	2017-18 Actual \$'000	2017-18 Original Budget \$'000	Variance to	Variance to
			Original Budget Favourable / Unfavourable \$'000	Original Budget Favourable / Unfavourable %
Materials and contracts	20,625	32,163	(11,538)	(35.9%)
Other expenses	39,329	29,552	9,777	33.1%
Total Expenditure	59,954	61,715	(1,761)	(2.9%)

Net losses on disposal of assets

The \$1.4 million relates to the write off of replaced Stormwater Drainage assets \$0.2 million and Sewer network assets of \$1.2 million during 2017-18.

Revaluation decrement

The \$26.0 million is the revaluation decrement of Infrastructure, Property, Plant and Equipment (IPP&E) – Operational Land. Revaluation decrements are offset against the Asset Revaluation Reserve in the first instance, with the balance recognised in the Income Statement. This is the first revaluation of Operational Land since amalgamation; therefore there is no Asset Revaluation Reserve for this asset class to offset the revaluation decrement. All assets transferred from the former Councils for Water Supply Authority functions on amalgamation were recognised at the new value of the assets transferred via the Income Statement in the 2016-17 statutory reporting period.

Statement of Financial Position

The Statement of Financial Position, also commonly known as the Balance Sheet, lists the best estimate of the value of what Central Coast Council Water Supply Authority owns ("assets") and what Central Coast Council Water Supply Authority owes ("liabilities").

Within these headings, "current" means that an amount is due to be paid or likely to be paid within the next 12 months. "Non-current" indicates an asset or liability that is longer term in nature.

3.7 Presentation of Financial Reports and related Auditor's Reports for Central Coast Council Water Supply Authority for the period 1 July 2017 to 30 June 2018 (contd)

Statement of Financial Position	30 June 2017 \$'000	30 June 2018 \$'000	Movement \$'000
Assets			
Current Assets	156,178	182,076	25,898
Non-Current Assets	3,645,588	3,688,953	43,365
Total Assets	3,801,766	3,871,029	69,263
Liabilities			
Current Liabilities	42,428	76,198	(33,770)
Non-Current Liabilities	278,075	244,558	33,517
Total Liabilities	320,503	320,756	(253)
Net Assets			
Retained Earnings	3,447,802	3,465,555	17,753
Revaluation Reserve	33,461	84,718	51,257
Net Equity	3,481,263	3,550,273	69,010

Current assets

Current assets increased by \$25.9 million due to an increase in Cash and cash equivalents of \$34.5 million and Receivables and Other Current Assets of \$5.4 million. These increases were partially offset by a reduction in Investments of \$14.0 million.

Non-current assets

Non-current assets increased by \$43.4 million, which is predominantly due to an increase in non-current investments of \$46.4 million and a small reduction in Infrastructure, Property, Plant and Equipment of \$2.9 million.

Central Coast Council Water Supply Authority overall investment portfolio as at 30 June 2018 totalled \$147.7 million compared to \$115.3 million at 30 June 2017.

Current Liabilities

Current liabilities increased by \$33.8 million due primarily to an increase in payables of \$23.6 million, current borrowings of \$10.8 million and current provisions of \$0.5 million and a decrease in income received in advance of \$1.2 million.

Non-Current Liabilities

Non-current liabilities decreased by \$33.5 million largely due to repayment of borrowings and movement to current liabilities.

Consolidated debt stood at \$271.5 million at 30 June 2018 compared to \$294.8 million at 30 June 2017.

3.7 Presentation of Financial Reports and related Auditor's Reports for Central Coast Council Water Supply Authority for the period 1 July 2017 to 30 June 2018 (contd)

Statement of Performance Measurement (Note 23(a))

Note 23 (a) Statement of Performance Measures – includes various indicators mandated by the Office of Local Government (OLG). The following indicators provide a 'snap shot' of financial performance. Central Coast Council Water Supply Authority has exceeded the OLG benchmark for the reporting period ended 30 June 2018 with the exception of the Rates, Annual Charges, Interest and Extra Charges Outstanding Percentage.

Local Government Industry Indicators	2017-18	OLG Benchmark	Result
Operating Performance Ratio	9.52%	> 0.00%	✓
Own Source Operating Revenue Ratio	87.42%	> 60.00%	✓
Unrestricted Current Ratio	2.03	> 1.50x	✓
Debt Service Cover Ratio	2.62	> 2.00x	✓
Rates, Annual Charges, Interest and Extra Charges Outstanding Percentage	12.98%	< 5.00%	x
Cash Expense Cover Ratio	15.98	> 3 months	✓

The "target" figures for the indicators reported represent the OLG's benchmarks. In evaluating performance against these targets consideration should be given to Central Coast Council Water Supply Authority situation as a multi-purpose authority with continuing and significant green field development.

Operating Performance Ratio - measures how well Central Coast Council Water Supply Authority contained operating expenditure within operating revenue

Own Source Operating Revenue Ratio - measures Central Coast Council Water Supply Authorities fiscal flexibility and the degree of reliance on external funding sources such as operating grants and contributions.

Unrestricted Current Ratio – measures the adequacy of working capital and Central Coast Council Water Supply Authorities ability to satisfy obligations in the short term.

Debt Service Cover Ratio - measures the availability of operating cash to service debt including interest, principal and lease payments

Rate and annual charges outstanding ratio - assesses the impact of uncollected annual charges on Central Coast Council Water Supply Authorities liquidity and the adequacy of debt recovery efforts.

It should be noted that Central Coast Council is classified as a metropolitan council for the purposes of the Rates, Annual Charges, Interest and Extra Charges Outstanding Percentage

3.7 Presentation of Financial Reports and related Auditor's Reports for Central Coast Council Water Supply Authority for the period 1 July 2017 to 30 June 2018 (contd)

Ratio which sets the benchmark at 5%. If Council was classified as a regional council the OLG benchmark would be < 10%.

Council is working on reducing this ratio responsibly by working with customers to reduce their outstanding debts with financially affordable payment plans. The Policy for Debt Recovery and Hardship is in place and is a socially responsible framework for debt collection balancing between hardship and collecting the outstanding debts. Recently there have been structural changes to Council's operations team with positive results which will see an improvement in this ratio in the current year.

Cash Expense Cover Ratio - this liquidity ratio indicates the number of months Central Coast Council Water Supply Authority can continue paying for its immediate expenses without additional cash inflow.

Uncorrected error in Sewerage Network Assets

Central Coast Council Water Supply Authority is required to annually index Water and Sewerage network assets in the years between full revaluations using the indexation rate published by the NSW Office of Water. Annual indexation is necessary to avoid understating asset values and depreciation. Water supply network and sewerage network assets were indexed by 2.1% in accordance with Rates Reference Manual issued by Crown Lands and Water (CLAW) resulting in an increase in the asset value by \$46.5 million.

Whilst 161,178 assets were indexed correctly, during audit it was noted 174 Sewerage Network assets were not indexed due to an error in processing the indexation. Sewerage Network assets were therefore undervalued by \$3.4 million at 30 June 2018.

As at 30 June 2018 the net carrying amount of the sewerage network reflected in the financial statements was \$1.4 billion. The \$3.4 million represents 0.2% of the sewerage network. Based on this an adjustment has not been made to correct the error as it was decided that the impact of not correcting this error is not material to the reading of 2017-18 financial statements and correcting the error would result in a different value for the sewerage network assets between the Water Supply Authority financial statements and Council's consolidated financial statements.

The error will be corrected during the 2018-19 financial year, with the 174 sewerage asset values indexed with an effective date of 1 July 2018 to ensure that the depreciation expense for the 2018-19 financial year is correctly reflected.

Consultation

All areas which provide Water Supply Authority services and functions or support these services and functions of Council contribute to the information contained within the 2017-18 Financial Reports.

3.7 Presentation of Financial Reports and related Auditor's Reports for Central Coast Council Water Supply Authority for the period 1 July 2017 to 30 June 2018 (contd)

Options

The adoption of Financial Statements is a legislative requirement.

Financial Impact

These Financial Reports set out the financial position of Central Coast Council Water Supply Authority as at 30 June 2018 and the financial performance and cash flows for the reporting period 1 July 2017 to 30 June 2018. Comparatives for the statutory reporting period 13 May 2016 to 30 June 2017 are included in accordance with requirements set down by the NSW Office of Local Government.

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.

Risk Management

Council has worked with the Audit Office of New South Wales to meet our legislative reporting requirements.

Critical Dates or Timeframes

There is no legislated date for adoption of Water Supply Authority Financial Statements.

Social Impacts

Financial statements are a key method for Council to maintain accountability and transparency with the community.

Conclusion

The 2017-18 Financial Reports represent Central Coast Council Water Supply Authority financial performance from 1 July 2017 to 30 June 2018 and financial position as at 30 June 2018.

3.7 Presentation of Financial Reports and related Auditor's Reports for Central Coast Council Water Supply Authority for the period 1 July 2017 to 30 June 2018 (contd)

The net assets for Central Coast Council Water Supply Authority as at 30 June 2018 total \$3.6 billion. **Context**

Central Coast Council Water Supply Authority was formed on 12 May 2016. The first statutory reporting period for Central Coast Council Water Supply Authority covered the period 13 May 2016 to 30 June 2017 (13.5 months). 2017-18 is the second statutory reporting period for Central Coast Council Water Supply Authority and covers the period 1 July 2017 to 30 June 2018. It should be noted therefore, that when undertaking comparative analysis that the two statutory reporting periods cover 13.5 months compared to 12 months respectively.

Adoption of financial statements

The financial statements for the 2017-18 reporting period are the formal record of the business performance of the Water Supply Authority and are prepared in accordance with accounting standards and legislative requirements for the period from 1 July 2017 to 30 June 2018.

Current Status

The audit clearance meeting for Central Coast Council Water Supply Authority financial statements was held on Thursday 28 February 2019 with the Audit Office and its contractor PricewaterhouseCoopers (PwC).

The financial statements were presented to the Audit Risk and Improvement Committee on 5 March 2019.

The Audit Office issued an unmodified audit opinion on the 7 March 2019.

Analysis – 2017-18 Financial Statements

This analysis provides an overview of the financial performance and the financial position of Central Coast Council Water Supply Authority for the reporting period from 1 July 2017 to 30 June 2018. Key statements and notes detailed in this analysis include:

- Income statement
- Statement of financial position
- Statement of performance measures (Note 23 to the financial statements)

Central Coast Council Water Supply Authority's primary financial statements are in the format required by accounting standards and the Local Government Code of Accounting Practice and Financial Reporting (Guidelines) issued by the Office of Local Government (OLG).

Central Coast Council Water Supply Authority is required to publish in the Financial Statements the 2017-18 original budget, in line with the Local Government Code of Accounting Practice and Financial Reporting update number 26 issued in April 2018. To

3.7 Presentation of Financial Reports and related Auditor's Reports for Central Coast Council Water Supply Authority for the period 1 July 2017 to 30 June 2018 (contd)

provide context for the actual results for the reporting period, the tables in this report also reference the original budget for 2017-18.

This report provides commentary on significant items in the financial statements for Central Coast Council Water Supply Authority. The financial reporting for the Water Supply Authority contains the water, sewer and drainage funds of Council.

General Purpose Financial Statements

For 2017-18 Central Coast Council Water Supply Authority continued to focus on delivery of services and infrastructure with minimal disruption to the community as a result of the amalgamation and aligning processes and systems.

The comparison of the financial performance for Central Coast Council Water Supply Authority from the first statutory reporting period (13 May 2016 to 30 June 2017 – 13.5 months) to the 2017-18 financial year (1 July 2017 to 30 June 2018 – 12 months) is difficult due to the different time frames covered in the reporting periods. A summary of the impact of the first statutory reporting period is reflected in the table below.

	2017-18 Financial Year	2016-17 Statutory Reporting Period
Reporting Period Covers	1 July 2017 to 30 June 2018	13 May 2016 to 30 June 2017
Operating Income	12.0 months	13.5 months
Operating Expenditure	12.0 months	13.5 months
Capital Income	12.0 months	13.5 months

Operating Result

Income Statement	2017-18 Actual \$'000	2016-17* Actual \$'000
Income from operations	204,070	226,377
Expenditure from operations	212,046	213,532
Net operating result (excluding capital grants and contributions)	(7,976)	12,845
Gain on amalgamation (net assets transferred from former Water Supply Authorities)	-	3,397,409
Operating result for the period (excluding capital grants and contributions)	-	3,410,254
Income from capital grants and contributions	25,729	37,548
Net operating result (including capital grants and contributions)	17,753	3,447,802

* 2016-17 report period is from 13 May 2016 to 30 June 2017.

3.7 Presentation of Financial Reports and related Auditor's Reports for Central Coast Council Water Supply Authority for the period 1 July 2017 to 30 June 2018 (contd)

The operating deficit before capital grants and contributions for the 2017-18 financial year is \$8.0 million which is attributable to the revaluation decrement in operational land of \$26.0 million. The operating surplus including capital grants and contributions (of \$25.7 million) is \$17.8 million.

During the 2017-18 financial year Central Coast Council Water Supply Authority undertook a revaluation of buildings and operational land. An external Valuer was engaged to perform the valuation in accordance with Australian Accounting Standards and the Office of Local Government Code of Accounting Practice and Financial Reporting – Update No. 26. The impact of the revaluation is an increase to the value of Central Coast Council Water Supply Authority's buildings of \$4.7 million, plus indexation of Water and Sewer assets of \$46.5 million (which are reflected in Revaluation Reserve on the Statement of Financial Position) and a decrease to the value of Council's operating land of \$26.0 million (which is reflected in the Income Statement as there is no asset revaluation reserve balance to reflect the decrease in the operating land value – this is in accordance with Australian Accounting Standards).

Central Coast Council Water Supply Authority does not have a balance in the asset revaluation reserve for land as the value of all assets and liabilities from the former Water Supply Authorities were transferred to Central Coast Council Water Supply Authority on 13 May 2016 and recognised as a gain on amalgamation via the Income Statement. The movement in the value of buildings and operational land is based on the assessed fair value as at 30 June 2018 and represents an unrealised gain or loss in value.

If we exclude the revaluation decrement the operating result for the 2017-18 financial year before capital grants and contributions is \$18.0 million surplus.

Income Statement	2017-18 Actual \$'000	2016-17 Actual \$'000
Net Operating Result for the Period	17,753	3,447,802
Less: Adjustment for net assets transferred from former Councils	-	3,397,409
Less: Adjustment for Capital Grants and Contributions	25,729	37,548
Net Operating Surplus/(Deficit) for the Period before capital grants and contributions and gain on amalgamation	(7,976)	12,845
Add back the adjustment for revaluation decrement of Infrastructure, Property, Plant & Equipment (IPP&E) -Land	26,007	-
Net Operating Surplus/(Deficit) for the Period before capital grants and contributions, gain on amalgamation and revaluation decrement of land	18,031	12,845

Below is a table comparing the 2017-18 actual results to the original budget adopted.

3.7 Presentation of Financial Reports and related Auditor's Reports for Central Coast Council Water Supply Authority for the period 1 July 2017 to 30 June 2018 (contd)

Income Statement	2017-18	2017-18	Variance to
	Actual	Original Budget	Original Budget
	\$'000	\$'000	Favourable / Unfavourable
			\$'000
Income from operations	204,070	190,992	13,078
Expenditure from operations	212,046	184,848	(27,198)
Net operating result (excluding capital grants and contributions)	(7,976)	6,144	(14,120)
Add back the adjustment for revaluation decrement of Infrastructure, Property, Plant & Equipment (IPP&E) -Land	26,007		(26,007)
Net operating result adjusting for revaluation (excluding capital grants and contributions)	18,031	6,144	11,887

When we exclude the revaluation decrement the variance between the actual net operating result (excluding capital grants and contributions) of \$18.0 million and the original budgeted net operating result (excluding capital grants and contributions) of \$6.1 million is a \$11.9 million favourable variance.

Income from Operations

The following table shows income by category and is followed by explanations relating to variations between actual income to the original budget.

Income from Operations	2017-18	2017-18	Variance to	Variance to
	Actual	Original Budget	Original Budget	Original Budget
	\$'000	\$'000	Favourable / Unfavourable	Favourable / Unfavourable
			\$'000	%
Rates and Annual Charges	121,097	117,861	3,236	2.7%
User Charges and Fees	74,242	66,592	7,650	11.5%
Interest and Investment Revenue	5,256	2,832	2,424	85.6%
Other Revenues	296	344	(48)	(14.0%)
Grants and Contributions - Operating	3,179	3,363	(184)	(5.5%)
Grants and Contributions - Capital	25,729	8,480	17,249	203.4%
Net Gain from the Disposal of Assets	-	-	-	-
Total Income	229,799	199,472	30,327	

Rates and annual charges

The favourable variance of \$3.2 million for rates and annual charges is attributable to water annual charges of \$1.1 million and sewer annual charges of \$2.3 million.

User charges and fees

The favourable variance of \$7.7 million for user fees and charges is largely attributable to water supply usage charges of \$4.0 million, \$2.2 million in internal (Council) revenues, \$0.9 million in trade waste user charges and \$0.6 million in miscellaneous fees.

3.7 Presentation of Financial Reports and related Auditor's Reports for Central Coast Council Water Supply Authority for the period 1 July 2017 to 30 June 2018 (contd)

Interest and investment revenue

The favourable variance of \$2.4 million for interest and investment revenue is attributable to tighter cash flow management and higher cash and investment balances.

Other revenue

The unfavourable variance of \$48k for other revenue relates to miscellaneous income streams and is not material.

Grants and contributions - Operating

The unfavourable variance of \$0.2 million in operating grants and contributions relates to miscellaneous grant income and is not material.

Grants and contributions - Capital

The favourable variance of \$17.2 million in capital grants and contributions income relates to additional income received from developer contributions for water and sewer infrastructure. Budgets for capital developer contributions are based on developments in the pipeline – the timing of capital contributions will be dependent on the progress of each development which makes budgeting for capital contributions difficult.

Expenditure from Operations

The following table shows expenditure by category and is followed by explanations relating to variations between actual expenses compared to the 2017-18 original budget.

Expenditure from Operations	2017-18	2017-18	Variance to	Variance to
	Actual	Original Budget	Original Budget	Original Budget
	\$'000	\$'000	Favourable / Unfavourable	Favourable / Unfavourable
			\$'000	%
Employee benefits and on-costs	30,848	32,621	(1,773)	(5.4%)
Borrowing costs	19,980	18,889	1,091	5.8%
Materials and contracts	20,625	32,163	(11,538)	(35.9%)
Depreciation and amortisation	73,853	71,623	2,230	3.1%
Other expenses	39,329	29,552	9,777	33.1%
Net losses from the disposal of assets	1,404	-	1,404	-
Revaluation Decrement	26,007	-	26,007	-
Total Expenditure	212,046	184,848	27,198	

Employee Costs

The favourable variance of \$1.8 million in employee costs relates to some staff vacancies that were experienced throughout 2017-18 and the capitalisation of labour to capital projects.

Borrowing Costs

The unfavourable variance of \$1.0 million is due to an error in the classification of a loan in General Fund that was a Drainage Fund external loan in the original budget. This was

3.7 Presentation of Financial Reports and related Auditor's Reports for Central Coast Council Water Supply Authority for the period 1 July 2017 to 30 June 2018 (contd)

corrected as part of a quarterly budget review, but has resulted in a variance when comparing actuals to the original budget.

Materials and Contracts

The favourable variance of \$11.5 million in Materials and Contracts is attributable to underspend in materials of \$1.0 million and \$10.5 million internal expenses that were incorrectly mapped in the original budget Materials and Contracts and should have been mapped to Other Expenses. A \$10.8 million correction was included in the quarterly budget review process during 2017-18, but has resulted in a variance when comparing actuals to the original budget. This also impacts Other Expenses - see below.

Depreciation

Depreciation is a "non-cash" expense reflecting the economic use of fixed assets. Depreciation and amortisation expense is unfavourable to budget due to the impact of capitalising capital works which increased depreciation by \$2.2 million over the original budget estimate.

Other Expenses

The unfavourable variance of \$9.8 million in Other Expenses is largely attributable to Internal Expenses in the original budget mapped to Materials and Contracts but actuals were mapped to Other Expenses. This has resulted in a \$9.3 million variance when comparing actuals to the original budget. The remaining \$0.5 million variance relates to lower corporate overheads being charged to the Water Supply Authority compared to original budget.

For ease of comparison and to eliminate mapping issues, Materials and Contracts and Other Expenses could be looked at together which would result in an aggregate variance of \$1.8million. The \$1.8 million is made up of the \$1.0m underspend in Materials and Contracts and \$0.5 million variance in Corporate Overheads as explained above, this is shown below.

Expenditure from Operations	2017-18 Actual \$'000	2017-18 Original Budget \$'000	Variance to	Variance to
			Original Budget Favourable / Unfavourable \$'000	Original Budget Favourable / Unfavourable %
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Other expenses	39,329	29,552	9,777	33.1%
Total Expenditure	59,954	61,715	(1,761)	(2.9%)

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Total Assets	3,801,766	3,871,029	69,263
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Non-current assets

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Unrestricted Current Ratio	2.03	> 1.50x	✓
Debt Service Cover Ratio	2.62	> 2.00x	✓
Rates, Annual Charges, Interest and Extra Charges Outstanding Percentage	12.98%	< 5.00%	x
Cash Expense Cover Ratio	15.98	> 3 months	✓

The "target" figures for the indicators reported represent the OLG's benchmarks. In evaluating performance against these targets consideration should be given to Central Coast Council Water Supply Authority situation as a multi-purpose authority with continuing and significant green field development.

Operating Performance Ratio - measures how well Central Coast Council Water Supply Authority contained operating expenditure within operating revenue

3.7 **Presentation of Financial Reports and related Auditor's Reports for Central Coast Council Water Supply Authority for the period 1 July 2017 to 30 June 2018 (contd)**

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As at 30 June 2018 the net carrying amount of the sewerage network reflected in the financial statements was \$1.4 billion. The \$3.4 million represents 0.2% of the sewerage network. Based on this an adjustment has not been made to correct the error as it was decided that the impact of not correcting this error is not material to the reading of 2017-18 financial statements and correcting the error would result in a different value for the sewerage network assets between the Water Supply Authority financial statements and Council's consolidated financial statements.

The error will be corrected during the 2018-19 financial year, with the 174 sewerage asset values indexed with an effective date of 1 July 2018 to ensure that the depreciation expense for the 2018-19 financial year is correctly reflected.

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Options

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Financial Impact

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

Risk Management

Council has worked with the Audit Office of New South Wales to meet our legislative reporting requirements.

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Critical Dates or Timeframes

There is no legislated date for adoption of Water Supply Authority Financial Statements.

Social Impacts

Financial statements are a key method for Council to maintain accountability and transparency with the community.

Conclusion

The 2017-18 Financial Reports represent Central Coast Council Water Supply Authority financial performance from 1 July 2017 to 30 June 2018 and financial position as at 30 June 2018.

The net assets for Central Coast Council Water Supply Authority as at 30 June 2018 total \$3.6 billion.

Attachments

- | | | |
|----------|--|-----------|
| 1 | Water Supply Authority Financial Statements Final 1718 | D13487682 |
| 2 | FA1770 CCCWSA Independent Auditors Report 2018 | D13487690 |



Financial Reports
Water Supply Authority
Central Coast Council
1 July 2017 to 30 June 2018

Central Coast Council Water Supply Authority

General Purpose Financial Statements

for the year ended 30 June 2018

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Overview

Central Coast Council Water Supply Authority is constituted under the Local Government Act 1993 (NSW) and has its principal place of business at:

2 Hely Street, Wyong NSW 2259
49 Mann Street, Gosford 2250

Through the use of the internet, we have ensured that our reporting is timely, complete and available at minimum cost. All press releases, financial statements and other information are publicly available on our website: www.centralcoast.nsw.gov.au.

Central Coast Council Water Supply Authority

General Purpose Financial Statements

for the year ended 30 June 2018

Understanding Council's financial statements

Introduction

Each year, individual local governments across New South Wales are required to present a set of audited financial statements to their council and community.

What you will find in the statements

The financial statements set out the financial performance, financial position and cash flows of Council for the financial year ended 30 June 2018.

The format of the financial statements is standard across all NSW Councils and complies with both the accounting and reporting requirements of Australian Accounting Standards and requirements as set down by the Office of Local Government.

About the Statement by Councillors and Management

The financial statements must be certified by senior staff as 'presenting fairly' the Council's financial results for the year and are required to be adopted by Council – ensuring both responsibility for and ownership of the financial statements.

About the primary financial statements

The financial statements incorporate five 'primary' financial statements:

1. The Income Statement

This statement summarises Council's financial performance for the year, listing all income and expenses.

It also displays Council's original adopted budget to provide a comparison between what was projected and what actually occurred.

2. The Statement of Comprehensive Income

This statement records changes in the fair value of Council's Infrastructure, Property, Plant and Equipment.

3. The Statement of Financial Position

This statement is a 30 June snapshot of Council's financial position indicating its assets, liabilities and "net wealth".

4. The Statement of Changes in Equity

The overall change for the year (in dollars) of Council's "net wealth".

5. The Statement of Cash Flows

This statement indicates where Council's cash came from and where it was spent.

It also displays Council's original adopted budget to provide a comparison between what was projected and what actually occurred.

About the Notes to the Financial Statements

The Notes to the Financial Statements provide greater detail and additional information on the five primary financial statements.

About the Auditor's Reports

Council's annual financial statements are required to be audited by the NSW Audit Office. In NSW the auditor provides 2 audit reports:

1. an opinion on whether the financial statements present fairly the Council's financial performance and position, and
2. their observations on the conduct of the audit, including commentary on the Council's financial performance and financial position.

Who uses the financial statements?

The financial statements are publicly available documents and must be presented at a Council meeting between seven days and five weeks after the date of the Audit Report.

The public can make submissions to Council up to seven days subsequent to the public presentation of the financial statements.

