



Central Coast Council
Business Paper
Ordinary Council Meeting
29 April 2019





COMMUNITY STRATEGIC PLAN 2018-2028

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

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

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

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

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

RESPONSIBLE

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

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



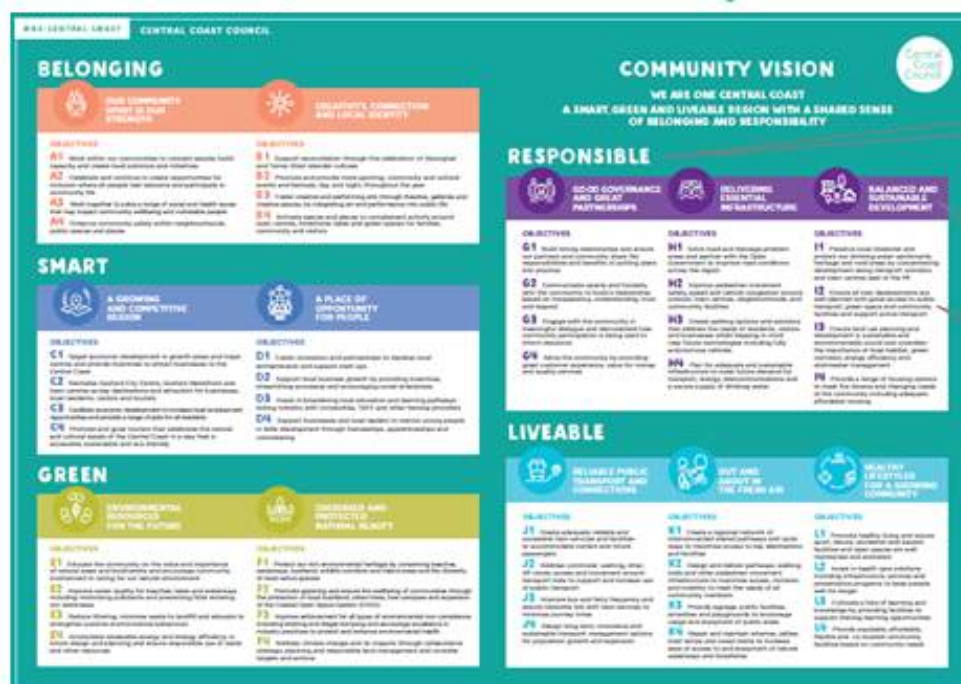
Good governance and great partnerships

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

There are 5 themes, 12 focus areas and 48 objectives

COMMUNITY STRATEGIC PLAN 2018-2028 FRAMEWORK

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



Theme

Focus Area

Objective

Meeting Notice

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

Monday 29 April 2019 at 6.30pm

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



29 April 2019 Ordinary Council Meeting

Trim Reference: F2018/00020-07 - D13479236

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

29 April 2019 Ordinary Council Meeting

Trim Reference: F2018/00020-07 - D13479240



Summary

Confirmation of minutes of the Ordinary Meeting of the Council held on 8 April 2019.

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

Recommendation

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

Attachments

1 MINUTES - Ordinary Meeting Meeting - 8 April 2019 D13505867



Central Coast Council

Minutes of the Ordinary Meeting of Council

Held in the Council Chamber
2 Hely Street, Wyong
on 8 April 2019
commencing at 6.30pm

Present

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

In Attendance

Julie Vaughan (Acting Chief Executive Officer), Boris Bolgoff (Director Roads, Transport, Drainage and Waste), Scott Cox (Director Environment and Planning), Bileen Nel (Director Water and Sewer), Shane Sullivan (Acting Director Governance) and Beth Burgess (Acting Director, Connected Communities) and Viv Louie (Unit Manager, Financial Performance - Responsible Accounting Officer).

The Mayor, Jane Smith, declared the meeting open at 6.51pm 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.

The reports are recorded in their correct agenda sequence.

Apology

Councillor Rebecca Gale Collins

Leave of Absence

Moved: Councillor MacGregor

Seconded: Councillor Sundstrom

Resolved

257/19 That Council resolve to accept the leave of absence request from Councillor Best for the Council Meetings of 29 April 2019 and 13 May 2019.

For:**Unanimous**

1.1 Disclosure of Interest

Item 2.2 DA/42661/2012 - Part 3 - Modification to Avoca Beach Theatre

Councillor McLachlan declared a pecuniary interest in the matter as the owners recently purchased a property through his real estate agency. Councillor McLachlan left the chamber at 7.04pm, returning at 7.22pm, and did not participate in discussion or voting.

It is noted that Councillor McLachlan declared a pecuniary interest in the matter and left the Public Forum at 6.12pm and returning at 6.31pm.

Mayor Smith declared a less than significant non pecuniary interest in the matter as she has held a number of events there for various community organisations. Mayor Smith chose to remain in the chamber and participate in discussion and voting.

Item 2.4 Request to prepare a Local Environmental Plan Amendment (Planning Proposal) - 3 Battley Avenue, The Entrance

Councillor McLachlan declared a significant non pecuniary interest in the matter as he has been involved in resident action against the rezoning and WSC friends live across the road from the site. Councillor McLachlan left the chamber at 7.23pm, returning at 7.30pm, and did not participate in discussion or voting.

It is noted that Councillor McLachlan declared a significant non pecuniary interest in the matter and left the Public Forum at 6.12pm and returning at 6.31pm.

3.2 2018-19 Community Support Grant Program

Councillor Pilon declared a significant non pecuniary interest in the matter in line with noted insignificant non pecuniary interest in the Grants Committee meeting. Councillor Pilon chose to leave the chamber and not participate in discussion and voting of this item. The matter was dealt with by the exception method.

Councillor Holstein declared a significant non pecuniary interest in the matter as he is a member of one of the service clubs which has made application. Councillor Holstein chose to leave the chamber and not participate in discussion and voting of this item. The matter was dealt with by the exception method.

Councillor Greenaway declared a less than significant non pecuniary interest in the matter as she is familiar with community members whose groups are recipients of grant funding. Councillor Greenaway chose to remain in the chamber and participate in discussion and voting. This item was resolved by the exception method.

Moved: **Councillor Mehrtens**
Seconded: **Councillor Sundstrom**

Resolved

258/19 ***That Council receive the report on Disclosure of Interest and note advice of disclosures.***

For:

Unanimous

1.2 **Confirmation of Minutes of Previous Meetings**

Moved: ***Councillor MacGregor***

Seconded: ***Councillor Holstein***

Resolved

259/19 ***That Council confirm the minutes of the Ordinary Meeting of the Council held on 25 March 2019.***

For:

Unanimous

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

Moved: ***Mayor Smith***

Seconded: ***Councillor Burke***

Resolved

260/19 ***That the Council resolve that the following matters be dealt with in closed session, pursuant to s. 10A(2)(d) of the Local Government Act 1993 for the following reasons:***

Item 7.1 Central Coast Stadium - Response to International Sporting Event Request for Proposal

Reason for considering in closed session:

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

For:

Unanimous

Procedural Motion – Exception

Moved: ***Councillor Mehrtens***

Seconded: ***Councillor Marquart***

Resolved

- 261/19** *That with the exception of the following reports, Council adopt the recommendations contained in the remaining reports:*

2.1	DA/124/2018 - 195 Johns Road, Wadalba
2.2	DA/42661/2012 - Part 3 - Modification to Avoca Beach Theatre
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
2.4	Request to prepare a Local Environmental Plan Amendment (Planning Proposal) - 3 Battley Avenue, The Entrance
3.1	Deferred Report - Consideration of Submissions and Adoption of the Central Coast Affordable and Alternative Housing Strategy
3.6	Appointments to the Tourism Advisory Committee
3.8	Plastic Wise Program
4.1	2018/19 Capital Works Project Status
6.1	Notice of Motion - Sister City Relationship - Nitra
7.1	Central Coast Stadium - Response to International Sporting Event Request for Proposal

- 262/19** *That Council adopt the following items en-masse and in accordance with the report recommendations:*

3.2	2018-19 Community Support Grant Program
3.3	Meeting Record of the Coastal Open Space System (COSS) Committee held 30 January 2019
3.4	Meeting Record of the Gosford CBD and Waterfront Advisory Committee held on 13 February 2019
3.5	Meeting Record of the Pedestrian Access and Mobility Advisory Committee held on 12 February 2019
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

For:

Unanimous

2.1 **DA/124/2018 - 195 Johns Road, Wadalba**

Moved: **Councillor Mehrtens**

Seconded: **Councillor Holstein**

Resolved

- 263/19** *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.*

264/19 That Council advise those who made written submissions of its decision.

265/19 That Council advise these government authorities who made submissions of its decision.

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

Against:
Councillors MacGregor, Greenaway, Vincent and Hogan

Abstain: Councillor Best

2.2 DA/42661/2012 - Part 3 - Modification to Avoca Beach Theatre

Councillor McLachlan declared a pecuniary interest in the matter as the owners recently purchased a property through his real estate agency. Councillor McLachlan left the chamber at 7.04pm, returning at 7.22pm, and did not participate in discussion or voting.

It is noted that Councillor McLachlan declared a pecuniary interest in the matter and left the Public Forum at 6.12pm and returning at 6.31pm.

Mayor Smith declared a less than significant non pecuniary interest in the matter as she has held a number of events there for various community organisations. Mayor Smith chose to remain in the chamber and participate in discussion and voting.

Moved: Councillor Sundstrom

Seconded: Councillor MacGregor

That Council refuse the development application subject to the following reasons:

- 1 That the height exceeds the provision within clause 4.3 (2) of the GLEP 2014.*
- 2 That it is not in the public interest.*

For:
Councillors Sundstrom, MacGregor and Vincent

Against:
Mayor Smith and Councillors Marquart, Holstein, Mehrrens, Matthews, Pilon, Greenaway, Burke, Hogan and Best

The Motion was put to the vote and declared LOST.

The matter was then at LARGE.

Moved: Councillor Holstein

Seconded: Councillor Burke

Resolved

266/19 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.

267/19 That Council advise those who made written submissions of its decision.

For:

Mayor Smith and Councillors Marquart, Holstein, Mehrtens, Sundstrom, Matthews, Pilon, Greenaway, Burke, Hogan and Best

Against:

Councillors MacGregor and Vincent

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

Moved: Councillor Holstein

Seconded: Councillor Mehrtens

Resolved

268/19 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.

269/19 That Council advise those who made written submissions of its decision.

For:

Mayor Smith and Councillors Marquart, Holstein, Mehrtens, Sundstrom, Matthews, Pilon, McLachlan, Burke, Vincent, Hogan and Best

Against:

Councillors MacGregor and Greenaway

2.4 Request to prepare a Local Environmental Plan Amendment (Planning Proposal) - 3 Battley Avenue, The Entrance

Councillor McLachlan declared a significant non pecuniary interest in the matter as he has been involved in resident action against the rezoning and WSC friends live across the road from the site. Councillor McLachlan left the chamber at 7.23pm, returning at 7.30pm, and did not participate in discussion or voting.

It is noted that Councillor McLachlan declared a significant non pecuniary interest in the matter and left the Public Forum at 6.12pm and returning at 6.31pm.

Moved: Councillor MacGregor

Seconded: Councillor Matthews

Resolved

270/19 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:**
- **The proposal does not avoid or minimise the removal of high ecological value vegetation.**

271/19 That Council notify the applicant of the Council's determination in accordance with clause 10A of the Environmental Planning and Assessment Regulation 2000.

For:

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

Against:

Councillors Marquart, Burke and Best

Abstain: Councillor Pilon

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

Moved: Councillor MacGregor

Seconded: Councillor Hogan

- 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.

Procedural Motion – Extend debate

Moved: Mayor Smith
Seconded: Councillor Holstein

Resolved

272/19 That Council , having debated the matter for thirty minutes now extend the debate time for this item.

For:
Unanimous

Amendment Moved: Councillor Mayor Smith
Amendment Seconded: Councillor McLachlan

That this item be deferred to the Council meeting of 29 April 2019 to allow for further discussion amongst the Councillors and a final version of the strategy to come to that meeting.

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

The Amendment was CARRIED and then became the Motion. The Motion was then put.

Moved: Councillor Mayor Smith
Seconded: Councillor McLachlan

Resolved

273/19 That this item be deferred to the Council meeting of 29 April 2019 to allow for further discussion amongst the Councillors and a final version of the strategy to be considered at that meeting.

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

3.2 2018-19 Community Support Grant Program

Councillor Pilon declared a significant non pecuniary interest in the matter in line with noted insignificant non pecuniary interest in the Grants Committee meeting. Councillor Pilon chose to leave the chamber and not participate in discussion and voting of this item. The matter was dealt with by the exception method.

Councillor Holstein declared a significant non pecuniary interest in the matter as he is a member of one of the service clubs which has made application. Councillor Holstein chose to leave the chamber and not participate in discussion and voting of this item. The matter was dealt with by the exception method.

Councillor Greenaway declared a less than significant non pecuniary interest in the matter as she is familiar with community members whose groups are recipients of grant funding. Councillor Greenaway chose to remain in the chamber and participate in discussion and voting. This item was resolved by the exception method.

Moved: Councillor Mehrtens

Seconded: Councillor Marquart

Resolved

274/19 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.

275/19 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.

For:

Unanimous

3.3 Meeting Record of the Coastal Open Space System (COSS) Committee held 30 January 2019

Moved: Councillor Mehrtens

Seconded: Councillor Marquart

Resolved

276/19 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.

277/19 That Council continues to advocate for the introduction of an E5 zone to protect priority conservation lands including COSS lands.

For:

Unanimous

3.4 Meeting Record of the Gosford CBD and Waterfront Advisory Committee held on 13 February 2019

Moved: Councillor Mehrstens**Seconded:** Councillor Marquart**Resolved**

278/19 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.

279/19 That Council request the Chief Executive Officer to write to the Minister for Planning seeking funding for a Masterplan for Kibble Park.

For:**Unanimous**

3.5 Meeting Record of the Pedestrian Access and Mobility Advisory Committee held on 12 February 2019

Moved: Councillor Mehrstens**Seconded:** Councillor Marquart**Resolved**

280/19 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.

281/19 That Council adopt the Terms of Reference for the Pedestrian Access and Mobility Advisory Committee, as set out in Attachment 2 to this report.

282/19 That Council appoint the Mayor as the Chairperson for the Pedestrian Access and Mobility Advisory Committee.

For:**Unanimous**

3.6 Appointments to the Tourism Advisory Committee

Councillor Best left the chamber at 8.13pm and returned at 8.16pm and did not participate in discussion or voting.

Councillor Matthews left the chamber at 8.13pm and returned at 8.16pm and did not participate in discussion or voting.

Moved: Mayor Smith
Seconded: Councillor Sundstrom

Resolved

283/19 That Council determine the Councillor representatives on the Tourism Advisory Committee are:

- Mayor Jane Smith
- Councillor Holstein
- Councillor Pilon
- Councillor Sundstrom

284/19 That Council allow those Councillors appointed to the Committee, and other interested Councillors, meet to;

- a review the EOIs received for the Tourism Advisory Committee and report back to Council with recommendations.**
- b consider other stakeholders to be appointed to the Tourism Advisory Committee for consideration by Council.**

285/19 That Council determine the representatives of the Tourism Advisory Committee following a report back to Council as identified in resolution 284/19.

For:
Unanimous

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

Moved: Councillor Mehrtens
Seconded: Councillor Marquart

Resolved

286/19 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.

For:
Unanimous

3.8 Plastic Wise Program

Moved: Councillor Vincent

Seconded: Mayor Smith

Resolved

287/19 That Council receive the report on Plastic Wise Program.

288/19 That the draft Central Coast Council Single Use Plastic Policy be placed on public exhibition for 28 days.

289/19 That a further report will be provided to Council following the 28 day public exhibition period.

For:

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

Against:

Councillors Marquart, Matthews and Best

4.1 2018/19 Capital Works Project Status

Moved: Councillor Best

Seconded: Councillor MacGregor

Resolved

290/19 That Council receive the report on 2018/19 Capital Works Project Status.

For:

Unanimous

6.1 Notice of Motion - Sister City Relationship - Nitra

Moved: Mayor Smith

Seconded: Councillor MacGregor

Resolved

That Council:

291/19 Resolve to continue a sister city relationship with Nitra within the current budget allocation. No additional budget is required to be allocated during this financial year.

292/19 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.

For:

**Mayor Smith and Councillors Marquart,
Holstein, Mehrrens, Sundstrom, Matthews,
MacGregor, Pilon, McLachlan, Greenaway,
Burke, Vincent and Hogan**

Against:

Councillor Best

Questions on Notice

Councillor Best left the chamber at 8.52pm and did not return.

**Q67/19 QON - Dredging
Councillor Troy Marquart**

It was resolved during the 8 October 2018 Council Meeting that the Chief Executive Officer would develop a business case in regards to the Central Coast Council owning or leasing a suitable dredge that could meet the waterway dredging needs of the Central Coast and could also be leased to alternate entities. When will this business case be tabled to Councillors?

**Q68/19 QON - Carbon Emissions
Councillor Troy Marquart**

Council staff have quoted exact carbon emission reductions that will be achieved in recent reports created for the City Power Partnership Pledges and the Draft Climate Change Policy. To table reductions the base or current emissions must have been calculated or the suggested emission reductions could not be accurate. What was the exact carbon dioxide equivalent emission tonnage output in the Central Coast Council area in 2018?

**Q69/19 QON - Food for Fines
Councillor Richard Mehrrens**

Has Council considered introducing a 'Food For Fines' initiative around Christmas time, like a number of other Councils, which would allow for people to pay off outstanding library fees with packaged and non-perishable food items for local families in need?

**Q70/19 QON - Town Centre Review
Councillor Lisa Matthews**

How is Council progressing with the implementation of the resolution on the Town Centre Review?

Response from Julie Vaughan, Acting Chief Executive Officer

The intention is I think probably at the next Council meeting there will be a further report that comes back. There have been workshops held with the business community and the current third party operators to understand the role that they will continue to play going forward in the business development side of things.

The draft Terms of Reference have been developed for the Advisory Committee as well, so it's progressing to meet the 30 June 2019 deadline and also to realise a smooth transition from existing operations.

Q71/19 QON - The Entrance Town Centre
Councillor Lisa Matthews

Can staff please advise how much the levy paid by businesses within the Entrance Town Centre is and how it has been spent since the TCM was disbanded?

Q72/19 QON - Advertising
Councillor Kyle MacGregor

How much money has Council spent on advertising in the past 12 months and how many companies have been engaged for advertising services over this time?

Q73/19 QON - Seedbank
Councillor Kyle MacGregor

Does Council maintain a Seedbank or nursery that grows and preserves local native tree species and when planting vegetation across the LGA. How does Council ensure an appropriate mix of native and or exotic vegetation is being planted in public areas across the LGA?

Q74/19 QON - Tuggerah Lakes
Councillor Bruce McLachlan

There is a federal election coming up. Just wondering what funding arrangement have we requested for the Tuggerah Lakes management? I understand our funding arrangement is running out in the next 12 months. What do we have in place for current submissions?

Q75/19 QON - Warnervale Leisure and Aquatic Centre
Councillor Louise Greenaway

Council is progressing a new leisure and aquatic centre for Warnervale. Would staff please identify the potential site locations that are being investigated?

Q76/19 QON - Gosford Chambers
Councillor Louise Greenaway

Council is progressing changes to the work environment in Gosford Chambers in order to meet its OHS obligations. Is there estimate available as to when meetings will resume there?

**Q77/19 QON - Sparks Road
Councillor Doug Vincent**

Residents at Bruce Crescent Wallarah have been experiencing long delays and great difficulty in making right hand turns onto sparks road due to heavy traffic conditions on Sparks Road. Could staff please advise if the Council or RMS can remedy the situation with signage or traffic lights?

**Q78/19 QON - Unisex Toilets
Councillor Doug Vincent**

Could staff please advise if there is any possibility of installing a unisex toilet at the park in Woodlawn Ave Budgewoi, near the shared pathway?

**Q79/19 QON - Council Website
Councillor Jillian Hogan**

Feedback is that Council website is difficult to access basic information and forms. Are there any plans to improve accessibility?

**Q80/19 QON - Companion Animal Committee
Councillor Jillian Hogan**

I haven't seen anything on the Cat or Companion Animal Committee? What is its function, because residents are complaining about roaming cats and the effect on the environment?

Confidential Session***Resolved***

Moved: **Councillor Mehrtens**
Seconded: **Councillor Holstein**

293/19 That the meeting move into Confidential Session.

For:
Unanimous

At this stage of the meeting being 8.59 pm the meeting moved into Confidential Session with the members of the press and public excluded from the closed session and access to the correspondence and reports relating to the items considered during the course of the closed session being withheld. This action is taken in accordance with Section 10a of The Local Government Act, 1993 as the items listed come within the following provisions:-

Open Session

The meeting resumed in open session at 9.04 pm and the Chief Executive Officer reported on proceedings of the confidential session of the ordinary meeting as follows:

7.1 Central Coast Stadium - Response to International Sporting Event Request for Proposal

Councillor Best left the chamber at 8.52pm and did not return and did not participate in discussion or voting.

Resolved

294/19 *That the Council resolve to deal with this report in closed session pursuant to s.10A(2)(d) of the Local Government Act 1993, as it;*

2(d) contains commercial information of a confidential nature that would, if disclosed:

(i) prejudice the commercial position of the person who supplied it.

295/19 *That Council resolve to include the proposed option three, as outlined in the report, to its response to the international sporting event Request for Proposal.*

The Meeting closed at 9.06 pm.



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

29 April 2019 Ordinary Council Meeting

Trim Reference: F2018/00020-07 - D13479254

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,*
- 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/54551/2018 170-176 Blackwall Road and 8 Farnell Road, Woy Woy
Department: Environment and Planning

29 April 2019 Ordinary Council Meeting

Trim Reference: F2018/00020-06 - D13456013
Author: Jessica Summerhayes, Town Planner
Manager: Andrew Roach, Unit Manager, Development Assessment
Executive: Scott Cox, Director, Environment and Planning

Summary

An application has been received for a residential flat building and multi-dwelling housing development comprising 27 units, 7 townhouses and a basement carpark at No.'s 170 – 176 Blackwall Road and No. 8 Farnell Road Woy Woy. 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.