Council is required to forward an audited set of financial statements to the Office of Local Government.

Central Coast Council Water Supply Authority

General Purpose Financial Statements for the year ended 30 June 2018

Statement by Councillors and Management made pursuant to Section 413(2)(c) of the *Local Government Act 1993 (NSW)* (as amended)

The attached General Purpose Financial Statements have been prepared in accordance with:

- section 41B of the *Public Finance and Audit Act 1983* (PF&A Act) and the Public Finance and Audit Regulation 2015,
- the Australian Accounting Standards and other pronouncements of the Australian Accounting Standards Board
- the *Local Government Act 1993 (NSW)* and the Local Government Code of Accounting Practice and Financial Reporting.

To the best of our knowledge and belief, these financial statements:

- present fairly the Central Coast Council Water Supply Authority's operating result and financial position for the year,
- accord with Central Coast Council Water Supply Authority's accounting and other records.

We are not aware of any matter that would render these statements false or misleading in any way.

Signed on 04/03/2019.



Jane Smith
Mayor



Chris Holstein
Deputy Mayor



Gary Murphy
Chief Executive Officer



Vivienne Louie
Responsible Accounting Officer

Central Coast Council Water Supply Authority

Income Statement

for the year ended 30 June 2018

Original unaudited budget 2018	\$ '000	Notes	Actual 2018	Actual 13/5/16 to 30/6/17
Income from continuing operations				
<i>Revenue:</i>				
117,861	Rates and annual charges	3a	121,097	139,937
66,592	User charges and fees	3b	74,242	76,195
2,832	Interest and investment revenue	3c	5,256	5,091
344	Other revenues	3d	296	626
3,363	Grants and contributions provided for operating purposes	3e,f	3,179	4,528
8,480	Grants and contributions provided for capital purposes	3e,f	25,729	37,548
<u>199,472</u>	Total income from continuing operations		<u>229,799</u>	<u>263,925</u>
Expenses from continuing operations				
32,621	Employee benefits and on-costs	4a	30,848	33,300
18,889	Borrowing costs	4b	19,980	23,455
32,163	Materials and contracts	4c	20,625	23,477
71,623	Depreciation and amortisation	4d	73,853	84,384
29,552	Other expenses	4e	39,329	44,324
–	Net losses from the disposal of assets	5	1,404	4,592
–	Revaluation decrement / impairment of IPP&E	4d	26,007	–
<u>184,848</u>	Total expenses from continuing operations		<u>212,046</u>	<u>213,532</u>
<u>14,624</u>	Operating result from continuing operations		<u>17,753</u>	<u>50,393</u>
<u>14,624</u>	Net operating result for the year		<u>17,753</u>	<u>50,393</u>
Gain on local government amalgamation				
–	Assets and liabilities transferred from former councils		–	3,397,409
<u>14,624</u>	Net result for the year		<u>17,753</u>	<u>3,447,802</u>
14,624	Net result attributable to Council		<u>17,753</u>	<u>3,447,802</u>
6,144	Net operating result for the year before grants and contributions provided for capital purposes		(7,976)	12,845

This statement should be read in conjunction with the accompanying notes.

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Central Coast Council Water Supply Authority

Statement of Comprehensive Income
for the year ended 30 June 2018

\$ '000	Notes	2018	13/5/16 to 30/6/17
Net result for the year (as per Income Statement)		17,753	3,447,802
Other comprehensive income:			
Amounts that will not be reclassified subsequently to the operating result			
Gain (loss) on revaluation of IPP&E	9	51,257	33,461
Total items which will not be reclassified subsequently to the operating result		51,257	33,461
Amounts that will be reclassified subsequently to the operating result when specific conditions are met			
Nil			
Total other comprehensive income for the year		51,257	33,461
Total comprehensive income for the year		69,010	3,481,263
Total comprehensive income attributable to Council		69,010	3,481,263

Central Coast Council Water Supply Authority

Statement of Financial Position

as at 30 June 2018

\$ '000	Notes	2018	2017
ASSETS			
Current assets			
Cash and cash equivalents	6a	34,717	188
Investments	6b	98,442	112,491
Receivables	7	48,917	43,163
Other	8	—	336
Total current assets		182,076	156,178
Non-current assets			
Investments	6b	49,209	2,823
Receivables	7	3,554	3,692
Infrastructure, property, plant and equipment	9	3,634,487	3,637,370
Intangible assets	10	1,703	1,703
Total non-current assets		3,688,953	3,645,588
TOTAL ASSETS		3,871,029	3,801,766
LIABILITIES			
Current liabilities			
Payables	11	31,180	7,559
Income received in advance	11	1,766	2,972
Borrowings	11	31,314	20,498
Provisions	12	11,938	11,399
Total current liabilities		76,198	42,428
Non-current liabilities			
Payables	11	2,399	—
Income received in advance	11	478	2,166
Borrowings	11	240,188	274,304
Provisions	12	1,493	1,605
Total non-current liabilities		244,558	278,075
TOTAL LIABILITIES		320,756	320,503
Net assets		3,550,273	3,481,263
EQUITY			
Accumulated surplus	13	3,465,555	3,447,802
Revaluation reserves	13	84,718	33,461
Total equity		3,550,273	3,481,263

This statement should be read in conjunction with the accompanying notes.

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Central Coast Council Water Supply Authority

Statement of Changes in Equity

for the year ended 30 June 2018

\$ '000	Notes	2018	IPP&E	Total equity	13/5/16	IPP&E	Total equity
		Accumulated surplus	revaluation reserve		to 30/6/17	revaluation reserve	
Opening balance		3,447,802	33,461	3,481,263	–	–	–
Net result for the year prior to correction of errors and changes in accounting policies		<u>17,753</u>	–	<u>17,753</u>	<u>3,447,802</u>	–	<u>3,447,802</u>
Net result for the year		17,753	–	17,753	3,447,802	–	3,447,802
Other comprehensive income							
– Gain (loss) on revaluation of IPP&E	9	–	51,257	<u>51,257</u>	–	33,461	<u>33,461</u>
Other comprehensive income		–	<u>51,257</u>	<u>51,257</u>	–	<u>33,461</u>	<u>33,461</u>
Total comprehensive income (c&d)		<u>17,753</u>	<u>51,257</u>	<u>69,010</u>	<u>3,447,802</u>	<u>33,461</u>	<u>3,481,263</u>
Equity – balance at end of the reporting period		<u>3,465,555</u>	<u>84,718</u>	<u>3,550,273</u>	<u>3,447,802</u>	<u>33,461</u>	<u>3,481,263</u>

This statement should be read in conjunction with the accompanying notes.

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Central Coast Council Water Supply Authority

Statement of Cash Flows
for the year ended 30 June 2018

Original unaudited budget 2018	\$ '000	Notes	Actual 2018	Actual 13/5/16 to 30/6/17
Cash flows from operating activities				
Receipts:				
117,299	Rates and annual charges		119,101	152,293
63,004	User charges and fees		81,611	68,115
5,002	Investment and interest revenue received		5,815	3,464
13,980	Grants and contributions		18,980	26,770
2,698	Bonds, deposits and retention amounts received		2,448	–
1,010	Other		7,332	(4,821)
Payments:				
(31,210)	Employee benefits and on-costs		(30,267)	(34,763)
(37,598)	Materials and contracts		(17,466)	(23,814)
(17,533)	Borrowing costs		(19,668)	(26,375)
(2,429)	Other		(40,046)	(71,320)
<u>114,223</u>	Net cash provided (or used in) operating activities	14b	<u>127,840</u>	<u>89,549</u>
Cash flows from investing activities				
Receipts:				
250,000	Sale of investment securities		226,653	131,162
–	Sale of infrastructure, property, plant and equipment		–	201
Payments:				
(200,000)	Purchase of investment securities		(258,990)	(159,310)
(56,394)	Purchase of infrastructure, property, plant and equipment		(37,674)	(45,215)
<u>(6,394)</u>	Net cash provided (or used in) investing activities		<u>(70,011)</u>	<u>(73,162)</u>
Cash flows from financing activities				
Receipts:				
Nil				
Payments:				
(23,300)	Repayment of borrowings and advances		(23,300)	(20,879)
<u>(23,300)</u>	Net cash flow provided (used in) financing activities		<u>(23,300)</u>	<u>(20,879)</u>
84,529	Net increase/(decrease) in cash and cash equivalents		34,529	(4,492)
188	Plus: cash and cash equivalents – beginning of period	14a	188	–
–	Plus: cash transferred on amalgamation of councils		–	4,680
<u>84,717</u>	Cash and cash equivalents – end of the year	14a	<u>34,717</u>	<u>188</u>
Additional Information:				
	plus: Investments on hand – end of year	8b	147,651	115,314
	Total cash, cash equivalents and investments		<u>182,368</u>	<u>115,502</u>

Central Coast Council Water Supply Authority

Notes to the Financial Statements for the year ended 30 June 2018

Contents of the notes accompanying the financial statements

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Central Coast Council Water Supply Authority

Notes to the Financial Statements

for the year ended 30 June 2018

Note 1. Basis of preparation

Central Coast Council, within its overall statutory responsibilities, is a statutory authority for water supply and related purposes, under the Water Management Act 2000. The principal business offices for Central Coast Council Water Supply Authority (CCCWSA) are 2 Hely Street, Wyong NSW 2259 and 49 Mann Street, Gosford NSW 2250. CCCWSA controls resources to carry out water supply, sewerage, stormwater drainage and ancillary activities within the Central Coast local government area and these functions have been consolidated in these financial statements.

These financial statements were authorised for issue on 4 March 2019.

CCCWSA has the power to amend and reissue these financial statements.

The principal accounting policies adopted in the preparation of these consolidated financial statements are set out below. These policies have been consistently applied to all the years presented, unless otherwise stated.

Basis of preparation

These general purpose financial statements have been prepared in accordance with Australian Accounting Standards and Australian Accounting Interpretations, section 41B of the *Public Finance and Audit Act 1983* (PF&A Act) and the Public Finance and Audit Regulation 2015, the *Local Government Act 1993 (NSW)* and Regulations, and the Local Government Code of Accounting Practice and Financial Reporting. CCCWSA is a not-for-profit entity for the purpose of preparing these financial statements.

The financial statements are presented in Australian dollars and are rounded to the nearest thousand dollars.

Full dollars have been used in Note 20 Related party disclosures in relation to the disclosure of specific related party transactions.

Unless otherwise indicated, all amounts disclosed in the financial statements are actual amounts.

Specific budgetary amounts have been included for comparative analysis (to actuals) in the following reports and notes:

- Income statement
- Statement of cash flows
- Note 18 – Material budget variations

(a) New and amended standards adopted by Central Coast Council Water Supply Authority

There have been no new (or amended) accounting standards adopted by CCCWSA in this year's financial statements which have had any material impact on reported financial position, performance or cash flows.

CCCWSA is now required to report related party disclosures in CCCWSA under AASB 124 *Related Party Disclosures*. The reporting requirements under this accounting standard were adopted for the first time in these financial statements.

The impact adopting this standard has had no impact on the reporting of CCCWSA's financial position or performance.

Note 20 is now included in these financial statements for related parties and incorporates all required related party disclosures.

Central Coast Council Water Supply Authority

Notes to the Financial Statements

for the year ended 30 June 2018

Note 1. Basis of preparation (continued)

(b) Historical cost convention

These financial statements have been prepared under the historical cost convention, as modified by the revaluation of certain financial assets and liabilities and certain classes of infrastructure, property, plant and equipment and investment property.

(c) Significant accounting estimates and judgements

The preparation of financial statements requires the use of certain critical accounting estimates. It also requires management to exercise its judgement in the process of applying CCCWSA's accounting policies.

Estimates and judgements are continually evaluated and are based on historical experience and other factors, including expectations of future events that may have a financial impact on CCCWSA and that are believed to be reasonable under the circumstances.

Critical accounting estimates and assumptions

CCCWSA makes estimates and assumptions concerning the future. The resulting accounting estimates will, by definition, seldom equal the related actual results. The estimates and assumptions that have a significant risk of causing a material adjustment to the carrying amounts of assets and liabilities within the next financial year include:

- (i) estimated fair values of infrastructure, property, plant and equipment – refer Note 9,
- (ii) employee benefit provisions – refer Note 12.

Significant judgements in applying CCCWSA's accounting policies

- (iii) Impairment of receivables

CCCWSA has made a significant judgement about the impairment of a number of its receivables in Note 7.

Monies and other assets received by CCCWSA

(a) The Consolidated Fund

These financial statements represent the consolidation of the Water, Sewerage and Drainage Funds.

The notional cash and investment assets of CCCWSA are represented in practice by an equity interest in the general cash and investment assets of Central Coast Council as a whole and all investment assets and bank accounts are held in the name of Central Coast Council.

Goods and Services Tax (GST)

Revenues, expenses and assets are recognised net of the amount of associated GST, unless the GST incurred is not recoverable from the taxation authority. In this case it is recognised as part of the cost of acquisition of the asset or as part of the expense.

Receivables and payables are stated inclusive of the amount of GST receivable or payable. The net amount of GST recoverable from, or payable to the taxation authority is included with other receivables or payables in the Statement of Financial Position.

Central Coast Council Water Supply Authority

Notes to the Financial Statements

for the year ended 30 June 2018

Note 1. Basis of preparation (continued)

Cash flows are presented on a gross basis. The GST components of cash flows arising from investing or financing activities which that are recoverable from, or payable to the taxation authority are presented as operating cash flows.

New accounting standards and interpretations issued not yet effective

Local Government Code of Accounting Practice and reporting (Code Update 26) introduces new accounting standards issued by the Australian Accounting Standards Board that are not yet effective, but require disclosure in CCCWSA's financial statements for 30 June 2018.

CCCWSA has not elected to adopt any of these standards before their operative date in these financial statements.

As at the date of authorisation of these financial statements, the standards listed below were in issue but not yet effective. The full impact of these standards has yet to be ascertained or quantified but will range from additional and/or revised disclosures to changes in how certain transactions and balances are accounted for.

Effective for annual reporting periods beginning on or after 1 January 2018

Pronouncement	AASB 9 <i>Financial Instruments and Associated Amending Standards</i>
Nature of change in accounting policy	<p>Significant revisions to the classification and measurement of financial assets, reducing the number of categories and simplifying the measurement choices, including the removal of impairment testing of assets measured at fair value.</p> <p>Amends measurement rules for financial liabilities that CCCWSA elects to measure at fair value through profit and loss. Changes in fair value attributable to changes in CCCWSA's own credit risk are presented in Other Comprehensive Income.</p> <p>Impairment of assets is now based on expected losses in AASB 9 which requires CCCWSA to measure:</p> <ul style="list-style-type: none"> • The 12 month expected credit losses that result from those default events on the financial instrument that are possible within 12 months after the reporting date • Expected credit losses that result from all possible default events over the life of the financial instrument.
Expected impact on CCCWSA's financial statements	Each financial asset and liability held by CCCWSA will be assessed for potential impacts under AASB 9. CCCWSA regularly assess its financial risk associated with its investments and borrowings and does not believe that the implementation of AASB 9 will have a significant impact on CCCWSA's financial statements.

Pronouncement	AASB 15 <i>Revenue from Contracts with Customers, and associated amending standards</i>
Nature of change in accounting policy	<p>AASB 15 introduces a five step process for revenue recognition with the core principle of the new standard being for CCCWSA to recognise revenue to depict the transfer of goods and services to customers in amounts that reflect the consideration to which CCCWSA expects to be entitled in exchange for those goods and services.</p> <p>Accounting policy changes will arise in the timing of revenue recognition, treatment of contracts costs and contracts which contain a financing element.</p> <p>AASB 15 will also result in enhanced disclosure about revenue, provide guidance for transactions that were not previously addressed comprehensively and improve guidance for multiple-element arrangements.</p>

Central Coast Council Water Supply Authority

Notes to the Financial Statements
for the year ended 30 June 2018

Note 1. Basis of preparation (continued)

Expected impact on CCCWSA's financial statements	CCCWSA will assess each revenue stream to determine when, under the five step process, that revenue should be recognised. The changes in revenue recognition requirements in AASB 15 may cause changes to the timing and amount of revenue recorded in the financial statements. In particular, the timing and specific nature of grant income will be assessed.
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Effective for annual reporting periods beginning on or after 1 January 2019

Pronouncement	AASB 1058 Income of Not-For-Profit Entities
Nature of change in accounting policy	<p>AASB 1058 supersedes all the income recognition requirements relating to CCCWSA, previously in AASB 1004 <i>Contributions</i>. Under this Standard, the timing of income recognition will depend on whether a transaction gives rise to a performance obligation, liability or contribution by owners, related to an asset received.</p> <p>Where CCCWSA receives an asset for significantly less than its fair value principally to enable it to further its objectives, it recognises the asset in accordance with the relevant Australian Accounting Standard. CCCWSA then considers whether any other financial statement disclosure (called 'related amounts') should be recognised in accordance with the applicable accounting standard, for example:</p> <ul style="list-style-type: none"> • Contributions by owners (AASB 1004) • Revenue or contract liability (AASB 15) • A lease liability (AASB 16 <i>Leases</i>) • A financial instrument (AASB 9) • A provision (AASB 137 <i>Provisions, Contingent Liabilities and Contingent Assets</i>) <p>CCCWSA will recognise income as it satisfies its obligations under the transfer similarly to income recognition in relation to performance obligations under AASB 15.</p>
Expected impact on CCCWSA's financial statements	<p>The interaction between AASB 15 and AASB 1058 now requires CCCWSA when it receives government grants, to decide whether these grants need to be accounted for under AASB 15 or AASB 1058. To do this CCCWSA must establish whether the government grants received contain sufficiently specific and enforceable obligations.</p> <p>AASB 15 applies if the consideration is solely performance obligations under an enforceable contract and sufficiently specific to enable determination as to when the obligations are satisfied. All other government grants will be accounted for under AASB 1058, using different accounting principles, whether a grant contains enforceable and sufficiently specific obligations will be a critical judgement CCCWSA must make.</p>

Pronouncement	AASB 16 Leases
Nature of change in accounting policy	<p>AASB 16 will result in most of the operating leases of CCCWSA being brought onto the Statement of Financial Position. There are limited exceptions relating to short-term leases and low-value assets which may remain off the balance sheet.</p> <p>The calculation of the lease liability will take into account appropriate discount rates, assumptions about the lease term and increase in lease payments.</p> <p>A corresponding right to use assets will be recognised which will be amortised over the term of the lease.</p> <p>Rent expense will no longer be shown. The profit and loss impact of the leases will be through amortisation and interest charges.</p>

Central Coast Council Water Supply Authority

Notes to the Financial Statements

for the year ended 30 June 2018

Note 1. Basis of preparation (continued)

Expected impact on CCCWSA's financial statements	<p>CCCWSA will review each of its leases in place, particularly where CCCWSA is the lessee to determine the impact of AASB 16.</p> <p>While the impact of AASB 16 is yet to be determined, CCCWSA currently has operating leases which are likely to be brought to account. This will result in a non-current right of use asset and recognition of a lease liability which will be allocated into a current (less than 12 months) and a non-current (great than 12 months) component.</p> <p>This will result in rent expense decreasing and interest and depreciation increasing.</p>
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Central Coast Council Water Supply Authority

Notes to the Financial Statements
for the year ended 30 June 2018

Note 2(a). Council functions/activities – financial information

Functions/activities	Income, expenses and assets have been directly attributed to the following functions/activities. Details of these functions/activities are provided in Note 2(b).									
	Income from continuing operations		Expenses from continuing operations		Operating result from continuing operations		Grants included in income from continuing operations		Total assets held (current and non-current)	
	2018	13/5/16 to 30/6/17	2018	13/5/16 to 30/6/17	2018	13/5/16 to 30/6/17	2018	13/5/16 to 30/6/17	2018	2017
Drainage	27,579	32,924	38,433	28,485	(10,854)	4,439	1,427	334	1,059,191	1,057,666
Water supplies	102,788	113,422	83,516	93,338	19,272	20,084	1,309	2,040	1,204,681	1,169,365
Sewerage services	99,432	118,329	90,097	92,459	9,335	25,870	1,806	6,147	1,607,157	1,574,735
Total functions and activities	229,799	264,675	212,046	214,282	17,753	50,393	4,541	8,521	3,871,029	3,801,766

Central Coast Council Water Supply Authority

Notes to the Financial Statements for the year ended 30 June 2018

Note 2(b). Council functions/activities – component descriptions

Details relating to the Council's functions/activities as reported in Note 2(a) are as follows:

Drainage

Drainage services maintains and operates stormwater drainage services keeping them to standards appropriate to its use in a cost-effective and sustainable manner.

Water supplies

Water supply provides safe and reliable water services including the collection, storage, transportation, treatment and distribution of water to standards appropriate to its use in a cost-effective and sustainable manner.

Sewerage services

Sewerage services provides safe and reliable storage collection, treatment and disposal facilities for sewage in a cost-effective and sustainable manner.

Central Coast Council Water Supply Authority

Notes to the Financial Statements
for the year ended 30 June 2018

Note 3. Income from continuing operations

\$ '000	2018	13/5/16 to 30/6/17
(a) Rates and annual charges		
Annual charges (pursuant to s.496, s.496A, s.496B, s.501 & s.611)		
Water supply services	23,966	28,479
Sewerage services	79,317	91,394
Drainage	17,624	19,581
Liquid trade waste	190	483
Total annual charges	121,097	139,937
TOTAL RATES AND ANNUAL CHARGES	121,097	139,937
Council has used 2016 year valuations provided by the NSW Valuer General in calculating its rates.		
Accounting policy for rates and annual charges		
Annual charges, grants and contributions (including developer contributions) are recognised as revenue when CCCWSA obtains control over the assets comprising these receipts. Developer contributions may only be expended for the purposes for which the contributions were required, but CCCWSA may apply contributions according to the priorities established in work schedules.		
Control over assets acquired from annual charges is obtained at the commencement of the rating year as it is an enforceable debt linked to the rateable property or, where earlier, upon receipt of the charges.		
(b) User charges and fees		
	2018	13/5/16 to 30/6/17
Specific user charges (per s.502 – specific 'actual use' charges)		
Water supply services	66,418	68,126
Sewerage services	2,490	3,224
Liquid trade waste	2,749	2,373
Total specific user charges	71,657	73,723
Other user charges and fees		
(i) Fees and charges – statutory and regulatory functions (per s.608)		
Inspection services	24	19
Regulatory/ statutory fees	378	806
Total fees and charges – statutory/regulatory	402	825
(ii) Fees and charges – other (incl. general user charges (per s.608))		
Water connection fees	872	1,018
Sewer application fees	24	262
Sewer diagrams	393	176
Special water meter reading fees	14	15
Water carters licence fees	64	90
Sewer connection fees	446	–
Other	370	86
Total fees and charges – other	2,183	1,647
TOTAL USER CHARGES AND FEES	74,242	76,195

Accounting policy for user charges and fees

User charges and fees are recognised as revenue when the service has been provided.

Central Coast Council Water Supply Authority

Notes to the Financial Statements
for the year ended 30 June 2018

Note 3. Income from continuing operations (continued)

\$ '000	2018	13/5/16 to 30/6/17
(c) Interest and investment revenue (including losses)		
Interest		
– Overdue rates and annual charges (incl. special purpose rates)	976	1,497
– Cash and investments	4,269	3,538
– Other	11	56
<u>TOTAL INTEREST AND INVESTMENT REVENUE</u>	<u>5,256</u>	<u>5,091</u>
Interest revenue is attributable to:		
Unrestricted investments/financial assets:		
Overdue rates and annual charges (general fund)	976	1,497
General Council cash and investments	1,472	1,634
Restricted investments/funds – external:		
Development contributions		
– Section 7.11	810	566
– Section 64	1,998	1,394
Total interest and investment revenue recognised	<u>5,256</u>	<u>5,091</u>

Accounting policy for interest and investment revenue

Interest income is recognised using the effective interest rate at the date that interest is earned.

(d) Other revenues

External works	–	18
Property rents	108	29
Other supply/ services – water	77	421
Other supply/ services – sewer	111	32
Other	–	126
<u>TOTAL OTHER REVENUE</u>	<u>296</u>	<u>626</u>

Accounting policy for other revenue

Other income is recorded when the payment is due, the value of the payment is notified, or the payment is received, whichever occurs first.

Central Coast Council Water Supply Authority

Notes to the Financial Statements
for the year ended 30 June 2018

Note 3. Income from continuing operations (continued)

\$ '000	2018 Operating	13/5/16 to 30/6/17 Operating	2018 Capital	13/5/16 to 30/6/17 Capital
(e) Grants				
Specific purpose				
Pensioners' rates subsidies:				
– Water	1,289	1,484	–	–
– Sewerage	1,265	1,441	–	–
Sewerage services	–	–	–	3,864
Bushfire and emergency services	–	77	62	–
Drainage / environment	–	61	1,300	–
Environmental protection	–	184	–	–
LIRS subsidy	610	930	–	–
Storm damage	–	–	–	480
Other	15	–	–	–
Total specific purpose	3,179	4,177	1,362	4,344
Total grants	3,179	4,177	1,362	4,344
Grant revenue is attributable to:				
– State funding	3,179	4,177	1,362	4,344
	3,179	4,177	1,362	4,344
(f) Contributions				
Developer contributions:				
(s7.4 & s7.11 – EP&A Act, s64 of the LGA):				
Cash contributions				
S 7.11 – contributions towards amenities/services	–	–	–	917
S 64 – water supply contributions	–	–	5,121	6,535
S 64 – sewerage service contributions	–	–	6,095	6,186
S 7.11 – stormwater contributions	–	–	3,000	2,239
Total developer contributions – cash	–	–	14,216	15,877
Total developer contributions	21 –	–	14,216	15,877

Central Coast Council Water Supply Authority

Notes to the Financial Statements
for the year ended 30 June 2018

Note 3. Income from continuing operations (continued)

\$ '000	2018 Operating	13/5/16 to 30/6/17 Operating	2018 Capital	13/5/16 to 30/6/17 Capital
(f) Contributions (continued)				
Other contributions:				
Cash contributions				
Sewerage (excl. section 64 contributions)	–	–	460	2,585
Vehicle contributions by employees	–	351	–	–
Water supplies (excl. section 64 contributions)	–	–	241	66
Total other contributions – cash	–	351	701	2,651
Non-cash contributions				
Dedications – subdivisions (other than by s7.11)	–	–	9,450	14,676
Total other contributions	–	351	10,151	17,327
Total contributions	–	351	24,367	33,204
TOTAL GRANTS AND CONTRIBUTIONS	3,179	4,528	25,729	37,548

Accounting policy for contributions

Control over grants and contributions is normally obtained upon their receipt (or acquittal) and is valued at the fair value of the granted or contributed asset at the date of transfer.

Where grants or contributions recognised as revenues during the financial year were obtained on condition that they be expended in a particular manner or used over a particular period and those conditions were un-discharged at reporting date, the unused grant or contribution is disclosed above.

A liability is recognised in respect of revenue that is reciprocal in nature to the extent that the requisite service has not been provided at reporting date.

Central Coast Council Water Supply Authority

Notes to the Financial Statements
for the year ended 30 June 2018

Note 3. Income from continuing operations (continued)

\$ '000	2018	13/5/16 to 30/6/17
(g) Unspent grants and contributions		
Certain grants and contributions are obtained by Council on condition that they be spent in a specified manner:		
Operating grants		
Add: operating grants recognised in the current period but not yet spent	2,496	–
Unexpended and held as restricted assets (operating grants)	<u>2,496</u>	<u>–</u>
Capital grants		
Unexpended at the close of the previous reporting period	2,353	2,409
Less: capital grants recognised in a previous reporting period now spent	(1)	(56)
Unexpended and held as restricted assets (capital grants)	<u>2,352</u>	<u>2,353</u>
Contributions		
Unexpended at the close of the previous reporting period	69,820	59,540
Add: contributions recognised in the current period but not yet spent	17,023	17,835
Add: contributions received for the provision of goods and services in a future period	–	(7,555)
Less: contributions recognised in a previous reporting period now spent	(1,689)	–
Unexpended and held as restricted assets (contributions)	<u>85,154</u>	<u>69,820</u>

Central Coast Council Water Supply Authority

Notes to the Financial Statements
for the year ended 30 June 2018

Note 4. Expenses from continuing operations

\$ '000	2018	13/5/16 to 30/6/17
(a) Employee benefits and on-costs		
Salaries and wages	27,037	28,579
Employee termination costs	302	110
Travel expenses	–	553
Employee leave entitlements (ELE)	1,878	3,068
Superannuation	2,241	3,563
Workers' compensation insurance	(19)	1,093
Payroll tax	2,617	2,010
Training costs (other than salaries and wages)	100	25
Protective clothing	175	–
Other	6	61
Total employee costs	34,337	39,062
Less: capitalised costs	(3,489)	(5,762)
TOTAL EMPLOYEE COSTS EXPENSED	30,848	33,300

Accounting policy for employee benefits and on-costs

Employee benefit expenses are recorded when the service has been provided by the employee.

Retirement benefit obligations

All employees of CCCWSA are entitled to benefits on retirement, disability or death. CCCWSA contributes to various defined benefit plans and defined contribution plans on behalf of its employees.

Superannuation plans

Contributions to defined contribution plans are recognised as an expense as they become payable. Prepaid contributions are recognised as an asset to the extent that a cash refund or a reduction in the future payments is available.

Council participates in a Defined Benefit Plan under the Local Government Superannuation Scheme, however, when sufficient information to account for the plan as a defined benefit is not available and therefore CCCWSA accounts for its obligations to defined benefit plans on the same basis as its obligations to defined contribution plans, i.e. as an expense when it becomes payable – refer to Note 16 for more information.

(b) Borrowing costs	2018	13/5/16 to 30/6/17
(i) Interest bearing liability costs		
Interest on loans	19,915	22,977
Other debts	65	478
Total interest bearing liability costs expensed	19,980	23,455
TOTAL BORROWING COSTS EXPENSED	19,980	23,455

Accounting policy for borrowing costs

Borrowing costs incurred for the construction of any qualifying asset are capitalised during the period of time that is required to complete and prepare the asset for its intended use or sale. Other borrowing costs are expensed.

Central Coast Council Water Supply Authority

Notes to the Financial Statements
for the year ended 30 June 2018

Note 4. Expenses from continuing operations (continued)

\$ '000	2018	13/5/16 to 30/6/17
(c) Materials and contracts		
Raw materials and consumables	10,881	11,607
Contractor and consultancy costs	9,658	11,722
Auditors remuneration ⁽²⁾	82	93
Operating leases:		
– Operating lease rentals: minimum lease payments ⁽¹⁾	4	55
TOTAL MATERIALS AND CONTRACTS	20,625	23,477

Operating leases

Leases in which a significant portion of the risks and rewards of ownership are not transferred to CCCWSA as lessee are classified as operating leases. Payments made under operating leases (net of any incentives received from the lessor) are charged to the income statement on a straight-line basis over the period of the lease.

1. Operating lease payments are attributable to:

Computers	–	39
Motor vehicles	4	–
Other	–	16
	4	55

2. Auditor remuneration

During the year the following fees were paid or payable for services provided by the auditor of Council, related practices and non-related audit firms

Auditors of the Council – NSW Auditor-General:**(i) Audit and other assurance services**

Audit and review of financial statements	82	77
Remuneration for audit and other assurance services	82	77
Total Auditor-General remuneration	82	77

Non NSW Auditor-General audit firms:**(i) Audit and other assurance services**

Other audit and assurance services	–	16
Remuneration for audit and other assurance services	–	16
Total remuneration of non NSW Auditor-General audit firms	–	16
Total Auditor remuneration	82	93

Central Coast Council Water Supply Authority

Notes to the Financial Statements
for the year ended 30 June 2018

Note 4. Expenses from continuing operations (continued)

\$ '000	Notes	2018	13/5/16 to 30/6/17
(d) Depreciation, amortisation and impairment			
Depreciation and amortisation			
Plant and equipment		14	720
Office equipment		21	66
Furniture and fittings		18	19
Infrastructure:			
– Buildings – specialised		333	477
– Other structures		46	52
– Roads		1	1
– Stormwater drainage		15,230	17,400
– Water supply network		25,120	28,466
– Sewerage network		33,070	37,159
Intangible assets	10	–	24
Total depreciation and amortisation costs		73,853	84,384
Impairment / revaluation decrement of IPP&E			
Operational Land		26,007	–
Total IPP&E impairment / revaluation decrement costs / (reversals)		26,007	–
<u>TOTAL DEPRECIATION, AMORTISATION AND IMPAIRMENT / REVALUATION DECREMENT COSTS EXPENSED</u>		<u>99,860</u>	<u>84,384</u>

Accounting policy for depreciation, amortisation and impairment expenses**Depreciation and amortisation**

Depreciation and amortisation are calculated using the straight line method to allocate their cost, net of their residual values, over their estimated useful lives. Useful lives are included in Note 9 for IPPE assets and Note 10 for intangible assets.

Impairment of non-financial assets

Intangible assets that have an indefinite useful life or are not yet available for use are not subject to amortisation and are tested annually for impairment, or more frequently if events or changes in circumstances indicate that they might be impaired. Other assets are tested for impairment whenever events or changes in circumstances indicate that the carrying amount may not be recoverable. An impairment loss is recognised for the amount by which the asset's carrying amount exceeds its recoverable amount. The recoverable amount is the higher of an asset's fair value less costs to sell and value in use.

For the purposes of assessing impairment, assets are grouped at the lowest levels for which there are separately identifiable cash inflows that are largely independent of the cash inflows from other assets or groups of assets (cash-generating units). Non-financial assets that suffered an impairment are reviewed for possible reversal of the impairment at each reporting date.

Impairment losses for revalued assets are firstly offset against the amount in the revaluation surplus for the class of asset, with only the excess to be recognised in the Income Statement.

Impairment of financial assets

CCCWSA assesses at the end of each reporting period whether there is objective evidence that a financial asset or group of financial assets is impaired. A financial asset or a group of financial assets is impaired and impairment losses are incurred only if there is objective evidence of impairment as a result of one or more events that occurred after the initial recognition of the asset (a 'loss event') and that loss event (or events) has an impact on the estimated future cash flows of the financial asset or group of financial assets that can be reliably estimated.

Central Coast Council Water Supply Authority

Notes to the Financial Statements
for the year ended 30 June 2018

Note 4. Expenses from continuing operations (continued)

\$ '000	2018	13/5/16 to 30/6/17
(e) Other expenses		
Advertising	15	–
Administration support	20,718	28,118
Bad and doubtful debts	127	33
Computer software charges	702	51
Electricity and heating	6,781	7,563
Gas charges	147	33
Insurance	47	337
Licences	312	207
Plant hire	4,638	2,810
Postage	1	–
Printing and stationery	33	33
Road opening permits	165	137
Subscriptions and publications	68	–
Telephone and communications	118	363
Tipping fees	4,529	2,551
Water purchases	342	161
Water and sewer operations	524	1,906
Other	62	21
<u>TOTAL OTHER EXPENSES</u>	<u>39,329</u>	<u>44,324</u>

Accounting policy for other expenses

Other expenses are recorded on an accruals basis as CCCWSA receives the goods or services.

Central Coast Council Water Supply Authority

Notes to the Financial Statements
for the year ended 30 June 2018

Note 5. Gains or losses from the disposal of assets

\$ '000	Notes	2018	13/5/16 to 30/6/17
Plant and equipment	9		
Proceeds from disposal – plant and equipment		–	201
Less: carrying amount of plant and equipment assets sold/written off		–	(155)
Net gain/(loss) on disposal		–	46
Infrastructure	9		
Less: carrying amount of infrastructure assets sold/written off		(1,404)	(4,638)
Net gain/(loss) on disposal		(1,404)	(4,638)
Financial assets	6		
Proceeds from disposal/redemptions/maturities – financial assets		226,653	–
Less: carrying amount of financial assets sold/redeemed/matured		(226,653)	–
Net gain/(loss) on disposal		–	–
NET GAIN/(LOSS) ON DISPOSAL OF ASSETS		(1,404)	(4,592)

Accounting policy for disposal of assets

The gain or loss on sale of an asset is determined when control of the asset has irrevocably passed to the buyer and the asset is derecognised.

Note 6(a). Cash and cash equivalent assets

\$ '000	2018	2017
Cash and cash equivalents		
Cash on hand and at bank	–	63
Cash-equivalent assets		
– Deposits at call	34,717	125
Total cash and cash equivalents	34,717	188

Accounting policy for cash and cash equivalents

For Statement of Cash Flow presentation purposes, cash and cash equivalents includes cash on hand; deposits held at call with financial institutions; other short-term, highly liquid investments with original maturities of three months or less that are readily convertible to known amounts of cash and which are subject to an insignificant risk of changes in value; and bank overdrafts. Bank overdrafts are shown within borrowings in current liabilities on the Statement of Financial Position.

Central Coast Council Water Supply Authority

Notes to the Financial Statements for the year ended 30 June 2018

Note 6(b). Investments

\$ '000	2018		2017	
	Current	Non-current	Current	Non-current
Investments				
'Held to maturity'	98,442	49,209	112,491	2,823
Total investments	98,442	49,209	112,491	2,823
<u>TOTAL CASH ASSETS, CASH EQUIVALENTS AND INVESTMENTS</u>	<u>133,159</u>	<u>49,209</u>	<u>112,679</u>	<u>2,823</u>
Held to maturity investments				
Long term deposits	96,035	43,330	109,489	2,823
NCD's, FRN's (with maturities > 3 months)	2,407	5,879	3,002	–
Total	98,442	49,209	112,491	2,823

Accounting policy for investments

Classification

CCCWSA classifies its financial assets in the following categories: financial assets at fair value through profit or loss; loans and receivables; held-to-maturity investments; and available-for-sale financial assets. The classification depends on the purpose for which the investments were acquired. Management determines the classification of its investments at initial recognition and, in the case of assets classified as held-to-maturity, re-evaluates this designation at each reporting date.

Held to maturity investments

Held-to-maturity investments are non-derivative financial assets with fixed or determinable payments and fixed maturities that Council's management has the positive intention and ability to hold to maturity. Assets in this category are measured at amortised cost.

Recognition and de-recognition

Regular purchases and sales of financial assets are recognised on trade-date: the date on which CCCWSA commits to purchase or sell the asset. Investments are initially recognised at fair value plus transaction costs for all financial assets not carried at fair value through profit or loss. Financial assets carried at fair value through profit or loss are initially recognised at fair value and transaction costs are expensed in the income statement. Investments are derecognised when the rights to receive cash flows from the financial assets have expired or have been transferred and CCCWSA has transferred substantially all the risks and rewards of ownership.

When securities classified as available-for-sale are sold, the accumulated fair value adjustments recognised in equity are included in the income statement as gains and losses from investment securities.

Impairment of available for sale investments

In the case of equity investments classified as available-for-sale, a significant or prolonged decline in the fair value of the security below its cost is considered an indicator that the assets are impaired.

Central Coast Council Water Supply Authority

Notes to the Financial Statements
for the year ended 30 June 2018

Note 6(c). Restricted cash, cash equivalents and investments – details

\$ '000	2018		2017	
	Current	Non-current	Current	Non-current
Total cash, cash equivalents and investments	133,159	49,209	112,679	2,823
attributable to:				
External restrictions (refer below)	44,430	47,709	71,826	2,823
Internal restrictions (refer below)	1,084	1,500	2,354	–
Unrestricted	87,645	–	38,499	–
	133,159	49,209	112,679	2,823

\$ '000	2018	2017
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Details of restrictions

External restrictions – included in liabilities

Specific purpose unexpended loans – sewer	–	706
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External restrictions – included in liabilities	–	706
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External restrictions – other

Developer contributions – water fund	35,918	30,621
Developer contributions – sewer fund	18,718	12,419
Developer contributions – VPA – water	2,325	2,280
Developer contributions – VPA – sewer	389	381
Developer contributions – drainage	27,708	24,021
Specific purpose unexpended grants-water fund	3,613	2,355
Specific purpose unexpended grants-sewer fund	1,235	–
Prepaid contributions – water	–	56
Prepaid contributions – sewer	–	1,087
Self insurance – sewer	1,522	338
Self insurance – water	611	286
Contributions to works – water	100	100

External restrictions – other	92,139	73,944
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Total external restrictions	92,139	74,650
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Internal restrictions

Employees leave entitlement – drainage	181	167
Public liability insurance – water	42	13
Employee leave entitlement – water	964	986
Employee leave entitlement – sewer	1,030	919
St Huberts drainage licence fee	–	268
Public liability insurance – sewer	5	–
Other (St Hubert's Drainage Licence Fee)	363	–

Total internal restrictions	2,584	2,353
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TOTAL RESTRICTIONS	94,723	77,003
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Central Coast Council Water Supply Authority

Notes to the Financial Statements
for the year ended 30 June 2018

Note 7. Receivables

\$ '000	2018		2017	
	Current	Non-current	Current	Non-current
Purpose				
Rates and annual charges	–	–	873	–
Interest and extra charges	1,261	–	1,820	–
User charges and fees	11,894	3,252	22,055	3,354
Accrued revenues				
– Interest on investments	1,544	–	1,544	–
– Other income accruals	14,248	–	57	–
Drainage annual charges	2,047	–	1,952	–
Government grants and subsidies	2,785	–	2,307	–
Liquid trade waste	440	–	436	–
Sewerage annual charges	11,417	–	9,304	–
Water annual charges	3,277	–	2,616	–
Other debtors	4	302	227	338
Total	48,917	3,554	43,191	3,692
Less: provision for impairment				
Other debtors	–	–	(28)	–
Total provision for impairment – receivables	–	–	(28)	–
TOTAL NET RECEIVABLES	48,917	3,554	43,163	3,692

There are no restrictions applicable to the above assets.

	2018	13/5/16 to 30/6/17
Movement in provision for impairment of receivables		
Balance at the beginning of the year	28	–
+ new provisions recognised during the year	–	28
– amounts already provided for and written off this year	(28)	–
Balance at the end of the year	–	28

Accounting policy for receivables

Recognition and measurement

Loans and receivables are non-derivative financial assets with fixed or determinable payments that are not quoted in an active market. They are included in current assets, except for those with maturities greater than 12 months after the reporting date which are classified as non-current assets. Loans and receivables are included in other receivables (Note 7) and receivables (Note 7) in the Statement of Financial Position. Receivables are recognised initially at fair value and subsequently measured at amortised cost using the effective interest method, less provision for impairment. Receivables are generally due for settlement within 30 days.

Cash flows relating to short-term receivables are not discounted if the effect of discounting is immaterial.

Central Coast Council Water Supply Authority

Notes to the Financial Statements for the year ended 30 June 2018

Note 7. Receivables (continued)

Accounting policy for receivables (continued)

Impairment

For loans and receivables the amount of the loss is measured as the difference between the asset's carrying amount and the present value of estimated future cash flows (excluding future credit losses that have not been incurred) discounted at the financial asset's original effective interest rate. The carrying amount of the asset is reduced and the amount of the loss is recognised in profit or loss.

Collectability of receivables is reviewed on an on-going basis. Debts that are known to be uncollectible are written off by reducing the carrying amount directly. An allowance account (provision for impairment of receivables) is used when there is objective evidence that CCCWSA will not be able to collect all amounts due according to the original terms of the receivables.

Significant financial difficulties of the debtor, probability that the debtor will enter bankruptcy or financial reorganisation, and default or delinquency in payments (more than 30 days overdue) are considered indicators that the receivable is impaired. When a receivable for which an impairment allowance had been recognised becomes uncollectable in a subsequent period it is written off against the allowance account. Subsequent recoveries of amounts previously written off are credited against other expenses in the Income statement.

Note 8. Inventories and other assets

\$ '000	2018		2017	
	Current	Non-current	Current	Non-current
Other assets				
Prepayments	—	—	336	—
TOTAL OTHER ASSETS	—	—	336	—

Externally restricted assets

There are no restrictions applicable to the above assets.

Accounting policy

Land held for resale/capitalisation of borrowing costs

CCCWSA currently does not have any land held for resale.

CCCWSA accounting policy for land held for resale is stated at the lower of cost and net realisable value. Cost is assigned by specific identification and includes the cost of acquisition, and development and borrowing costs during development. When development is completed borrowing costs and other holding charges are expensed as incurred.

Borrowing costs included in the cost of land held for resale are those costs that would have been avoided if the expenditure on the acquisition and development of the land had not been made. Borrowing costs incurred while active development is interrupted for extended periods are recognised as expenses.

Central Coast Council Water Supply Authority

Notes to the Financial Statements

for the year ended 30 June 2018

Note 9. Infrastructure, property, plant and equipment

Asset class	as at 30/6/2017			Asset movements during the reporting period								as at 30/6/2018		
	Gross carrying amount	Accumulated depreciation and impairment	Net carrying amount	Additions renewals	Additions new assets	Carrying value of disposals	Depreciation expense	Impairment loss / revaluation decrements (recognised in P/L)	WIP transfers	Adjustments and transfers	Revaluation increments to equity (ARR)	Gross carrying amount	Accumulated depreciation and impairment	Net carrying amount
\$ '000														
Capital work in progress	79,583	–	79,583	32,566	–	–	–	–	(33,609)	–	–	78,540	–	78,540
Plant and equipment	7,328	3,957	3,371	–	–	–	(14)	–	–	(3,293)	–	1,133	1,070	63
Office equipment	746	695	51	–	–	–	(21)	–	–	–	–	620	590	30
Furniture and fittings	854	698	156	–	–	–	(18)	–	–	–	–	854	716	138
Land:														
– Operational land	79,346	–	79,346	–	–	–	–	(26,007)	–	17,367	–	70,706	–	70,706
– Community land	22,682	–	22,682	–	7	–	–	–	–	(15,338)	–	7,351	–	7,351
Infrastructure:														
– Buildings – specialised	30,984	6,467	24,517	–	–	–	(333)	–	–	(128)	4,708	47,042	18,278	28,764
– Other structures	1,445	246	1,199	–	–	–	(46)	–	–	128	–	1,831	350	1,281
– Roads	42	18	24	–	–	–	(1)	–	–	–	–	42	19	23
– Bulk earthworks (non-depreciable)	16	–	16	–	–	–	–	–	–	–	–	16	–	16
– Stormwater drainage	1,438,951	436,535	1,002,416	–	4,567	(207)	(15,230)	–	13,514	6,365	–	1,464,883	453,458	1,011,425
– Water supply network	1,747,559	713,469	1,034,090	–	1,745	–	(25,120)	–	524	–	21,276	1,786,097	753,582	1,032,515
– Sewerage network	2,193,649	803,730	1,389,919	–	3,138	(1,196)	(33,070)	–	19,571	–	25,273	2,252,235	848,600	1,403,635
TOTAL INFRASTRUCTURE														
PROPERTY, PLANT AND EQUIP.	5,603,185	1,965,815	3,637,370	32,566	9,457	(1,403)	(73,853)	(26,007)	–	5,101	51,257	5,711,150	2,076,663	3,634,487

Renewals are defined as the replacement of existing assets (as opposed to the acquisition of new assets).

Central Coast Council Water Supply Authority

Notes to the Financial Statements

for the year ended 30 June 2018

Note 9. Infrastructure, property, plant and equipment (continued)

Accounting policy for infrastructure, property, plant and equipment

Infrastructure, property, plant and equipment are held at fair value. Independent valuations are performed at least every five years, however the carrying amount of assets is assessed at each reporting date to confirm that it is not materially different from current fair value.

Water and sewerage network assets are indexed at each reporting period in accordance with the Rates Reference Manual issued by Crown Lands and Water (CLAW).

Increases in the carrying amounts arising on revaluation are credited to the asset revaluation reserve. To the extent that the increase reverses a decrease previously recognising profit or loss relating to that asset class, the increase is first recognised as profit or loss. Decreases that reverse previous increases of assets in the same class are first charged against revaluation reserves directly in equity to the extent of the remaining reserve attributable to the class; all other decreases are charged to the Income Statement.

Subsequent costs are included in the asset's carrying amount or recognised as a separate asset, as appropriate, only when it is probable that future economic benefits associated with the item will flow to Council and the cost of the item can be measured reliably. All other repairs and maintenance are charged to the income statement during the financial period in which they are incurred.

Land, land under roads, bulk earthworks, detention basins and wetlands (part of the Stormwater Drainage asset class) are not depreciated. Depreciation on other assets is calculated using the straight line method to allocate their cost, net of their residual values, over their estimated useful lives as follows:

Plant and equipment	Years	Buildings	Years
Office equipment	2 to 10	Specialised	8 to 150
Furniture and fittings	10 to 15		
Other plant and equipment	2 to 35	Roads - car parks	15 to 63
		Other Structures	5 to 100
Water and sewer assets		Stormwater assets	
Water supply network	4 to 333	Drains	5 to 150
Sewerage network	4 to 238		

The Estimated Useful Life of the asset is an estimate or expected duration between placing the asset into service and removing it from service on the basis of obsolescence of when it ceases to provide the minimum benefits it was intended to provide.

Estimated Useful Lives are determined by adoption of expert advice from external valuations (conducted by NSW Public Works and APV in 2016), who have considerable experience in conducting Fair Value Estimates within the water industry and benchmarking against industry recommendations including the NSW Reference rates for valuation of Water Supply, Sewerage and Stormwater Assets and the international infrastructure management manual.

The assets' residual values and useful lives are reviewed, and adjusted if appropriate, at each reporting date. Gains and losses on disposals are determined by comparing proceeds with carrying amount. These are included in the Income statement.

Central Coast Council Water Supply Authority

Notes to the Financial Statements for the year ended 30 June 2018

Note 9. Infrastructure, property, plant and equipment (continued)

Accounting policy for infrastructure, property, plant and equipment (continued)

Land under roads

Land under roads is land under roadways and road reserves including land under footpaths, nature strips and median strips.

Council has elected not to recognise land under roads acquired before 1 July 2008 in accordance with AASB 1051 Land Under Roads.

Land under roads acquired after 1 July 2008 is recognised in accordance with AASB 116 Property, Plant and Equipment.

Crown reserves

Crown Reserves under Council's care and control are recognised as assets of the Council. While ownership of the reserves remains with the Crown, Council retains operational control of the reserves and is responsible for their maintenance and use in accordance with the specific purposes to which the reserves are dedicated. Improvements on Crown Reserves are also recorded as assets, while maintenance costs incurred by Council and revenues relating to the reserves are recognised within Council's Income Statement.

Rural Fire Service assets

Under section 119 of the *Rural Fire Services Act 1997 (NSW)*, "all fire fighting equipment purchased or constructed wholly or from money to the credit of the Fund is to be vested in the council of the area for or on behalf of which the fire fighting equipment has been purchased or constructed".

Until such time as discussions on this matter have concluded and the legislation changed, Council will recognise rural fire service assets including land, buildings, plant and vehicles.

Central Coast Council Water Supply Authority

Notes to the Financial Statements
for the year ended 30 June 2018

Note 10. Intangible assets

\$ '000	2018	2017
Intangible assets represent identifiable non-monetary assets without physical substance.		
Intangible assets are as follows:		
Opening values:		
Gross book value (1/7)	4,172	4,172
Accumulated amortisation (1/7)	<u>(2,469)</u>	<u>(2,446)</u>
Net book value – opening balance	<u>1,703</u>	<u>1,726</u>
Movements for the year		
– Amortisation charges	–	(24)
Closing values:		
Gross book value (30/6)	4,172	4,172
Accumulated amortisation (30/6)	<u>(2,469)</u>	<u>(2,469)</u>
<u>TOTAL INTANGIBLE ASSETS – NET BOOK VALUE</u> ¹	<u>1,703</u>	<u>1,703</u>

¹ The net book value of intangible assets represent:

Drainage easements	<u>1,703</u>	<u>1,703</u>
	<u>1,703</u>	<u>1,703</u>

Accounting policy for intangible assets**Drainage easements**

Consistent with NSW Treasury policy, easements (the right of access over land) are recognised as intangible assets.