The development 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 36 submissions objecting to the proposal were received by Council.

Applicant	AArqm Pty Ltd
Owner	Apex Smart Homes Pty Ltd
Application No	DA54551/2018
Description of Land	Lot 111 DP 6846, Lot 112 DP 6846, Lot 113 DP 6846, Lot 114 DP 6846 and Lot A DP 385814, No.'s 170 – 176 Blackwall Road and No. 8 Farnell Road, Woy Woy
Proposed Development	Residential flat building and multi-dwelling housing with basement carpark.
Site Area	3,721.5m ²
Zoning	R1 General Residential
Existing Use	Dwelling houses
Employment Generation	No
Estimated Value	\$ 11,112,918

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	Residential flat building and multi-dwelling housing with basement carparking.
Permissibility and Zoning	The subject site is zoned R1 General Residential under the provisions of <i>Gosford Local Environmental Plan 2014</i> . The proposed development is defined as residential flat building and multi-dwelling housing which is permissible in the zone with consent of Council.
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 - section 4.15 (EP&A Act)</i> • <i>State Environmental Planning Policy (Coastal Management) 2018</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 No 55 Remediation of Land</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 (GDCP 2013)</i> • <i>Draft Central Coast Development Control Plan 2018 (Draft CCDCP 2018)</i>

	<ul style="list-style-type: none"> • <i>Apartment Design Guide. Tools for improving the design of residential apartment development (ADG)</i> • <i>Gosford City Council Climate Change Policy</i> • <i>Central Coast Regional Plan 2036 (CCRP 2036)</i> • <i>Central Coast Council Community Strategic Plan 2018-2028</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 the <i>Local Government Act 1993</i> • Clause 7 of <i>State Environmental Planning Policy No 55 - Remediation of Land</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 (Exceptions to development standards of <i>Gosford Local Environmental Plan 2014</i>.
Current Use	Five (5) dwelling houses on five (5) individual Lots
Integrated Development	No
Submissions	<p>Thirty - six (36) to second exhibition period (21 June 2018 until 12 July 2018)</p> <p>Eighty – seven (87) to first exhibition period (8 November 2018 until 29 November 2018)</p>
Councillor Representations	Nil

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 11m is permitted. The proposed development has a maximum height of 11.83m. The non-compliance is as a result of a section of pergola which extends over a small roof terrace. This represents a 0.83m or 7.5% non-compliance with the development

Policy	Clause / Description	Variation
		standard.
	Clause 4.4(2) (Floor Space Ratio)	<ul style="list-style-type: none"> The applicable FSR control is 0.85:1. The proposed development has a maximum FSR of 0.87:1 representing a 0.02:1 or 2.7% non-compliance with the development standard.
Gosford Development Control Plan 2013	3.3.3.1 Building Height	<ul style="list-style-type: none"> Maximum height is 11m. The maximum height is 11.83m. The non-compliance is as a result of a small section of pergola which extends over a small roof terrace. This results in a 0.83m or 7.5% variation.
	3.3.3.2 Setback	<ul style="list-style-type: none"> Building S – a 6m setback is required at the ground and first floors adjacent to Blackwall Road (western) boundary and to adjoining residential development on the eastern and southern boundaries. The proposed development has an articulated façade that results in a varying setback along the length of these boundaries. Along the Blackwall Road (western) frontage the setback for Building S varies from 4.2m to approximately 10m. The 4.2m setback is non-compliant and affects only a small portion of the very south-western corner (unit No. S28). At the ground floor the variation is 1.8m or 30%. At the first floor the setback increases to 5.3m, resulting in a variation of 0.7m or 11.7% (refer to Figure 14 and Figure 15 that highlight the non-compliant portion). The non-compliant portion is approximately 21% of the building frontage of Building S. On the eastern boundary setbacks to the building line vary from 4.6m (1.4m - 24% variation – occurs where the staircases are located) to approximately 9m at the south eastern corner of town house No. S34. On the southern boundary the setback varies from 4.6m (1.4m -23% variation) to 6.6m (complies).

Policy	Clause / Description	Variation
		<ul style="list-style-type: none"> Whilst there are a number of non-compliances, these generally affect small sections of the building façade, with articulation providing larger than required setbacks in some sections of the building and less than required in others.
Gosford Development Control Plan 2013 (cont'd)	3.3.3.2.2a Deep soil along boundaries	<ul style="list-style-type: none"> Building S – a 6m setback for deep soil planting is required along the rear and road frontage boundaries. The proposed development has a varying setback of 3m (3m – 50% variation) to approximately 9m along the rear (eastern) boundary and a varying setback along the Blackwall Road frontage of between 4.2m (1.8m or 30% variation) occurring at one corner of block S and up to approximately 10m at its maximum. The articulated nature of the design provides sufficient areas to provide for deep soil planting and landscaping.
	7.2.16.4 Controls/ Requirements Waste Servicing	<ul style="list-style-type: none"> Clause 7.2.16.4 states that residential flat buildings having 18 units or less can be serviced at the kerbside – this clause was written at a time when the maximum residential bin size was 240 litres - resulting in a maximum of 36 bins. This equates to 36m of street frontage for the 36 bins. This proposal is for a 34 unit development which would normally require basement waste collection. However, a recent change in Council's waste collection contract makes provision for larger (360 litre) bins which are taller and deeper. As a result, the proposed development can be serviced through provision of a lesser number of bins (28 bins) than notionally permitted under this Clause. This equates to 28m of street frontage for the 28 bins. There is a 16 unit (89%) variation to this

Policy	Clause / Description	Variation
		Clause when considering unit numbers, despite being a lower number of actual bins for collection and lesser street frontage for bin presentation.
Apartment Design Guide	3F-1 Visual Privacy	<ul style="list-style-type: none"> Building N - minimum required separation distances from buildings to the side and rear boundaries is 6m (habitable) and 3m (non-habitable). The proposed development proposes an articulated building façade with varying setbacks to provide architectural interest. The minimum setback at ground floor is 5m (1m variation or 17%) with some sections meeting the 6m requirement. Level 1 and level 2 have a varied facade with a minimum balcony setback of 3m (3m or 50% variation) with other features setback between 5m and 6.4m. <p>The assessment of these variation is provided in Attachment 4</p>
	4A-1 Solar and Daylight Access	<ul style="list-style-type: none"> Living rooms and private open space of at least 70% of apartments must receive a minimum of 3 hours solar access between 9am and 3pm mid-winter. 19 units are required to comply. 15 units are compliant, resulting in a 4 unit (21% variation). <p>The assessment of this variation is provided in Attachment 4.</p>
	4E-1 Balconies	<ul style="list-style-type: none"> The minimum required ground floor private open space is 15m², with a minimum depth of 3m. 2 units have open space areas that do not comply with the 3m depth, although they do provide 15m² of private open space. This results in a 1m (33% variation) for these 2 units. <p>The assessment of this variation is provided in Attachment 4.</p>
	3D-1 Communal Open Space	<ul style="list-style-type: none"> 25% of the site area (930m²) is required as communal open space. 772m² (21% of the site) is proposed to

Policy	Clause / Description	Variation
		<p>accommodate communal open space, resulting in a 158m² or 4% variation. This is due to the whole site needed to be used for this clause however the ADG is only applicable for the Residential Flat Building and not for Building Block 'S'.</p> <ul style="list-style-type: none"> 2 hours sunlight is required to a minimum of 50% to the principal ground floor useable part of the communal open space. The design includes communal open space areas between Building N and Building S on the ground floor, and along the front and rear landscaped setbacks (606m²), and the rooftop terrace of Building N (166m²). <p>The principal usable part of the communal open space (located on the ground floor between Building N and Building S) receives 25% solar access for 2 hours between 9am and midday in mid-winter, rather than the required 50% (this is a 25% variation).</p> <p>The secondary communal open space located on the roof terrace receives a minimum of 2 hours of solar access to a minimum of 50% of the area, therefore this portion is compliant.</p> <p>The assessment of this variation is provided in Attachment 4.</p>

The Site

The site is made up of five separate lots commonly known as No.'s 170-176 Blackwall Road and No. 8 Farnell Road, Woy Woy NSW 2256, and legally known as Lot A DP 385814, Lot 111 DP 6846, Lot 112 DP 6846, Lot 113 DP 6846 and Lot 114 DP 6846. The site is level and is currently occupied by dwelling houses and ancillary structures, as shown in Figure 1.



Figure 1 - Aerial photograph of the site and adjoining properties (site shown edged black)

The site is located on the corner of Blackwall Road and Farnell Road having a total area of 3,721.5m². The land has a frontage to Blackwall Road of 63.20m, and a frontage to Farnell Road of 74.82m. The rear (eastern) boundary is 57.40m, and the side (southern) boundary is 57.91m.

The site is zoned R1 General Residential under the provisions of *Gosford Local Environmental Plan 2014* (GLEP 2014), refer to Figure 2.

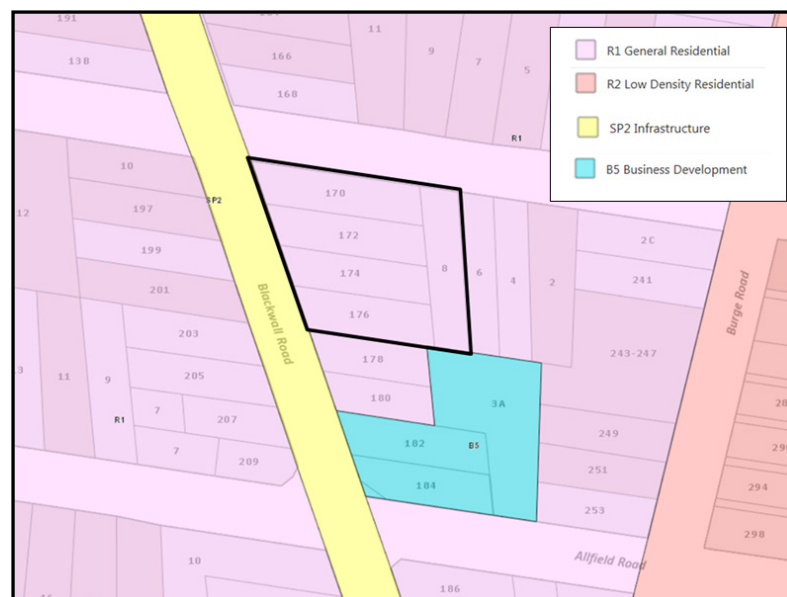


Figure 2 - Zoning of the site and adjoining properties (site shown highlighted in black)

Surrounding Development

Directly adjacent to the southern and eastern boundaries of the site are single storey detached residential dwellings.

Properties located on the opposite side of Farnell Road (to the north) and on the opposite side of Blackwall Road (to the west) comprise single storey multi-unit housing developments.

The Proposed Development

The development application was lodged on 6 June 2018 and originally proposed a three storey residential flat building and two storey multi-unit housing development with on-street and basement car parking, comprising 34 residential units with an overall height of RL 17.10m AHD (height of building 11.9m) and a floor space ratio (FSR) of 0.88:1 (refer figure 3).



Figure 3 – Render of Western Elevation of originally submitted proposal

The application has been amended three times (on 2 October 2018, 10 December 2018 and 8 February 2019) in response to community consultation and discussions with Council staff.

Amended plans were lodged on 2 October 2018 seeking approval for a three storey residential flat building and two storey multi-unit housing development with basement car parking, comprising 34 residential units, with a maximum floor space ratio (FSR) of 0.87:1 and a maximum height of building of RL 17.03 AHD (height of building 11.83m). These amended plans were notified from, 8 November 2018 until 29 November 2018. This proposal included the following amendments:

- Reduced FSR from 0.88:1 to 0.87:1, as a result of design changes;
- Reduced building height from 11.9m to 11.83m, as a result of the decorative screening that originally extended above the rooftop terrace pergola being adjusted to be in line with the pergola;
- Relocation of the two waste storage facilities from on-grade to the basement;
- Relocation of driveway access from Blackwall Road to Farnell Road;

- Relocation of on-street parking to the expanded basement carpark;
- Retention of street trees;
- Landscaping added to the rooftop terrace;
- Improved setback from the eastern rear boundary to Building N, from a minimum of 7m to 8.5m;
- Improved solar access to communal open spaces within the development; and
- Improved Water Cycle Management Plan design.

Following consultation with Council, further amended plans were lodged on the 10 December 2018 and the again on 8 February 2019. These most recent plans are the subject of this report. These amended plans included minor amendments and were not further notified, in accordance with Gosford Development Control Plan (GDGP 2013) Chapter 7.3 which states;

"...if in the opinion of Council or staff with the appropriate delegated authority the amendments are minor, or will result in no additional impacts, the amendments will not require re-advertisement or re-notification."

The amended plans received on 10 December 2018 incorporated minor changes to the landscape design along Farnell Road (the on-street parking space relocated to the basement to accommodate more street trees) and minor basement redesign to accommodate an additional disabled parking space.

In detail, development consent is sought for the following:

- Consolidation of five (5) lots into one;
- Demolition of existing buildings;
- Construction of:
 - Three storey residential flat building located to the north of the site (Building N), comprising 27 units, including 4 x three bedroom units, 17 x two bedroom units and 6 x one bedroom units. Four (4) adaptable living units are proposed.



Figure 4 - Render of Western Elevation (Blackwall Road) of amended proposal



Figure 5 – Render of Northern Elevation (Farnell Road) of amended proposal

- Two storey multi-dwelling housing comprising 7 x three bedroom townhouses located to the south of the site (Building S).
- Pedestrian access will be provided from Blackwall Road and Farnell Road. Lift access will be provided from the basement car park to all residential floors (refer to Figure 6).

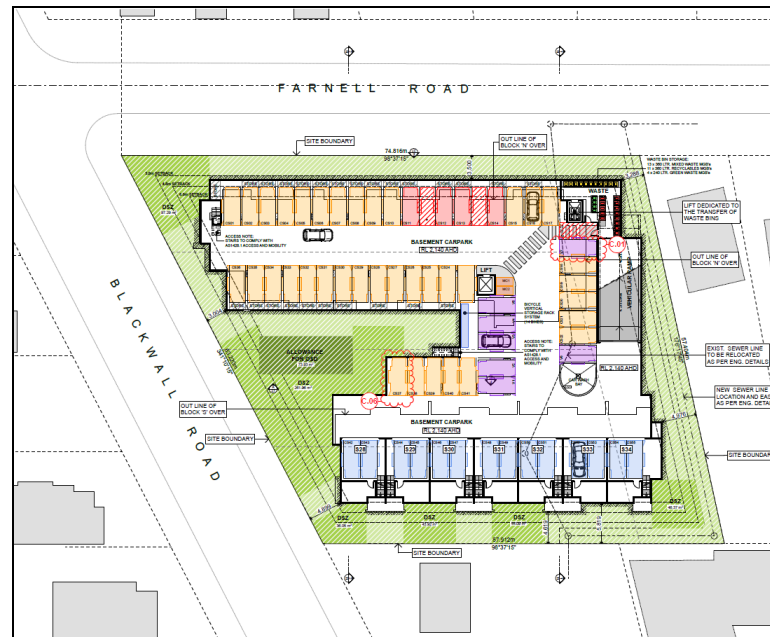


Figure 6 - Proposed Basement Plan

- Sixty one (62) basement car parking spaces are proposed, including five (5) accessible spaces and seven (7) visitor spaces.
- Communal open space is proposed between Building N and Building S. Additional landscape area is proposed on the communal rooftop terrace located on Building N.
- The colours and finishes of external facades will be in accordance with the schedule supporting the development application (refer to Figure 7).



Figure 7 - Colour and Material Schedule (Western Elevation – Blackwall Road)

- On-site garden planting, including shade trees, is proposed inside the perimeter of both street frontages and along the eastern and southern side boundaries. Small trees and shrub planting in planter boxes are proposed on the rooftop terrace.



Public Consultation

The application was initially lodged on 6 June 2018, and notified from 21 June 2018 until 12 July 2018. Eighty-seven (87) submissions were received.

On 2 October 2018, the applicant lodged amended plans, which were notified from 8 November 2018 until 29 November 2018. Thirty six (36) public submissions were received.

- ***The development will negatively impact the amenity of residents in the adjoining streets by creating significant shadowing impacts.***

Comment

Shadow diagrams during the winter solstice (22 June) and summer equinox were submitted with the development application. A review of these shadow diagrams indicates that any shadows cast by the proposed development will not adversely impact surrounding residential land.

At 9am, during the winter solstice (22 June), shadows cast by the proposed development will fall upon the southern landscaped setback within the development site and will encroach to a minor extent into the residential property located at No. 178 Blackwall Road, Woy Woy and adjacent roadway (refer to Figure 9). However, no objection is made as the usability and livability of the affected areas and they will not be unreasonably compromised.

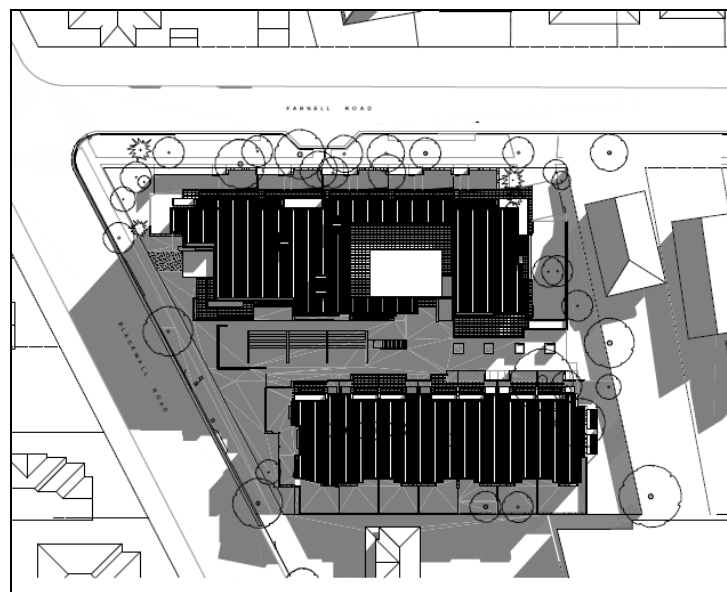


Figure 9 - Winter Solstice, 22 June, 9am

At midday during the winter solstice (22 June), all additional shadow cast by the development will fall within the subject site and residential property located at No. 178 Blackwall Road, Woy Woy (refer to Figure 10).

No. 178 Blackwall Road loses all solar access during midwinter to its northern elevation, however the majority of this shadow is cast onto the roof of an existing carport. No windows serving any living areas on the northern façade of No. 178 Blackwall Road are impacted by additional shadow at 9am and midday during mid winter (22 June). Therefore, no additional solar loss occurs as a result of the shadows cast by the proposed development, as the carport roof currently blocks all solar access.

Further, more than 50% of outdoor private open space located to the rear of No. 178 Blackwall Road remains unaffected between 9am and 3pm.

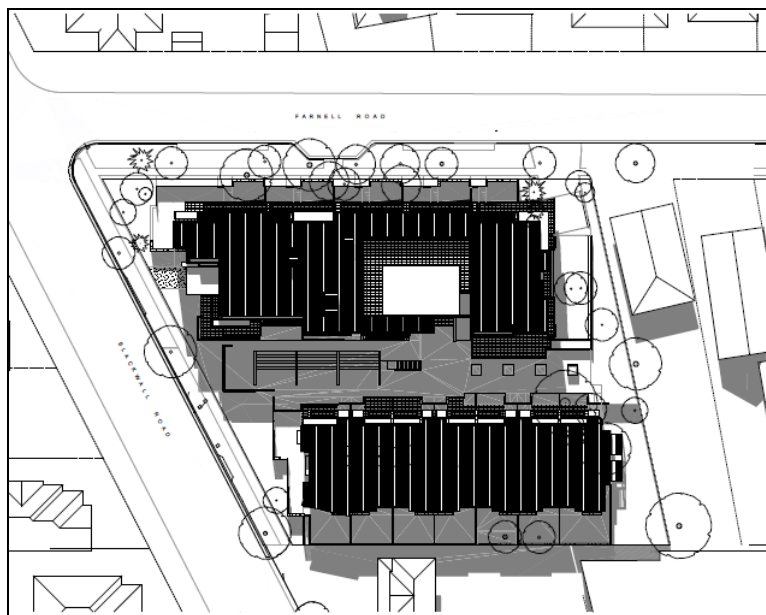


Figure 10 - Winter Solstice, 22 June, 12 NOON

At 3pm during the winter solstice (22 June), additional shadows cast by the development will encroach to a minor extent into the residential property located at No. 6 Farnell Road, Woy Woy and No. 178 Blackwall Road (refer to Figure 11). Despite this, no objection is made given the outdoor areas of these properties will receive adequate solar access between 9am and 3pm during the winter solstice.

In view of the above considerations, Council staff raised no objection with the shadows cast by the proposed development, as compliance is achieved with the GDCP 2013 and the *Apartment Design Guide* (ADG).