Easements are determined to have indefinite lives, as there is no finite period over which their use is fully consumed. They convey a right to the Council to enable it to gain access to its infrastructure assets over an indefinite period of time. Unlike the infrastructure assets themselves, which are consumed over a finite period and undergo replacement to enable continuity of service, an easement can exist continuously throughout this period and beyond, and thus may never need to be released. Easements are only derecognised when a management decision has been made to relocate the relevant infrastructure asset and the need for the easement no longer exists.

Since easements are viewed as having an indefinite life, they are not amortised, however, they are tested for impairment.

Central Coast Council Water Supply Authority

Notes to the Financial Statements
for the year ended 30 June 2018

Note 11. Payables and borrowings

\$ '000	2018		2017	
	Current	Non-current	Current	Non-current
Payables				
Goods and services – operating expenditure	3,610	–	451	–
Accrued expenses:				
– Borrowings	1,401	–	1,089	–
– Salaries and wages	614	–	548	–
– Other expenditure accruals	24,169	–	4,339	–
Security bonds, deposits and retentions	299	2,399	250	–
Other	1,087	–	–	–
Other	–	–	882	–
Total payables	31,180	2,399	7,559	–
Income received in advance				
Payments received in advance	1,766	478	2,972	2,166
Total income received in advance	1,766	478	2,972	2,166
Borrowings				
Loans – secured ¹	30,250	215,186	19,520	245,436
Loans – unsecured	1,064	25,002	978	28,868
Total borrowings	31,314	240,188	20,498	274,304
TOTAL PAYABLES AND BORROWINGS	64,260	243,065	31,029	276,470

(a) Payables and borrowings relating to restricted assets

	2018		2017	
	Current	Non-current	Current	Non-current
Externally restricted assets				
Developer contributions in advance sewer	–	–	1,087	–
Developer contributions in advance water	–	1,746	56	1,668
Other	–	653	–	–
Payables and borrowings relating to externally restricted assets	–	2,399	1,143	1,668
Total payables and borrowings relating to restricted assets	–	2,399	1,143	1,668
Total payables and borrowings relating to unrestricted assets	64,260	240,666	29,886	274,802
TOTAL PAYABLES AND BORROWINGS	64,260	243,065	31,029	276,470

¹ Loans are secured over the general rating income of Council

Disclosures on liability interest rate risk exposures, fair value disclosures and security can be found in Note 17.

Central Coast Council Water Supply Authority

Notes to the Financial Statements
for the year ended 30 June 2018

Note 11. Payables and borrowings (continued)

\$ '000	2018	2017
(b) Current payables and borrowings not anticipated to be settled within the next twelve months		
The following payables and borrowings, even though classified as current, are not expected to be settled in the next 12 months.		
Payables – overpayments, security bonds, deposits and retentions	1,351	1,134
	<u>1,351</u>	<u>1,134</u>

(c) Changes in liabilities arising from financing activities

Class of borrowings	Opening balance as at 1/7/17	Cash flows	Non-cash changes			Closing balance as at 30/6/18
			Acquisition	Fair value changes	Other non-cash movements	
Loans – secured	264,956	(19,520)	–	–	–	245,436
Loans – unsecured	29,846	(3,780)	–	–	–	26,066
TOTAL	294,802	(23,300)	–	–	–	271,502

Accounting policy for payables and borrowings**Payables**

These amounts represent liabilities for goods and services provided to the Council prior to the end of financial year that are unpaid. The amounts are unsecured and are usually paid within 30 days of recognition.

Borrowings

Borrowings are initially recognised at fair value, net of transaction costs incurred. Borrowings are subsequently measured at amortised cost. Any difference between the proceeds (net of transaction costs) and the redemption amount is recognised in the income statement over the period of the borrowings using the effective interest method. Fees paid on the establishment of loan facilities are recognised as transaction costs of the loan to the extent that it is probable that some or all of the facility will be drawn down. In this case, the fee is deferred until the draw down occurs. To the extent there is no evidence that it is probable that some or all of the facility will be drawn down, the fee is capitalised as a prepayment for liquidity services and amortised over the period of the facility to which it relates.

Borrowings are removed from the Statement of Financial Position when the obligation specified in the contract is discharged, cancelled or expired. The difference between the carrying amount of a financial liability that has been extinguished or transferred to another party and the consideration paid, including any non-cash assets transferred or liabilities assumed, is recognised in other income or finance cost.

Borrowings are classified as current liabilities unless Council has an unconditional right to defer settlement of the liability for at least 12 months after the reporting date.

Central Coast Council Water Supply Authority

Notes to the Financial Statements
for the year ended 30 June 2018

Note 12. Provisions

\$ '000	2018		2017	
	Current	Non-current	Current	Non-current
Provisions				
Employee benefits:				
Annual leave	2,587	–	2,354	–
Sick leave	2,294	–	2,551	–
Long service leave	5,798	–	5,349	67
Other leave	212	–	55	–
Sub-total – aggregate employee benefits	10,891	–	10,309	67
Other provisions:				
Self insurance – workers compensation	405	1,493	599	1,534
Self insurance – public liability	–	–	10	–
Self insurance – other	47	–	3	–
Payroll tax	595	–	478	4
Sub-total – other provisions	1,047	1,493	1,090	1,538
TOTAL PROVISIONS	11,938	1,493	11,399	1,605

(a) Provisions relating to restricted assets

	2018		2017	
	Current	Non-current	Current	Non-current
Internally restricted assets				
Self insurance - workers' compensation	405	1,493	599	1,534
Provisions relating to internally restricted assets	405	1,493	599	1,534
Total provisions relating to restricted assets	405	1,493	599	1,534
Total provisions relating to unrestricted assets	11,533	–	10,800	71
TOTAL PROVISIONS	11,938	1,493	11,399	1,605

\$ '000	2018	2017
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(b) Current provisions not anticipated to be settled within the next twelve months

The following provisions, even though classified as current, are not expected to be settled in the next 12 months.

Provisions – employees benefits	6,949	6,648
	6,949	6,648

Central Coast Council Water Supply Authority

Notes to the Financial Statements
for the year ended 30 June 2018

Note 12. Provisions (continued)

\$ '000						
(c) Description of and movements in provisions						
2018	ELE provisions					Total
	Annual leave	Sick leave	Long service leave	ELE on-costs	Other employee benefits	
At beginning of year	2,354	2,551	5,416	–	55	10,376
Other	233	(257)	382	–	157	515
Total ELE provisions at end of year	2,587	2,294	5,798	–	212	10,891
ELE provisions						
2017	Annual leave	Sick leave	Long service leave	ELE on-costs	Other employee benefits	Total
	At beginning of year	2,480	3,049	6,172	–	45
Additional provisions	1,428	616	437	–	390	2,871
Amounts used (payments)	(1,554)	(1,114)	(1,193)	–	(380)	(4,241)
Total ELE provisions at end of year	2,354	2,551	5,416	–	55	10,376
Other provisions						
2018	Other	Self-insurance	Asset remediation	Total		
	At beginning of year	482	2,146	–	2,628	
Changes to provision:						
Additional provisions	113	10	–	123		
Amounts used (payments)	–	(211)	–	(211)		
Total other provisions at end of year	595	1,945	–	2,540		
Other provisions						
2017	Other	Self-insurance	Asset remediation	Total		
	At beginning of year	172	784	–	956	
Changes to provision:						
Additional provisions	1,359	1,646	–	3,005		
Amounts used (payments)	(1,049)	(284)	–	(1,333)		
Total other provisions at end of year	482	2,146	–	2,628		

Central Coast Council Water Supply Authority

Notes to the Financial Statements for the year ended 30 June 2018

Note 12. Provisions (continued)

Nature and purpose of non-employee benefit provisions

Self-insurance

To recognise liabilities for outstanding claims (uninsured losses) arising from Council's decision to undertake self-insurance for certain risks faced.

Accounting policy for provisions

Provisions are recognised when Council has a present legal or constructive obligation as a result of past events, it is probable that an outflow of resources will be required to settle the obligation, and the amount has been reliably estimated.

Where there are a number of similar obligations, the likelihood that an outflow will be required in settlement is determined by considering the class of obligations as a whole. A provision is recognised even if the likelihood of an outflow with respect to any one item included in the same class of obligations may be small.

Provisions are measured at the present value of management's best estimate of the expenditure required to settle the present obligation at the reporting date. The discount rate used to determine the present value reflects current market assessments of the time value of money and the risks specific to the liability. The increase in the provision due to the passage of time is recognised as interest expense.

Employee benefits

Short-term obligations

Liabilities for wages and salaries, including non-monetary benefits, annual leave and accumulating sick leave expected to be wholly settled within 12 months after the end of the period in which the employees render the related service are recognised in respect of employees' services up to the end of the reporting period and are measured at the amounts expected to be paid when the liabilities are settled. The liability for annual leave and accumulating sick leave is recognised in the provision for employee benefits. All other short-term employee benefit obligations are presented as payables.

Other long-term employee benefit obligations

The liability for long service leave and annual leave that is not expected to be wholly settled within 12 months after the end of the period in which the employees render the related service is recognised in the provision for employee benefits and measured as the present value of expected future payments to be made in respect of services provided by employees up to the end of the reporting period using the projected unit credit method.

Consideration is given to expected future wage and salary levels, experience of employee departures, and periods of service. Expected future payments are discounted using market yields at the end of the reporting period on national government bonds with terms to maturity and currency that match, as closely as possible, the estimated future cash outflows.

The obligations are presented as current liabilities in the Statement of Financial Position if the Council does not have an unconditional right to defer settlement for at least 12 months after the reporting date, regardless of when the actual settlement is expected to occur.

Central Coast Council Water Supply Authority

Notes to the Financial Statements for the year ended 30 June 2018

Note 12. Provisions (continued)

Self-insurance

Self Insurance Provisions represent both (i) claims incurred but not reported and (ii) claims reported and estimated as a result of Council being a self insurer for Workers Compensation Claims. Council also maintains cash and investments to meet expected future claims.

Public Liability and Professional Indemnity claims are expensed as they meet the recognition criteria set out in AASB 137 Provisions, Contingent Liabilities and Contingent Assets.

Specific uncertainties relating to the final costs and the assumptions made in determining Provisions for Self Insurance include:

- Claims escalation of 2.5% per annum and Bond Yields of between 1.750% and 3.409% per annum over a 12 year period.
- All monetary amounts for past Workers Compensation Claims were indexed to bring them to "standardised" values at June 2018.
- Workers Compensation Claim payments projected into the future by the adopted actuarial model are in "standardised" values as at June 2018.

The last actuarial assessment of Workers Compensation Claims was undertaken in July 2018 and was performed by David A Zaman Pty Ltd, Director David Zaman, BSc, FIA, FIAA, MBA.

Note 13. Accumulated surplus, revaluation reserves, changes in accounting policies, changes in accounting estimates and errors

Nature and purpose of reserves

Infrastructure, property, plant and equipment revaluation reserve

The infrastructure, property, plant and equipment revaluation reserve is used to record increments / decrements of non-current asset values due to their revaluation.

Central Coast Council Water Supply Authority

Notes to the Financial Statements
for the year ended 30 June 2018

Note 14. Statement of cash flows – additional information

\$ '000	Notes	2018	2017
(a) Reconciliation of cash assets			
Total cash and cash equivalent assets	6a	34,717	188
Less bank overdraft		–	–
Balance as per the Statement of Cash Flows		34,717	188
(b) Reconciliation of net operating result to cash provided from operating activities			
Net operating result from Income Statement		17,753	50,393
Adjust for non-cash items:			
Depreciation and amortisation		73,853	84,384
Net losses/(gains) on disposal of assets		1,404	4,592
Non-cash capital grants and contributions		(9,450)	(15,118)
Losses/(gains) recognised on fair value re-measurements through the P&L:			
– Revaluation decrements / impairments of IPP&E direct to P&L		26,007	–
+/- Movement in operating assets and liabilities and other cash items:			
Decrease/(increase) in receivables		(5,588)	(1,430)
Increase/(decrease) in provision for doubtful debts		(28)	28
Decrease/(increase) in other assets		336	(336)
Increase/(decrease) in payables		3,159	(337)
Increase/(decrease) in accrued interest payable		312	(2,920)
Increase/(decrease) in other accrued expenses payable		19,896	(529)
Increase/(decrease) in other liabilities		(241)	(29,480)
Increase/(decrease) in employee leave entitlements		515	(1,370)
Increase/(decrease) in other provisions		(88)	1,672
Net cash provided from/(used in) operating activities from the Statement of Cash Flows		127,840	89,549
(c) Non-cash investing and financing activities			
Developer contributions 'in kind'		–	442
Other dedications		9,450	14,676
Total non-cash investing and financing activities		9,450	15,118

Central Coast Council Water Supply Authority

Notes to the Financial Statements

for the year ended 30 June 2018

Note 15. Commitments for expenditure

\$ '000	2018	2017
(a) Capital commitments (exclusive of GST)		
Capital expenditure committed for at the reporting date but not recognised in the financial statements as liabilities:		
Property, plant and equipment		
Plant and equipment	–	2,067
Other - Stormwater Management Infrastructure	3,245	654
	7,069	2,016
Total commitments	10,314	4,737
These expenditures are payable as follows:		
Within the next year	10,314	4,737
Total payable	10,314	4,737
Sources for funding of capital commitments:		
Unrestricted general funds	10,314	4,454
Section 7.11 and 64 funds/reserves	–	272
Externally restricted reserves	–	11
Total sources of funding	10,314	4,737

Details of capital commitments

Major projects include the replacement and construction of vacuum stations WS29 and WS30 at Tacoma \$0.7M, Audie Parade Berkeley Vale drainage \$0.2M, upgrade of wtare reservoir access \$0.1M and renewal of the sewage pumping station pump fleet \$0.1M. The remaining commitments are for various capital works across the Water and Sewer network.

(b) Operating lease commitments (non-cancellable)**a. Commitments under non-cancellable operating leases at the reporting date, but not recognised as liabilities are payable:**

Within the next year	4	36
Later than one year and not later than 5 years	16	39
Total non-cancellable operating lease commitments	20	75

b. Non-cancellable operating leases include the following assets:

Computer equipment - Desktop, monitor and laptop operating leases with Equigroup. A number of contracts exist and all are due to mature within the next five years.

Printers - Council maintains operating leases for multifunction printers with Viatek

Contingent rentals may be payable depending on the condition of items or usage during the lease term.

Conditions relating to operating leases:

- All operating lease agreements are secured only against the leased asset.
- No lease agreements impose any financial restrictions on Council regarding future debt etc.

Central Coast Council Water Supply Authority

Notes to the Financial Statements

for the year ended 30 June 2018

Note 16. Contingencies and other assets/liabilities not recognised

Liabilities not recognised

1. Defined benefit superannuation

Council, on behalf of CCCWSA is party to an Industry Defined Benefit Plan under the Local Government Superannuation Scheme, named The Local Government Superannuation Scheme – Pool B (the Scheme) which is a defined benefit plan that has been deemed to be a "multi-employer fund" for purposes of AASB119 *Employee Benefits*. Sufficient information is not available to account for the Scheme as a defined benefit plan in accordance with AASB119 because the assets to the Scheme are pooled together for all councils.

Employer contributions paid to the defined benefit section of the Scheme during 2017-18 were recognised as an expense. The last valuation of the Scheme was performed by Mr Richard Boyfield FIAA of Mercer Consulting (Australia) on 12 December 2017, and covers the year ended 30 June 2017.

The position is monitored annually and the actuary has estimated that, as at 30 June 2018, a deficit still exists. Effective from 1 July 2009, employers are required to make additional contributions to assist in extinguishing this deficit.

Council's share of that deficiency cannot be accurately calculated as the Scheme is a mutual arrangement where assets and liabilities are pooled together for all member councils. For this reason, no liability for the deficiency has been recognised in CCCWSA's accounts. CCCWSA has a possible obligation that may arise should the Scheme require immediate payment to correct the deficiency.

2. Developer contributions

CCCWSA levies Section 64 contributions upon various developments across the local government area through the required contributions plans.

As part of these plans, CCCWSA has received funds for which it will be required to expend the monies in accordance with those plans.

As well, these plans indicate proposed future expenditure to be undertaken by CCCWSA, which will be funded by making levies and receipting funds in future years.

These future expenses do not yet qualify as liabilities as of the reporting date, but represent the intention to spend funds in the manner and timing set out in those plans.

Central Coast Council Water Supply Authority

Notes to the Financial Statements for the year ended 30 June 2018

Note 17. Financial risk management

\$ '000

Risk management

Council's activities expose it to a variety of financial risks including **(1)** price risk, **(2)** credit risk, **(3)** liquidity risk and **(4)** interest rate risk.

The Council's overall risk management program focuses on the unpredictability of financial markets and seeks to minimise potential adverse effects on the financial performance of the Council.

Council does not engage in transactions expressed in foreign currencies and is therefore not subject to foreign currency risk.

Financial risk management is carried out by Council's finance section under policies approved by the Council.

A comparison by category of the carrying amounts and fair values of Council's financial assets and financial liabilities recognised in the financial statements is presented below.

	Carrying value		Fair value	
	2018	2017	2018	2017
Financial assets				
Cash and cash equivalents	34,717	188	34,717	188
Investments				
– 'Held to maturity'	147,651	115,314	147,651	115,314
Receivables	52,471	46,855	52,471	46,855
Total financial assets	234,839	162,357	234,839	162,357
Financial liabilities				
Payables	33,579	7,559	33,579	7,559
Loans/advances	271,502	294,802	330,508	369,766
Total financial liabilities	305,081	302,361	364,087	377,325

Fair value is determined as follows:

- **Cash and cash equivalents, receivables, payables** – are estimated to be the carrying value that approximates market value.
- **Borrowings and held-to-maturity investments** – are based upon estimated future cash flows discounted by the current mkt interest rates applicable to assets and liabilities with similar risk profiles, unless quoted market prices are available.
- Financial assets classified (i) **'at fair value through profit and loss'** or (ii) **'available-for-sale'** – are based upon quoted market prices (in active markets for identical investments) at the reporting date or independent valuation.

Central Coast Council Water Supply Authority

Notes to the Financial Statements for the year ended 30 June 2018

Note 17. Financial risk management (continued)

\$ '000

Council's objective is to maximise its return on cash and investments whilst maintaining an adequate level of liquidity and preserving capital.

Council has an investment policy which complies with the *Local Government Act 1993* and Ministerial Investment Order 625. This policy is regularly reviewed by Council and its staff and a monthly Investment report is provided to Council setting out the make-up and performance of the portfolio as required by Local Government regulations.

The risks associated with the investments held are:

- **Price risk** – the risk that the capital value of Investments may fluctuate due to changes in market prices, whether there changes are caused by factors specific to individual financial instruments or their issuers or are caused by factors affecting similar instruments traded in a market.
- **Interest rate risk** – the risk that movements in interest rates could affect returns and income.
- **Credit risk** – the risk that the investment counterparty will not complete their obligations particular to a financial instrument, resulting in a financial loss to Council – be it of a capital or income nature.

Council manages these risks (amongst other measures) by diversifying its portfolio and only purchasing investments with high credit ratings or capital guarantees.

(a) Market risk – price risk and interest rate risk

The following represents a summary of the sensitivity of Council's Income Statement and accumulated surplus (for the reporting period) due to a change in either the price of a financial asset or the interest rates applicable.

It is assumed that the change in interest rates would have been constant throughout the reporting period.

	Increase of values/rates		Decrease of values/rates	
	Profit	Equity	Profit	Equity
2018				
Possible impact of a 10% movement in market values	18,237	18,237	(18,237)	(18,237)
Possible impact of a 1% movement in interest rates	1,824	1,824	(1,824)	(1,824)
13/5/16 to 30/6/17				
Possible impact of a 10% movement in market values	11,550	11,550	(11,550)	(11,550)
Possible impact of a 1% movement in interest rates	1,155	1,155	(1,155)	(1,155)

Central Coast Council Water Supply Authority

Notes to the Financial Statements
for the year ended 30 June 2018

Note 17. Financial risk management (continued)

\$ '000

(b) Credit risk

Council's major receivables comprise (i) rates and annual charges and (ii) user charges and fees.

The major risk associated with these receivables is credit risk – the risk that debts due and payable to Council may not be repaid in full.

Council manages this risk by monitoring outstanding debt and employing stringent debt recovery procedures. It also encourages ratepayers to pay their rates by the due date through incentives.

Credit risk on rates and annual charges is minimised by the ability of Council to secure a charge over the land relating to the debts – that is, the land can be sold to recover the debt. Council is also able to charge interest on overdue rates and annual charges at higher than market rates which further encourages the payment of debt.

There are no significant concentrations of credit risk, whether through exposure to individual customers, specific industry sectors and/or regions.

There are no material receivables that have been subjected to a re-negotiation of repayment terms.

A profile of Council's receivables credit risk at balance date follows:

	2018 Rates and annual charges	2018 Other receivables	2017 Rates and annual charges	2017 Other receivables
(i) Ageing of receivables – %				
Current (not yet overdue)	0%	83%	0%	84%
Overdue	100%	17%	100%	16%
	<u>100%</u>	<u>100%</u>	<u>100%</u>	<u>100%</u>
(ii) Ageing of receivables – value			2018	2017
Rates and annual charges				
< 1 year overdue			9,187	14,214
1 – 2 years overdue			5,542	1,214
2 – 5 years overdue			2,481	694
> 5 years overdue			792	443
			<u>18,002</u>	<u>16,565</u>
Other receivables				
Current			28,612	25,542
0 – 30 days overdue			45	273
31 – 60 days overdue			571	1,183
61 – 90 days overdue			1,389	1,245
> 91 days overdue			3,852	2,075
			<u>34,469</u>	<u>30,318</u>

Central Coast Council Water Supply Authority

Notes to the Financial Statements
for the year ended 30 June 2018

Note 17. Financial risk management (continued)

\$ '000

(c) Liquidity risk

Payables and borrowings are both subject to liquidity risk – the risk that insufficient funds may be on hand to meet payment obligations as and when they fall due.

Council manages this risk by monitoring its cash flow requirements and liquidity levels and maintaining an adequate cash buffer.

Payment terms can (in extenuating circumstances) also be extended and overdraft facilities utilised as required.

Borrowings are also subject to interest rate risk – the risk that movements in interest rates could adversely affect funding costs and debt servicing requirements. Council manages this risk by borrowing long term and fixing the interest rate on a 4-year renewal basis. The Finance Section regularly reviews interest rate movements to determine if it would be advantageous to refinance or renegotiate part or all of the loan portfolio.

The contractual undiscounted cash outflows (ie. principal and interest) of Council's payables and borrowings are set out in the maturity table below:

\$ '000	Weighted average interest rate	Subject to no maturity	payable in:			Total cash outflows	Actual carrying values
			≤ 1 Year	1 – 5 Years	> 5 Years		
2018							
Trade/other payables	-	2,698	30,881	-	-	33,579	33,579
Loans and advances	6.50%	-	49,824	172,016	184,324	406,164	271,502
Total financial liabilities		2,698	80,705	172,016	184,324	439,743	305,081
2017							
Trade/other payables	-	250	7,309	-	-	7,559	7,559
Loans and advances	6.50%	-	39,689	194,163	199,118	432,970	294,802
Total financial liabilities		250	46,998	194,163	199,118	440,529	302,361

Central Coast Council Water Supply Authority

Notes to the Financial Statements

for the year ended 30 June 2018

Note 18. Material budget variations

\$ '000

Council's original financial budget for 17/18 was adopted by the Council on 28 June 2017 and is not required to be audited.

While the Income Statement included in this General Purpose Financial Report must disclose the original budget adopted by Council, the *Local Government Act 1993* requires Council to review its financial budget on a quarterly basis, so that it is able to manage the various variations between actuals versus budget that invariably occur throughout the year.

This note sets out the details of **material variations** between Council's original budget and its actual results for the year as per the Income Statement – even though such variations may have been adjusted for during each quarterly budget review.

Note that for variations* of budget to actual :

Material variations represent those variances that amount to **10%** or more of the original budgeted figure.

F = Favourable budget variation, U = Unfavourable budget variation

\$ '000	2018 Budget	2018 Actual	2018 ----- Variance* -----		
REVENUES					
Rates and annual charges	117,861	121,097	3,236	3%	F
User charges and fees	66,592	74,242	7,650	11%	F
Income received from User Charges and Fees was greater than original budget estimates due to the volume of water sales being greater than forecast during 2017-18.					
Interest and investment revenue	2,832	5,256	2,424	86%	F
Income received from Interest on Investments during 2017-18 was greater than the original budget estimate due to the portfolio balance being higher throughout the year than originally anticipated.					
Other revenues	344	296	(48)	(14%)	U
The unfavourable Other Revenue variance is attributable to a minor variation in commercial rental income.					
Operating grants and contributions	3,363	3,179	(184)	(5%)	U
Capital grants and contributions	8,480	25,729	17,249	203%	F
The favourable income variance is due to \$1.7 million capital grant income not included in the original 2017-18 budget as Council had not received approval of all grant funded projects when the original budget was adopted. In addition income from Developer Contributions, levied under s. 64 of the Local Government Act 1993, ss. 7.11 and 7.12 of the Environment Planning and Assessment Act 1979 (formerly ss. 94 and 94A) was \$6.4 million over original budget estimates. Developer contributions are often difficult to predict as they are driven by external development.					