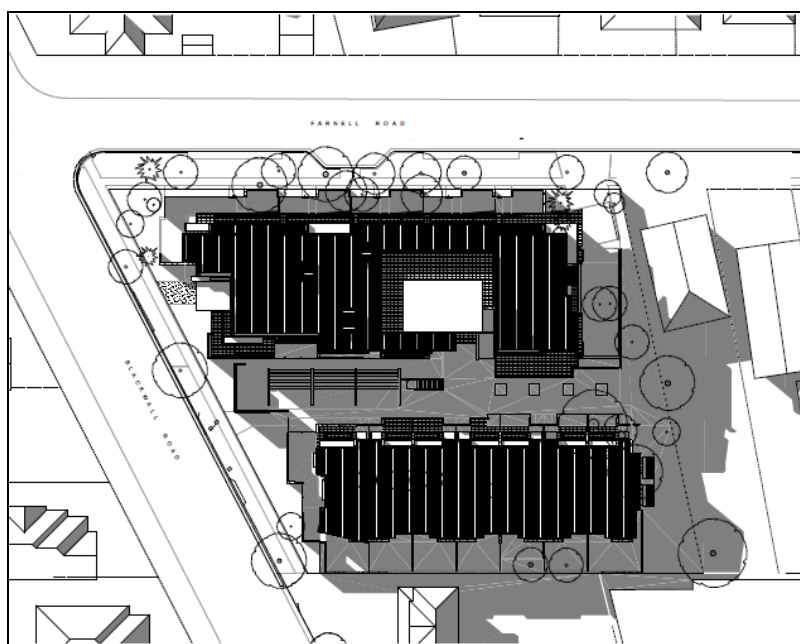


Figure 11 - Winter Solstice, 22 June, 3pm

- ***The proposal is out of character with the area.***

Comment

The subject site is within the Sandplain Medium Density Character Statement No. 8 of *Gosford Development Control Plan 2013* (GDCP 2013).

The design of the development is structured as a compound of two separate building forms. The buildings are surrounded by deep soil planting on the boundaries and open space within the site that is consistent with maintaining landscaping and green space. Whilst the proposed development includes a higher density of residential development than that which exists in the immediate locality, it is considered that the transition between neighbouring development and the proposed development is acceptable. It is also noted that the area is undergoing a transition from primarily single storey detached dwellings to residential units/townhouses at a variety of building heights– there are already a significant number of single and two-storey multi-unit residential developments in the immediate locality.

It is considered the development does not propose a bulk and scale that will adversely affect the scenic quality of the area. Furthermore, views to the waterway to the east will be maintained around and through the site. The use of landscaping on boundaries of the proposal enhances the scenic quality of the area.

The development conserves, where practicable, existing visually-prominent trees, particularly along the Farnell Road and Blackwall Road street verges, while also conserving street trees to the boundary on the corner of Farnell Road and Blackwall Road. The proposal also provides spaces for new mature height trees and shrubs planted as backdrops to new buildings, as per Landscape Plan by Jackie Amos Landscape Architect – Issue C.

- ***The height and floor space ratios proposed are higher than allowed. The proposal remains an overdevelopment, exceeding the allowed building height and floor space ratio. The building is out of proportion with its site and surroundings.***

Comment

As stated there are variations to cl.4.3 (Height of Buildings) and cl.4.4 (Floor Space Ratio) of the GLEP 2014. Clause 4.6 of the *Gosford Local Environmental Plan 2014* (GLEP 2014) provides for flexibility in the application of development standards with objectives to:

' ... provide an appropriate degree of flexibility in applying certain development standards to particular development'

and to:

'... achieve better outcomes for and from development by allowing flexibility in particular circumstances'

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

When assessing proposals which aim to vary building standards (in accordance to Clause 4.6 of the LEP) in relation to Building Height and Floor Space Ratio then matters of amenity (such as overshadowing of private open space or noise impacts due to the non-compliant areas of the design) are considered. This has been undertaken and the variations can be supported as there is minimal amenity impacts resulting in the variations due to site size, location and overall design of the proposal. The following comments are made;

The variation to cl.4.3 (Height of Buildings) under the GLEP 2014 is due to a pergola roof over a small section of roof terrace. This roof terrace is located centrally on the roof and is setback on all sides of Block N. The variation to the height does not result in any adverse amenity impacts to the closest residential property located on the eastern boundary or the public footpath.

There is minor non-compliance of 85m² with cl.4.4 (Floor Space Ratio) under the GLEP 2014. This non-compliance equates to a 2.7% variation and has been assessed and is supported due to the minimal amenity impacts.

- ***The infrastructure on the Peninsular, especially stormwater, requires upgrading and there are questions as to whether or not the current infrastructure can cope with the development.***

Comment

The development application is accompanied by Stormwater Management Report, dated 29 November 2018, and Plans, dated 27 November 2018, prepared by Northrop. Council's Development Engineer has reviewed these documents and raises no objection.

If the proposal is supported, contributions towards local government infrastructure (refer to table 1 below) will be required as a result of the subject development via s.7.11 and s.7.12 levies and civil works in the roadway adjacent to the site.

SECTION 94	Small (+) dwelling	Medium (+) dwelling	Large (+) dwelling	Single (+) dwelling	CREDITS (-) (RBF only)	CREDITS (-) (Sub. Only)	AMOUNT	ACCOUNT NO.	KEY NO.
Roadworks - Capital	\$3,924.00	\$10,458.00	\$6,104.00	\$0.00	\$2,905.00	\$0.00	\$17,581.00	02023.055.1098	789
Open Space - Land	\$13,230.00	\$35,280.00	\$17,150.00	\$0.00	\$9,800.00	\$0.00	\$55,860.00	02023.055.1099	791
Open Space - Embellishment	\$35,811.00	\$95,490.00	\$46,424.00	\$0.00	\$26,525.00	\$0.00	\$151,200.00	02023.055.1100	790
Community Facilities - Land	\$648.00	\$1,728.00	\$1,001.00	\$0.00	\$480.00	\$0.00	\$2,897.00	02023.055.1102	793
Community Facilities - Capital	\$10,044.00	\$26,784.00	\$15,624.00	\$0.00	\$7,440.00	\$0.00	\$45,012.00	02023.055.1101	792
Drainage - Land	\$2,196.00	\$6,588.00	\$3,416.00	n/a	nil	n/a	\$12,200.00	02023.055.1096	787
Drainage - Capital	\$8,451.00	\$25,362.00	\$13,153.00	n/a	nil	n/a	\$46,966.00	02023.055.1097	788
						TOTAL	\$331,716.00		

Table 1: s7.11 and s7.12 contributions

- ***Traffic and parking concerns associated with the proposed development.***

Comment

Council's Traffic and Transport Planner has assessed the *Traffic and Parking Impact Assessment Report*, by AArqm dated May 2018, which states that the proposal results in a traffic generation of approximately 23 peak hour vehicle trips in the AM and PM peaks.

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

This is capable of being accommodated within the road network. The traffic and safety impacts associated with the proposed development have been assessed and no significant change in the performance of the surrounding network is anticipated as a result of this development.

The proposed basement parking accommodates the required number of parking spaces in accordance with GDCP 2013. Furthermore, the consolidation of five driveways (currently serving the five existing separate Lots) into one single driveway, allows for reduced hardstand driveway crossings on the footpath and the opportunity for improved amenity by replacing separate driveways and access crossings with turfed and landscaped areas along the street frontage.

In terms of traffic impacts during the construction phase, a Traffic and Pedestrian Management Plan is required to be submitted prior to the commencement of works (refer proposed **Condition 3.6**).

- ***The development will negatively impact the amenity of residents in the adjoining streets by creating significant privacy impacts.***

Comment

The site is a corner allotment, therefore two out of the four boundaries are adjacent to residential allotments, while the remaining two boundaries are adjacent to a roadway (refer to Figures 12 - 15).



Figure 12 – Proposed setbacks Ground Floor

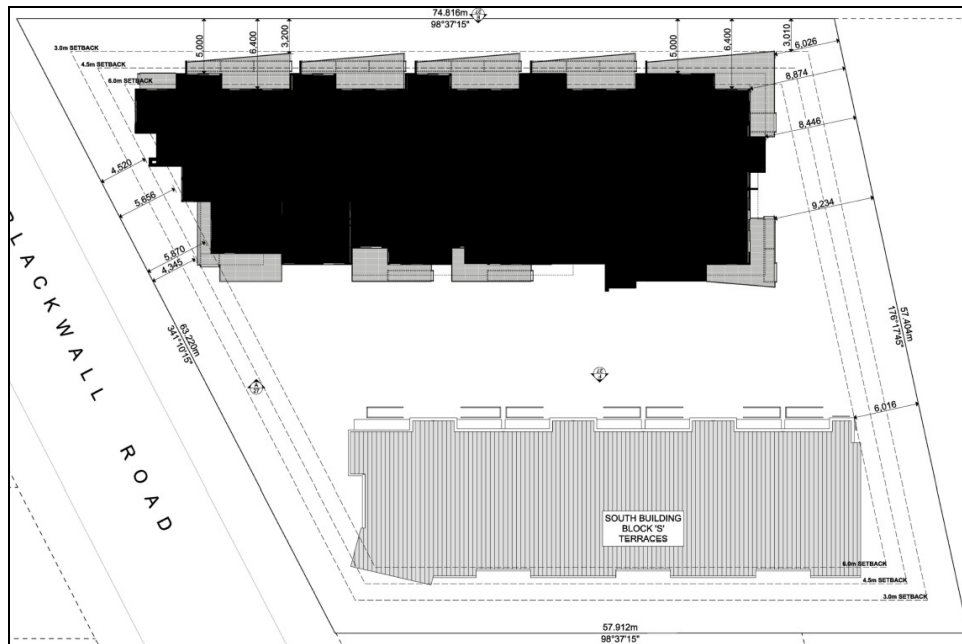
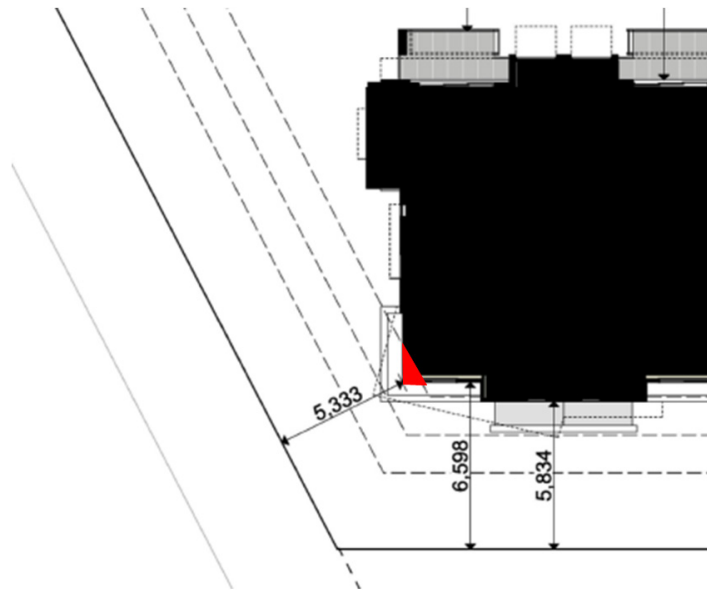


Figure 13 – Proposed setbacks Second Floor (uppermost portion)



**Figure 14 – Proposed Blackwall Road front setback at Ground Floor – Building S
(non-compliant portion is highlighted in red)**



**Figure 15 – Proposed Blackwall Road front setback at First Floor – Building S
(non-compliant portion highlighted in red)**

Building N (three storey residential flat building)

Building N is defined as a *residential flat building*, and the provisions of the *Apartment Design Guide* (ADG) apply, rather than GDCP 2013 in relation to separation distances to side and rear boundaries.

Minimum required separation distances from building N to the side and rear boundaries are 6m for habitable areas (3m for non-habitable areas). At the eastern rear elevation (adjacent to No.6 Farnell Road), the proposed development includes a 10.8m setback (to a habitable area) at the ground floor, a 6m setback to balconies on Level 1 and Level 2. The eastern setback of Building N is compliant with regards to separation distances.

A 6m setback is required to habitable areas along the northern façade (adjacent to Farnell Road). The proposed development is non-compliant in terms of setbacks on this frontage and this is, in part, a result of the building having an articulated architectural design in order to provide interest and variation in the elevation. The proposed minimum setback is 5m at the ground floor to a habitable area (a window and living area), representing a 1m (17%) variation. Some sections of the building achieve the 6m required setback at the ground floor. At Levels 1 and 2 there are proposed balconies with a 3m setback which is a 3m (50% variation). Some sections of the building at Levels 1 and Level 2 have setbacks of between 5m and 6.4m. These non-compliances to the setback occur adjacent to Farnell Road and do not result in overlooking to any residential properties.

It is considered the design of the development provides reasonable amenity for adjoining development and proposed dwellings notwithstanding the reduced setbacks for the following reasons;

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

- In terms of solar access, the orientation of the site allows adequate solar access to be achieved to adjoining sites.
- In terms of privacy, at ground level, courtyards are integrated with living spaces along the northern side boundaries which are adjacent to a roadway rather than a residential allotment.
- In terms of privacy, adequate building separation and space for landscaping opportunities are considered to provide a satisfactory level of privacy and amenity to the adjacent roadway and the sites to the north, located across the Farnell Road roadway.

Building S (two storey townhouses)

Building S is not defined as a *residential flat building*, therefore the guidelines contained in GDCP 2013 apply.

The Blackwall Road setback (western front) at ground floor to first floor is non-compliant with a minimum setback of 4.2m at the corner of Town house No. S28, representing a variation of 1.8m or 30%. This variation is limited to a small corner of the building which presents to Blackwall Road and does not overlook any residential properties. Along this frontage Building S has a varied setback (from the non-complaint 4.2m to 10m).

The setback to habitable rooms on the southern boundary is 5.8m (adjacent to No. 178 Blackwall Road). This is a minor non-compliance of 200mm and will not result in significant privacy impacts due to the position of the windows in relation to No. 178 Blackwall Road. A 6m setback is required to the rear (eastern) boundary. The eastern rear setback at ground floor is non-compliant with a minimum setback of 5m, representing a variation of 1m or 17%. This non-compliant portion is limited to a small corner of the Town House (No. s34) and does not result in any privacy impacts as it is located adjacent to the rear garden of No. 6 Farnell Road.

A commercial building is located at No.182 Blackwall Road, with only town house No. s34 being located in proximity to the commercial building. There are no privacy implications regarding the 200mm non-compliance with setback at this point.

It is considered the design of the development provides reasonable amenity for adjoining development and proposed dwellings notwithstanding the reduced setbacks for the following reasons;

- In terms of solar access, the orientation of the site adequate solar access will be achieved to adjoining sites.
- In terms of privacy, at ground level, courtyards are integrated with living spaces along the western front and northern side boundaries which are adjacent to a roadway rather than a residential allotment.

- In terms of privacy, adequate building separation and space for landscaping will provide an acceptable level of privacy and amenity to the adjoining site to the east, No. 6 Farnell Road.
- Despite non-compliance to the minimum setback standards, the proposed development offers a design with articulated facades, providing some sections with minor non-compliance with required standards but other sections of façade which meet (and exceed) setback requirements. This provides architectural interest in the design and removes the potential for blank/bland walls.
- ***Flora and fauna loss as a result of the development.***

Comment

The proposal does not result in the disturbance of any endangered flora or fauna habitats and will not significantly affect fluvial environments. Further, the proposal incorporates satisfactory retention of eight (8) existing street trees and provides for five (5) replacement trees along Blackwall Road and Farnell Road, as per the Landscape Plan by Jackie Amos Landscape Architect – Issue C.

- ***The proposed vehicle access will negatively impact the amenity of residents in the adjoining streets.***

Comment

Concern was raised in submissions with the potential noise impact on neighbouring residence at No. 8 Farnell Road from the vehicle access ramp to the north-eastern corner of the proposal. It is not considered this element will adversely impact upon the amenity of the neighbouring residents. A landscaped setback of 1.5m to 4.5m is proposed providing separation between the ramp and No. 8 Farnell Road. This landscaped setback along the driveway is capable of providing shade trees (8 – 10m tall) and hedge planting.

The modelled post-development scenario as stated in the Traffic and Parking Impact Assessment Report, by AArqm dated May 2018, results in an associated traffic generation of approximately 23 peak hour vehicle trips in the AM and PM peaks. This is capable of being accommodated within the road network.

With regards to the noise from the garage door to the basement car parking, the garage door (noise source) is located at the lowest point of the vehicle ramp below natural ground level and encased by walls on either side. Therefore any potential noise will be contained.

- ***The proposed development will negatively impact the amenity of residents by creating significant odour and noise impacts.***

Comment

In terms of noise impacts as a result of construction works, the creation of a noise management plan during construction works is included as a condition of consent (refer to **Condition's 2.11 and 4.14**).

In terms of noise impacts as a result of internal noise from within the building, maximum noise level requirements will be included as a condition of consent to ensure the design the building does not exceeded the prescribed internal levels as per recommended **Condition 2.12**, provided below:-

Condition 2.12

Design the building so the following internal LAeq levels are not exceeded:

- a) in any bedroom in the residential accommodation—35 dB(A) at any time between 10 pm and 7 am,*
- b) anywhere else in the residential accommodation (other than a garage, kitchen, bathroom or hallway)—40 dB(A) at any time.*

The original proposal included one waste storage area located to the frontage of Blackwall Road, and one waste storage area located along the eastern boundary. The provision of two separate waste storage areas for the development was not deemed unacceptable.

In response to the above, the proposed development was amended ensuring bins are stored in the basement and relocated to the Farnell Road kerb for collection via a service lift and then returned to the approved waste bin storage enclosure no later than the evening of the day of collection (refer to **Condition 6.12**). This service lift is located adjacent to Farnell Road to ensure travel distance is reduced. The waste collection vehicle will remain on the street rather than accessing the site at its north-eastern corner. The amended design has relocated two permanent waste storage areas from on-grade to the basement, which in terms of odour and visual impacts is a significant improvement.

With regards to the amount of bins required to be left on the kerb for pick up, Clause 7.2.16.4 of the GDCP 2013 states that residential flat buildings having 18 units or less can be serviced at the kerbside – this clause was written at a time when the maximum residential bin size was 240 litres - resulting in a maximum of 36 bins. This was subject to a sufficient frontage being available for kerbside collection.

This proposal is for a 34 unit development which would normally require on-site basement waste collection. However, a recent change in Councils waste collection contract makes provision for larger (360 litre) bins. As a result, the proposed development can be serviced through provision of a lesser number of bins than nationally permitted under Clause 7.2.16.4

(a maximum of 24 bins for recycling and waste collection and 28 bins on alternate week pickup which includes green waste).

The waste schedule will mean 24 bins (recycling and mixed waste) to be picked up fortnightly and 28 bins on an alternate fortnightly pick up (green waste and mixed waste). There is sufficient kerbside space available for collection.

There is a 16 unit (89%) variation to this Clause when considering unit numbers, despite being a lower number of actual bins for collection. However, changes in Council's waste collection contract means that the proposed waste servicing outcome has less kerbside impact than previously allowed under the GDCP 2013 for an 18 unit development. On this basis, a variation to the GDCP 2013 standard is considered appropriate.

- ***During the construction phase there are concerns regarding the movement of heavy vehicles, the parking of tradesman vehicles the noise associated with the works and increase in traffic.***

Comment:

A Construction and Traffic Management Plan is required as a condition of consent to be prepared prior to the commencement of any works (refer to **Condition 3.6**).

Conditions of development consent are also recommended for imposition requiring dilapidation surveys and structural engineer's certification of those properties adjoining the site. These must be submitted and approved by the Principal Certifying Authority prior to the issuing of any Construction Certificate (refer to **Condition 2.7**).

- ***The development does not address climate change and ecologically sustainable development principles.***

Comment

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

The design incorporates all BASIX energy efficiency requirements and satisfies the requirements under chapter 4U Energy Efficiency and 4V Water Management and Conservation in the *Apartment Design Guide* (ADG).

- ***Light pollution from the development.***

Comment

Concern was raised in submission with the potential light spillage from the outdoor areas (balconies) and the number of window and door opening serving the eastern elevation of the proposal.

It is considered general residential lighting from the development will not adversely impact upon the amenity of the neighbouring residents, due to the provision of adequate building separation. The external walls of the four units located to the eastern corner of Building N (first floor and second floor) are adequately setback, exceeding the required 6m setback from the eastern boundary. In addition screening devices (horizontal louvered panels) are proposed to the balconies of these four units to mitigate potential light spillage.

- ***The proposed development will devalue surrounding properties.***

Comment:

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

- ***A three storey building would create a precedent as there are currently no buildings within the vicinity of this height.***

Comment

This development is not contrary to the requirements envisaged for this R1 General Residential zoned area, and the design is supported. Three storey developments are reasonable in this location, given the development envelopes identified in cl.4.3 Height of Buildings and cl.4.4 Floor Space Ratio of GLEP 2014. Further, a three storey building has recently been constructed on the corner of Blackwall Road and Terry Avenue, Woy Woy.

Public Authority Consultation / Approvals

- NSW Roads and Maritime Services (NSW RMS)

Comment

NSW RMS has advised now that the proposal has been amended, with all vehicular access to the basement being from Farnell Road, no objection to the proposal is raised.

Internal Consultation

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

- *Architect*

Comment

Council's Architect has reviewed the proposal and has supported the application with conditions. Detailed comments are provided under *State Environmental Planning Policy No 65 – Design Quality of Residential Apartment Development* (SEPP 65) Assessment.

- *Engineering*

Comment

Council's Development Assessment Engineer has reviewed the proposal and supports the application subject to conditions.

- *Traffic and Transport Planner*

Comment

Council's Traffic and Transport Planner has reviewed the proposal and supports the application without conditions.

- *Department Waste Services (Garbage)*

Comment

Council's Waste Services Officer has reviewed the proposal and supports the application subject to conditions.

- *Water and Sewer*

Comment

Council's Water and Sewer Officer has reviewed the proposal and supports the application subject to conditions.

Ecologically Sustainable Development 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 development application having regard to the former Gosford City Council's Climate Change Policy and the following policy commitment statement:

'Prepare, implement and review plans and strategies inclusive of consideration of risk from future sea level rise, and address the issue of, how to beneficially use coastal areas while recognising the long term need to protect, redesign, rebuild, elevate, relocate or retreat as sea levels rise.'

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 to 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 Planning Certificate details, the assessment has identified the following key issues, which are elaborated upon for Council's information.

Provisions of Relevant Instruments / Plans / Policies

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 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 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 55 – Remediation of Land

The provisions of this *State Environmental Planning Policy No 55 – Remediation of Land* (SEPP 55) apply however, the site has a history of being utilised as a residential premises and so contamination is not likely to be present. In accordance with cl. 7(2) of the SEPP, no further consideration is required in this regard.

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. The Design Verification Statement which accompanies the application demonstrates consistency with the design quality principles.

Council's Architect has provided advice in relation to the SEPP 65 Design Quality Principles and supports the development application for the following reasons:

- **Context:** The site is located on the corner of Blackwall Road and Farnell Road. The site has single storey residences directly adjoining on the east and south with low rise villas and townhouse buildings on the opposite sides of Blackwall and Farnell Roads.

This medium density residential development is considered appropriate in this location for a site zoned R1 General Residential.

The use of underground parking is strongly supported and makes a significant contribution to an acceptable architectural and urban design outcome.

- **Built Form and Scale:** It is acknowledged that three storeys is higher than many existing buildings in the area. However, the application complies with height controls in terms of

number of storeys permitted. Only a minor height breach of 0.83m is proposed, which pertains to a small section of pergola covering a portion of the rooftop open space area.

A three storey building has recently been constructed on the corner of Blackwall Road and Terry Avenue, Woy Woy (refer to Figure 16).



Figure 16 – DA45144/2014, corner of Blackwall Road and Terry Avenue, Woy Woy

The three storey section of the proposed development is located within the Blackwall Road and Farnell Road corner of the site. A two storey cantilevered element provides a defining corner element (refer to Figure 17).



Figure 17 – Western Elevation detailing the corner articulation at Blackwall Road and Farnell Road

The proposed development represents an amalgamation of five sites which is an outcome that is encouraged and provides adequate setbacks from the streets and adjoining sites so as not to result in any overshadowing or detrimental impacts on adjoining sites. Lightweight cladding materials and glass balustrades are incorporated into both streetscape façades to reduce bulk.

The roof form, as viewed from the Farnell Road and Blackwall Road streetscape, is concealed by parapets set at different heights in order to reduce visual impact.

The amended design proposes an increased setback to the north-eastern corner, allowing improved amenity to the adjoining residential Lot at No. 8 Farnell Road. Landscaping within this setback along the entire eastern boundary provides for large tree species to provide screening and visual separation to the adjoining site.

The design steps the shape and height of all visible facades, provides at least one wide landscaped setback that varies in width, and lines Blackwall Road and Farnell Road with avenues of trees and shrubs.

- **Density:** The permissible density is 0.85: 1. The proposed density has been reduced to 0.87:1 or 85m² or 2.7% above the permissible. Previous concerns regarding privacy to the eastern setback of the proposal have been addressed. The two and three storey building is compliant with the maximum of three storeys.
- **Sustainability:** NatHERS certificate supporting the development application confirms compliance with mandatory energy efficiency standards. In addition, the design responds to sustainability principles by focusing on natural ventilation and access to natural light.
- **Landscape:** The eastern boundary setback allows this area to be fully planted with a mix of large shrubs (3 - 4m minimum mature height) and trees (8 – 10m minimum mature height) necessary for outlook and screening.

The proposed consolidation of five existing driveways into one driveway has allowed for additional tree planting along Blackwall Road and Farnell Road, in lieu of the driveways. Further, landscape screening between the vehicle driveway and neighbouring allotment has now been provided. It is considered the transition between neighbouring development and the proposed development is acceptable. The use of landscaping on all boundaries of the proposal enhances the scenic quality of the area.

- **Amenity:** The ground floor communal space is surrounded by two and three storey high walls with overhanging balconies and a large portion of this space will be in permanent shade in mid-winter. However, it is accepted that the remaining small portion of this space does receive sunlight in mid-winter. In addition, it is accepted that a covered roof top communal space has also been provided. This space is covered by only a portion of roofing therefore allowing solar access for acceptable amenity and usability.
- **Safety:** Balconies and windows overlook the street and common areas to provide surveillance, while varied fence heights are proposed along Farnell Road, ranging from 1.4m to 1.8m. Approximately half of this fencing is timber panelling to permit some activation of the street.

- **Housing Diversity and Social Interaction:** The application provides 1, 2 and 3 bedroom units, as well adaptable units to cater for a variety of occupants.
- **Aesthetics:** The aesthetics are acceptable. The building is articulated and uses variations in material to disguise bulk and scale.

The ADG provides objectives, design criteria and design guidance on how residential development proposals can meet the Design Quality Principles contained within Schedule 1 of SEPP 65, through good design and planning practice. The proposal is considered acceptable having regard to the requirements of the ADG. For further consideration, refer to the ADG Compliance Table contained within **Attachment 3**.

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 a relatively close proximity to the 'strategic centre' of Woy Woy and the 'regional city' of Gosford (refer to Figure 18).

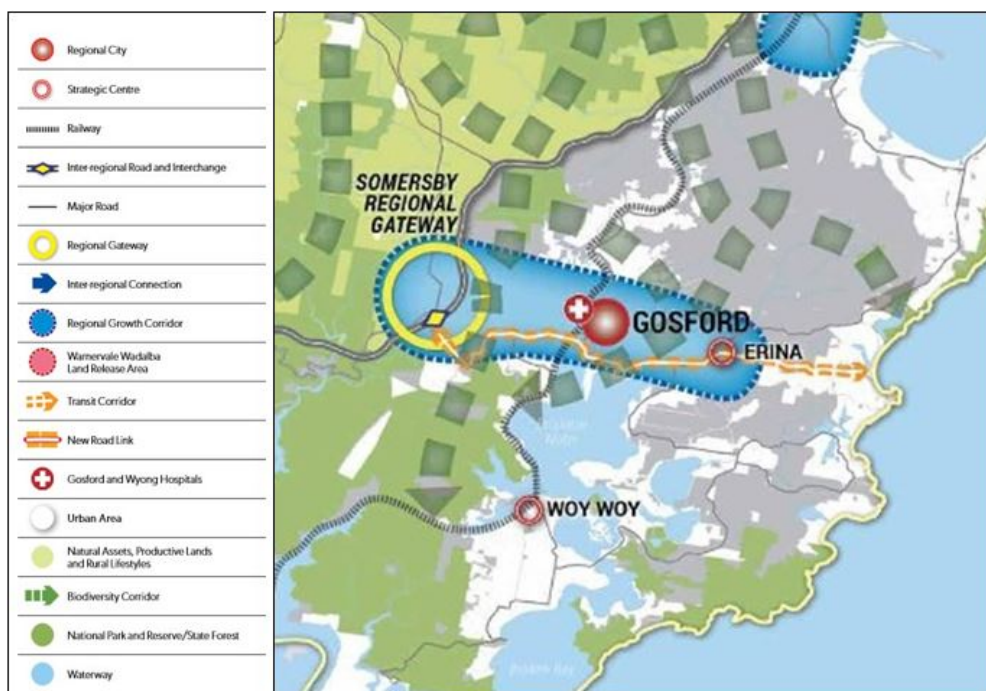


Figure 18 - Central Coast Regional Plan 2036

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 lot consolidation and redevelopment of the site is 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 development is generally consistent

with the locality in providing for additional population accommodation that will not adversely impact residential amenity nor create additional demands upon public infrastructure.

Central Coast Council 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 will not adversely impact residential amenity nor create additional demands upon public infrastructure further to that envisaged by the R1 General Residential zone.

Draft Central Coast Local Environmental Plan

Following a review of the Draft Central Coast Local Environmental Plan 2018 (Draft CCLEP 2018) which is being exhibited until 27 February 2018, the zoning of the subject site remains R1 General Residential, where multi dwelling housing and residential flat buildings remain permissible uses with the obtainment of development consent.

Gosford Local Environmental Plan 2014 (GLEP 2014)

Zoning and Permissibility

The subject site is zoned R1 General Residential under the provisions of GLEP 2014. Development for the purposes of residential flat building and multi-dwelling housing is permissible within the R1 General Residential.

The R1 General Residential zone is based on the following objectives:

- *To provide for the housing needs of the community.*
- *To provide for a variety of housing types and densities.*
- *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 promote best practice in the design of multi dwelling housing and other similar types of development.*

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

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

The proposal will assist in meeting the housing needs of the community within a medium density residential environment. The proposed development is two and three storeys in height and maintains and enhances the residential character and amenity of the surrounding area.

Development Standards

An assessment of the proposed development against the relevant planning controls stipulated in the GLEP 2014 is detailed below.

Development Standard	Required	Proposed	Compliance with Controls	Variation %	Compliance with Objectives
Clause 4.4(2) (Floor Space Ratio)	0.85:1 maximum	0.87:1	No - see comments below	2.7%	Yes - see comments below
Clause 4.3(2) (Height of Buildings)	11m maximum	11.83m	No - see comments below	7.5%	Yes - see comments below

Clause 4.3 Height of building

Clause 4.3(2) of GLEP 2014 provides that the height of a building on any land will not to exceed the maximum height shown for the land on the Height of Buildings Map. The maximum height shown on the relevant map is 11m. The GLEP 2014 defines this as the height above existing ground level.

The proposed development exceeds the maximum building height, as follows:

- The main roofline for the Building N is at 10.08m height, which is below the 11m height control, as identified in Figure 19. The building design includes a rooftop terrace with a portion covered by pergola. The maximum height of the pergola is 11.83m. The height of the pergola requires variation to the maximum height of 11m and exceeds the height control by 0.83m (7.5% variation) for the roof terrace pergola only. The area of the roof terrace pergola is 97m², with a length of 13m. The roof terrace is located well away from the side and rear boundaries of the subject land (situated centrally on Building N, closest to the northern, Parnell Street frontage). The length of the Farnell Road frontage is 74.82m. As such, the non-compliant pergola, at 13m in length, represents a variation along 17% of that street frontage.



Figure 19 - Section of the proposed development



Figure 20 - West elevation of the proposed development

A cl. 4.6 variation to the development standard has been submitted, which is addressed below.

Clause 4.4 Floor space ratio

Clause 4.4(2) of GLEP 2014 provides that the maximum floor space ratio (FSR) permitted for a multi dwelling housing development and residential flat building development in the R1 General Residential zone under the Floor Space Ratio Map is 0.85:1.

An amended proposal was received which reduced the previous floor space ratio of 0.88:1 to 0.87:1. The proposed FSR is 0.87:1 or 2.7% above the maximum permitted and does not comply with this requirement. The Applicant has sought to vary cl. 4.4(2) under cl. 4.6 of GLEP 2014.

Clause 4.6 Exceptions to development standards

Clause 4.6 (Exceptions to Development Standards) variations for the non-compliances associated with building height (cl. 4.3 of GLEP 2014) and floor space ratio (cl 4.4 of GLEP 2014) were provided.

In accordance with cl. 4.6 of GLEP 2014, development consent must not be granted for a development that contravenes a development standard unless the consent authority is

satisfied that the applicant's written request has adequately addressed the matters required to be demonstrated in subclause (3). Subclause 3 provides:

Development consent must not be granted for development that contravenes a development standard unless the consent authority has considered a written request from the applicant 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.'*

A cl. 4.6 (Exceptions to Development Standards) variation for the non-compliance associated with **building height** (cl. 4.3 of GLEP 2014) was prepared and provided by the applicant. The cl. 4.6 of GLEP 2014 request submitted by the applicant states how strict compliance with the development standards is unreasonable or unnecessary (having regard to the decision in *Wehbe v Pittwater Council [2007] NSW 827*) and how there are sufficient environmental planning grounds to justify the contravention, is summarised below:

- *The extent of the variation to the height controls is shown on the attached architectural plans and is considered to be justified due to the design merit of the building, its relationship to the future streetscape and the overall bulk and scale of the building.*
- *Is a high quality residential development that provides a high level of articulation and effective and efficient floor space, optimises the development outcomes for the site whilst being mindful of bulk and scale.*
- *It represents only a relatively minor variation to the established maximum height limits for buildings along the Blackwall Road arterial road corridor.*
- *Ensures that buildings and public areas continue to receive satisfactory exposure to sky and sunlight.*
- *The proposal will improve the architectural standard of the locality and compliment future development in the precinct. It will also enhance the improving built quality of the adjacent residential developments in the surrounding medium density precinct.*
- *The design response to the existing streetscape conditions and viability of the high quality design and residential unit yield has necessitated the minor increase in height beyond the current maximum of 11 metre height limit so as to provide for the rooftop communal area and lift overrun. By allowing the minor variation to the maximum building height results in a more efficient and orderly use of the land and will produce a better outcome than would otherwise be the case if strict adherence to the standard were observed.*

A cl. 4.6 (Exceptions to Development Standards) variation for the non-compliance associated with **floor space ratio** (cl 4.4 of GLEP 2014) was provided. The cl. 4.6 of GLEP 2014 request submitted by the applicant states how strict compliance with the development standards is

unreasonable or unnecessary (having regard to the decision in *Wehbe v Pittwater Council* [2007] NSW 827) and how there are sufficient environmental planning grounds to justify the contravention, is summarised below:

- *The proposal seeks a floor space ratio higher than the maximum permissible floor space ratio under Clause 4.4 of the Gosford Local Environmental Plan 2014.*
- *The extent of the minor variation to the floor space ratio controls is shown on the attached architectural plans and in Table 1 and is considered to be justified due to the design merit of the building, its relationship to the future streetscape and the overall bulk and scale of the buildings.*
- *The proposed development has been designed with two (2) and three (3) levels over basement car parking with fully landscaped perimeter setbacks and courtyards and rooftop communal area. The building design substantially improves street activation to both Blackwall Road and Farnell Road with substantial façade articulation to both frontages.*
- *By allowing the minor variation to the floor space ratio results in a more efficient and orderly use of the land and will produce a better outcome than would otherwise be the case if strict adherence to the standard were observed.*
- *The proposed development recognises the need to control building density and bulk in relation to site area in order to achieve the desired future character for different locations. The proposed building design maintains a similar building envelope to that which would be achieved by meeting the current standard whilst seeking to lift the design standards of the Blackwall Road arterial road corridor and setting new design and architectural standards for future buildings.*
- *The proposed development minimises any adverse environmental effects on the use or enjoyment of adjoining properties and the public domain through good building design that meets the requirements of SEPP65 by (iv) providing an appropriate correlation between the size of a site and the extent of any development on that site through good urban design and building articulation; and (v) facilitating design excellence by ensuring the extent of the proposed floor space in the building envelope leaves generous space for the articulation and modulation of design and open space/communal areas.*
- *Strict compliance would restrict building height and subsequent floor space outcomes to the extent that the alternative would be an underutilisation of the site in an area within the Blackwall Road arterial road corridor that seeks higher height and density outcomes.*

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

- a) *to establish maximum height limits for buildings.*

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

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

In this instance, it is considered that the additional building height, of 0.83m (resulting from the roof of the terrace area), 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.

Shadow diagrams for 22 June (midwinter) have been submitted which illustrate the overshadowing generated by the proposal. At 9am on 22 June (midwinter), shadows cast by the proposed development are not dissimilar to a compliant height shadowing impact:

- Shadows cast at 9am will impact the foot path directly adjacent to the site on Blackwall Road, however, it is noted this loss of solar access would remain with a height compliant development.
- The shadow diagrams supporting the subject development application indicate that at 3pm on June 22 (midwinter) the proposed development will overshadow the private open space associated with residential development at No. 6 Farnell Road, Woy Woy. No objection is made in this instance in that the affected areas will receive adequate solar access at 9am and midday on 22 June (midwinter).
- No. 178 Blackwall Road loses all solar access during midwinter to its northern elevation. However, the majority of the shadows cast by the proposed development will fall onto the roof of an existing carport. There are no windows serving any living areas on the northern part of No. 178 Blackwall Road. Further, more than 50% of the outdoor private open space located to the rear of No. 178 Blackwall Road will retain unaffected solar access between 9am and 3pm.

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

The desired height transition from higher buildings in the R1 Residential Zone, to lower buildings in the R1 Residential Zone, will be achieved as a result of the proposed development.

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

The subject site has not been identified as being located within a protected view corridor.

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

The proposal does not cause overshadowing to public open space areas.

The cl.4.6 of GLEP 2014 variation request submitted by the applicant also provides assessment of the proposal against the relevant development standard and zone objectives, and Council is satisfied that the applicant has demonstrated consistency with these objectives such that the proposal is in the public interest.

In order to demonstrate if the proposal has merit, consideration of the proposed **floor space ratio** non-compliance has been provided with regard to the objectives of the control contained within cl. 4.4(1) of GLEP 2014:

- a) to establish standards for the maximum development density and intensity of land use*

The maximum floor space ratio for buildings has been identified for this property.

- b) to control building density and bulk in relation to site area in order to achieve the desired future character for different locations*

The proposal does not result in excessive building bulk and scale. The proposal is consistent with zone objectives and provides for medium density residential development which is consistent with development in the locality.

- c) to minimise adverse environmental effects on the use or enjoyment of adjoining properties and the public domain*

The minor non-compliance with floor space ratio does not exacerbate overshadowing. Adequate separation is achieved between developments on adjoining properties and is not considered to have unreasonable impacts on future developments. In light of the above, it is considered that the proposed variation in no way hinders the attainment of this objective.

- d) to maintain an appropriate visual relationship between new development and the existing character of areas or locations that are not undergoing, and are not likely to undergo, a substantial transformation*

The proposal maintains an appropriate visual relationship with neighbouring properties and will not result in a visually prominent development when viewed from public spaces in the vicinity of the site. In light of the above, it is considered that the proposed variation in no way hinders the attainment of this objective.

- e) to provide an appropriate correlation between the size of a site and the extent of any development on that site*

Clause 4.4 (Floor Space Ratio) of GLEP 2014 establishes a maximum floor FSR for buildings. The applicable FSR control is 0.85:1. The maximum gross floor area permitted on the subject site is 3,163m². The proposed development has a maximum FSR of 0.87:1, representing a 0.02:1 or 2.7% variation with the development standard. The maximum floor space proposed on the site totals 3,248m², 85m² greater than that permitted.

The proposed exceedance of the maximum permissible floor space is associated with approximately one of the residential units located at the uppermost level of the development. However, despite this variation, it is considered the proposed development will maintain an appropriate visual relationship with existing and future development in the locality, without causing unreasonable amenity impacts to adjoining properties.

Based on the consideration of this objective, Council is advised that compliance with the development standard is unnecessary, as the proposed additional FSR does not hinder the objective being realised.

- f) to facilitate design excellence by ensuring the extent of floor space in building envelopes leaves generous space for the articulation and modulation of design*

Council's Architect has reviewed the amended proposal and raised no objection.

- g) to ensure that the floor space ratio of buildings on land in Zone R1 General Residential reflects Council's desired building envelope*

The majority of the proposed building form is within the maximum height and floor space ratio applicable to this site.

- h) to encourage lot amalgamation and new development forms in Zone R1 General Residential with car parking below ground level*

The proposal, located in an R1 Low Density Residential zone, includes the amalgamation of the five (5) allotments with basement parking. This meets the above objective.

The cl.4.6 of GLEP 2014 variation request submitted by the applicant also provides assessment of the proposal against the relevant development standard and zone objectives, and Council is satisfied that the applicant has demonstrated consistency with these objectives such that the proposal is in the public interest.

In accordance with cl. 4.6(4)(b) development consent must not be granted for development that contravenes a development standard unless the concurrence of the Secretary has been obtained.

Planning Circular PS 18-003, 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 cl.4.6 of GLEP 2014 if the development contravenes a development standard by greater than 10%. In this instance, the proposed variations do not exceed 10%, and the concurrence of the secretary can be assumed.

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

- *Wehbe v Pittwater Council [2007] NSWLEC 827*
- *Four2Five Pty Ltd v Ashfield Council [2015] NSWLEC 1009*
- *Four2Five Pty Ltd v Ashfield Council [2015] NSWLEC 90*
- *Four2Five Pty Ltd v Ashfield Council [2015] NSWCA 248*

The cl. 4.6 (Exceptions to Development Standards) of GLEP 2014 request submitted by the applicant appropriately addresses the relevant principles and exhibits consistency with the relevant objectives under GLEP 2014.

This assessment concludes that the cl. 4.6 (Exceptions to Development Standards) of GLEP 2014 variation provided having regard to cl. 4.3 and cl. 4.4 of GLEP 2014 are well founded and worthy of support.

Clause 7.1 Acid sulfate soils

This land has been identified as being affected by the Acid Sulfate Soils (class 3) and the matters contained in cl. 7.1 of *Gosford Local Environmental Plan 2014* are relevant.

The site is classified as Class 3 (works within 1m below the natural ground surface, works by which the water table is likely to be lowered beyond 1m below natural surface). The proposed development basement excavations are up to 3m in depth.

In order to assess the risk of actual or potential acid sulfate soils being present at the subject site, and any requirements for future testing and if an Acid Sulfate Soils Management Plan are required is therefore necessary, the applicable controls are proposed in the recommended consent conditions (refer to **Conditions 2.10 and 4.13**).

Clause 7.2 Flood planning

The subject site and adjoining roadways are not located at or below the flood planning level, or affected by mapped sea level rise (refer to Figure 19).

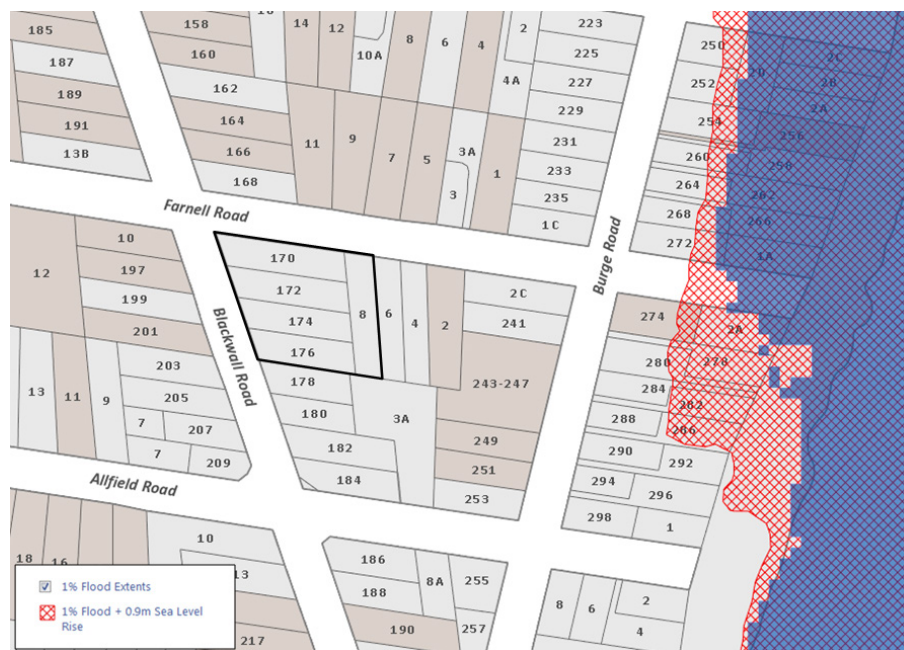


Figure 21 – Flood and Sea Level Rise mapping (site shown highlighted in black)

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 in a Compliance Table under **Attachment 3**, where it is concluded the development is appropriate in the locale.