Central Coast Council Water Supply Authority

Notes to the Financial Statements

for the year ended 30 June 2018

Note 18. Material budget variations (continued)

\$ '000	2018 Budget	2018 Actual	2018 ----- Variance* -----		
EXPENSES					
Employee benefits and on-costs	32,621	30,848	1,773	5%	F
Borrowing costs	18,889	19,980	(1,091)	(6%)	U
Materials and contracts	32,163	20,625	11,538	36%	F
Materials and Contracts were underspent due to the Water Supply Authority continuing to review, harmonise and improve service delivery across the Central Coast. Variations to original budget resulted in expenditure on consultants and internal expenditures such as plant and fleet.					
Depreciation and amortisation	71,623	73,853	(2,230)	(3%)	U
Other expenses	29,552	39,329	(9,777)	(33%)	U
The unfavourable variance in Other Expenses is largely attributable to Internal Expenses in the original budget mapped to Materials and Contracts but actuals were mapped to Other Expenses. This has resulted in a variance when comparing actuals to the original budget.					
Net losses from disposal of assets	-	1,404	(1,404)	0%	U
The net loss on disposal relates to the retirement of some Stormwater Drainage assets during 2017-18.					
Revaluation decrement / impairment of IPP&E	-	26,007	(26,007)	0%	U
Where the carrying value of a class of assets is reduced as the result of a revaluation, the decrement is offset against the asset revaluation reserve, with the balance recognised in the Income Statement. This was the first revaluation of Operational Land for Central Coast Council, therefore there was no asset revaluation reserve to offset the reduction against.					
Budget variations relating to Council's Cash Flow Statement include:					
Cash flows from operating activities	114,223	127,840	13,617	11.9%	F
The favourable cash flow variance is due to additional income from water usage and interest on investments.					
Cash flows from investing activities	(6,394)	(70,011)	(63,617)	994.9%	U
The additional funds generated from operational activities has been invested in term deposits, in accordance with Council's Investment Policy, to maximise interest income until the funds are needed to complete capital works. This resulted in additional amounts invested in term deposits above budget.					
Cash flows from financing activities	(23,300)	(23,300)	-	0.0%	F

Central Coast Council Water Supply Authority

Notes to the Financial Statements
for the year ended 30 June 2018

Note 19. Fair value measurement

\$ '000

The Council measures the following asset and liability classes at fair value on a recurring basis:

– Infrastructure, property, plant and equipment

The fair value of assets and liabilities must be estimated in accordance with various accounting standards for either recognition and measurement requirements or for disclosure purposes.

AASB 13 Fair Value Measurement requires all assets and liabilities measured at fair value to be assigned to a 'level' in the fair value hierarchy as follows:

Level 1: Unadjusted quoted prices in active markets for identical assets or liabilities that the entity can access at the measurement date.

Level 2: Inputs other than quoted prices included within level 1 that are observable for the asset or liability, either directly or indirectly.

Level 3: Inputs for the asset or liability that are not based on observable market data (unobservable inputs).

(1) The following table presents all assets and liabilities that have been measured and recognised at fair values:

2018	Date of latest valuation	Fair value measurement hierarchy			Total
		Level 1 Quoted prices in active mkts	Level 2 Significant observable inputs	Level 3 Significant unobservable inputs	
Recurring fair value measurements					
Infrastructure, property, plant and equipment					
Plant and equipment	13/05/16	–	–	63	63
Office equipment	13/05/16	–	–	30	30
Furniture and fittings	13/05/16	–	–	138	138
Operational land	30/06/18	–	–	70,706	70,706
Community land	13/05/16	–	–	7,351	7,351
Buildings - specialised	13/05/16	–	–	28,764	28,764
Other structures	13/05/16	–	–	1,281	1,281
Roads	13/05/16	–	–	23	23
Bulk earthworks (non depreciable)	13/05/16	–	–	16	16
Stormwater drainage	13/05/16	–	–	1,011,425	1,011,425
Water supply network	13/05/16	–	–	1,032,515	1,032,515
Sewerage network	13/05/16	–	–	1,403,635	1,403,635
Total infrastructure, property, plant and equipment		–	–	3,555,947	3,555,947

Central Coast Council Water Supply Authority

Notes to the Financial Statements
for the year ended 30 June 2018

Note 19. Fair value measurement (continued)

\$ '000

(1) The following table presents all assets and liabilities that have been measured and recognised at fair values: (continued)

2017	Date of latest valuation	Fair value measurement hierarchy			Total
		Level 1 Quoted prices in active mkts	Level 2 Significant observable inputs	Level 3 Significant unobservable inputs	
Recurring fair value measurements					
Infrastructure, property, plant and equipment					
Plant and equipment	12/05/16	–	–	3,371	3,371
Office equipment	12/05/16	–	–	51	51
Furniture and fittings	12/05/16	–	–	156	156
Operational land	12/05/16	–	–	79,346	79,346
Community land	12/05/16	–	–	22,682	22,682
Buildings - specialised	12/05/16	–	–	24,517	24,517
Other structures	12/05/16	–	–	1,199	1,199
Roads	12/05/16	–	–	24	24
Bulk earthworks (non depreciable)	12/05/16	–	–	16	16
Stormwater drainage	12/05/16	–	–	1,002,416	1,002,416
Water supply network	12/05/16	–	–	1,034,090	1,034,090
Sewerage network	12/05/16	–	–	1,389,919	1,389,919
Total infrastructure, property, plant and equipment		–	–	3,557,787	3,557,787

(2) Transfers between level 1 and level 2 fair value hierarchies

During the year, there were no transfers between level 1 and level 2 fair value hierarchies for recurring fair value measurements.

Central Coast Council Water Supply Authority

Notes to the Financial Statements

for the year ended 30 June 2018

Note 19. Fair value measurement (continued)

3) Valuation techniques used to derive Level 3 fair values

Where Central Coast Council Water Supply Authority (CCCWSA) is unable to derive fair valuations using quoted market prices of identical assets (ie. Level 1 inputs), or observable inputs (Level 2 inputs), it utilises unobservable inputs (Level 3 inputs).

The fair valuation techniques CCCWSA has employed while utilising Level 3 inputs are as follows:

Infrastructure, property, plant and equipment

Plant and equipment, office equipment and furniture and fittings

Plant and equipment, office equipment and furniture and fittings assets are recognised and valued at cost. CCCWSA assumes that the carrying amount reflects the fair value of the assets due to the nature of the items. Therefore these assets are disclosed at fair value in the notes.

These asset categories include:

- plant and equipment
 - Major plant items – tractors, excavators, street sweepers, tippers, rollers, forklifts, backhoes, beach cleaners
 - Minor plant items – generators, mowers, weed harvester, trailers, chainsaws, wood chippers, power hand tools
 - Fleet vehicles – trucks, commercial vehicles and passenger vehicles
- office equipment – computer hardware, communications equipment, digital cameras, photocopiers
- furniture and fittings – work stations, storage cabinets, CCTV, air conditioning units.

The unobservable level 3 inputs used include:

- pattern of consumption
- useful life
- residual value.

CCCWSA reviews the value of these assets based on the gross replacement cost of similar assets.

There has been no change to the valuation process during the reporting period.

Operational land

This asset class is comprised of all CCCWSA's land classified as operational land under the Local Government Act 1993. CCCWSA's accounting policy will be to value the freehold land on a market value basis.

CCCWSA engaged Scott Fullarton Valuation Pty Ltd to value operational land in 2018. CCCWSA's operational land was valued at market value (highest and best use) after identifying all elements that would be taken into account by buyers and sellers in setting the price, including but not limited to zoning, topography, location, size, shape, access, exposure to traffic and businesses. Asset condition is also considered when determining the fair value.

This asset class is categorised as Level 3 as some of the above-mentioned inputs used in the valuation of these assets require significant professional judgement and are therefore unobservable.

Community land

Community Land assets are comprised of CCCWSA owned land classified as Community Land under the Local Government Act 1993 and land under the care and management of CCCWSA on behalf of the Crown.

Central Coast Council Water Supply Authority

Notes to the Financial Statements

for the year ended 30 June 2018

Note 19. Fair value measurement (continued)

CCCWSA accounting policy is to value Community Land based on the unimproved land values provided by the Valuer General or an average unit rate based on the land values for similar properties (land use, land size, shape and location) where the Valuer General has not provided a land value based on the highest and best use for the land.

This asset class is valued using unimproved land values provided by the Valuer General which is not considered to be an observable input based on market evidence and therefore contains Level 3 unobservable inputs.

There has been no change to the valuation process during the reporting period.

Buildings – specialised

It is CCCWSA's accounting policy to value buildings for which a market exists using the best estimate of the price reasonably obtainable in the market at the date of valuation. Where there is no depth in market the buildings will be determined on the depreciated current replacement cost basis.

The valuation of buildings, structural improvements and site services includes those items that form part of the building services installation (e.g. heating, cooling and climate control equipment, lifts, escalators, fire alarms, sprinklers and firefighting equipment, and general lighting). The buildings and site improvements were physically inspected and measured. The building valuations incorporate a gross current value, net current value and residual value for each asset.

This asset class is categorised as Level 3 as some of the inputs used in the valuation of these assets require significant professional judgement and are unobservable.

CCCWSA engaged Scott Fullarton Valuation Pty Ltd to value all buildings in 2018. The approach estimated the replacement cost of each building and componentising of significant parts of specific buildings with different useful lives and taking into account CCCWSA's asset management practices.

Where the unit rates could be supported by market evidence, Level 2 inputs were utilised. Other outputs (such as estimates of residual value, useful life, asset condition and componentisation including the split between short and long life components) required extensive professional judgment and impacted significantly on the final determination of fair value. As such, this asset class has been valued utilising Level 3 inputs.

Other structures

This asset class is comprised of fencing and structures which did not meet the definition of a building.

CCCWSA's accounting policy is to value other structures based on the technical knowledge and experience of engineers and asset management staff. Unobservable Level 3 inputs used include useful life, asset condition and pattern of consumption.

There has been no change to the valuation process during the reporting period.

Stormwater drainage

The Stormwater drainage asset class consists of CCCWSA's pits, pipes, detention basins, open drains, culverts, floodgates, wetlands, headwalls and gross pollutant traps.

The valuation of this asset class uses the cost assets approach. Replacement cost is assessed using the MEERA approach.

Significant inputs considered in the valuation of these assets are asset condition, remaining useful life and pattern of consumption.

This asset class is categorised a Level 3 as some of the above-mentioned inputs used in the valuation of these assets require significant professional judgement and are therefore unobservable.

Central Coast Council Water Supply Authority

Notes to the Financial Statements for the year ended 30 June 2018

Note 19. Fair value measurement (continued)

There has been no change to the valuation process during the reporting period.

Water supply network

This asset class is comprised of water treatment plants, water pump stations, reservoirs, water mains, tunnels, dams, weirs and water meters.

The gross replacement cost approach has been utilised to value the water supply network. This approach estimates the gross replacement cost based on MEERA techniques and equipment that would result in recognising an asset to serve the same function as the existing asset, rather than replicate the existing asset. Assets have been componentised as per *AASB 116 Property, Plant and Equipment*.

Based on the technical nature of the assets, CCCWSA will engage technical experts as required.

Unobservable Level 3 inputs used include materials used in the construction of the asset, useful life, asset condition, unit rates and pattern of consumption.

Asset values have been indexed using the annual indexation rate from the Rates Reference Manual issued by the Crown Lands and Water (CLAW) to reflect changes the gross replacement cost of these infrastructure assets.

There has been no change to the valuation process during the reporting period.

Sewerage network

This asset class is comprised of sewer treatment plants, sewer pump stations, sewer vacuum systems and sewer mains.

The gross replacement cost approach has been utilised to value the sewerage network. This approach estimates the gross replacement cost based on MEERA techniques and equipment that would yield an asset to serve the same function as the existing asset, rather than replicate the existing asset. Assets have been componentised as per *AASB 116 Property, Plant and Equipment*.

Unobservable Level 3 inputs used include materials used in the construction of the asset, residual value, useful life, asset condition, unit rates and pattern of consumption.

Asset values have been indexed using the annual indexation rate from the Rates Reference Manual issued by the Crown Lands and Water (CLAW) to reflect changes the gross replacement cost of these infrastructure assets.

There have been no other changes to the valuation process during the reporting period.

Central Coast Council Water Supply Authority

Notes to the Financial Statements
for the year ended 30 June 2018

Note 19. Fair value measurement (continued)

\$ '000

(4). Fair value measurements using significant unobservable inputs (level 3)

a. The following tables present the changes in level 3 fair value asset classes.

	Plant and equipment	Office equipment	Furniture and fittings	Operational land	Total
Opening balance – 13/5/16	4,490	188	423	79,228	84,329
Transfers from/(to) another asset class	(238)	(21)	(31)	–	(290)
Purchases (GBV)	–	–	–	118	118
Disposals (WDV)	(155)	–	–	–	(155)
Depreciation and impairment	(720)	(66)	(19)	–	(805)
Amalgamation transfers	(6)	(50)	(217)	–	(273)
Closing balance – 30/6/17	3,371	51	156	79,346	82,924
Transfers from/(to) another asset class	(3,293)	–	–	17,367	14,074
Depreciation and impairment	(14)	(21)	(18)	–	(53)
Revaluation decrement	–	–	–	(26,007)	(26,007)
Closing balance – 30/6/18	64	30	138	70,706	70,938

	Community land	Buildings specialised	Other structures	Roads	Total
Opening balance – 13/5/16	22,682	25,010	1,254	25	48,971
Transfers from/(to) another asset class	–	–	(3)	–	(3)
Depreciation and impairment	–	(477)	(52)	(1)	(530)
Amalgamation transfers	–	(16)	–	–	(16)
Closing balance – 30/6/17	22,682	24,517	1,199	24	48,422
Transfers from/(to) another asset class	(15,338)	(128)	128	–	(15,338)
Purchases (GBV)	7	–	–	–	7
Depreciation and impairment	–	(333)	(46)	(1)	(380)
Revaluation increments to equity (ARR)	–	4,708	–	–	4,708
Closing balance – 30/6/18	7,351	28,764	1,281	23	37,419

Central Coast Council Water Supply Authority

Notes to the Financial Statements
for the year ended 30 June 2018

Note 19. Fair value measurement (continued)

\$ '000

(4). Fair value measurements using significant unobservable inputs (level 3) (continued)

a. The following tables present the changes in level 3 fair value asset classes. (continued)

	Bulk earthworks	Stormwater drainage	Water supply network	Sewerage network	Total
Opening balance – 13/5/16	16	1,007,233	1,045,835	1,387,243	3,440,327
Transfers from/(to) another asset class	–	6,539	429	21,790	28,758
Purchases (GBV)	–	9,187	2,273	3,181	14,641
Disposals (WDV)	–	(844)	–	(3,794)	(4,638)
Depreciation and impairment	–	(17,400)	(28,466)	(37,159)	(83,025)
Amalgamation transfers	–	(2,299)	(257)	(527)	(3,083)
Revaluation increments to equity (ARR)	–	–	14,276	19,185	33,461
Closing balance – 30/6/17	16	1,002,416	1,034,090	1,389,919	3,426,441
Transfers from/(to) another asset class	–	6,365	2,269	–	8,634
Purchases (GBV)	–	18,081	–	22,709	40,791
Disposals (WDV)	–	(207)	–	(1,196)	(1,403)
Depreciation and impairment	–	(15,230)	(25,120)	(33,070)	(73,420)
Revaluation increments to equity (ARR)	–	–	21,276	25,273	46,549
Closing balance – 30/6/18	16	1,011,425	1,032,515	1,403,635	3,447,591

Central Coast Council Water Supply Authority

Notes to the Financial Statements

for the year ended 30 June 2018

Note 19. Fair value measurement (continued)

(5). Highest and best use

The following non-financial assets of CCCWSA are being utilised at other than their highest and best use:

Community based assets

CCCWSA undertakes a number of services with a strong focus of providing community benefits to its constituents. These services are based meeting essential community needs and are not of a nature that would be provided in a commercially competitive environment.

Crown land under CCCWSA's care and control as well as CCCWSA-owned land that has been classified as community land under the provisions of the *Local Government Act 1993*.

Furthermore, CCCWSA has a number of buildings that are applied in delivering community services. The restrictions on the land and the community use of the buildings in delivering community based services is considered to be the 'highest and best use' of those assets to CCCWSA.

Central Coast Council Water Supply Authority

Notes to the Financial Statements

for the year ended 30 June 2018

Note 20. Related party transactions

 \$ '000

a. Key management personnel

Key management personnel (KMP) of the Council's Water Supply Authority (CCCWSA) are those persons having the authority and responsibility for planning, directing and controlling the activities of the CCCWSA, directly or indirectly. KMP include the following positions: Councillors, Chief Executive Officer, Directors, Executive Managers, Senior Managers and Unit Managers.

The aggregate amount of KMP compensation included in the Income Statement is:

Compensation:	2018	KMP	Councillors
Short-term benefits	2,958	2,810	148
Post-employment benefits	–	–	–
Other long-term benefits	417	417	–
Termination benefits	85	85	–
Total	3,460	3,312	148

Central Coast Council Water Supply Authority

Notes to the Financial Statements

for the year ended 30 June 2018

Note 20. Related party transactions (continued)

b. Other transactions with KMP and their related parties

CCCWSA has determined that transactions at arm's length between KMP and CCCWSA as part of CCCWSA delivering a public service objective will not be disclosed.

Nature of the transaction	Ref	Value of transactions during year Actual \$	Outstanding balance (incl. loans and commitments) Actual \$	Terms and conditions	Provisions for doubtful debts outstanding Actual \$	Doubtful debts expense recognised Actual \$
2018 Employee expenses relating to close family members of KMP	1	170,918	N/A	Local Government (State) Award 2017	N/A	N/A
Supply of apprentices and support services	2	96,768	CCCWSA owes \$5,285	7 days	N/A	N/A

1 Close family members of CCCWSA's KMP are employed by the Council under the relevant pay award on an arms length basis. As at June 2018 there were 4 close family members of KMP employed by the Council.

2 A 3 year contract entered into in 2016 with Central Coast Group Training Limited, a company which is controlled by a member of the KMP of CCCWSA. The contract was awarded through a competitive tender process based on market rates for these services. Amounts are payable based on 7 days terms for the duration of the contract.

Central Coast Council Water Supply Authority

Notes to the Financial Statements

for the year ended 30 June 2018

Note 21. Statement of developer contributions

\$ '000

Under the *Environmental Planning and Assessment Act 1979*, Council has significant obligations to provide Section 7.11 (contributions towards provision or improvement of amenities or services) infrastructure in new release areas.

It is possible that the funds contributed may be less than the cost of this infrastructure, requiring Council to borrow or use general revenue to fund the difference.

SUMMARY OF CONTRIBUTIONS AND LEVIES

PURPOSE	Opening balance	Contributions received during the year		Interest earned in year	Expenditure during year	Internal borrowing (to)/from	Held as restricted asset	Cumulative internal borrowings due/(payable)
		Cash	Non-cash					
Drainage Capital	3,045	413	–	135	(34)	–	3,559	–
Drainage Land	1,977	91	–	84	(21)	–	2,131	–
Drainage (non specific)	17,971	2,063	–	485	–	–	20,519	–
Storm Water/Flood Mitigation	1,028	432	–	52	(13)	–	1,499	–
S7.11 contributions – under a plan	24,021	2,999	–	756	(68)	–	27,708	–
Total S7.11 and S7.12 revenue under plans	24,021	2,999	–	756	(68)	–	27,708	–
S7.4 planning agreements	2,660	–	–	54	–	–	2,714	–
S64 contributions	43,043	11,216	–	1,998	(1,621)	–	54,636	–
Total contributions	69,724	14,215	–	2,808	(1,689)	–	85,058	–

Central Coast Council Water Supply Authority

Notes to the Financial Statements
for the year ended 30 June 2018

Note 21. Statement of developer contributions (continued)

\$ '000

S7.11 CONTRIBUTIONS – UNDER A PLAN

CONTRIBUTION PLAN NUMBER 5 - WEST NARARA

PURPOSE	Opening balance	Contributions received during the year		Interest earned in year	Expenditure during year	Internal borrowing (to)/from	Held as restricted asset	Cumulative internal borrowings due/(payable)
		Cash	Non-cash					
Drainage Capital	487	66	–	22	(5)	–	570	–
Drainage Land	53	8	–	2	(1)	–	62	–
Total	540	74	–	24	(6)	–	632	–

CONTRIBUTION PLAN NUMBER 7 - NIAGARA PARK

PURPOSE	Opening balance	Contributions received during the year		Interest earned in year	Expenditure during year	Internal borrowing (to)/from	Held as restricted asset	Cumulative internal borrowings due/(payable)
		Cash	Non-cash					
Drainage Capital	147	–	–	6	(2)	–	151	–
Total	147	–	–	6	(2)	–	151	–

CONTRIBUTION PLAN NUMBER 8 - LISAROW

PURPOSE	Opening balance	Contributions received during the year		Interest earned in year	Expenditure during year	Internal borrowing (to)/from	Held as restricted asset	Cumulative internal borrowings due/(payable)
		Cash	Non-cash					
Drainage Capital	295	4	–	12	(3)	–	308	–
Drainage Land	484	8	–	20	(5)	–	507	–
Total	779	12	–	32	(8)	–	815	–

Central Coast Council Water Supply Authority

Notes to the Financial Statements

for the year ended 30 June 2018

Note 21. Statement of developer contributions (continued)

\$ '000

S7.11 CONTRIBUTIONS – UNDER A PLAN

CONTRIBUTION PLAN NUMBER 16 - KINCUMBER

PURPOSE	Opening balance	Contributions received during the year		Interest earned in year	Expenditure during year	Internal borrowing (to)/from	Held as restricted asset	Cumulative internal borrowings due/(payable)
		Cash	Non-cash					
Drainage Capital	298	8	–	12	(3)	–	315	–
Drainage Land	2	1	–	–	–	–	3	–
Total	300	9	–	12	(3)	–	318	–

CONTRIBUTION PLAN NUMBER 23 - SPRINGFIELD

PURPOSE	Opening balance	Contributions received during the year		Interest earned in year	Expenditure during year	Internal borrowing (to)/from	Held as restricted asset	Cumulative internal borrowings due/(payable)
		Cash	Non-cash					
Drainage Capital	22	–	–	1	–	–	23	–
Drainage Land	17	–	–	1	–	–	18	–
Total	39	–	–	2	–	–	41	–

CONTRIBUTION PLAN NUMBER 31 - PENINSULA

PURPOSE	Opening balance	Contributions received during the year		Interest earned in year	Expenditure during year	Internal borrowing (to)/from	Held as restricted asset	Cumulative internal borrowings due/(payable)
		Cash	Non-cash					
Drainage Capital	1,560	110	–	67	(17)	–	1,720	–
Drainage Land	1,236	29	–	52	(13)	–	1,304	–
Total	2,796	139	–	119	(30)	–	3,024	–

Central Coast Council Water Supply Authority

Notes to the Financial Statements
for the year ended 30 June 2018

Note 21. Statement of developer contributions (continued)

\$ '000

S7.11 CONTRIBUTIONS – UNDER A PLAN

CONTRIBUTION PLAN NUMBER 42 - ERINA

PURPOSE	Opening balance	Contributions received during the year		Interest earned in year	Expenditure during year	Internal borrowing (to)/from	Held as restricted asset	Cumulative internal borrowings due/(payable)
		Cash	Non-cash					
Drainage Capital	236	225	–	15	(4)	–	472	
Drainage Land	185	45	–	9	(2)	–	237	
Total	421	270	–	24	(6)	–	709	–

CONTRIBUTION PLAN NUMBER 47A - TERRIGAL

PURPOSE	Opening balance	Contributions received during the year		Interest earned in year	Expenditure during year	Internal borrowing (to)/from	Held as restricted asset	Cumulative internal borrowings due/(payable)
		Cash	Non-cash					
Storm Water/Flood Mitigation	1,028	432	–	52	(13)	–	1,499	
Total	1,028	432	–	52	(13)	–	1,499	–

CONTRIBUTION PLAN NUMBER 1 - WYONG

PURPOSE	Opening balance	Contributions received during the year		Interest earned in year	Expenditure during year	Internal borrowing (to)/from	Held as restricted asset	Cumulative internal borrowings due/(payable)
		Cash	Non-cash					
Drainage (non specific)	1,969	43	–	41	–	–	2,053	
Total	1,969	43	–	41	–	–	2,053	–

Central Coast Council Water Supply Authority

Notes to the Financial Statements
for the year ended 30 June 2018

Note 21. Statement of developer contributions (continued)

\$ '000

S7.11 CONTRIBUTIONS – UNDER A PLAN

CONTRIBUTION PLAN NUMBER 2 - SOUTHERN LAKES

PURPOSE	Opening balance	Contributions received during the year		Interest earned in year	Expenditure during year	Internal borrowing (to)/from	Held as restricted asset	Cumulative internal borrowings due/(payable)
		Cash	Non-cash					
Drainage (non specific)	1,219	4	–	25	–	–	1,248	
Total	1,219	4	–	25	–	–	1,248	–

CONTRIBUTION PLAN NUMBER 3 - THE ENTRANCE

PURPOSE	Opening balance	Contributions received during the year		Interest earned in year	Expenditure during year	Internal borrowing (to)/from	Held as restricted asset	Cumulative internal borrowings due/(payable)
		Cash	Non-cash					
Drainage (non specific)	5	–	–	–	–	–	5	
Total	5	–	–	–	–	–	5	–

CONTRIBUTION PLAN NUMBER 6 - TOUKLEY

PURPOSE	Opening balance	Contributions received during the year		Interest earned in year	Expenditure during year	Internal borrowing (to)/from	Held as restricted asset	Cumulative internal borrowings due/(payable)
		Cash	Non-cash					
Drainage (non specific)	4	–	–	–	–	–	4	
Total	4	–	–	–	–	–	4	–

Central Coast Council Water Supply Authority

Notes to the Financial Statements

for the year ended 30 June 2018

Note 21. Statement of developer contributions (continued)