The Likely Impacts of the Development

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) and cl.4.4 (Floor Space Ratio) under GLEP 2014 that would warrant further modification of the development application.

Natural Environment

The subject site does not contain any threatened species or habitat and will have no impact on the conservation of fish and marine vegetation. The proposal will not affect any identified wildlife corridor. The proposal is considered satisfactory in relation to impacts on the natural environment as identified throughout this report.

Economic Impacts

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

Social Impacts

No social impacts will arise from the approval of this residential development.

The Suitability of the Site for the Development

A review of Council's records has identified that the site is not impacted by constraints such as bushfire, flooding and risk of landslip.

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

- Acid Sulfate Soils: This land has been identified as being affected by the Acid Sulfate Soils (class 3) and the matters contained in cl. 7.1 of *Gosford Local Environmental Plan 2014* are relevant. Acid sulfate soils in a class 3 area are likely to be found beyond 1m below the natural ground surface. Any works that extend beyond 1m below the natural ground surface trigger the requirement for assessment and may require management. In order to assessment the risk of actual or potential acid sulfate soils being present at the subject site, and any requirements for future testing and if an Acid Sulfate Soils Management Plan are required is therefore necessary (refer to **Condition's 2.10 and 4.13**).

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 as it will provide for the housing needs of the community through provision of a variety of housing types and densities within the area.

Other Matters for Consideration

Development Contribution Plan

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

The subject site is located within Contribution Plan No. 31 Peninsula where residential flat buildings and multi-dwelling housing developments are subject to s7.11 *Contribution towards provision or improvement of amenities or services* of the EP&A Act. The applicable contribution amount was calculated and will be imposed as a standard condition of consent requiring the contribution to be paid prior to the issue of any Construction Certificate (refer to the table below and as listed in **Condition 2.3**).

SECTION 94	Small (+) dwelling	Medium (+) dwelling	Large (+) dwelling	Single (+) dwelling	CREDITS (-) (RBF only)	CREDITS (-) (Sub. Only)	AMOUNT	ACCOUNT NO.	KEY NO.
Roadworks - Capital	\$3,924.00	\$10,458.00	\$6,104.00	\$0.00	\$2,905.00	\$0.00	\$17,581.00	02023.055.1098	789
Open Space - Land	\$13,230.00	\$35,280.00	\$17,150.00	\$0.00	\$9,800.00	\$0.00	\$55,860.00	02023.055.1099	791
Open Space - Embellishment	\$35,811.00	\$95,490.00	\$46,424.00	\$0.00	\$26,525.00	\$0.00	\$151,200.00	02023.055.1100	790
Community Facilities - Land	\$648.00	\$1,728.00	\$1,001.00	\$0.00	\$480.00	\$0.00	\$2,897.00	02023.055.1102	793
Community Facilities - Capital	\$10,044.00	\$26,784.00	\$15,624.00	\$0.00	\$7,440.00	\$0.00	\$45,012.00	02023.055.1101	792
Drainage - Land	\$2,196.00	\$6,588.00	\$3,416.00	n/a	nil	n/a	\$12,200.00	02023.055.1096	787
Drainage - Capital	\$8,451.00	\$25,362.00	\$13,153.00	n/a	nil	n/a	\$46,966.00	02023.055.1097	788
						TOTAL	\$331,716.00		

Water and Sewer Contributions

The proposed development is subject to Water and Sewer Contributions.

Conclusion

The Development Application has been assessed against the heads of consideration of s.4.15 of the EP&A Act and all other relevant instruments and policies and, on balance, the proposed development is considered reasonable and therefore it is recommended that Council grant development consent approval to DA54551/2018.

Attachments

1	Development & Landscaping Plans	Attached under separate cover	D13518812
2	Gosford Development Control Plan Compliance Table	Attached under separate cover	D13488419
3	ADG Compliance Table		D13488422
4	Draft Conditions of Consent	Attached under separate cover	D13513312

Attachment 3

ADG Compliance Table

Design Criteria	Required	Proposed	Compliance
3A Site analysis	Site analysis illustrates that design decisions have been based on opportunities and constraints of the site conditions and their relationship to the surrounding context	The design is in keeping with the GDCP 2013 providing a prominent street address for a perimeter apartment block style. The building form, located on a corner site, follows the edge of both Blackwall Road and Farnell Road.	Yes
3B Orientation	Building types and layouts respond to the streetscape and site while optimising solar access within the development. Overshadowing of neighbouring properties is minimised during mid winter.	The building form opens up to gain solar access to the north, east and west. Building N appropriately addresses the street edge as viewed travelling on both Blackwall Road and Farnell Road. Overshadowing predominately falls over the adjoining street to the west and over the adjoining Lot to the south. The design has been oriented to ensure the impact on the adjoining properties and landscaped street verges provides some mid winter morning and afternoon solar access.	Yes
3C Public domain interface	Transition between private and public domain is achieved without compromising safety and security Amenity of the public domain is retained and enhanced.	The entrance to the residence is clearly identified while subtle enough as not to be confused with entrances to adjoining premises. The existing grade of the street verge is maintained and landscape with street trees in keeping with the existing.	Yes
3D-1 Communal Open Space	Minimum communal open space area 25% of the site area (930m ²)	The amended design includes communal open space areas situated on ground floor between Building N and Building S and along the front and rear landscaped setbacks (606m ²) and the rooftop terrace of Building N (166m ²). As a result of the amended design, an	No , however no objection is made in this instance.

Design Criteria	Required	Proposed	Compliance
		<p>improved 772m² or 21% of the site is communal open space resulting in a departure with the requirements of this provision by 158m² or 4%.</p> <p>For a site of this size, the minor extent of non-compliance is supported, as the principal part of the communal open space (located on the ground floor between Building N and Building S), is supplemented by:</p> <ul style="list-style-type: none"> Adequate landscaped private courtyards for amenity and outlook for residents; and Public land for open space is available within 200m to the east of the site, at the foreshore area adjacent to Brisbane Water. 	
	50% direct sunlight to principal usable part for min 2 hrs between 9am and 3pm mid-winter	<p>An improved provision for communal open space has been provided. However, from the shadow diagrams provided the design criteria for solar access has not been achieved to the principal usable part of the communal open space (located on the ground floor between Building N and Building S).</p> <p>The principal usable part of the communal open space on ground floor receives 2 hours of solar access (between 9am and midday in mid-winter), to only 25% of the area rather than the required 50% (half of the required). This represents a variation of 50%.</p> <p>The communal open space located roof terrace receives a minimum of 2 hours of solar access to a minimum of 50% of the area, therefore this portion is compliant.</p> <p>The minor variation is supported for the following reasons;</p> <ul style="list-style-type: none"> An adequate area of communal open space is provided to enhance residential amenity and to provide opportunities for landscaping; The space is designed to allow for a range of activities, respond to site conditions and be attractive and inviting; The space is designed to maximise safety. 	No , however no objection is made in this instance.
3E-1 Deep Soil Zone	Minimum 7% of the site, with minimum dimension 6m for a site greater than	Design criteria has been met. The subject site area is greater than 1,500 m ² . Minimum width provided is 6m and the total area provided is 530 m² or 14% .	Yes

Design Criteria	Required	Proposed	Compliance
	1,500m ²		
3F-1 Visual Privacy	<p>Separation between windows and balconies is provided to ensure visual privacy is achieved. Minimum required separation distances from buildings to the side and rear boundaries are:</p> <ul style="list-style-type: none"> up to 12m (4 storeys) = 6m habitable (3m non-habitable) 	<p><u>Northern side boundary (adjacent to Farnell Road):</u></p> <ul style="list-style-type: none"> GF – 5m to a window – habitable - (does not comply) 1m variation or 17% L1 – 3m to a balcony – habitable - (does not comply) 3m variation or 50% L2 – 3m to a balcony – habitable - (does not comply) 3m variation or 50% <p>A large portion of the northern external walls of Building N are setback from Farnell Road 6.4m at ground floor to level 2.</p> <p>Notwithstanding the variation noted above, the proposal is considered to meet the objectives of design of the development provides reasonable amenity for adjoining development and the proposed dwellings;</p> <ul style="list-style-type: none"> In terms of solar access, the orientation of the site allows adequate solar access to be achieved to adjoining sites. In terms of privacy, at ground level, courtyards are integrated with living spaces along the northern side boundaries which are adjacent to a roadway rather than a residential allotment. In terms of privacy, adequate building separation and space for landscaping opportunities are considered to provide a satisfactory level of privacy to the adjacent roadway and the sites to the north across the Farnell Road roadway. <p><u>Eastern rear boundary (adjacent to No. 6 Farnell Road):</u></p> <ul style="list-style-type: none"> GF – 10.8m (complies) L1 – 6m (complies) L2 – 6m (complies) 	<p>No, however no objection is made in this instance, as discussed.</p> <p>Yes</p>

Design Criteria	Required	Proposed	Compliance
		<u>Internal Separation:</u> <ul style="list-style-type: none"> All internal separation distances between Building N and Building S comply (habitable/ non-habitable/ blank wall scenarios). 	Yes
3J-1 Bicycle and Car Parking	Minimum parking provided in accordance with the Gosford DCP 2013	<p>GDCP 2013 is the applicable planning control for car parking under the ADG. The basement parking complies with the requirements of the GDCP 2013.</p> <p>Parking provided meets Central Coast Council DCP requirements of 1.5 spaces per dwelling plus 0.2 visitor spaces per dwelling</p> <p>Total required – 58 Provided; 27 Apartments – 41 spaces 7 Townhouses – 14 spaces Visitors – 7 onsite.</p> <p>Total car spaces provided: 62</p>	Yes
	Secure undercover bicycle parking should be provided that is easily accessible from both the public domain and common areas	<p>Secure and covered parking for 14 bicycles is provided in the basement Level.</p> <p>In addition, bicycle parking is provided on the ground floor, however these are not secured spaces.</p>	Yes
	Supporting facilities within car parks, including garbage, plant and switch rooms, storage areas and car wash bays can be accessed without crossing car parking spaces	<p>Garbage storage rooms have been provided in the basement. Servicing is provided by on-street kerbside collection. The path of travel from the basement storage to the collection point does not require crossing the path of dedicated car parking spaces.</p> <p>The ADG and GDCP 2013 do not identify a requirement for car wash bays in residential flat developments. However, Objective 3J- 3 of the ADG states that a car wash bay is a supporting facility within a car park. A car wash bay has been provided in the basement.</p> <p>Storage is also provided for the units in the basement.</p>	Yes Yes
4A-1 Solar and	Living rooms and private open space	19 units are required to comply (70%) 15 units provided are readily compliant (56%)	No , however no objection

Design Criteria	Required	Proposed	Compliance
Daylight Access	of at least 70% (19 out of 27) of apartments receive a minimum of 3hr sun between 9am and 3pm mid-winter	<p>representing a 4 unit (21%) variation.</p> <p>When digital solar access modelling videos were provided, the following was observed;</p> <p>Unit N06 – only achieved 9-11am (2 hours) Unit N09 – only achieved 2-3pm (1 hours) Unit N15 – only achieved 9-11am (2 hours) Unit N18 – only achieved 2-3pm (1 hours) Unit N24 – only achieved 9-11am (2 hours) Unit N27 – only achieved 2-3pm (1 hours)</p> <p>The variations noted above are supported as adequate amenity is provided for the residents of these units;</p> <ul style="list-style-type: none"> The proposal optimises the number of apartments receiving sunlight to habitable rooms, primary windows and private open space by maximising the northern orientation and limiting the number of single aspect south facing apartments; Internal amenity is maximised where sunlight is limited through the provision of courtyards, skylights and high level windows are provided as a secondary light source in habitable rooms. 	is made in this instance, as discussed
	Maximum of 15% of apartments receive no direct sun between 9am and 3pm mid-winter	<p>A maximum of 4 of the 27 units are required to comply (15%) 6 units have no direct sunlight (22%). A 2 unit variation (7%) is proposed.</p> <p>The variation is supported as adequate amenity is provided for the residents of these units;</p> <ul style="list-style-type: none"> The proposal optimises the number of apartments receiving sunlight to habitable rooms, primary windows and private open space by maximising the northern orientation and limiting the number of single aspect south facing apartments; Internal amenity is maximised where sunlight is limited through the provision of courtyards, skylights and high level windows are provided as a secondary light source in habitable rooms. 	No , however no objection is made in this instance.
4B-3 Natural Ventilation	Min 60% of apartments cross ventilated	16 units are required to comply (60%) 21 of the 27 units are cross ventilated (78%)	Yes
4C-1 Ceiling Heights	Minimum 2.7m	Complies.	Yes

Design Criteria	Required	Proposed	Compliance
4D-1 Apartment Size	1 bedroom: 50m ² 2 bedroom: 75m ² (5m ² per additional bathroom) 3 bedroom – 90m ² (5m ² per additional bathroom)	All apartment sizes are in excess of the requirements. Complies.	Yes
	Every habitable room must have a window in an external wall with a total minimum glass area of not less than 10% of the floor area of the room. Daylight and air may not be borrowed from other rooms	All habitable rooms have a window within the external wall that have a larger area than 10%.	Yes
4D-2 Room depths	Habitable room depths a maximum of 2.5 x the ceiling height. And a maximum 8m depth for open plan layouts.	All habitable rooms comply.	Yes
4D – 3 Layout	Bedroom and living room sizes – 9 & 10m ² bedrooms with min 3m width, 3.6m-4m width living rooms	Complies.	Yes
4E-1 Balconies	1 bedroom: 8m ² , min 2m depth 2 bedroom: 10m ² , min 2m depth 3 bedroom: 12m ² , min 2.4m depth	All primary balconies comply with this requirement.	Yes
	Podium/ground level private open space minimum 15m ² , minimum depth 3m	Ground level apartments comply with the 15m ² , however in some instances (2 units out of the 27 units) a 3m depth is not achieved. The areas of minimum depths are approximately 2m, representing a variation of 1m or 33%. The variation is supported as the affected terraces also have balcony areas that meet the minimum depth requirements and are well in excess of the prescribed 15m ² . In this regard no	No , however no objection is made in this instance

Design Criteria	Required	Proposed	Compliance
		objection is raised.	
4F-1 Common Circulation	Maximum of 8 apartments off a circulation core (although design guidance allows up to 12 apartments)	Complies.	Yes
4G-1 Storage	1 bedroom: 6m ³ 2 bedroom: 8m ³ 3 bedroom: 10m ³ Note: Minimum 50% within unit	Compliant storage areas are proposed in both the basement areas and individual dwellings.	Yes
4H Acoustic Privacy	Noise transfer is limited through the siting of the buildings and building layout	It is considered the apartments have been orientated so as to minimise noise from living areas and outdoor terraces. Apartments face out from building facades as much as possible and utilise both faces of the corners to minimise noise from living and adjoining outdoor balconies.	Yes
4J Noise and Pollution	The impact of external noise transfer and pollution are minimised through the siting and layout of the building.	Wet areas and utility rooms have been located adjoining stair cores and lift wells. And allowance in wall thickness is applied to accommodate discontinuous construction of walls to reduce or eliminate noise transfer.	Yes
4K Apartment Mix	A range of apartment types are provided to cater for different household types, and distributed throughout the building.	Complies. Apartment Types: 1 Bed Room Apartment single level 2 Bed Room Apartment single level. 3 Bed Room Apartment single level. 3 Bed Townhouse with 2 bath rooms, double storey.	Yes
4L Ground Floor Apartments	Maximise street frontage activation and amenity.	Complies	Yes
4M Facades	Provide visual interest whilst respecting the character of the area.	Complies	Yes
4N Roof Design	Roof features are incorporated in the roof design,	The roof treatment is set back from the building street edge to reduce bulk and scale. In contrast, the remainder of the roof form is	Yes

Design Criteria	Required	Proposed	Compliance
	response to the street and provide sustainability features.	concealed by parapets set at different heights to reduce impact. The roof design incorporates sustainability features including 3x ventilated skylights, sufficient eaves and overhangs to sufficiently shade windows from summer sun.	
4O Landscape Design	Landscape design is viable, sustainable, contributes to the streetscape and amenity.	Landscaping is provided on the northern, southern, eastern and western boundaries. In addition planting is also provided at the development rooftop via on structure planter boxes, as per the Landscape Plan – Issue C.	Yes
4P Planting on Structures	Appropriate soil depths are provided.	On-site planting complies. On-structure planting (rooftop terrace) complies in accordance with <i>Table 5 Minimum soil standards for plant types and sizes</i> .	Yes
4W Waste	Waste storage facilities are provided to minimise impacts on the streetscape, building entry an amenity of residents.	The waste storage areas on the site are within the basement and are not visible from the streetscape.	Yes
4U Energy efficiency	Development incorporates passive environmental design. Development incorporates passive solar design to optimise heat storage in winter and reduce heat transfer in summer. Adequate natural ventilation minimises the need for mechanical ventilation.	The design incorporates all BASIX energy efficiency requirements. Building and unit design and orientation are aligned to maximise heat storage in winter and cater for minimising heat exposure in summer. Maximising opportunities for cross flow ventilation is incorporated within the design. And operable ventilated skylights have been provided.	Yes Yes Yes
4V Water management and	Potable water use is minimised. Urban stormwater	Appropriate water efficiency and energy saving measures have been incorporated into the development.	Yes

Design Criteria	Required	Proposed	Compliance
conservation	is treated on site before being discharged to receiving waters.	Appropriate filtration is applied to stormwater discharge.	Yes
	Flood management systems are integrated into site design.	Onsite Sewer Detention (OSD) is incorporated into site design and integrated into street stormwater controls.	Yes



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

29 April 2019 Ordinary Council Meeting

Trim Reference: F2018/00020-06 - D13447713
Author: Nicolas Appleby, Building Surveyor
Manager: Brian Jones, Acting Unit Manager, Environment and Compliance
Executive: Scott Cox, Director, Environment and Planning

Summary

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

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

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

Recommendation

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

Background

Proposed Development	New Dwelling House
Permissibility and Zoning	The subject site is zoned R2 Low Density Residential under <i>Gosford Local Environmental Plan 2014</i> . The proposed development is defined as a dwelling house which is permissible in the zone with consent of Council.
Relevant Legislation	<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 (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 2013)</i>
Current Use	Vacant land.
Integrated Development	No
Submissions	No submissions were received during the notification period.

Variations to Policies

Gosford Local Environmental Plan 2014

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

Gosford Development Control Plan 2013

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

The Site

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

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

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

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

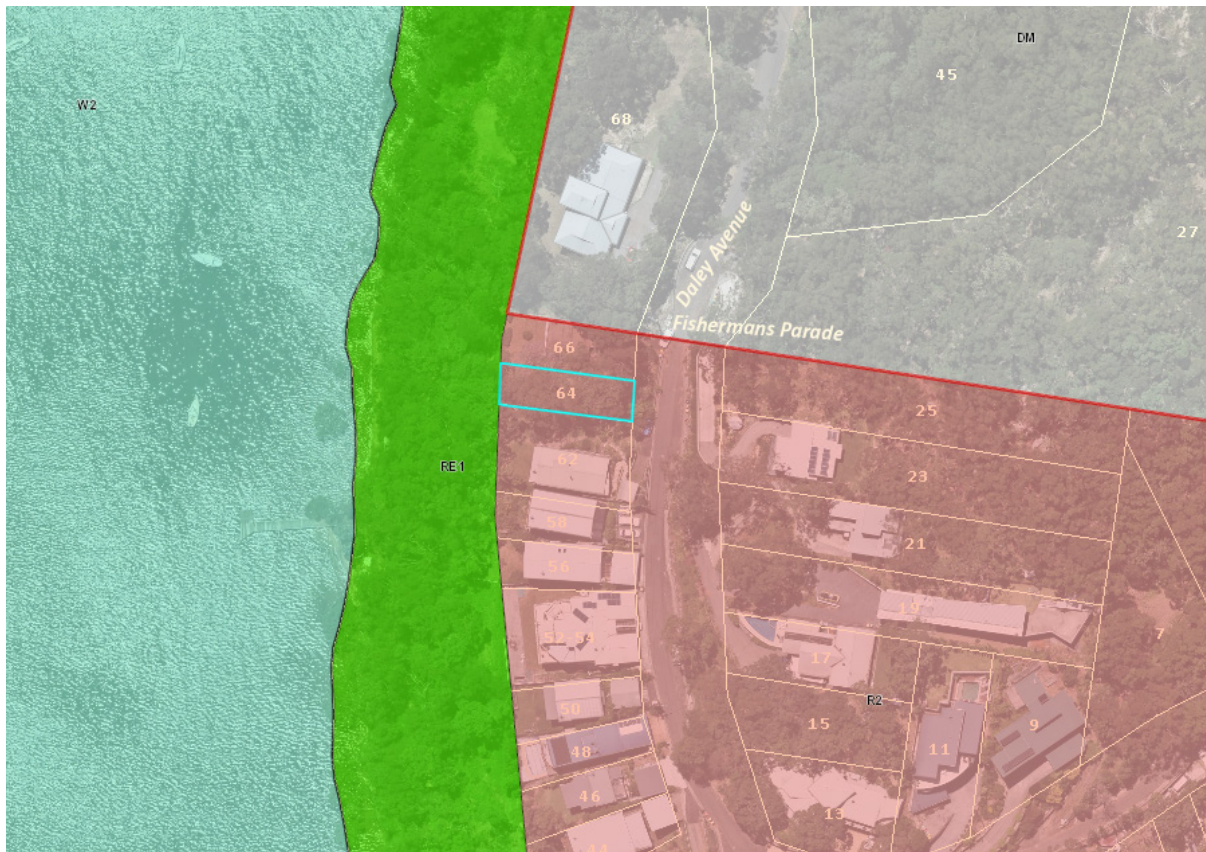


Figure 1 – Zoning map. Pink shading is the R2 zone with the subject site outlined in light blue. The light green shade is a public reserve which interfaces Brisbane Water. Beyond the site to the north is land zoned as a Deferred Matter.

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



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

Surrounding Development

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



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



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



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



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



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

The Proposed Development

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



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

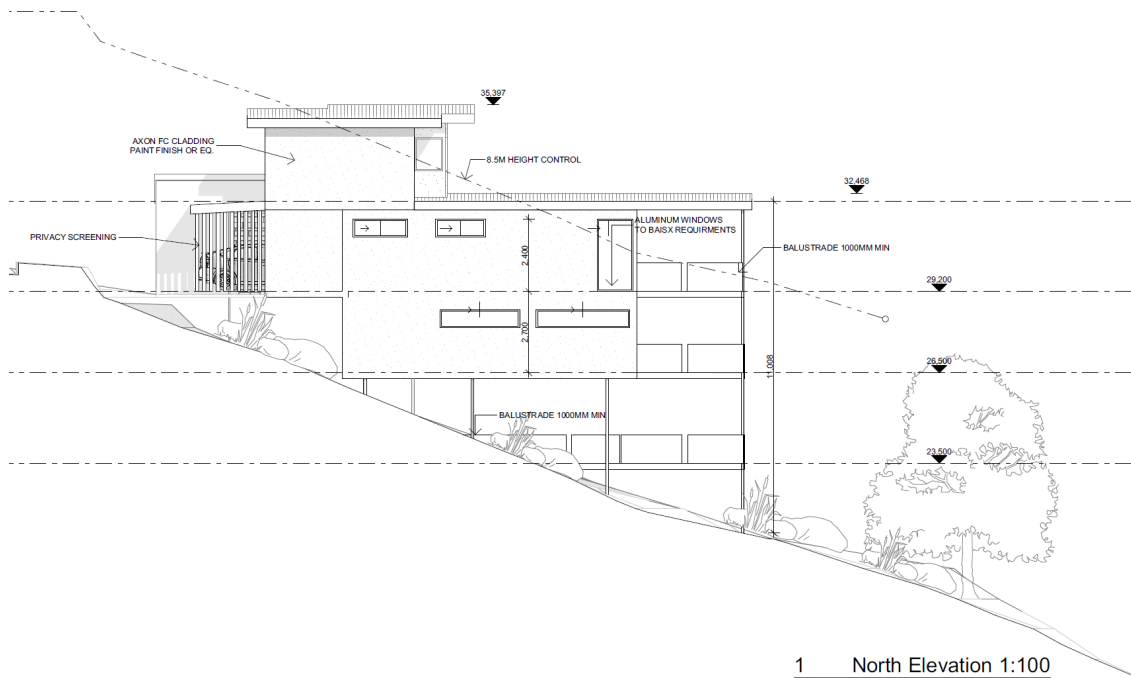


Figure 4 – North elevation.

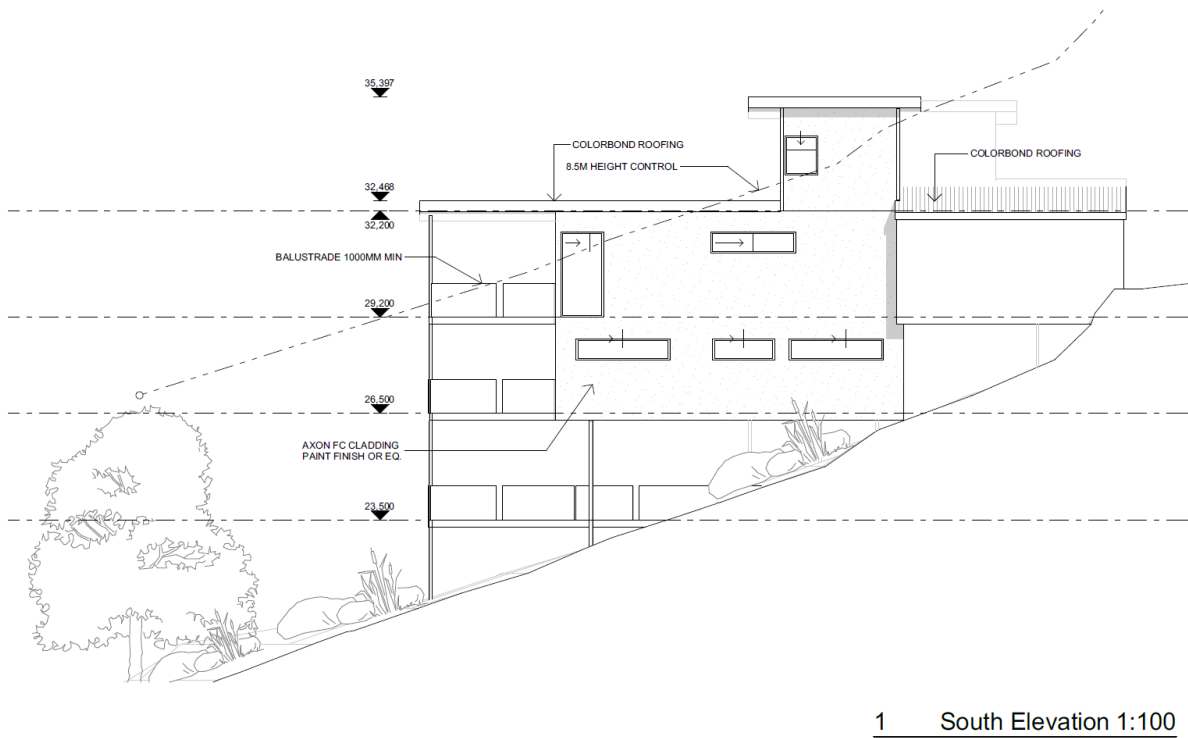


Figure 5- South Elevation

History

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

Consultation

External Consultation

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

No referrals to external authorities were required.

Internal Consultation

Development Engineering

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

Water and Sewer Assessment

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

Trees

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

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

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

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

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

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

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

Ecologically Sustainable Principles:

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

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

Climate Change

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

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

Assessment

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

Provisions of Relevant Instruments / Plans / Policies

State Environmental Planning Policies (SEPP)

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

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

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

State Environmental Planning Policy (Coastal Management) 2018

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

Gosford Local Environmental Plan 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.

Objectives of Zone

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

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

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

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

Development Standards

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

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

Clause 4.3 Mapped Height Variation

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

Clause 4.4 Maximum Floor Space Ratio Variation

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

Clause 4.6 Exceptions to development standards

Clause 4.6 of GLEP 2014 requires consideration of the following:

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

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

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

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

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



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

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

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

Comment:

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

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

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

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

Comment:

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

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

3. *Has the concurrence of the Secretary been obtained?*

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

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

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

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

Gosford Development Control Plan 2013 (GDCP 2013)

Chapter 2.1 Character

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

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

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

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

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

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

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

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

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

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

Chapter 3.1 Dwelling Houses, Secondary Dwellings & Ancillary Development

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

2.2

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

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

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

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

Clause 3.1.2.1 Building Height

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

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

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

Clause 3.1.2.3 Floor Space Ratio (FSR)

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

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

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

Clause 3.1.3.1a Front Setback

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

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

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

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

Clause 3.1.3.1c Side Setback

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

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

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

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

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

Clause 3.1.5 Car Parking and Access

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

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

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

Clause 3.1.6.3 Drainage

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

Clause 6.6 Preservation of Trees or Vegetation

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

Clause 7.2 Waste Management

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

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

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

Access and Transport

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

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

Context and Setting

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

Natural Environment

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

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

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

- Acid Sulphate Soils – The subject site has been identified as containing potential Class 5 acid sulphate soils.

The proposed development does not seek any excavation other than what is necessary for footings and therefore an Acid Sulphate Management Report has not been requested at this stage.

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



Figure 7 - Extract from Council's bushfire mapping with the site highlighted in blue

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

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

The development application received no public submissions.

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

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

Other Matters for Consideration

Development Contribution Plan

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

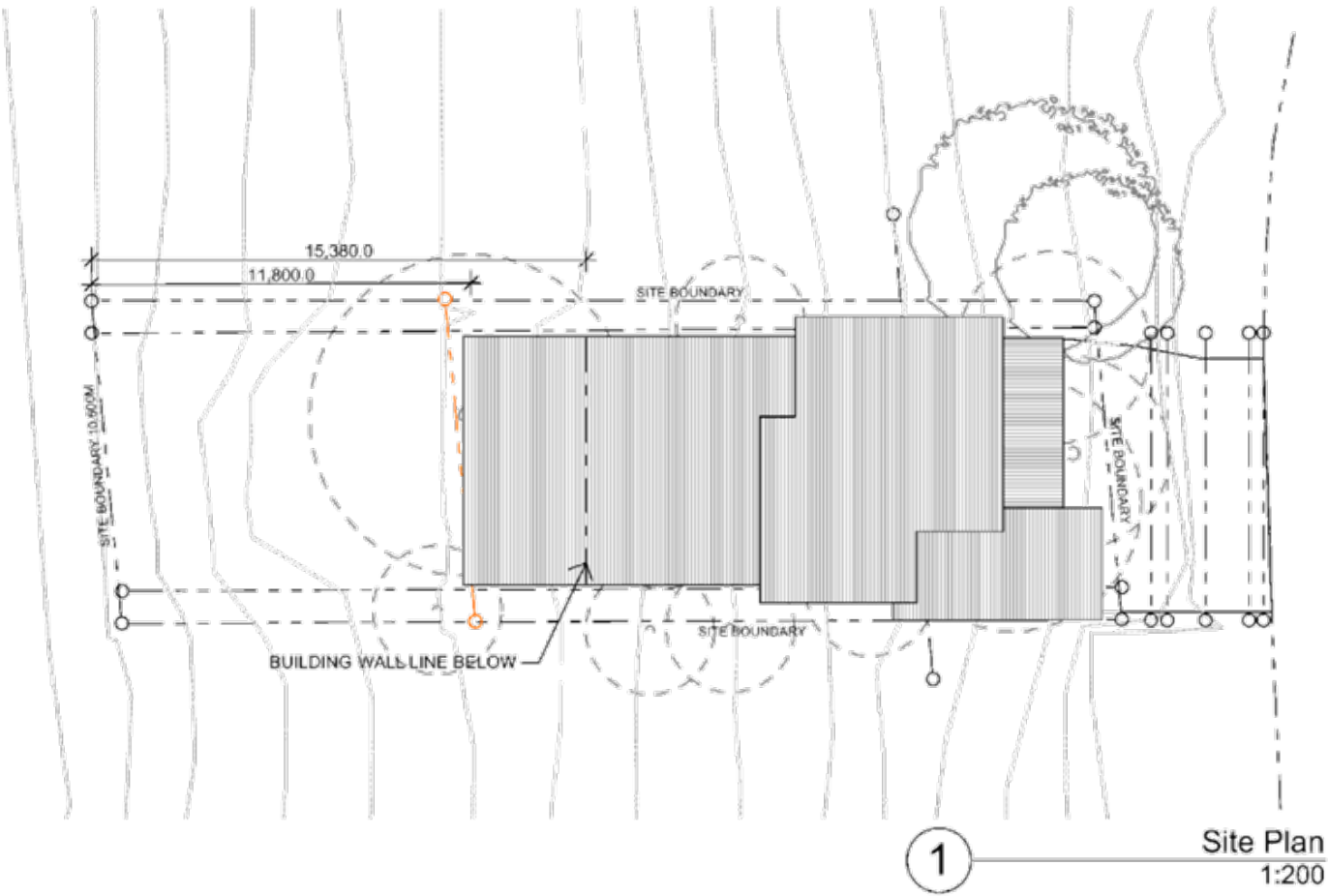
The development application has been assessed in accordance with Section 4.15 of the EP&A Act, and all relevant instruments and policies. The proposed development is considered suitable for the site despite the listed variations. The proposal is therefore recommended for approval pursuant to Section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

Attachments

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



DA03 Site and Context Analysis	1:200 @A3
McCorkell House	21/01/2019
64 Fishermans Pde	Revision A
	3004 Mikkelsen

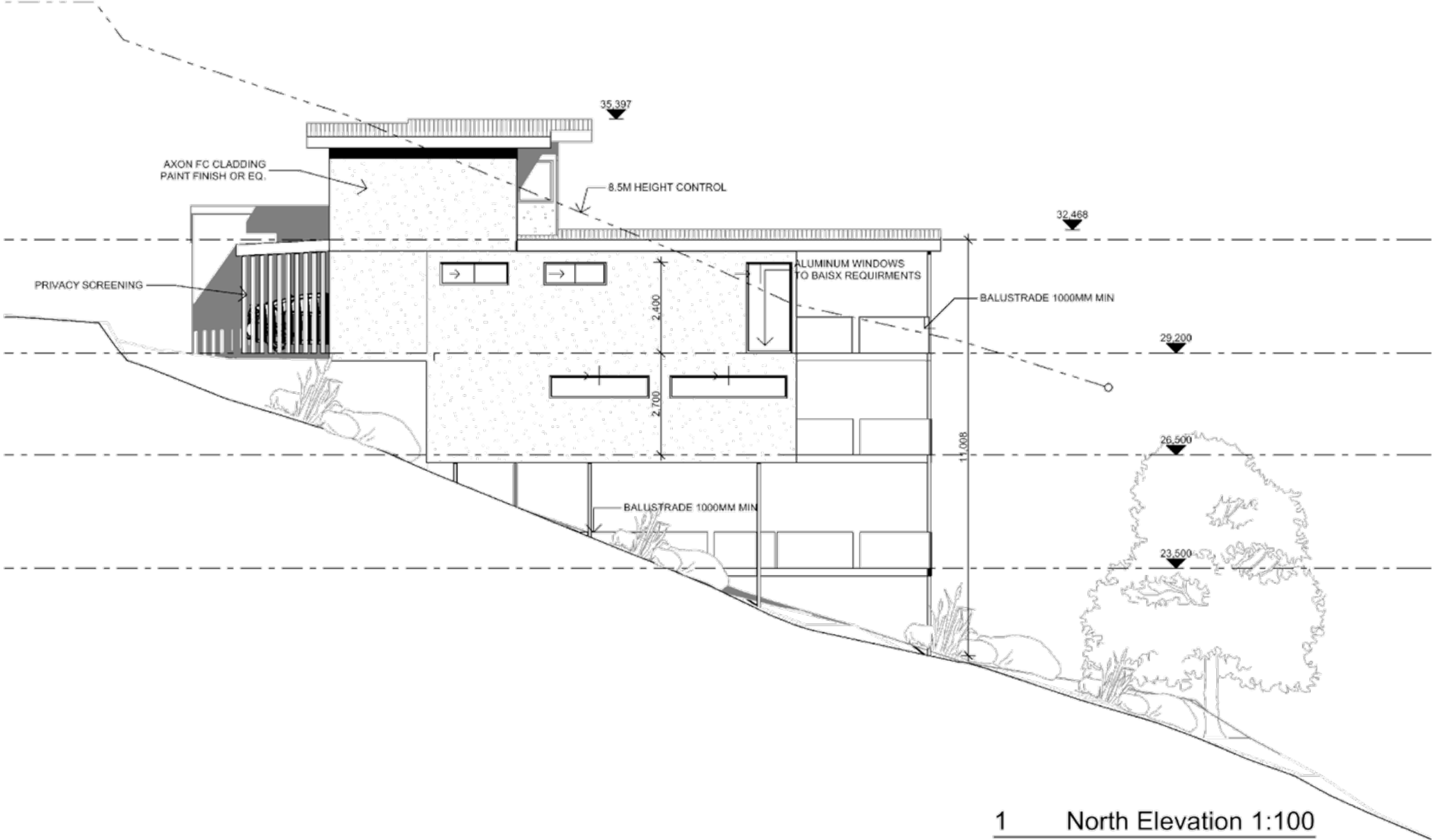


NOT FOR CONSTRUCTION
FOR APPROVAL ONLY



Osmond McLeod
ARCHITECTS
ABN 29075588-075
PH: 0804 021 982

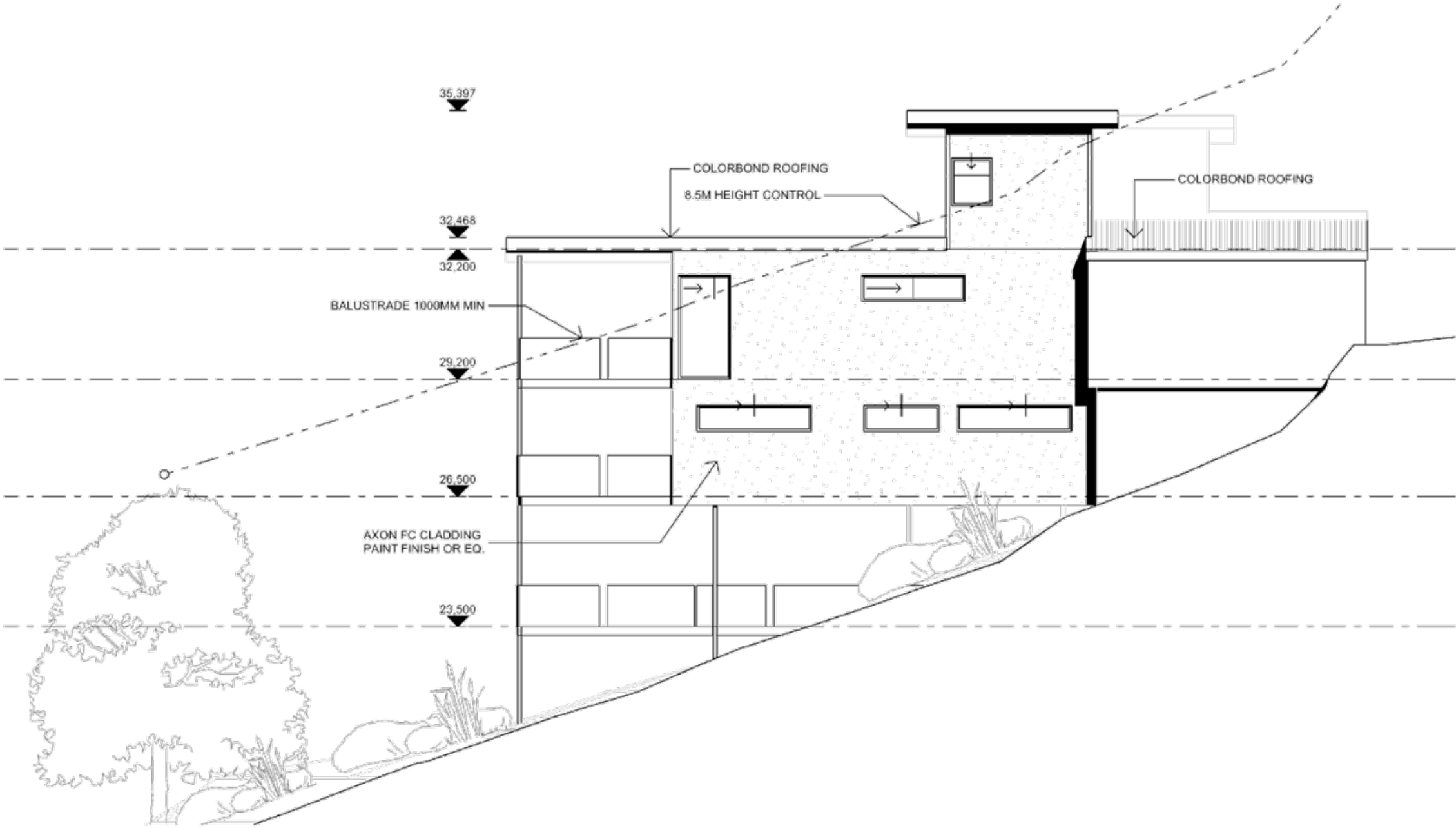
DA04 Site Plan & Sediment Control Plan 1:200 @A3
McCorkell House 21/01/2019
64 Fishermans Pde Revision A
1804 McCorkell.jpg