\$ '000

S7.11 CONTRIBUTIONS – UNDER A PLAN

CONTRIBUTION PLAN NUMBER 8 - SAN REMO

PURPOSE	Opening balance	Contributions received during the year		Interest earned in year	Expenditure during year	Internal borrowing (to)/from	Held as restricted asset	Cumulative internal borrowings due/(payable)
		Cash	Non-cash					
Drainage (non specific)	339	–	–	7	–	–	346	
Total	339	–	–	7	–	–	346	–

CONTRIBUTION PLAN NUMBER 17 - WARNERVALE DISTRICT

PURPOSE	Opening balance	Contributions received during the year		Interest earned in year	Expenditure during year	Internal borrowing (to)/from	Held as restricted asset	Cumulative internal borrowings due/(payable)
		Cash	Non-cash					
Drainage (non specific)	14,435	2,016	–	412	–	–	16,863	
Total	14,435	2,016	–	412	–	–	16,863	–

Central Coast Council Water Supply Authority

Notes to the Financial Statements
for the year ended 30 June 2018

Note 22. Financial result and financial position by fund

Income Statement by fund			
\$ '000	2018	2018	2018
	Drainage	Water	Sewer
Continuing operations			
Income from continuing operations			
Rates and annual charges	17,624	23,966	79,316
User charges and fees	95	67,914	6,556
Interest and investment revenue	858	2,344	2,577
Other revenues	–	185	111
Grants and contributions provided for operating purposes	127	1,246	1,806
Grants and contributions provided for capital purposes	8,874	7,162	9,694
Total income from continuing operations	27,579	102,817	100,059
Expenses from continuing operations			
Employee benefits and on-costs	1,752	16,255	12,842
Borrowing costs	571	15,344	4,588
Materials and contracts	7,613	20,004	22,961
Depreciation and amortisation	15,232	25,336	33,285
Other expenses	21	4,162	5,326
Net losses from the disposal of assets	207	–	1,196
Revaluation decrement / impairment of IPPE	13,036	2,966	10,004
Total expenses from continuing operations	38,432	84,068	90,203
Operating result from continuing operations	(10,853)	18,749	9,856
Net operating result for the year	(10,853)	18,749	9,856
Net result attributable to each council fund	(10,853)	18,749	9,856
Net operating result for the year before grants and contributions provided for capital purposes	(19,727)	11,587	162

Central Coast Council Water Supply Authority

Notes to the Financial Statements
as at 30 June 2018

Note 22. Financial result and financial position by fund (continued)

Statement of Financial Position by fund			
\$ '000	2018	2018	2018
ASSETS	Drainage	Water	Sewer
Current assets			
Cash and cash equivalents	5,173	11,141	59,328
Investments	3,769	8,117	43,225
Receivables	2,157	43,627	16,467
Total current assets	11,099	62,885	119,020
Non-current assets			
Investments	20,318	24,675	6,622
Receivables	–	302	11,992
Infrastructure, property, plant and equipment	1,039,070	1,116,819	1,478,597
Intangible assets	1,703	–	–
Total non-current assets	1,061,092	1,141,796	1,497,211
TOTAL ASSETS	1,072,190	1,204,681	1,616,231
LIABILITIES			
Current liabilities			
Payables	35,185	5,871	3,079
Income received in advance	0	1,714	51
Borrowings	433	25,920	5,341
Provisions	984	5,226	5,728
Total current liabilities	36,602	38,731	14,198
Non-current liabilities			
Payables	–	1,746	653
Income received in advance	–	–	478
Borrowings	9,094	172,515	67,318
Provisions	–	528	965
Total non-current liabilities	9,094	174,789	69,414
TOTAL LIABILITIES	45,697	213,520	83,612
Net assets	1,026,494	991,161	1,532,618
EQUITY			
Accumulated surplus	1,039,530	957,229	1,494,803
Revaluation reserves	(13,036)	33,932	37,816
Total equity	1,026,494	991,161	1,532,618

Central Coast Council Water Supply Authority

Notes to the Financial Statements

as at 30 June 2018

Note 22. Financial result and financial position by fund (continued)

\$ '000

Details of individual internal loans for the year ended 30 June 2018

(in accordance with s410(3) of the *Local Government Act 1993*)

Details of individual internal loans	Council ID / Ref	Council ID / Ref	Council ID / Ref
Borrower (by purpose)	WaterFund	Water Fund	Water Fund
Lender (by purpose)	General Fund	Sewer Fund	General Fund
Date of minister's approval	N/A	27/05/2015	N/A
Date raised	30/06/2013	27/05/2015	31/05/2015
Term (years)	20	20	20
Dates of maturity	30/06/2033	21/02/2035	26/05/2035
Rate of interest	5.72	5.72	5.72
Amount originally raised	20,000,000	10,000,000	10,000,000
Total repaid during year (principal and interest)	694,996	315,302	310,552
Principal outstanding at end of year	16,919,810	9,073,231	9,146,542

Central Coast Council Water Supply Authority

Notes to the Financial Statements
for the year ended 30 June 2018

Note 23(a). Statement of performance measures – consolidated results

\$ '000	Amounts 2018	Indicator 2018	Prior periods		Benchmark
			2017	2016	
Local government industry indicators – consolidated					
1. Operating performance ratio					
Total continuing operating revenue ⁽¹⁾ excluding capital grants and contributions less operating expenses	<u>19,435</u>	9.52%	7.70%	1.08%	> 0.00%
Total continuing operating revenue ⁽¹⁾ excluding capital grants and contributions	<u>204,070</u>				
2. Own source operating revenue ratio					
Total continuing operating revenue ⁽¹⁾ excluding all grants and contributions	<u>200,891</u>	87.42%	84.06%	85.96%	> 60.00%
Total continuing operating revenue ⁽¹⁾	<u>229,799</u>				
3. Unrestricted current ratio					
Current assets less all external restrictions ⁽²⁾	<u>137,646</u>	2.03x	2.52x	0.76x	> 1.5x
Current liabilities less specific purpose liabilities ^(3,4)	<u>67,898</u>				
4. Debt service cover ratio					
Operating result ⁽¹⁾ before capital excluding interest and depreciation/impairment/amortisation	<u>113,268</u>	2.62x	2.83x	1.49x	> 2x
Principal repayments (Statement of Cash Flows) plus borrowing costs (Income Statement)	<u>43,280</u>				
5. Rates, annual charges, interest and extra charges outstanding percentage					
Rates, annual and extra charges outstanding	<u>18,002</u>	12.98%	10.27%	14.31%	5.00%
Rates, annual and extra charges collectible	<u>138,638</u>				
6. Cash expense cover ratio					
Current year's cash and cash equivalents plus all term deposits	<u>174,082</u>	15.98 mths	7.6 mths	7.4 mths	> 3 mths
Monthly payments from cash flow of operating and financing activities	<u>10,896</u>				

Notes

⁽¹⁾ Excludes fair value adjustments and reversal of revaluation decrements, net gain/(loss) on sale of assets and the net share of interests in joint ventures and associates.

⁽²⁾ Refer Notes 6

⁽³⁾ Refer to Notes 11 and 12.

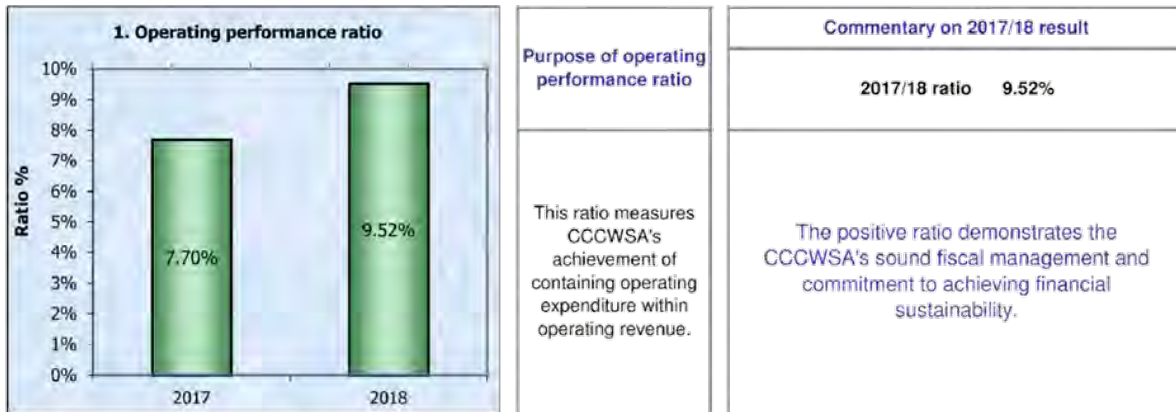
⁽⁴⁾ Refer to Note 11(b) and 12(b) – excludes all payables and provisions not expected to be paid in the next 12 months (incl. ELE).

END OF AUDITED FINANCIAL STATEMENTS

Central Coast Council Water Supply Authority

Notes to the Financial Statements
for the year ended 30 June 2018

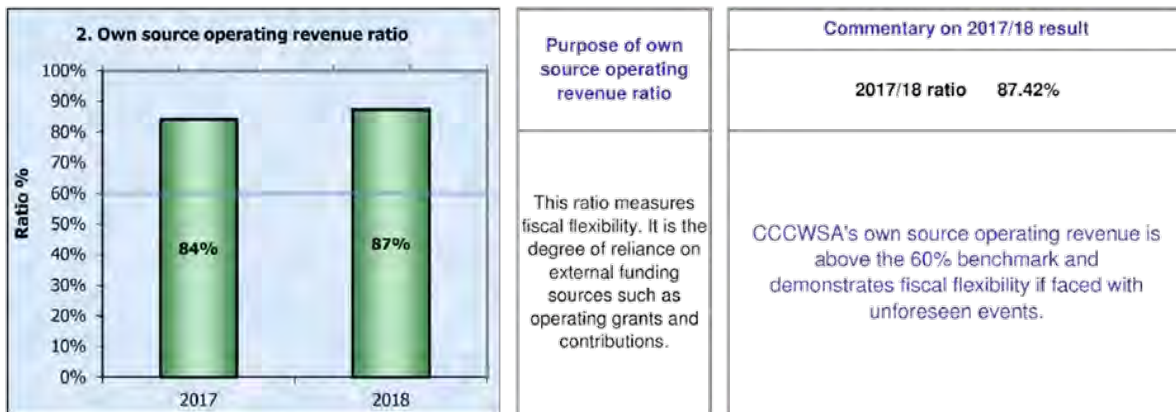
Note 23(b). Statement of performance measures – consolidated results (graphs)



Benchmark: — Minimum $\geq 0.00\%$

Source for benchmark: Code of Accounting Practice and Financial Reporting #26

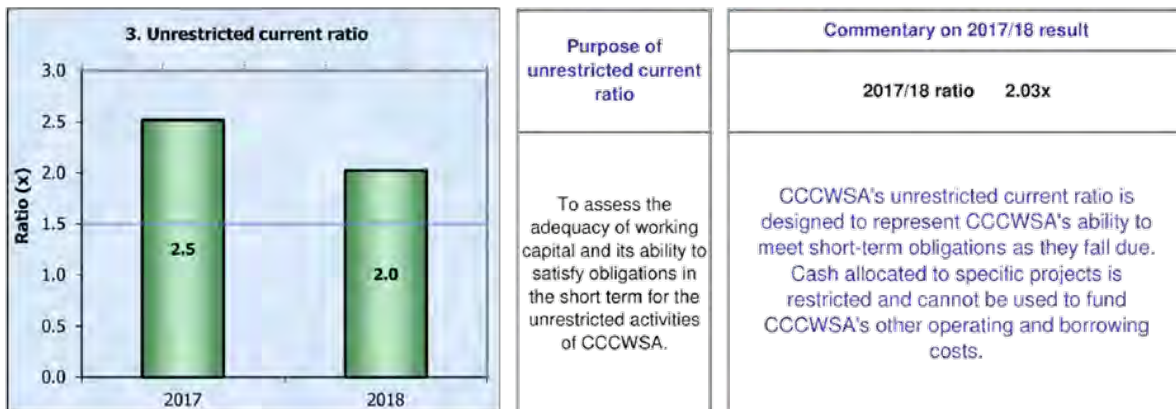
Ratio achieves benchmark
 Ratio is outside benchmark



Benchmark: — Minimum $\geq 60.00\%$

Source for benchmark: Code of Accounting Practice and Financial Reporting #26

Ratio achieves benchmark
 Ratio is outside benchmark



Benchmark: — Minimum ≥ 1.50

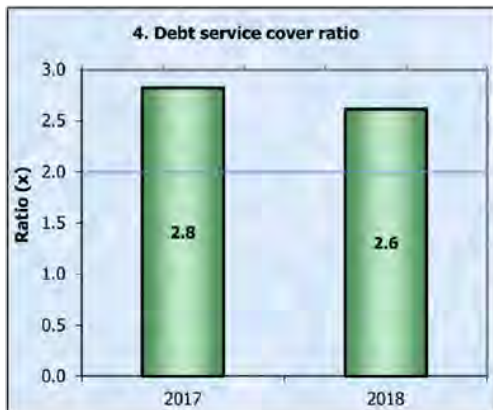
Source for benchmark: Code of Accounting Practice and Financial Reporting #26

Ratio achieves benchmark
 Ratio is outside benchmark

Central Coast Council Water Supply Authority

Notes to the Financial Statements
for the year ended 30 June 2018

Note 23(b). Statement of performance measures – consolidated results (graphs)



Benchmark: — Minimum ≥ 2.00

Source for benchmark: Code of Accounting Practice and Financial Reporting #26



Purpose of debt service cover ratio

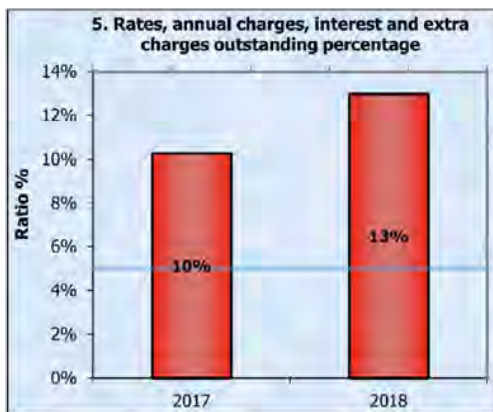
This ratio measures the availability of operating cash to service debt including interest, principal and lease payments

Commentary on 2017/18 result

2017/18 ratio 2.62x

The CCCWSA's debt service cover ratio is above the 2.0 benchmark confirming positive operating results and stable debt levels.

 Ratio achieves benchmark
 Ratio is outside benchmark



Benchmark: — Maximum $\leq 5.00\%$

Source for benchmark: Code of Accounting Practice and Financial Reporting #26



Purpose of rates and annual charges outstanding ratio

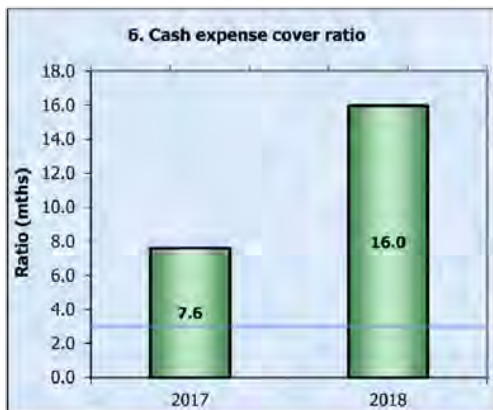
To assess the impact of uncollected rates and annual charges on CCCWSA's liquidity and the adequacy of recovery efforts.

Commentary on 2017/18 result

2017/18 ratio 12.98%

The CCCWSA will continue to implement socially responsible debt management strategies to reduce long term outstanding debts to bring this ratio below the 5% benchmark.

 Ratio is within Benchmark
 Ratio is outside Benchmark



Benchmark: — Minimum ≥ 3.00

Source for benchmark: Code of Accounting Practice and Financial Reporting #26

Purpose of cash expense cover ratio

This liquidity ratio indicates the number of months CCCWSA can continue paying for its immediate expenses without additional cash inflow.

Commentary on 2017/18 result

2017/18 ratio 15.98 mths

The CCCWSA's cash expense cover ratio exceeds the 3.0 benchmark and reflects sound cash management.

 Ratio achieves benchmark
 Ratio is outside benchmark

Central Coast Council Water Supply Authority

Notes to the Financial Statements for the year ended 30 June 2018

Note 24. Council information and contact details

Principal place of business:

2 Hely Street, Wyong NSW 2259
49 Mann Street, Gosford 2250

Contact details
Mailing address:

PO Box 20, Wyong, NSW, 2259
PO Box 21, Gosford, NSW 2250

Opening hours:

8.30am - 5.00pm
Monday to Friday

Telephone: 02 4350 5555 (Wyong Office)
02 4325 8222 (Gosford Office)

Internet: www.centralcoast.nsw.gov.au

Email: ask@centralcoast.nsw.gov.au

Officers
GENERAL MANAGER

Gary Murphy

RESPONSIBLE ACCOUNTING OFFICER

Vivienne Louie

PUBLIC OFFICER

Shane Sullivan

AUDITORS

Audit Office of NSW
Level 15
1 Margaret Street
Sydney NSW 2000

Other information

ABN: 73 149 644 003

Elected members
MAYOR

Jane Smith (Gosford East Ward)

COUNCILLORS

Chris Holstein - Deputy Mayor (Gosford West Ward)
Greg Best (Budgewoi Ward)
Jillian Hogan (Budgewoi Ward)
Doug Vincent (Budgewoi Ward)
Rebecca Gale Collins (Gosford East Ward)
Jeff Sundstrom (Gosford East Ward)
Troy Marquart (Gosford West Ward)
Richard Mehrtens (Gosford West Ward)
Lisa Matthews (The Entrance Ward)
Bruce McLachlan (The Entrance Ward)
Jilly Pilon (The Entrance Ward)
Chris Burke (Wyong Ward)
Louise Greenaway (Wyong Ward)
Kyle MacGregor (Wyong Ward)



INDEPENDENT AUDITOR'S REPORT
Report on the general purpose financial report
Central Coast Council Water Supply Authority

To the Members of the New South Wales Parliament

Opinion

I have audited the accompanying financial statements of Central Coast Council Water Supply Authority (the Authority), which comprise the Income Statement and Statement of Comprehensive Income for the year ended 30 June 2018, the Statement of Financial Position as at 30 June 2018, the Statement of Changes in Equity and Statement of Cash Flows for the year then ended, notes comprising a summary of significant accounting policies and other explanatory information.

In my opinion the financial statements:

- give a true and fair view of the financial positions of the Authority as at 30 June 2018, and of its financial performance and its cash flows for the period 1 July 2017 to 30 June 2018 in accordance with Australian Accounting Standards
- are in accordance with section 41B of the *Public Finance and Audit Act 1983* (PF&A Act) and the Public Finance and Audit Regulation 2015.

My opinion should be read in conjunction with the rest of this report.

Basis for Opinion

I conducted my audit in accordance with Australian Auditing Standards. My responsibilities under the standards are described in the 'Auditor's Responsibilities for the Audit of the Financial Report' section of my report.

I am independent of the Authority in accordance with the requirements of the:

- Australian Auditing Standards
- Accounting Professional and Ethical Standards Board's APES 110 'Code of Ethics for Professional Accountants' (APES 110).

I have fulfilled my other ethical responsibilities in accordance with APES 110.

Parliament promotes independence by ensuring the Auditor-General and the Audit Office of New South Wales are not compromised in their roles by:

- providing that only Parliament, and not the executive government, can remove an Auditor-General
- mandating the Auditor-General as auditor of councils
- precluding the Auditor-General from providing non-audit services.

I believe the audit evidence I have obtained is sufficient and appropriate to provide a basis for my audit opinion.

The Chief Executive Officer' Responsibilities for the Financial Statements

The Chief Executive Officer of Central Coast Council is responsible for the preparation and fair presentation of the financial report in accordance with Australian Accounting Standards (including Australia Accounting Interpretations) and the PF&A Act, and for such internal control as the Chief Executive Officer determines is necessary to enable the preparation and fair presentation of the financial report that is free from material misstatement, whether due to fraud or error.

In preparing the financial report, the Chief Executive Officer is responsible for assessing the Authority's ability to continue as a going concern, disclosing, as applicable, matters related to going concern and using the going concern basis of accounting except where the Authority will be dissolved or amalgamated by an Act of Parliament, or otherwise cease operations.

Auditor's Responsibilities for the Audit of the Financial Report

My objectives are to:

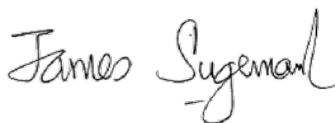
- obtain reasonable assurance about whether the financial report as a whole is free from material misstatement, whether due to fraud or error
- issue an Independent Auditor's Report including my opinion.

Reasonable assurance is a high level of assurance, but does not guarantee an audit conducted in accordance with Australian Auditing Standards will always detect material misstatements. Misstatements can arise from fraud or error. Misstatements are considered material if, individually or in aggregate, they could reasonably be expected to influence the economic decisions users take based on the financial report.

A description of my responsibilities for the audit of the financial report is located at the Auditing and Assurance Standards Board website at: www.auasb.gov.au/auditors_responsibilities/ar4.pdf. The description forms part of my auditor's report.

My opinion does *not* provide assurance:

- that the Authority carried out its activities effectively, efficiently and economically
- about the security and controls over the electronic publication of the audited financial report on any website where it may be presented
- on the Original Budget information included in the Income Statement, Statement of Cash Flows, and Note 18 Material budget variations
- about any other information which may have been hyperlinked to/from the financial report.



James Sugumar
Director, Financial Audit Services

7 March 2019
SYDNEY



INDEPENDENT AUDITOR'S REPORT
Report on the general purpose financial report
Central Coast Council Water Supply Authority

To the Members of the New South Wales Parliament

Opinion

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In my opinion the financial statements:

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My opinion should be read in conjunction with the rest of this report.

Basis for Opinion

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Auditor's Responsibilities for the Audit of the Financial Report

My objectives are to:

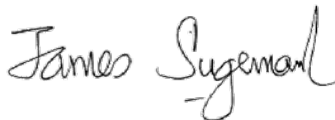
- obtain reasonable assurance about whether the financial report as a whole is free from material misstatement, whether due to fraud or error
- issue an Independent Auditor's Report including my opinion.

Reasonable assurance is a high level of assurance, but does not guarantee an audit conducted in accordance with Australian Auditing Standards will always detect material misstatements. Misstatements can arise from fraud or error. Misstatements are considered material if, individually or in aggregate, they could reasonably be expected to influence the economic decisions users take based on the financial report.

A description of my responsibilities for the audit of the financial report is located at the Auditing and Assurance Standards Board website at: www.auasb.gov.au/auditors_responsibilities/ar4.pdf. The description forms part of my auditor's report.

My opinion does *not* provide assurance:

- that the Authority carried out its activities effectively, efficiently and economically
- about the security and controls over the electronic publication of the audited financial report on any website where it may be presented
- on the Original Budget information included in the Income Statement, Statement of Cash Flows, and Note 18 Material budget variations
- about any other information which may have been hyperlinked to/from the financial report.



James Sugumar
Director, Financial Audit Services

7 March 2019
SYDNEY



Item No: 3.8
Title: Plastic Wise Program
Department: Roads Transport Drainage and Waste

8 April 2019 Ordinary Council Meeting

Trim Reference: F2018/00020-07 - D13482582

Author: Joanna Murray, Personal Assistant to Unit Manager, Waste and Business

Manager: Andrew Pearce, Unit Manager, Waste Services and Business Development

Executive: Boris Bolgoff, Director, Roads Transport Drainage and Waste

Report Purpose

This report is in response to Council's resolution of 24 September 2018.

993/18 That Council defer consideration of the draft policy to allow the conduct of a briefing, including consideration of the following points:

- *A commitment to providing leadership in the community through policy and practice.*
- *Building capacity within the community for change in social practices, via:*
 - i) promoting alternatives to single use plastic*
 - ii) ensuring that all public events and functions held on Council property and public open space promote and practice waste avoidance principles by:*
 - minimising the amount of waste generated*
 - prohibiting the sale and/or distribution of single -use plastic products and single use sachets, polystyrene, plastic bags, plastic straws and/or balloons.*

994/18 That Council request the Chief Executive Officer to support and assist organisations or individuals organising an event to comply with this policy, however, if there is ongoing poor adherence to this policy, officers may recommend that these events not be supported or approved by Council.

Recommendation

- 1 That Council receive the report on Plastic Wise Program.**
- 2 That the draft Central Coast Council Single Use Plastic Policy be placed on public exhibition for 28 days.**
- 3 That a further report will be provided to Council following the 28 day public exhibition period.**

Context

The production and use of single use plastics is increasing and causing significant environmental pollution on a global scale. Governments nationally are seeking ideas and measures to protect our environment from impacts associated with the use of single use plastic products. There is however, a number of broader considerations that need to be balanced when the community seeks leadership from the Government on this matter.

Council staff provided a briefing to Council on 12 November 2018, outlining the challenges and opportunities with Central Coast Council adopting its own Single Use Plastic Policy. A brief overview of the small number of similar policies from other Councils was also provided.

In accordance with Council's resolution, staff have prepared a revised draft Single Use Plastic Policy. The draft policy demonstrates Council's leadership and practice towards reducing the consumption of single use plastics across both its own operations and events conducted on Council property.

Council does not have the statutory powers to prohibit the sale and/or distribution of single use plastics across the community. Responsibility for this legislative change rests with the State and Commonwealth Governments.

The *Plastic Shopping Bags (Waste Avoidance) Act 2008*, introduced by the South Australian Government is an example of legislation introduced by a State Government to ban a major source of single use plastics. The South Australian Government is also currently undertaking consultation on a discussion paper *Turning the Tide on Single-Use Plastic Products* to inform future decision making in the management of single use plastics.

Central Coast Council continues to implement a wide range of initiatives within its jurisdiction to reduce the use of single use plastics in the community. This has included the successful kerbside recycling and public place recycling schemes, which aim to capture plastic beverage containers for recycling. Council also provides a wide range of water points to refill water bottles and undertaken programs to make available to the community a wide range of alternatives to single use plastics e.g. refillable water containers, reusable coffee cups, reusable grocery bags and reusable car tidy bags.