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FOR APPROVAL ONLY

Osmond McLeod
ARCHITECTS
ABN: 28725388-075 PH: 0844 023 982

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

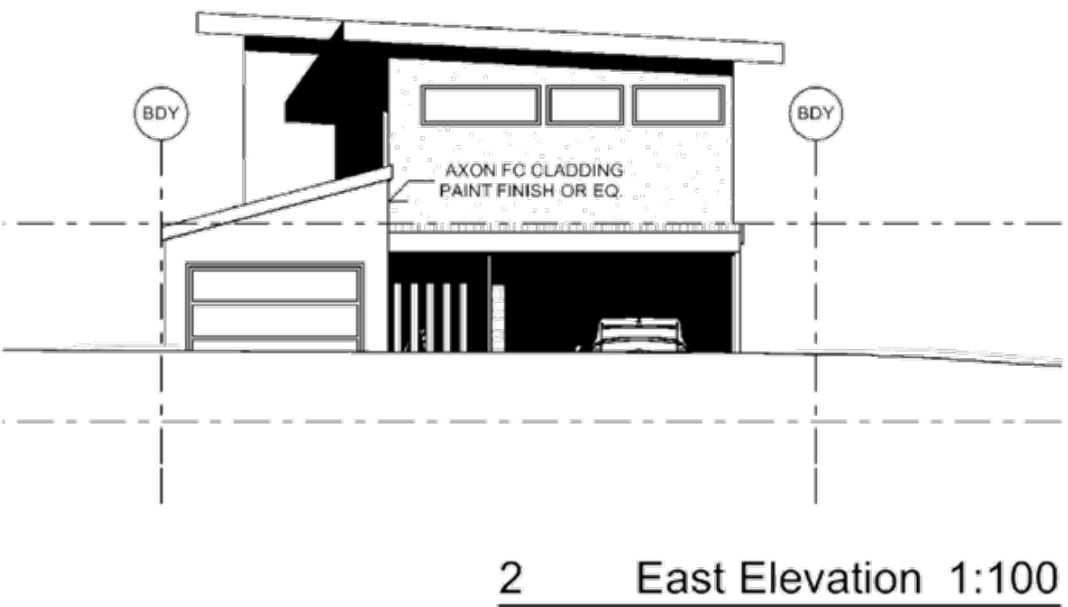
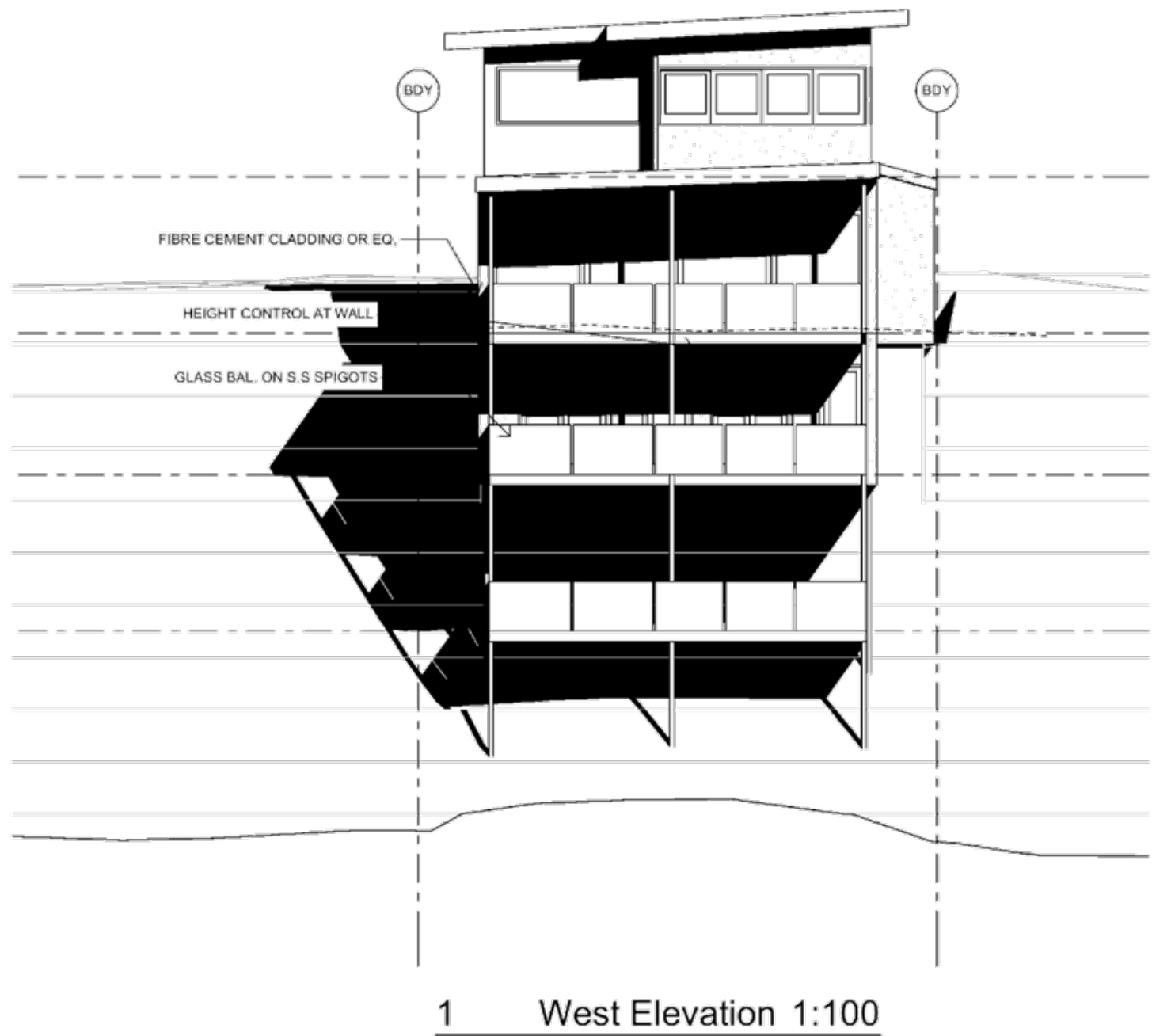


1 South Elevation 1:100

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FOR APPROVAL ONLY

Osmond McLeod
ARCHITECTS
ABN: 29 275 388 073 PH: 08 84 021 982

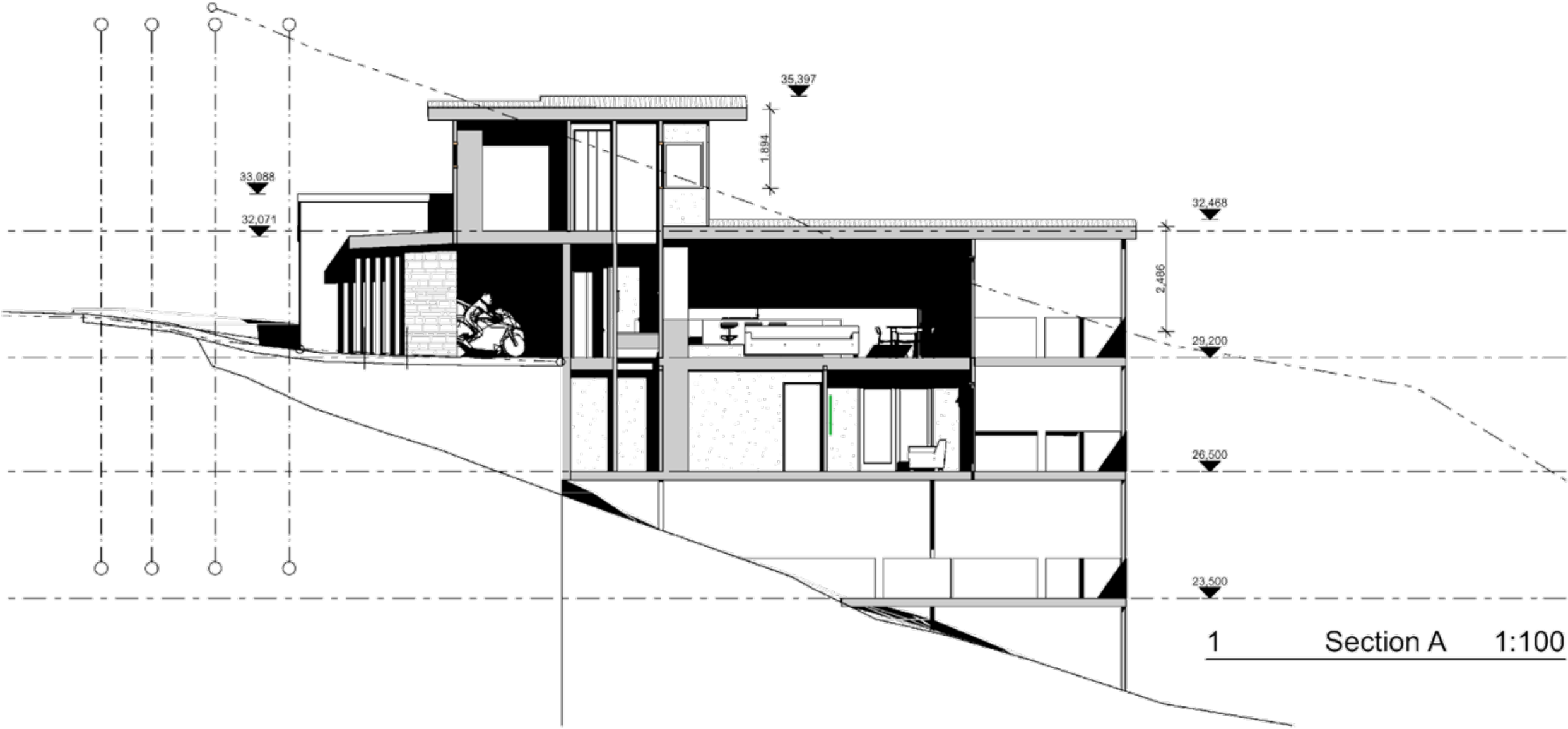
DA09 Elevations - South	1:100 @A3
McCorkell House	21/01/2019
64 Fishermans Pde	Revision A



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Osmond McLeod
ARCHITECTS
ABN 28275288-975 PH 0844 621382

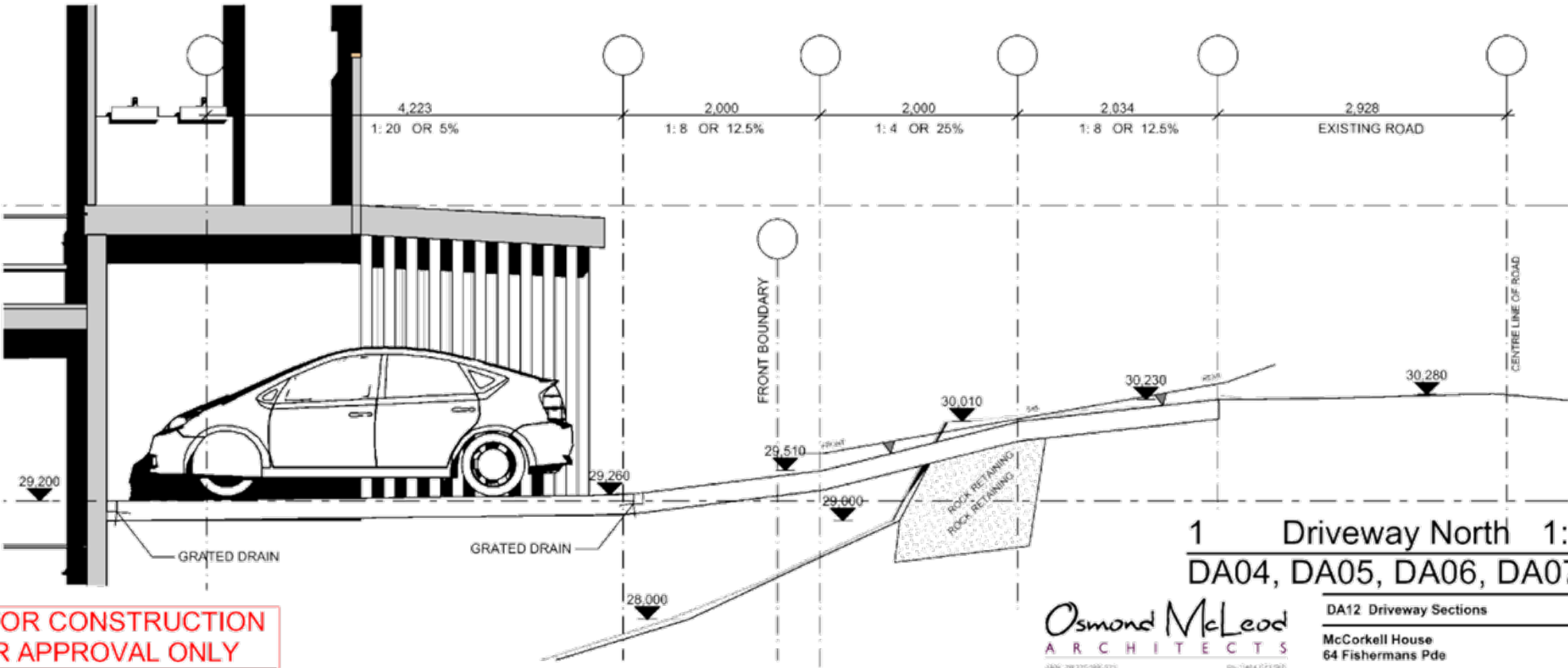
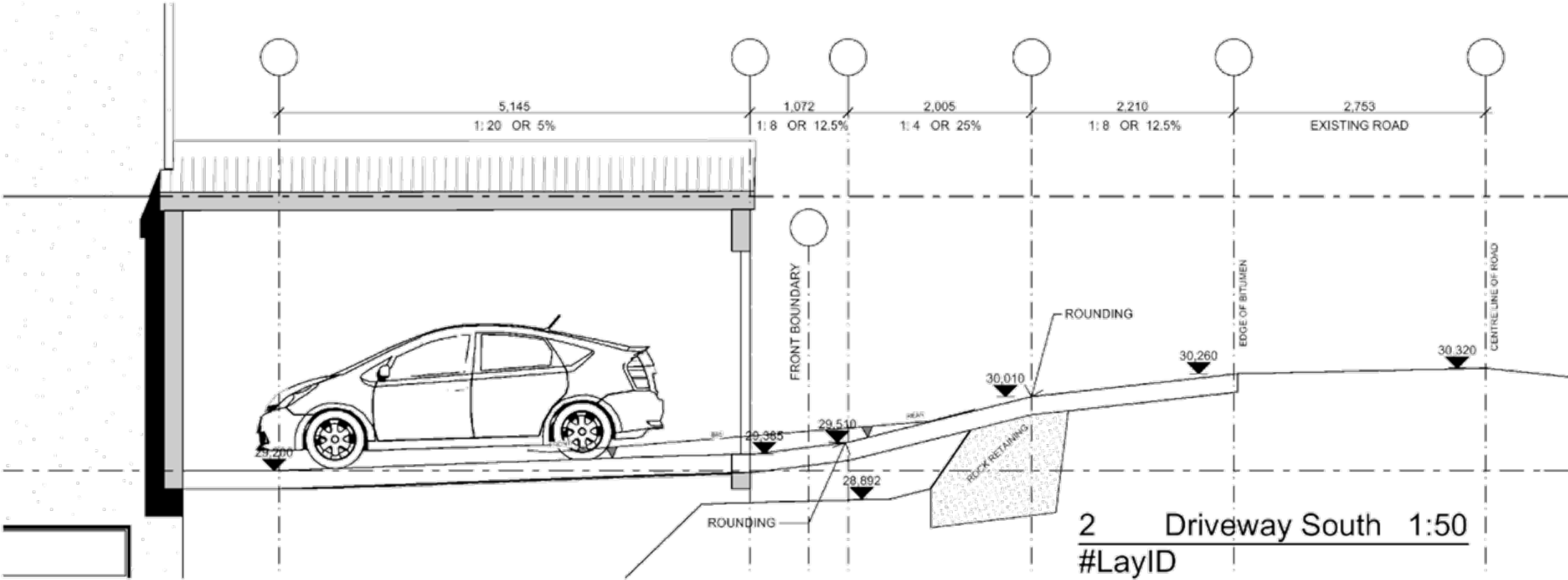
DA10 Elevations - East West 1:100 @A3
McCorkell House 21/01/2019
64 Fishermans Pde Revision A
3004 MCKCORKELL



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FOR APPROVAL ONLY

Osmond McLeod
ARCHITECTS
ABN 290775388-073 POC: 0404 021 980

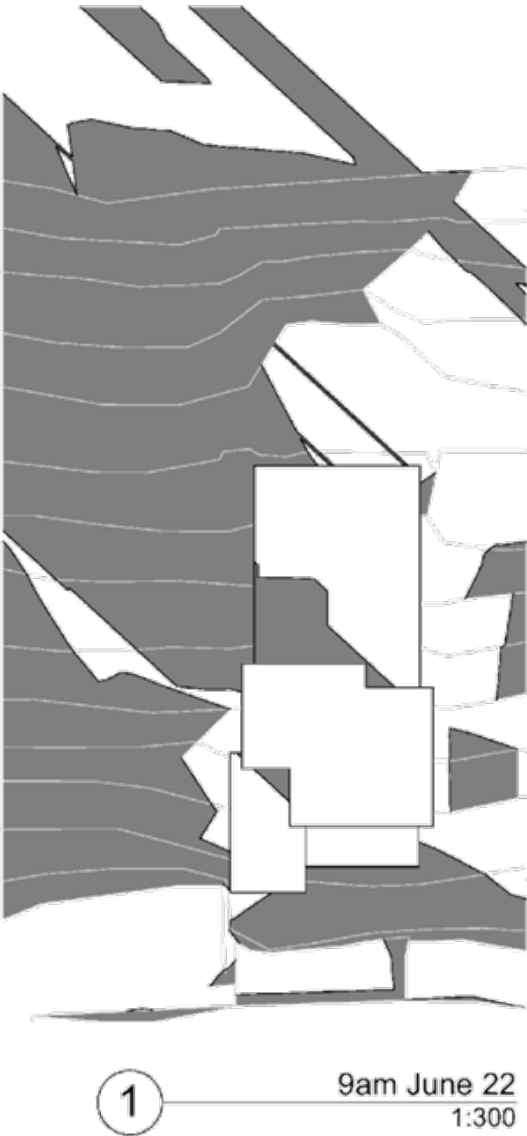
DA11 Section A	1:100 @A3
McCorkell House	21/01/2019
64 Fishermans Pde	Revision A
	<small>30004 Makenzie@pda</small>



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FOR APPROVAL ONLY

Osmond McLeod
ARCHITECTS
ABN 28275288-575
PH 0844 023380

DA12 Driveway Sections 1:50 @A3
McCorkell House
64 Fishermans Pde
21/01/2019
Revision A
DA04 McCorkell.jpg



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FOR APPROVAL ONLY

Osmond McLeod
ARCHITECTS
ABN 28275388-573 PH: 0844 023 580

DA14 Shadow diagrams - Sheet 1 1:300 @A3
McCorkell House 21/01/2019
64 Fishermans Pde Revision A
3984 McCorkell Pde



NOT FOR CONSTRUCTION
FOR APPROVAL ONLY

Osmond McLeod
ARCHITECTS
JAN 2017/5088-375 PH: 0804 021 980

DA15 Finsihes Schedule 1:0.67, 1:2, 1:0.85 @A3
McCorkell House 21/01/2019
64 Fishermans Pde Revision A
3004 MCK/MKL/2019

Conditions

1. PARAMETERS OF THIS CONSENT

1.1 Approved Plans and Supporting Documents

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

Architectural Plans by: Osmond McLeod

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

Supporting Documentation:

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

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

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

2. PRIOR TO ISSUE OF ANY CONSTRUCTION CERTIFICATE

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

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

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

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

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

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

3. PRIOR TO COMMENCEMENT OF ANY WORKS

- 3.1 All conditions under this section must be met prior to the commencement of any works.
- 3.2 Appoint a Principal Certifying Authority for the building work:
- 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.
 - Submit to Council a Notice of Commencement of Building Works or Notice of Commencement of Subdivision Works form giving at least two (2) days' notice of the intention to commence building or subdivision work. The forms can be found on Council's website: www.centralcoast.nsw.gov.au
- 3.3 Erect a sign in a prominent position on any work site on which building, subdivision or demolition work is being carried out. The sign must indicate:
- The name, address and telephone number of the Principal Certifying Authority for the work; and
 - The name of the principal contractor and a telephone number at which that person can be contacted outside of working hours; and
 - That unauthorised entry to the work site is prohibited
 - Remove the sign when the work has been completed.
- 3.4 Submit both a Plumbing and Drainage Inspection Application, with the relevant fee, and a Plumbing and Drainage Notice of Work in accordance with the Plumbing and Drainage Act 2011 (to be provided by licensed plumber). These documents can be found on Council's website at: www.centralcoast.nsw.gov.au

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

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

- 3.5 Install run-off and erosion controls to prevent soil erosion, water pollution or the discharge of loose sediment on the surrounding land by:
- 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:
- could cause a danger, obstruction or inconvenience to pedestrian or vehicular traffic, or
 - could cause damage to adjoining lands by falling objects, or
 - involve the enclosure of a public place or part of a public place

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

Note 2: The [Work Health and Safety Act 2011](#) and [Work Health and Safety Regulation 2011](#) contain provisions relating to scaffolds, hoardings and other temporary structures.

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

Each toilet must:

- be a standard flushing toilet connected to a public sewer, or
- have an on-site effluent disposal system approved under the [Local Government Act 1993](#), or
- be a temporary chemical closet approved under the [Local Government Act 1993](#)

- 3.8 Submit to Council as the Roads Authority an application for a vehicle access crossing including payment of the application fee.

4. DURING WORKS

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

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

- 7.00am and 5.00pm Monday to Saturday

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

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

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

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

- 4.4 Implement and maintain all erosion and sediment control measures at or above design capacity for the duration of the construction works and until such time as all ground disturbed by the works has been stabilised and rehabilitated so that it no longer acts as a source of sediment.

- 4.5 Keep a copy of the stamped approved plans on-site for the duration of site works and make the plans available upon request to either the Principal Certifying Authority or an officer of Council.

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

5. PRIOR TO ISSUE OF ANY OCCUPATION CERTIFICATE

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

- 5.7 Install a 5000L rainwater tank with suitable plumbing connections provided to collect rainwater from the roof area as detailed within the BASIX Certificate applicable to the development. The required rainwater tank is to be installed in accordance with the requirements of the National Plumbing and Drainage Code Australian Standard AS 3500 and must be provided with first flow diversion devices fixed to all inflows and a functioning pressure pump plumbed to service all fixtures as detailed within the BASIX Certificate applicable to the development. The required tank must be controlled in order that supplemental flow from domestic mains does not take place until the capacity of the tank has been reduced to 20%.
- All overflow must be connected via piped drainage line to an infiltration trench.

Note: Infiltration trenches are to be designed by a practicing engineer experienced in hydraulics. The design details are to cater for a 1 in 20 year AEP storm event and are to allow for a minimum setback of three (3) metres from any sewer main and lot boundaries.