Staff have also recently developed a new Sustainable Event Management Policy and a supporting Sustainable Event Management Guide. Council at its meeting of 11 March 2019 adopted an interim Sustainable Event Management Policy, which provides a framework for organisations and / or individuals organising events on Council property to implement best practice sustainability strategies. This includes implementing waste avoidance and resource recovery strategies at events, not permitting the use/sale/gifting of balloons and where possible all food ware being reusable or biodegradable.

3.8 Plastic Wise Program (contd)

Staff have also recently prepared the new Central Coast Council Procurement Policy and associated Procurement Procedures, which incorporates sustainable procurement. Specifically in relation to single use plastics, Council's purchases are required to:

- Stipulate products that contain recycled materials in design specifications when available and appropriate.
- Avoid products containing single use plastics when alternatives are available and appropriate.

Council would implement the Single Use Plastic Policy according to the following mechanisms:

- Review Council's use of single use plastics and research alternatives.
- Implement Council's Procurement Policy and Procedures by avoiding products containing single use plastics when alternatives are available and appropriate.
- Implement Council's Sustainable Events Policy to limit the use of soft plastics where possible.
- Lobby all levels of government to drive policy change and ban single use plastics.
- Engage with the community on alternatives to single use plastic.

Consultation

Consultation has been undertaken with various internal stakeholders.

The Single Use Plastic Policy is consistent with the Interim Sustainable Event Management Policy which went on public exhibition and was adopted by Council on 11 March 2019.

It is recommended that Council place the attached Single Use Plastic Policy on public exhibition for a period of 28 days seeking public comment. A further report will be provided for Council to consider adopting the policy.

Options

- 1 Maintain the current arrangements

Non approval of the Central Coast Council Single Use Plastic Policy will not demonstrate Council's leadership in the elimination of Single Use Plastics. Council has since adopted an Interim Sustainable Event Management Policy and has implemented a revised internal Procurement Policy and associated guidelines, which seek to limit the procurement and use of single use plastics in Council's operations and events conducted on Council property.

- 2 Adopt the Central Coast Council Single Use Plastic Policy

This is the preferred option as the policy demonstrates leadership towards meeting key targets of One Central Coast.

Financial Impact

Nil

Link to Community Strategic Plan

Theme 3: Green

Choose Focus Area

G-E3: Reduce littering, minimise waste to landfill and educate to strengthen positive environmental behaviours.

Attachments

- 1 Single Use Plastic Policy D13482590

POLICY NO: CCC

SINGLE USE PLASTIC POLICY

April 2019

AUTHORITY	NAME & TITLE
AUTHOR	James Lawson Team Leader - Waste Services and Business Development
MANAGER	Andrew Pearce Unit Manager - Waste Services and Business Development
DIRECTOR	Boris Bolgoff Director - Roads Transport Drainage and Waste
CHIEF EXECUTIVE OFFICER	Gary Murphy Chief Executive Officer

History of Revisions:

Version	Date	Reason	TRIM Doc. #
1			

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POLICY IMPLEMENTATION AND PROCEDURES	5
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BREACHES	6
REVIEW	6
RELATED RESOURCES	7

POLICY SUMMARY

This Policy sets out Central Coast Council's (Council) intention to show leadership in the elimination of single use plastics, advocating for legislative change and educating the community on environmentally responsible alternatives.

POLICY STATEMENT

1. To provide leadership in the elimination of single use plastics, advocating for legislative change and educating the community on environmentally responsible alternatives.
2. To build capacity within the community for change in social practices, via:
 - Promoting alternatives to single use plastics
 - Ensuring that all public events and functions held on Council property and public open space promote and practice waste avoidance principles by:
 - Minimising the amount of waste generated
 - Where possible, all food ware used at events such as plates, food containers, cups, cutlery and wrapping should be reusable or biodegradable.
 - Event organisers must ensure that no balloons are used, sold or given out at events.

POLICY BACKGROUND

Australians consume large volumes of single use plastics, which are commonly disposed of to landfill or otherwise become mobile in the environment.

There is a significant body of scientific evidence on the global impacts of plastics on the environment. Plastics are highly visible and mobile in the environment and can impact on both urban and natural ecosystems, through entanglement and ingestion by either land and marine life.

The production of plastics relies on non-renewable resources.

The achievement of a reduction in the use of single use plastics across the Central Coast is consistent with Central Coast Council's Community Strategic Plan E3 under Environmental resources for the future - Reduce littering, minimise waste to landfill and educate to strengthen positive environmental behaviours.

GENERAL

The production and use of single use plastics is increasing and is causing significant environmental pollution on a global scale. Council has an opportunity to review its own use and procurement of single use plastics and to provide leadership to the community.

Council will implement the Policy according to the following mechanisms:

- Review Council's use of single use plastics and research alternatives
- Implement Council's Procurement Policy and Procedures by avoiding products containing single use plastics when alternatives are available and appropriate
- Implement Council's Sustainable Event Management Policy to limit the use of soft plastics at events held on Council property where possible
- Lobby all levels of government to drive policy change and ban single use plastics
- Engage with the community on alternatives to single use plastics

POLICY IMPLEMENTATION AND PROCEDURES

Council will support and assist organisations and / or individuals organising an event to comply with this policy, however if there is ongoing poor adherence to this Policy, Council officers may recommend that these events not be supported or approved by Council. Event organisers must monitor their event and collect evidence including photos that illustrate adherence to the Policy, suggestions for improvements and submit to Council at the conclusion of the event. It is expected that event organisers actively promote to all stall holders, event staff and participants the promotion of alternatives to single use plastics and waste avoidance principles.

A single use plastic policy guide will be produced by Council and will be distributed to event organisers holding events on Council managed public land and buildings. This shall be read in conjunction with the Sustainable Event Management Policy.

Exemptions to this policy will be made for valid health, wellbeing or safety reasons, or where there is no practical alternative or option currently available. All exemptions require prior written approval from Council.

DEFINITIONS

The following definitions are used in this policy:

Code of Conduct means the Code of Conduct adopted by Council.

Council means Central Coast Council.

Events for the purpose of this policy means organised activities open to attendance by members of the general public (whether by payment or not) on Council public land or in Council public buildings with over one hundred attendees. Events include; cultural celebration, public rally, street parade, fun run, community festival, music festival, sporting event or circus.

Single Use Plastic means any disposable plastic and polystyrene items including but not limited to straws, balloons, bags, food / drink packaging, cutlery and plastic sleeves.

Sustainability means meeting the needs of the present without compromising the needs of future generations.

BREACHES

Suspected breaches or misuse of this policy are to be reported to the Chief Executive Officer.

Alleged breaches of this policy shall be dealt with by the processes for breaches of the Code of Conduct as detailed in Council's Code of Conduct and in the Procedures for the Administration of the Code of Conduct.

REVIEW

This policy will be reviewed every two (2) years. Any recognised changes to relevant legislation will activate an immediate review of the policy to ensure it remains current.

RELATED RESOURCES

The following legislation applies to the operation of this Policy:

- *Local Government Act, 1983*
- *Protection of the Environment Operations Act, 1997*
- *Waste Avoidance and Resource Recovery Act, 2007*

Associated Central Coast Council Documents:

- Code of Conduct
- Procedures for the Administration of the Code of Conduct
- Equity, Diversity and Respect Policy
- Sustainable Event Management Policy
- Procurement Policy and Procedures



Item No: 4.1
Title: 2018/19 Capital Works Project Status
Department: Roads Transport Drainage and Waste

8 April 2019 Ordinary Council Meeting

Trim Reference: F2011/00879 - D13496126

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 28 February 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.

A quarterly adjustment was adopted by Council in February 2019 to rephrase and defer some projects.

The majority of projects are tracking as planned with an expenditure as at 28 February 2019 of \$80.2m compared to a planned expenditure of \$94.7m which represented 85% which is slightly behind the KPI of 90%. It is anticipated that in the remaining four (4) 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.

Link to Community Strategic Plan

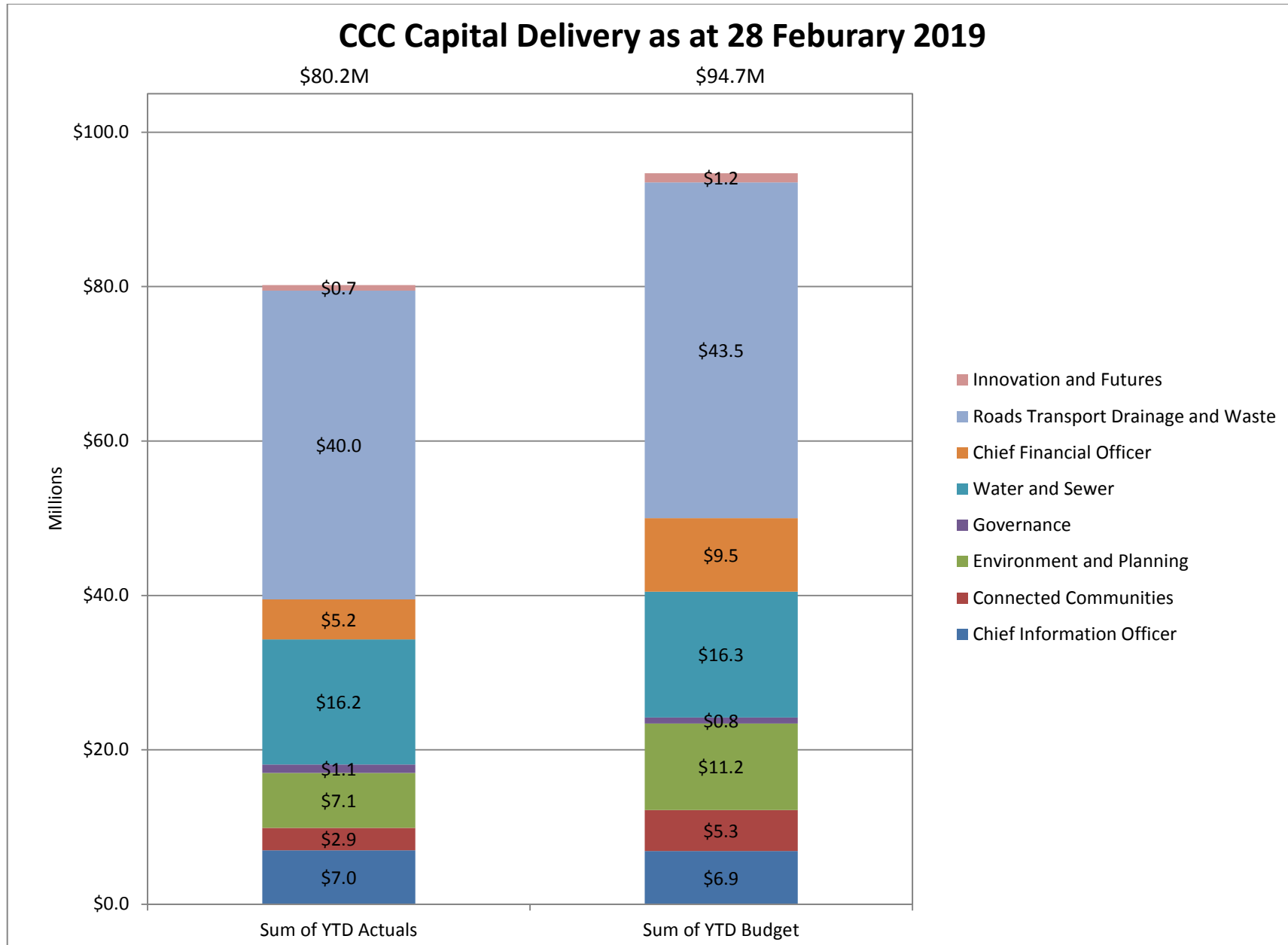
Theme 4: Responsible

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 - February 2019 - Attachment to March 2019 Council report D13496138



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	\$1,514,788	\$1,524,429	99%	June 2019		The project is staged with works having continued into 2018/19 as planned. 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	\$2,526,431	\$2,534,796	\$2,526,431	100%	Nov 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	\$2,114,865	\$2,346,000	90%	Nov 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. Additional public domain and civil works have been deferred until the end of the peak tourist season of March 2019.
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	\$1,537,248	\$1,763,777	87%	Nov 2018		The project has been completed as planned with some budget savings.
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	\$1,658,760	\$1,685,000	98%	Feb 2019		The project has been completed as planned with some budget savings.

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	\$39,441,206	\$42,679,025	93%		574 projects are planned for construction in the 2018/19 financial year. 233 projects have been completed with a further 47 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.
Waste Services and Business Development	\$1,488,021	\$556,535	\$804,021	69%		Program on track for completion. None (9) projects are planned for 2018 / 2019. Three (3) projects have been completed and Four (4) projects have orders placed pending delivery and installation in early 2019. Two (2) projects scheduled to commence early 2019.

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	Good Governance and Great Partnerships	\$4,304,942	\$1,135,604	\$1,305,064	87%	December 2019		Budget is tracking to plan. Project is progressing well to first deliverable of asset register in the first quarterly review of 2019.
Data Centre Transformation	Consolidation and modernisation of Council's data centres.	Good Governance and Great Partnerships	\$3,526,584	\$1,069,102	\$429,000	249%	June 2019		Project is on track with hardware and software requirements finalised and procurement executed. Solution planning and design activities progressing. Expenditure is tracking ahead of schedule due to early receipt of software items.
Implementation – Consolidated standard operating environment	Implement a consolidated modern and secure desktop experience for Central Coast Council staff	Good Governance and Great Partnerships	\$2,623,347	\$855,606	\$804,564	106%	December 2019		Project is on track with application testing and remediation activities underway. Supporting infrastructure deployments are in progress. Change impact assessments are being finalised to ensure organisational readiness.
Implement a consolidated property and rating system	Implement a consolidated property and rating system	Good Governance and Great Partnerships	\$2,590,609	\$931,682	\$948,956	98%	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	Good Governance and Great Partnerships	\$2,159,712	\$603,976	\$724,936	83%	December 2019		Budget is tracking to plan. Payroll Request For Procurement commenced. Time and Attendance project is progressing well.

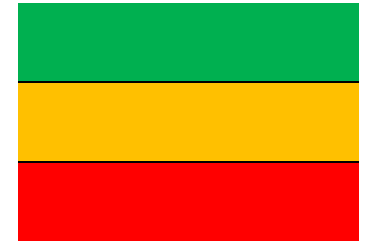
On Track for delivery of greater than 90% for Unit <i>(project delivery not project spend)</i>	
Potential 80-90% delivery for Unit <i>(project delivery not project spend)</i>	
Less than 80% delivery for Unit <i>(project delivery not project spend)</i>	

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	\$2,110,748	\$1,419,183	148%		All projects are on track. Four (4) projects are in delivery phases and are progressing well with major milestones being met.
Digital Information Services	\$330,000	\$1,438	\$90,000	1.6%		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 Services	\$285,450	\$166,159	\$84,450	196%		One (1) project is complete. Two (2) projects are in delivery phase. The fourth project is being consolidated as part of the second quarterly adjustment into the Datacentre Transformation Program under the Chief Technical Officer.
Core Systems Consolidation Program	\$17,242,639	\$4,692,745	\$5,290,024	88%		Budget is tracking to plan with the majority of recruitment activities completed. The Portfolio is rated Amber due to Five (5) Amber Projects and One (1) Red Project, these are due to the delays in project resource recruitment activity impacting on the overall timelines. Plans are in place to recover where possible.

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
Gosford Cultural Precinct	RPACC and Library plus commercial Building in Gosford	Liveable Smart Green Belonging Responsible	\$3,522,000	\$127,641	\$334,700	38%	2022		Multi Year Project. Quarter two adjustment loaded to reflect rephasing of the program for the procurement of key consultants
Wyang Cultural Hub	Creation of a new multi-use community centre to cultivate the Arts and performing community in Wyong	Liveable Belonging Responsible	\$17,000	\$164,766	\$5,000	3,295%	2020		Multi Year Project. Quarter two adjustment loaded with a likely DA lodgement in May 2019.
Racecourse Carpark	Construction of 180 Public Carparks to alleviate parking pressures in Gosford	Liveable	\$1,400,272	\$6,584	\$0	0%	2019		Detailed civil design underway. Anticipated completion June / July 2019.
Enabling works for Terrigal Carpark Stage 2	Relocation of CWA to enable construction of Stage 2 carpark works in Terrigal	Liveable	\$66,437	\$14,980	\$14,880	100%	2021		Multi Year Project. This project is on hold until the Central Coast Carparking Strategy is completed in May 2019.
Terrigal Boardwalk	Construction of a Boardwalk between Terrigal Beach and the Haven	Liveable	\$368,372	\$205,334	\$196,637	104%	2020		Multi Year Project. Finalising Public Exhibition submissions. Funding secured though NSW Government. Target Construction commencement June 2019.

On Track for delivery of greater than 90% for Unit
(project delivery not project spend)
 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
Procurement and Projects	\$344,000	\$389	\$83,000	0%	Yellow	Scheduling of staff accommodation related projects to be reviewed to align with corporate strategy. Erina Depot bulk materials yard procurement activities underway for new inventory Storage shed and hardstand/drainage works.
Business Enterprise	\$3,254,884	\$1,165,827	\$709,746	164%	Green	Projects are ahead of plan as some works were able to be completed during peak time at the Stadium around events and at the Holiday Parks with no impact on the customer.
Economic Development and Project Delivery	\$5,774,081	\$710,167	\$551,217	129%	Red	Memorial Park Rectification Works are planned to commence in April 2019. Terrigal Carpark Stage 2 – This project is on hold until the Central Coast Carparking Strategy is completed in May 2019. Wyong Cultural Hub – Quarter two adjustment loaded with a likely DA lodgement in May 2019.

On Track
 Delayed – but to be delivered by 30 June 2019
 Need to postpone to another year or remove project



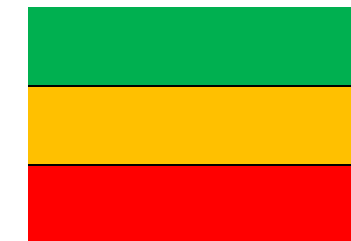
Connected Communities									
Top 5 Projects by \$ value.									
Project Name	Description	CSP Link	Total 18/19 Budget	YTD Actuals	YTD Planned expenditure	% Spend to Forecast	Anticipated completion date	Traffic light	Commentary for public and Councillors
Lake Haven Leisure Centre Upgrade	Roof and cladding replacement including all box gutters, flashings and capping's.	Liveable Healthy Lifestyles for a Growing Community	\$1,292,710	\$34,147	\$20,000	170%	June 2019	Yellow	Mandatory site meeting has been held for all tenderers. Tender evaluation meeting held 28 March 2019. Construction planned to commence in 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	\$541,242	\$520,419	104%	June 2019	Green	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	101%	June 2020	Red	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	Liveable Out and about in the fresh air. Healthy Lifestyle for a Growing Community	\$520,000	\$15,635	\$230,000	6.8%	June 2020	Green	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 2019 / 2020.

Connected Communities									
Top 5 Projects by \$ value.									
	Communities Fund.								
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	Objective (L1) Promote healthy living and ensure sport, recreation and aquatic facilities and open spaces are well maintained and activated	\$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
(project delivery not project spend)

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	\$612,733	\$826,000	74%	Green	46 capital projects to be delivered in 2018/19, to upgrade leisure and cultural facilities and equipment. Projects on track for delivery, apart from progressing new leisure and aquatic centre provision in the Northern region of the Central Coast to detailed design which has now been deferred.
Community Engagement	\$860,000	\$58,319	\$197,5000	6.78%	Green	Three (3) projects will be delivered as scheduled for June 2019 with some delays for the remaining two (2) projects however these are expected to be delivered by 30 June 2019.
Community Partnerships	\$2,916,002	\$545,113	\$698, 332	78%	Green	29 Capital Projects scheduled to be delivered in 2018/19. Six (6) projects are completed, six (6) nearing completion, work underway on 16 other projects. All projects remain on track for delivery except for the hostile vehicle mitigation project at The Entrance where a detailed design is now required prior to the tender being developed for installation.
Libraries	\$1,329,025	\$567,111	\$540,419	105%	Green	20 capital projects to be delivered in 2018/19. Two (2) capital projects have been completed and the remaining are on track to deliver as scheduled.
Learning and Education	\$218,100	\$102,424	\$117,000	88%	Green	Seven (7) capital projects have been completed as at February 2019. A further eight (8) will be delivered by the end of the financial year in 2018 / 2019.
Facilities and Asset Management	\$7,714,930	\$1,114,980	\$2,545,098	43%	Green	94 projects are planned for delivery in the Facilities and Asset Management Budget for the 2018/19 financial year. Facilities and Asset Management has 114 projects in total to deliver. 29 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	\$738,134	\$819,349	90%	June 2019	Green	Crews are onsite and construction underway at The Round Dr, Avoca Beach. Detail design commenced 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	\$932,247	\$911,663	102%	October 2019	Green	Stage One (1) Construction completed. Stage Two (2) Construction commenced in February 2019.
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	\$827,940	\$879,359	94%	June 2019	Green	On Track - Design and Construction Contract underway.
Sewer Odour Control Upgrade Program - Region Wide	Installation of new odour control units at Sewer Pumps Stations	Environment Provide a drinking water supply that meets the	\$1,459,743	\$566,186	\$763,712	74%	June 2019	Yellow	Design and Construction Contract underway with the design component behind schedule, Project is still expected to be completed by 30 June 2019.

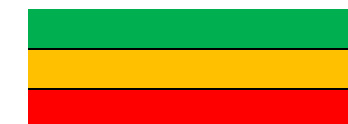
Water and Sewer									
Top 5 Projects by \$ value.									
		regulated water quality health and aesthetic related parameters							
Water Treatment Plant Major Upgrade - Mardi	Major upgrade of Mardi Water Treatment Plant	Environment Operate the sewerage system to minimise sewer overflows Achieve the required sewage treatment plant effluent quality	\$1,421,000	\$197,350	\$179,000	110%	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
(project delivery not project spend)
 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
Water Technical Services and System Control	\$663,327	\$269,322	\$267,327	101%	Green	11 projects are underway for 2018/2019 financial year. One (1) project is complete; one (1) project has been delayed due to the complexity of work required. All other projects on track to be completed as scheduled.
Water Construction and Project Management	\$20,261,356	\$11,242,417	\$10,266,814	110%	Green	55 projects are currently underway within the Water Construction and Project Management Unit. Six (6) projects are complete. 36 projects are on track for delivery. The remaining 13 projects are planned to recommence and will be completed by the end of the financial year.
Water Planning and Development	\$4,931,250	\$1,532,714	\$1,697,261	90%	Yellow	49 projects are underway for the 2018/2019 financial year. 28 projects that are currently in planning phase are highly complex and will span multiple financial years. These projects are not expected to commence construction in 2018/2019. Two (2) projects have been completed. 29 projects are currently on track.
Water Assets and Facilities Management	\$7,420,130	\$2,905,297	\$3,710,725	78%	Yellow	70 projects are underway for the 2018/2019 financial year. Six projects have been completed. 46 projects are on track for delivery. There have been some delays with the procurement of materials and delivery however the majority of the additional 18 projects on hold or not yet started are expected to be complete by 30 June.
Director Water and Sewer	\$3,405,321	\$193,738	\$356,478	54%	Green	Program allocation for reactive and emergency asset renewals. 16 Emergency Water and Sewer, Asset replacements are currently underway.

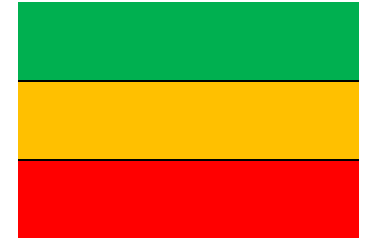
On Track
 Delayed – but to be delivered by 30 June 2019
 Need to postpone to another year or remove project



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	\$787,706	\$2,060,000	38%	Contract Works – Complete Post contract works June 2019	Yellow	Contract completed. Non-contract works commenced. Works to be 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	\$591,956	\$320,000	185%	2019 / 2020	Green	Construction underway with an estimated completion in April 2019. 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	\$794,080	\$940,000	84%	October 2019	Green	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 close mid-March.
22615. Acquire priority conservation land across the Local Government Area (LGA)	Acquisition of priority conservation land for biodiversity outcomes, and potential biodiversity offset scheme	Green F1	\$1,115,000	\$0	\$0	0%	June 2019	Red	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.

Environment and Planning									
Top 5 Projects by \$ value.									
	outcomes utilising restricted funds.								
22483. Upgrade Lemongrove Netball Courts	Renewal of Lemongrove Netball Courts	Healthy Lifestyles for a living community	\$967,620	\$705,769	\$865,620	82%	March 2019		Works near complete.
22267. Upgrade Floodlighting at Lemongrove Netball courts		Out and about in the fresh air							

On Track for delivery of greater than 90% for Unit
(project delivery not project spend)
 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
Open Space and Recreation	\$17,392,469	\$4,297,059	\$7,898,059	54%	Yellow	All projects on track to be delivered this financial year. There are 84 projects and 10 are completed.
Natural and Environmental Assets	\$4,860,000	\$1,009,563	\$1,690,000	60%	Green	Waterways and Coastal Protection has 25 capital projects in the 2018/19 financial year. There are 25 projects on track for delivery. The Forrester's Beach Access Stairs are nearing completion. The contract for construction of the Foreshore Protection Works at Elfin Hill Road Reserve, Green Point has been awarded and is scheduled for completion by June 2019. Tenders for Stage 2 Avoca Beach Foreshore are closing mid-March with construction to occur April to October 2019 as planned. All Gross Pollutant Trap projects are on track to be completed by June 2019.
Waterways and Coastal Protection	6,151,893	1,860,736	1,817,592	102.3%	Green	This unit has 35 identified currently funded separate capital works projects. Of these, Five (5) projects are directly funded and managed by the NSW Rural Fire Service, with three (3) of those five (5) projects at risk, and two (2) complete or on track. The 30 remaining projects are managed by Council staff, 28 (93%) of which have been completed or are expected to be completed in 2018/19.
Environment and Certification	\$176,554	\$75,285	\$51,916	72%	Green	Environment and certification has one (1) multi stage project underway. The Terrigal stage of the project is complete and community consultation for the Gosford stage of the project is currently being undertaken. The installation of parking sensors in Gosford is scheduled to commence in April 2019. This project is due for completion by June 2019.

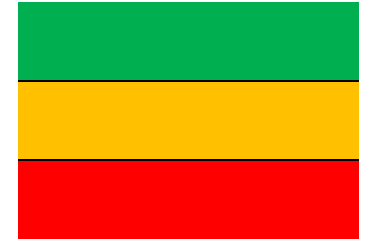
On Track
 Delayed – but to be delivered by 30 June 2019
 Need to postpone to another year or remove project



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	\$459,000	33%	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 and received to the value of \$0.38M.
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	\$1,362,758	\$3,425,569	40%	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 and received to the value of \$2.9M.
Light Vehicle	Purchase of light vehicles	Responsible Good Governance and Great Partnerships Serve the community by providing great customer experience, value	\$2,010,00	\$151,604	\$459,000	33%	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 and received to the value of \$0.38M.

Finance									
Top 5 Projects by \$ value.									
		for money and quality services							
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	\$1,362,758	\$3,425,569	40%	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 and receipted to the value of \$2.9M.
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	\$2,010,00	\$151,604	\$459,000	33%	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 and receipted to the value of \$0.38M.

On Track for delivery of greater than 90% for Unit
(project delivery not project spend)
 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 <i>(comments as per previous reporting)</i>
Plant & Fleet	\$15,377,795	\$5,216,662	\$9,512,928	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.



Item No: 5.1
Title: QON - Q175/18 - Water Theft
Department: Water and Sewer

8 April 2019 Ordinary Council Meeting

Trim Reference: F2018/00020-07 - D13498293

Author: Kate Gibbs, Executive Support Officer

Manager: Luke Drury, Section Manager Water Services and Design

Executive: Bileen Nel, Director, Water and Sewer

5.1 QON - Q175/18 - Water Theft

The following question was asked by Councillor Kyle MacGregor at the Ordinary Meeting on 24 September 2018:

With the NSW drought increasing in severity and anecdotal reports of water carting and haulage theft on private and public land without authorisation likely to increase as it did while we suffering the severe drought of the early 2000's. What steps can council, other levels of government or regulatory bodies or local residents take to ensure that water theft is reported and dealt with appropriately if, when and where it is occurring?

Unauthorised extraction of water from the water supply network is an area of concern for water supply utilities. A prolonged drought and the introduction of water restrictions has the potential to increase the likelihood of water theft.

There are numerous mechanisms and regulators setup to manage the various forms of water theft. With regards to water carting and haulage operations, this response provides an overview of Council's management of water carting and standpipe operations, and actions to be undertaken should requirements not be adhered to.

Council authorised water carting and haulage

Central Coast Council offers a portable metered water standpipe via an application and approval process. Each application is reviewed and assessed on an individual basis. These standpipes can be used by the customers according to a usage agreement and a published fee structure. Council offers two different size standpipes: 63 mm and 25 mm (Figure 1).

The larger (63 mm) standpipes are for higher volume customers such as water carters. These standpipes are fitted with a 3-lug connection which will enable them to access water at Council designated locations only. These locations are fitted with backflow prevention to protect the integrity of the water supply system from contamination and adhere to NSW Guidelines for Water Carters. These standpipes can only be used at these locations and will not connect to water hydrants in other parts of the network. These sites are protected by tamper-resistant cages and locks (Figure 2).

The smaller (25 mm) standpipes are used for low volume extraction. These standpipes deliver water with normal household pressure. They are fitted with a 2-lug connection and can be

5.1 QON - Q175/18 - Water Theft (contd)

used at any hydrant location. A backflow prevention device is incorporated into each 25mm metered standpipe to protect the integrity of Council's drinking water system.

Water theft management process – Central Coast Council

Council can cancel a standpipe user agreement and issue an infringement notice if the other party violates the stipulated rules and conditions for water extraction from the network.

Local residents are encouraged to contact Council immediately if there are any concerns regarding water theft on 1300 463 954.



Figure 1: 63mm (3-lug connection) and 25 mm (2-lug connection) metered standpipes



Figure 2: Example designated fill point for water carting at Wyee Road, Doyalson

Attachments

Nil.



Item No: 5.2
Title: QON - Q241/18 - Renewable Energy
Department: Innovation and Futures

8 April 2019 Ordinary Council Meeting

Trim Reference: F2018/00020-07 - D13476652

Author: Ewan Willcox, Energy Manager

Executive: Matthew Prendergast, Acting Executive Manager, Innovation and Futures

5.2 QON - Q241/18 - Renewable Energy

The following question was asked by Councillor Kyle MacGregor at the Ordinary Meeting on 10 December 2018.

Does Central Coast Council generate any renewable energy and are there plans to either do so in future or generate additional renewable energy sources if we currently do not?

Council currently has many assets associated with renewable energy generation which include but are not limited to: landfill gas generators at Buttonderry Waste Management Facility, Woy Woy Landfill and Kincumber Landfill, over twenty five (25) solar power systems totalling over 550kW in generation capacity, solar thermal pool heating on the Peninsula Leisure Centre and Gosford pool and solar hot water systems on several facilities.

Council has \$1.3M budgeted in over 2019/20-2020/21 to install approximately 1MW of additional behind the meter solar across multiple sites, this would bring the total installed solar capacity to over 1.5MW.

Aside from this project, there are plans to implement an Energy and Greenhouse Gas Reduction Policy and an Energy Management Strategy aimed at reducing greenhouse gas emissions, reducing energy costs, improving energy efficiency and increasing renewable energy.

Attachments

Nil.



Item No: 5.3
Title: QON - Q8/19 - PFAS Ash Dams
Department: Environment and Planning

8 April 2019 Ordinary Council Meeting

Trim Reference: F2018/00020-06 - D13456646

Author: Jon Scorgie, Senior Enviro Health Officer Enviro Protection
Brian Jones, Acting Unit Manager, Environment and Compliance

Executive: Scott Cox, Director, Environment and Planning

5.3 QON - Q8/19 - PFAS Ash Dams

The following question was asked by Councillor Louise Greenaway at the Ordinary Meeting on 29 January 2019:

At the Ordinary Meeting on 26 November 2018, Council passed resolutions in relation to PPAS and Ash Dams. Since then, residents have indicated that there is asbestos material being located at the Ash Dam.

Would Council Staff please advise as to whether they are aware of any Asbestos material being located in the Ash Dam and if so who was the consent authority for material being deposited there?

Residents are concerned that Ash dam material has been trucked from one of the power stations to the Kangy Angy rail maintenance site for use as landfill. Are staff able to look into this issue and determine whether there is any accuracy in these claims and inform the relevant consent authority?

On 26 September 2018 Delta Electricity advised the NSW Environment Protection Authority (EPA) it suspected building and demolition waste had been placed in the ash dam.

The EPA responded by serving a Clean Up Notice (the Notice) on 10 October 2018. The Notice is available via the public register on the EPA's website. Please refer to the following link

<https://apps.epa.nsw.gov.au/prpoeoapp/SearchResult.aspx?SearchTag=notice&searchrange=notice&range=notice>

The EPA is the Appropriate Regulatory Authority under the *Protection of the Environment Operations Act 1997* (POEO) for the remediation of the ash dam.

The EPA has provided the following advice in relation to this matter:

- Investigations are continuing in relation to the management of the contaminated wastes in the ash dam.

5.3 QON - Q8/19 - PFAS Ash Dams (contd)

- Other than for testing purposes, no contaminated material has been removed from the ash dam.
- The EPA is aware of the allegation ash dam material has been transported off site and advises there is no evidence to support the claim.

Attachments

Nil.



Item No: 5.4
Title: QON - Q19/19 - Dog Parks in Central Coast Local Government Area
Department: Environment and Planning

8 April 2019 Ordinary Council Meeting

Trim Reference: F2018/00020-06 - D13471365

Author: Trent Burnham, Section Manager, Parks and Reserves

Manager: Brett Sherar, Unit Manager, Open Space and Recreation

Executive: Scott Cox, Director, Environment and Planning

5.4 QON - Q19/19 - Dog Parks in Central Coast Local Government Area

The following question was asked by Councillor Kyle MacGregor at the Ordinary Meeting on 11 February 2019:

How many dog parks are in the Central Coast LGA and how many of these have off leash areas for canine and human recreation?

Council provides 54 off leash dog exercise areas comprising of nine beach locations, 41 park and reserve areas and four fenced off leash dog parks. The fenced dog off leash parks are located at the following sites:

- Tuggerah Dog Park
- Colongra Bay Reserve
- Buff Point Oval
- Centennial Gardens, Narara

Council's website provides a link to all locations of the dog off leash areas.

<https://www.centralcoast.nsw.gov.au/recreation/parks-and-reserves/dog-parks-and-beaches/dog-parks-and-beaches-locations>

Attachments

Nil.



Item No: 5.5
Title: QON - Q29/19 - Water Supply and Sewage Infrastructure
Department: Water and Sewer

8 April 2019 Ordinary Council Meeting

Trim Reference: F2018/00020-07 - D13496510

Author: Kate Gibbs, Executive Support Officer

Manager: Luke Drury, Section Manager Water Services and Design

Executive: Bileen Nel, Director, Water and Sewer

5.5 QON - Q29/19 - Water Supply and Sewage Infrastructure

The following question was asked by Councillor Gale Collins at the Ordinary Meeting on 25 February 2019:

What is the current balance of reserved funds, generally collected under a DSP, for water supply and sewerage infrastructure works intended to service our growing population, and are there funds within this retained account that could be released now to facilitate the delivery of infrastructure that might lead to jobs upon our existing zoned employment lands, or to facilitate land supply (and also job growth) in some of our growing urban release areas (e.g. Wadalba East)? Can staff also provide comment on how we might better align infrastructure delivery to some of the rezoning proposals, or larger DA's currently underway.

Water Supply and Sewerage Developer Charges are currently recovered via the application of three active Development Servicing Plans (DSP). These are listed below:

- Gosford City Centre Development Servicing Plan Water and Sewer
- Gosford Redevelopment Development Servicing Plan
- Wyong Water Supply and Sewerage Development Servicing Plan

A Central Coast Water Supply Headworks DSP is also embedded within the above three DSPs to recover contributions towards existing and future headworks assets (dams, treatment, large pumping stations etc) that benefit the whole of the Central Coast community.

The DSPs follow a methodology set by IPART under its Determinations on Water Supply and Sewerage Developer Charges. The methodology determines the one-off contribution that any new development makes towards the cost of the existing and future assets required to service development. The DSPs also make provision for developers to construct DSP (trunk) assets in lieu of paying developer charges. This realises efficiencies in the asset creation phase by utilising consultants, contractors, plant and equipment already mobilised at the site for the design and construction of the developer's reticulation (donated) assets.

A summary of the current revenue balance associated with water supply and sewerage developer charges is provided in the below table. The figures are provided with a distinction

between the former Wyong and Gosford Local Government Areas, reflecting the different DSPs currently in operation.

Year to Date February Closing Balance (\$)

Category:	Wyong	Gosford	Subtotal
Section 64			
Water	21,575,970	15,626,789	37,202,759
Sewer	11,870,575	7,859,974	19,730,549
			Total
			56,933,308

Council planned expenditure

Council's investments focus on regional enabling infrastructure, that supports development and growth, such as treatment plant upgrades, major trunk mains and water supply yield augmentations. Council also undertakes capacity upgrades to existing sewage pumping stations which require a high level of operational input and may include condition based asset renewals.

An outline of key Council delivered capital works projects, utilising accumulated Section 64 revenue, is provided below as per Council's IPART submission. The capital works program is subjected to the IPART determination which is expected to be completed in May 2019. Note that some projects are only partially funded by Section 64 revenue due to particular project drivers.

- Mardi to Warnervale Pipeline (provides bulk water capacity for continued growth in the Northern Growth Corridor)
- Upper Mooney Dam Water Pumping Station Upgrade (capacity upgrade as part of pump station renewal to increase system yield which supports a growing population)
- Charmhaven Sewage Treatment Plant Augmentation (staged capacity upgrade to enable continued growth in the Northern Growth Corridor)
- Kincumber trunk gravity sewer upgrades (Increase trunk sewer capacity to allow continued growth in the southern growth corridor)
- Several major (greater than \$0.5M) Sewage Pumping Station capacity upgrades across the Central Coast (provides capacity for upstream development).

In addition to Council delivered projects, developers also receive credits/refunds against their water and sewerage developer charges amounts when constructing DSP assets. This practice facilitates land supply and makes efficient use of consultants, contractors, plant and equipment already mobilised as part of the Developer's reticulation works. A number of major developments are currently implementing this methodology to construct new pumping stations and pipelines across the Central Coast.

Attachments

Nil.



Item No: 5.6
Title: QON - Q41/19 - Cemeteries
Department: Governance

8 April 2019 Ordinary Council Meeting

Trim Reference: F2018/00020-07 - D13492808

Author: Christie Flippence, Cemeteries Bereavement Officer

Manager: Janine McKenzie, Unit Manager, Business Enterprise

Executive: Shane Sullivan, Acting Director Governance

5.6 QON - Q41/19 - Cemeteries

The following question was asked by Councillor Richard Mehrstens at the Ordinary Meeting on 11 March 2019:

Following changes by the NSW Government to the Cemetery and Crematoria Regulation 2018 which allows cemeteries to disinter human remains after 25 years and on sell the plot to another party, what will this mean for cemeteries on the Central Coast and will local remains be forced to be turned over under these changes?

In 2013 the Cemeteries & Crematoria Act commenced in part. It wasn't until June 2018 that Part 4 of the Act was enacted. Part 4 relates to Interment Rights which includes the condition under which a Right for a burial plot or memorial site is sold. There are 2 types of Interment Rights:

1. a perpetual interment right; and
2. a renewable interment right

Renewable interment rights do not apply to any burial licence granted under the Crown Lands Act before the commencement of Part 4 of the Cemeteries & Crematoria Act. This is covered under Part 4, Division 2, Subdivision 1 of the Act. Further to this, renewable interment rights are not compulsory and are at the discretion of the Cemetery Authority.

Any licences (rights to burial plots or memorial sites) purchased across the Council cemeteries were purchased in perpetuity and are therefore not affected by the change in legislation.

Work is currently being undertaken on a cemetery capacity study for the Central Coast and a Business Strategy for the future care and management of Council's 13 cemeteries. It is currently not proposed to introduce a renewable interments rights system for our cemeteries.

Attachments

Nil.



Item No: 5.7
Title: QON - Q45/19 - Collateralised loan obligations
Department: Finance

8 April 2019 Ordinary Council Meeting

Trim Reference: F2018/00020-07 - D13492141

Author: Carlton Oldfield, Unit Manager, Financial Services

Executive: Shane Sullivan, Acting Director Governance

5.7 QON - Q45/19 - Collateralised loan obligations

The following question was asked by Councillor Kyle MacGregor at the Ordinary Meeting on 11 March 2019 :

Is Council currently investing in any collateralised loan obligations and in the event that we are, how are we managing the associated risks of investing in these securities underwritten with a pool of debt and similar structure to the CDO's that triggered the GFC and were bought by GCC and other NSW based councils prior to 2008?

We can confirm Council does not hold any investments in collateralised loan obligations (CDO) presently. Council's investments are made in accordance with the Local Government Act 1993, Local Government (General) Regulation 2005, the investment policy adopted at the Ordinary Council Meeting on 27 November 2017, Ministerial Investment Order issued February 2011 and Division of Local Government (as it was then known) Investment Policy Guidelines published in May 2010.

The Ministerial Investment Order does not allow for Council to hold any CDO's and is attached.

Attachments

1 OLG Investment-Order-12-1-2011 D13492373

LOCAL GOVERNMENT ACT 1993 – INVESTMENT ORDER

(Relating to investments by councils)

I, the Hon. Barbara Perry MP, Minister for Local Government, in pursuance of section 625(2) of the *Local Government Act 1993* and with the approval of the Treasurer, do, by this my Order, notify for the purposes of section 625 of that Act that a council or county council may only invest money (on the basis that all investments must be denominated in Australian Dollars) in the following forms of investment:

- (a) any public funds or securities issued by or guaranteed by, the Commonwealth, any State of the Commonwealth or a Territory;
- (b) any debentures or securities issued by a council (within the meaning of the *Local Government Act 1993* (NSW));
- (c) interest bearing deposits with, or any debentures or bonds issued by, an authorised deposit-taking institution (as defined in the *Banking Act 1959* (Cwth)), but excluding subordinated debt obligations;
- (d) any bill of exchange which has a maturity date of not more than 200 days; and if purchased for value confers on the holder in due course a right of recourse against a bank which has been designated as an authorised deposit-taking institution by the Australian Prudential Regulation Authority;
- (e) a deposit with the New South Wales Treasury Corporation or investments in an Hour-Glass investment facility of the New South Wales Treasury Corporation;

All investment instruments (excluding short term discount instruments) referred to above include both principal and investment income.

Transitional Arrangements

- (i) Subject to paragraph (ii) nothing in this Order affects any investment made before the date of this Order which was made in compliance with the previous Ministerial Orders, and such investments are taken to be in compliance with this Order.
- (ii) Paragraph (i) only applies to those investments made before the date of this Order and does not apply to any restructuring or switching of investments or any re-investment of proceeds received on disposal or maturity of such investments, which for the avoidance of doubt must comply with this Order.

Key Considerations

An investment is not in a form of investment notified by this order unless it also complies with an investment policy of council adopted by a resolution of council.

All councils should by resolution adopt an investment policy that is consistent with this Order and any guidelines issued by the Chief Executive (Local Government), Department of Premier and Cabinet, from time to time.

The General Manager, or any other staff member, with delegated authority by a council to invest funds on behalf of a council must do so in accordance with the council's adopted investment policy.

Councils have a fiduciary responsibility when investing. Councils should exercise the care, diligence and skill that a prudent person would exercise in managing the affairs of other persons.

When exercising the power of investment councils should consider, but not be limited by, the risk of capital or income loss or depreciation, the likely income return and the timing of income return, the length of the term of the proposed investment, the liquidity and marketability of the proposed investment, the likelihood of inflation affecting the value of the proposed investment and the costs (including commissions, fees, charges and duties payable) of making the proposed investment.

Dated this 12th day of January 2011


Hon BARBARA PERRY MP
Minister for Local Government



Item No: 5.8
Title: QON - Q46/19 - Letter Regarding Grants
Department: Innovation and Futures

8 April 2019 Ordinary Council Meeting

Trim Reference: F2004/06322 - D13496608

Author: Louise Fisher, Chief External Funding Coordinator

Executive: Matthew Prendergast, Acting Executive Manager, Innovation and Futures

Q46/19 QON - Q46/19 - Letter Regarding Grants

The following question was asked by Councillor Pilon at the Ordinary Meeting on 11 March 2019 :

Is it possible that Councillors be sent a copy of the letter tonight that you referred to regarding the grants? Given that we were unaware of that?

Two letters regarding the Snowy Hydro Legacy Fund have been provided to Council:

These items are:

1. Letter from Mayor Jane Smith to Premier and Cabinet dated 11 January 2019; and
2. Letter from Premier and Cabinet to Mayor Jane Smith dated 24 January 2019.

These items have been provided to Councillors at the following times:

- At the Council Meeting of 11 March 2019, during discussion on item 3.7 - Grant Funding Update as at 11 February 2019, - the two items were tabled
- "Ltr 24 Jan 2019 Stephen Wills DPC re Snowy Hydro Legacy Fund" was provided to Councillors in the Councillor Support Update of 8 March 2019
- Both letters were provided to the Councillors via email on the 15th of March 2019
- At the Council Meeting of 25 March 2019, item 4.1 - Snowy Hydro Legacy Fund Update report

These letters are attached.

Attachments

- | | |
|---|-----------|
| 1 Wills - Department of Premier and Cabinet - Snowy Hydro Fund - 11 January 2019 | D13487619 |
| 2 Ltr 24 Jan 2019 Stephen Wills DPC re Snowy Hydro Legacy Fund | D13462928 |



Councillor Jane Smith

Mayor

0428 943 988 | jsmith@centralcoast.nsw.gov.au
A vibrant and sustainable Central Coast

Central
Coast
Council

11 January 2019

Mr Stephen Wills
Director Hunter Regional Coordination Branch
Department of Premier and Cabinet
PO Box 2213
DANGAR NSW 2309

Dear Mr Wills

Thank you for taking the time to meet with me yesterday regarding the Snowy Hydro Legacy Fund.

I am writing to formalise my disappointment, expressed in the meeting, that a number of projects identified by the Central Coast Regional Leadership Executive Group, a group of key stakeholders on the Central Coast, including Central Coast Council, will no longer be eligible for this funding. Council and our community had expected that the Central Coast would receive a portion of this State Government funding earmarked specifically for regional NSW.

At the Ordinary Meeting of Council on 24 September 2018 Council received a report on the Snowy Hydro Scheme Legacy Fund. Council resolved to support pursuing funding for four key enabling infrastructure projects, identified as priorities by the Central Coast Regional Leadership Executive Group including the Gosford Hospital Precinct, Tuggerah Activation Precinct, Somersby and Mount Penang Precinct Activation and Gosford Cultural Precinct

These projects have been discussed on numerous occasions with the Department of Premier and Cabinet and so I am confident you are aware of the detail and scope of these projects.

Could you please confirm whether these four projects will be submitted for the Snowy Hydro Legacy Fund. If not, can you please provide advice as to other grant and funding opportunities are available to progress these priority projects required to meet the needs of the growing population on the Central Coast.

I look forward to your response.

Yours sincerely



Mayor Jane Smith
Central Coast Council



Wyong Office: 2 Hely St / PO Box 20 Wyong NSW 2259 | P 02 4350 5555

Gosford Office: 49 Mann St / PO Box 21 Gosford NSW 2250 | P 02 4325 8222

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Premier
& Cabinet

Reference: A2845126

Cr Jane Smith
Mayor Central Coast Council
PO Box 21
Gosford NSW 2250

Dear Mayor

Thank you for your letter of 11th January concerning the Snowy Hydro Legacy Fund

As discussed during our recent meeting, the NSW Government has launched the \$4.2 billion Snowy Hydro Legacy Fund which will be invested in major and transformative infrastructure across regional NSW. The fund will help to deliver critical infrastructure and priority initiatives identified in the 20 Year Economic Vision for Regional NSW.

In October 2018 the NSW Government announced the first priorities for investment which include water security, rail and road transport connections, freight linkages, digital connectivity and Special Activation Precincts, that deliver significant economic and social benefits for regional NSW. Work is already underway on some of these projects and the first studies will be completed in early 2019.

There is presently no opportunity to directly apply for funding under the Snowy Hydro Legacy Fund for the four projects identified in your letter. As discussed at our recent meeting NSW Government agencies will continue to work cooperatively with Council and other key stakeholders such as RDA Central Coast, University of Newcastle and business to progress these regionally significant projects.

The NSW Government continues to support the Central Coast as demonstrated by the \$22,600,000 allocated from the Regional Growth Funds to 22 projects across the region. These funds will help to provide much-needed infrastructure to the region under a genuine partnership between state and local governments.

DPC Regional will continue to work with Council to identify opportunities to access the Regional Growth Funds. Peter Brown, Business Development Manager Central Coast, will be in contact with Council to explore future project options.

Yours sincerely



Stephen Wills
Director Hunter & Central Coast
DPC Regional

24 January 2019

Item No: 6.1
Title: Notice of Motion - Sister City Relationship - Nitra
Department: Councillor



8 April 2019 Ordinary Council Meeting

Trim Reference: F2018/00020-07 - D13501369

Author: Jane Smith, Mayor

Mayor Jane Smith has given notice that at the Ordinary Meeting to be held on 8 April 2019 she will move the following motion:

Recommendation

That Council:

- 1 *Resolve to continue a sister city relationship with Nitra within the current budget allocation. At this stage no additional budget is required to be allocated.***
- 2 *Request the Chief Executive Officer negotiate and enter into a Sister City Agreement with Nitra, Slovakia to provide a forum for cultural, economic and educational interchange and friendship with the Central Coast community.***

Background

A Sister City agreement existed between the former Gosford City Council and Nitra from 1988 until 2012.

Nitra is the earliest city established in Slovakia. It has two universities and a strong musical, theatre and sporting culture.

The agreement was originally signed at the same time as a Sister City Relationship began with Edogawa, Japan. Historically delegations between Nitra and Gosford were held at the same time as delegation trips between Edogawa and Nitra. The Edogawa Sister City Agreement was renewed by Council in June 2018 during a delegation visit to Japan.

At the Ordinary Council Meeting of 10 September 2018 Council resolved to request the Chief Executive Officer to investigate the continuation of the Sister City relationship with Nitra.

On Friday 15 March 2019 an email was received from the newly elected Nitra City Government requesting feedback on renewing cooperation between the Central Coast and Nitra. Nitra City believes mutual benefits would be found in the tourism, culture, sport, education, art, trade and international conferences and visits.

Council and the Central Coast has received significant benefit from the Sister City agreement with Nitra in the past including classical music exchanges (both ways – Conservatorium of

6.1 Notice of Motion - Sister City Relationship - Nitra (contd)

Music visited Nitra) friendship visits, national concerts and performances in Nitra, the Central Coast and Sydney. As Nitra is only one hour away from Vienna, further tourism and cultural opportunities are available in Eastern Europe as well.

Given the synergies between the two Sister City Relationships of Nitra and Edogawa, experienced in the past, it is appropriate to renew the agreement with Nitra, Slovakia to provide ongoing benefit to the Central Coast community.

Attachments

Nil.