- 5.8 Construct the vehicle access crossing in accordance with the vehicle access crossing Notice of Determination issued by Council.
- 5.9 Install a material or device to prevent the build-up of flammable material (such as leaf matter) within the roof gutters. The material or device must have a flammability index of not greater than 5 when tested in accordance with Australian Standard AS 1530.2-1993: *Methods for fire tests on building materials, components and structures - Test for flammability of materials*.
- 5.10 Plant a minimum of two (2) replacement trees (advanced specimens min 25lt pot size) within the property. Replacement trees must be native species capable of achieving a height of 10m. New trees are not to be located within an authority's service easement, or within 4m of an approved building. Where the replacement tree dies or is substantially damaged within five (5) years of planting, it must be replaced and maintained to maturity.

6. ONGOING OPERATION

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

7. PENALTIES

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

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

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

Warnings as to Potential Maximum Penalties

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

ADVISORY NOTES

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

- The following public authorities may have separate requirements in the following aspects:
 - a. Australia Post for the positioning and dimensions of mail boxes in new commercial and residential developments
 - b. Jemena Asset Management for any change or alteration to the gas line infrastructure
 - c. Ausgrid for any change or alteration to electricity infrastructure or encroachment within transmission line easements
 - d. Telstra, Optus or other telecommunication carriers for access to their telecommunications infrastructure
 - e. Central Coast Council in respect to the location of water, sewerage and drainage services
- Carry out all work under this Consent in accordance with SafeWork NSW requirements including the *Workplace Health and Safety Act 2011 No 10* and subordinate regulations, codes of practice and guidelines that control and regulate the development industry.
- Dial Before You Dig

Underground assets may exist in the area that is subject to your application. In the interests of health and safety and in order to protect damage to third party assets please contact Dial Before You Dig at www.1100.com.au or telephone on 1100 before excavating or erecting structures. (This is the law in NSW). If alterations are required to the configuration, size, form or design of the development upon contacting the Dial Before You Dig service, an amendment to the development consent (or a new development application) may be necessary. Individuals owe asset owners a duty of care that must be observed when working in the vicinity of plant or assets. It is the individual's responsibility to anticipate and request the nominal location of plant or assets on the relevant property via contacting the Dial Before You Dig service in advance of any construction or planning activities.
- Telecommunications Act 1997 (Commonwealth)

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

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

Item No: 3.1
Title: Deferred Report - Consideration of Submissions and Adoption of the Central Coast Affordable and Alternative Housing Strategy
Department: Connected Communities



29 April 2019 Ordinary Council Meeting

Trim Reference: F2018/00020-07 - D13514474

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.

At the Council Meeting of 8 April 2019, Council resolved:

273/19 That this item be deferred to the Council meeting of 29 April 2019 to allow for further discussion amongst the Councillors and a final version of the strategy to be considered at that meeting.

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 of the attached deferred 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 1 of the attached deferred report**
- 4 That Council note and endorse the amendments recommended by Council staff as outlined in Attachment 1 of the attached deferred 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.**

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

- 6** *That Council adopt the Central Coast Affordable and Alternative Housing Strategy, (Attachment 1 of the attached deferred report), and make available on Council's website.*

Attachments

- 1** 25 March 2019 - Affordable Housing D13500086

Item No: 3.3
Title: Consideration of Submissions and Adoption of the Central Coast Affordable and Alternative Housing Strategy
Department: Connected Communities



25 March 2019 Ordinary Council Meeting

Trim Reference: F2018/01547 - D13470967
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

This report recommends that Council consider the submissions received during the public exhibition period and adopt the final Central Coast Affordable and Alternative Housing Strategy and outlines proposed amendments to the Plan in response to these public submissions.

Recommendation

- 1 That Council note that the Draft Central Coast Affordable and Alternative Housing Strategy was publicly exhibited from 10 September 2018 to 21 December 2018.**
- 2 That Council consider the submissions received during the exhibition period. outlined in Attachment 2 of this report**
- 3 That Council note and endorse the amendments recommended by Council staff as outlined in Attachment 3 of this report.**
- 4 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.**
- 5 That Council adopt the Central Coast Affordable and Alternative Housing Strategy, (Attachment 1), and make available on Council's website.**

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

Context

The Affordable and Alternative Housing Strategy has been developed following extensive research and consultation and is structured around three strategic themes:

- Affordable Housing Development and Management Partnerships
- Planning Mechanisms and Strategies to Increase the Supply of Affordable and Lower Cost Housing
- Prevention and Intervention to Reduce Homelessness

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

Affordable housing is housing appropriate for the needs of a range of households on low to moderate incomes and is priced so that these households are also able to meet other basic living costs such as food, clothing, transport, education and medical care. In 2016, 63% of Central Coast households earned an income below \$2,000 per week (\$111,000 per annum) and are classified as low to moderate income households in relation to affordable housing income and cost benchmarks.

The landscape of housing insecurity is both significant and diverse across the region. From a policy perspective, both the former Gosford City and Wyong Shire Councils had undertaken work in this area by developing affordable housing strategies, subsequent affordable housing studies and innovative pilot projects (such as the tiny homes project).

With the formation of Central Coast Council, there was an opportunity to review and consolidate the previous information, with reference to the growing and changing population, as well as build a systematic approach to intervention. Council was successful in securing matched funding (50:50) through the Building Better Regions Funding (BBRF) to develop an innovative Affordable Housing Strategy and Pilot project.

Although the Central Coast has historically been an affordable area, a range of factors has made the area less affordable than Greater Sydney for local residents, with higher rates of housing stress and higher rates of growth of primary homelessness and those who are marginally housed. This provides particular challenges in the local demographic and housing market context.

Although housing in the Central Coast is still cheaper than the Greater Sydney average, the incomes of local people are also much lower than average largely due to the very high rate of older people on pensions and benefits, the high concentration of very low income renters, the influx of low income households from Sydney seeking affordable housing and improved lifestyle, and high levels of overall social disadvantage, particularly in the former Wyong Local Government Area (LGA).

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

The constrained supply of diverse housing options and of private rental and social housing is having a significant impact upon housing affordability in the context of a rapidly ageing population, increasing demand from the Sydney market and an increase in long-term rental among families and older people who can no longer afford home purchase.

The proportion of medium and higher density development in the Central Coast LGA is much lower than the Greater Sydney average, and has experienced little or no proportional growth over the past decade. Apartments still make up 8% of stock as they did in 2006. Likewise, private rental makes up only 23% of dwellings compared with 30% for Greater Sydney, and the local rate of social housing is 3.7% compared with 5.1% for Greater Sydney despite the far higher rate of very low income renters (41% of renters compared with 29% for Greater Sydney).

There has been no proportional growth in private rental stock in the Central Coast LGA since 2006, and an actual decline in the amount of social housing since 2011. This is directly related to the lack of growth in medium and higher density housing, noting that around 55% of apartments and 35% of multi-dwelling housing is privately rented compared with only 20% of separate houses. The loss of more affordable caravan parks and Manufactured Housing Estates, and relative undersupply of more affordable housing types like New Generation Boarding Houses, is also having a serious impact on very low income renters and those more vulnerable in the local housing market.

In this context, increasing pressure from the Sydney housing market is placing significant pressure on the available stock of lower cost housing, and Central Coast residents are forced to compete in an increasingly competitive rental market. Virtually everyone who moved into the Central Coast LGA in net terms since 2011 came from Greater Sydney; and 90% of these people were retirees and families on very low and low incomes, often continuing to commute to jobs in Greater Sydney. This exacerbates the effects of constrained local supply outlined above.

The impacts of this are being felt most acutely in the local rental market, where growth in rent for smaller strata dwellings has far outstripped Greater Sydney since 2009. Rents for a one bedroom apartment grew at more than double the Sydney rate (31% in the former Gosford and 28% in the former Wyong LGA compared with 13% for Greater Sydney, adjusted for inflation); and more than four times the Sydney rate of increase for two bedroom apartments in the former Wyong LGA (64% compared with 15%).

Only 2% of available rental stock in the Central Coast was affordable to very low income renters in a snap shot by Judith Stubbs and Associates in early 2018, noting that this group makes up more than 40% of all renters. The relative scarcity of rental accommodation at the more affordable end of the market, and the extreme pressure on existing supply, is contributing to the increasing numbers in housing stress, homelessness and marginal housing, even among groups who would once have been in more secure accommodation.

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

In 2016, there were around 24,200 households in the Central Coast LGA in 'housing stress' (paying more than 30% of their gross household income on housing costs) equating to one in five households. By far the most serious affordability problem is among very low income renters, who make up almost half of all households in housing stress in the Central Coast. When combined with low income renters, these groups make up almost two-thirds of those in housing stress. They are also far more likely than other target groups to be in 'severe' housing stress (paying more than 50% of their household income in rent).

It is projected that an additional 7,000 households will be in housing stress by 2036. Of these, 60% are expected to be smaller households (lone persons and couples) and 40% families with children. 'Rule of thumb' measures such as housing stress do not take into account the adequacy or security of housing, nor the high social and economic cost of commuting for the large number of workers who travel from the Central Coast to metropolitan Sydney each day, so the situation is likely to be far worse for many local people.

In this context, there was a 35% increase in homelessness in the Central Coast from 2011 to 2016. There are now conservatively estimated to be from 4,100 to 8,500 people who are homeless or marginally housed in the Central Coast LGA. Although the rate of homelessness is still lower than for metropolitan areas, 'rough sleepers' increased at double the Greater Sydney rate and people who were marginally housed grew at more than twice the metropolitan rate from 2011-16. More than 40% of people reported that they had been homeless for three months or more, and were thus at serious risk of chronic, long-term homelessness.

Current Status

The Draft Affordable and Alternative Housing Strategy was exhibited for a period of 103 days from September 10 2018 to December 21 2018.

During exhibition the plan was displayed at:

- Libraries – Bateau Bay, Erina, Gosford, Kariong, Kincumber, Lake Haven, The Entrance, Tuggerah, Umina, and Woy Woy
- Civic Centres – Gosford and Wyong
- Online – Have Your Say and Consultation Hub

Exhibition activities included:

- Advertisement in local print media
- Community Information Sessions held on 17 October 2018 at Wyong and Erina
- Fact sheet developed and distributed to Councillors and Community members
- Media releases
- Media interviews (radio and video)
- Social media posts

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

A total of 441 submissions were received via:

- Your Voice Our Coast
- Ask@centralcoast
- Community driven petitions
- Stakeholder prospectus
- Formal submissions from peak and State Bodies and consortiums

In addition petitions with 1718 signatures were received generally requesting the following:

- That Council adopt the strategies in this report.
- That Council initiate action to implement the recommendations as soon as possible.
- That Council make representations to the New South Wales Government for funding to address the provision of affordable housing on the Central Coast.

Submission Analysis

The submissions were coded both quantitatively and qualitatively. The analysis identified themes contained within each submission and these themes were coded by topic area, helping to give a deeper insight into the community's response.

The table below represents the themes that appeared most frequently through the submission analysis process. In order to determine the themes the data was coded twice; initially for concepts which were then refined. Each submission was then examined and many exhibited more than one theme. Codes were applied in order to catalogue the themes and track their occurrence. A comprehensive report on all 27 themes including the nature, type and staff recommendations is provided in Attachment 2.

Table 1: Theme Analysis

Theme	Occurrence
General Support	201
Locational Criteria	181
Support prevention and intervention	127
Planning controls – zoning	103
Planning controls – character	85
Housing choice	77
Boarding houses	59
General negative	59
Infrastructure	58
Anti-social behaviour	57

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

Note: These numbers do not represent individual submissions as many submissions were multi subject and coded with a range of different themes.

As a result of submissions received during the public exhibition period there are 27 proposed changes to the Draft Strategy. The rationale for each change was presented to the Councillors at a briefing dated 29 January 2019.

These changes include some simplification and clarification of language, further clarification of the intent and operational impact of proposed changes, and updates to wording and actions aligned to the current planning context.

An overarching assessment of these changes and their rationale is presented in Attachment 3 of this report.

Consultation

As well as having a strong evidence-base, the Central Coast Affordable and Alternative Housing Strategy has been informed by an extensive community consultation process. This included:

- Engagement with 495 stakeholders in April, May and June 2018
- Councillor briefings held on 16 July 2018 and 20 August 2018
- Councillor period to comment prior to exhibition 20 August to 31 August 2018
- Community Information Sessions held on 17 October 2018 at Wyong and Erina (35 attendees)
- Fact sheet developed and distributed to Councillors and Community members
- Public exhibition period from September 10 to Friday 21 December 2018 (441 community submissions received)

Overall, 971 stakeholders and community members participated in community engagement activities.

Options

- 1 Final adoption of the Central Coast Affordable and Alternative Housing Strategy. This is the recommended option.
- 2 Further amend the Central Coast Affordable and Alternative Housing Strategy. This is not recommended due to the extensive community engagement undertaken. The Draft Strategy has been amended taking into account community feedback.
- 3 Failure to adopt a Central Coast Affordable and Alternative Housing Strategy will be a breach of the Building Better Regions Funding conditions, and is not the recommended option.

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

Financial Impact

The Strategy has been designed to be implemented in a number of stages over the next 10 years and in partnership with other levels of government, community housing providers, local support services and those in the private sector with a commitment to affordable housing and reducing housing vulnerability and homelessness.

Following adoption, an Action Plan will be developed outlining priorities, timeframes, responsibility and resourcing requirements. The Action Plan will include Key Performance Indicators as outlined in the Strategy set to three, five and ten year deliverables.

Where deliverables involve other units within Council, responsibilities will be assigned to relevant units through Service Unit Business Plans and resources will be allocated within ongoing business unit operational budgets. A key recommendation of the Strategy is to create an Affordable Housing Officer position which will be responsible for monitoring and reporting against actions, providing support to internal and external partners and ensuring the overall outcomes of the strategy are met. Three, five and ten year evaluation reports will be prepared for Council.

Link to Community Strategic Plan

Theme 4: Responsible

Goal I: Balanced and sustainable development

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

Risk Management

Sufficient time has been allocated to consider community consultation and submissions received in the public exhibition period. The proposed amendments are considered to be a reasonable reflection of constructive submissions and do not substantially amend the draft plan.

Critical Dates or Timeframes

Failure to adopt a Central Coast Affordable and Alternative Housing Strategy by June 30 2019 will constitute a breach of the Building Better Regions Funding which has been extended three times due to the extended timeframes of this project and further delays may require the repayment of the original grant funding.

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

Attachments

- | | | |
|---|--|-----------|
| 1 | Central Coast Affordable and Alternative Housing Strategy | D13488035 |
| 2 | Community Submissions in relation to the Draft Central Coast Affordable and Alternative Housing Strategy | D13481609 |
| 3 | Strategy Amendment Table - Affordable and Alternative Housing Strategy | D13486451 |

Central Coast Affordable & Alternative Housing Strategy

February 2018

This strategy has been prepared for
Central Coast Council
by

 JUDITH STUBBS
& ASSOCIATES

The Old Post Office
231 Princes Hwy, Bulli NSW 2516

Ph: 02 4283 7300

Fax: 02 4283 7399

info@judithstubbs.com.au

www.judithstubbs.com.au

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1 Purpose of the Strategy

The *Strategy* seeks to provide a range of effective policy solutions to address the growing need for affordable and alternative housing within the Central Coast local government area. It seeks to build a vision for a *'fair and inclusive region, where everyone has access to affordable and sustainable housing'*, and is underpinned by two broad aims:

- *To improve access to affordable housing for very low, low and moderate income households, including protecting existing affordable housing, providing new development opportunities and incentives and providing a broader range of housing options to address identified affordable housing need for key target groups in appropriate locations.*
- *To reduce the number of cases of homelessness and reliance on social support systems, including developing effective transition to the private market, creating strategies for innovative alternate housing and partnerships, supporting programs and services that interceded before the point of crisis, and empowering and resourcing front line support services.*

The *Strategy* is strongly evidence based, with detailed research provided in five reports prepared by Judith Stubbs and Associates for Central Coast Council in 2018. These are:

- JSA (2018) Central Coast Affordable and Alternative Housing Strategy: Background Report
- JSA (2018) Central Coast Affordable Housing Strategy: Affordable Housing Case Studies
- JSA (2018) Partnership Development Background Paper (Working Draft)
- JSA (2018) Strategic Planning Discussion Paper
- JSA (2018) Homelessness Intervention & Prevention Background Paper

As well as having a strong evidence-base, the *Strategy* has been informed by an extensive community consultation process, including interviews with internal Council staff and a wide range of services, comments on early drafts of reports, a series of community workshops, focus groups around the three strategic themes – Strategic Planning, Housing Partnerships, and Intervention and Prevention of Homelessness, and Council briefings.

This *Strategy* has been designed to be implemented in a number of stages over the next 10 years with short, medium and long-term strategies. The initial focus includes strategies that are most likely to have a practical impact on the supply of affordable housing, including demonstration projects on surplus or underutilised Council land, and development and service partnerships to proactively address the growing rate of housing vulnerability and homelessness.

The *Strategy* also provides for ongoing and sustainable engagement of Council in affordable and alternative housing through long-term strategies related to relevant planning mechanisms, amendments to relevant planning instruments to remove impediments to and facilitate development of affordable and low cost housing, and monitoring the *Strategy's* effectiveness against key performance indicators over time.

Finally, although strong Council leadership is critical in resolving this worsening regional issue, Council's role is limited in some areas. The strategies will be far more effective when carried out in

Attachment 1

Central Coast Affordable and Alternative Housing Strategy

partnership with other levels of government, local services and those in the private sector with a commitment to affordable housing and reducing housing vulnerability and homelessness.

2 Rationale for the Strategy

2.1 What is 'Affordable Housing'?

Housing is generally considered to be 'affordable' when very low, low and moderate income households are able to meet their housing costs and still have sufficient income to pay for other basic needs such as food, clothing, transport, medical care and education. This is generally accepted to be where such households pay no more than 30% of their gross household income on housing costs, although other factors such as cost of transport and access to services are also important.

Affordable housing can include a wide range of housing products, tenure types and price points. This includes, but is not limited to, social (public and community) housing, where rental is charged as a proportion of income and there are stringent eligibility criteria. It can also include affordable rental housing for lower income workers, with rents calculated at a discounted market rate. Housing provided through the market may also be affordable, but must cost the renter or purchaser no more than 30% of gross household income to be considered 'affordable'. It also includes alternative housing products for with particular needs, such as crisis accommodation for people leaving violence, or transitional housing where additional support may be required before entry to mainstream private rental is feasible.

It is important to clearly set out relevant definitions and benchmarks for 'affordable housing' for the purpose of this *Strategy*, and for Council assessments more generally. The income and housing cost benchmarks set out in the following table are consistent with the *NSW Environmental Planning and Assessment Act 1979 (NSW)*, and related policies.

Table 2-1: Relevant Affordable Housing Income and Cost Benchmarks

	Very low-income household	Low-income household	Moderate-income household
Income Benchmark	<50% of Gross Median H/H Income for Greater Sydney	50-80% of Gross Median H/H Income for Greater Sydney	80%-120% of Gross Median H/H Income for Greater Sydney
Income Range (2)	<\$897 per week	\$898-\$1,435 per week	\$1,436-\$2,152 per week
Affordable Rental Benchmarks (3)	<\$269 per week	\$269-\$431 per week	\$432-\$646 per week
Affordable Purchase Benchmarks (4)	<\$280,000	\$280,001- \$455,000	\$455,001- \$683,000

Source: JSA 2018, based on data from ABS (2016) Census indexed to December Quarter 2017 dollars

- (1) All values reported are in December Quarter 2017 dollars
- (2) Total weekly household income
- (3) Calculated as 30% of total household income
- (4) Calculated using ANZ Loan Repayment Calculator, using 23 March 2018 interest rate (4.60%) and assuming a 20% deposit for a 30 year ANZ Standard Variable Home Loan and 30% of total household income as repayments.

2.2 Council's Role and Statutory Responsibilities

The inability of the market to provide for most very low income renters, and for many low income renters and purchasers is a serious issue, and is a particular focus of this *Strategy*. The growing number of homeless people and those at risk of homelessness is also a priority. The creation of affordable housing for very low, low and moderate income households through the planning system becomes more important in the context of local housing need.

There are significant opportunities for local government to support the creation and maintenance of affordable housing through core planning legislation and policies in NSW, and a statutory responsibility for local government to consider this issue. Local government has an **implicit role** in affordable housing and has an impact on housing affordability through land use zoning, controls, the timing of land release, location of services and facilities, and the levying of rates and development contributions.

Local government can also **choose to play a more proactive role** in the creation and retention of affordable housing through active intervention in the market, including through the development of appropriate planning mechanisms and strategies, and the use of its own resources in partnership with others to directly create affordable housing. Advocacy to other levels of government is also important to gain an equitable share of available resources for the Central Coast.

In NSW, range of provisions have been progressively included in the *Environmental Planning and Assessment Act 1979* to support affordable housing. This includes section 1.3(d) which provides that an objective of the Act is the **'delivery and maintenance of affordable housing'**. Any local environmental planning instruments made in accordance with the Act are implicitly made with regard to this and other objectives.

There are likewise **definitions and benchmarks** related to 'affordable housing' in core legislation and related policies such as *State Environmental Planning Policy No. 70 - Affordable Housing*, which have been adopted in this *Strategy* and *State Environmental Planning Policy (Affordable Rental Housing 2009)*.

It is also a requirement of the *Act* that a consent authority take into account the **social and economic impacts** of a development application as part of a merits assessment under section 4.15(1)(b). This has obvious applicability to development applications that may result in the loss of affordable or low cost housing, as well as the assessment of the benefits of an application involving the creation of affordable housing.

Likewise, a consent authority is required to consider whether a proposed development is in the **public interest** under section 4.15(1)(e). A growing body of case law has likewise determined that it is in the public interest to give effect to the objectives of relevant legislation, including *'the delivery and maintenance of affordable housing'* under section 1.3(d) of the *Act*.

Section 7.4 of the *Act* provides for the making of a **Voluntary Planning Agreement** in relation to a proposed amendment to a planning instrument or development application. Under such a planning agreement, the developer may dedicate land free of cost, make a monetary contribution, or provide any other material public benefit, or any combination of these, to be used for or applied towards a public purpose. 'Affordable Housing' as defined in the *Act* is one of the listed 'public purposes'. This is a

mechanisms used by a range of NSW councils in securing resources in perpetuity for affordable rental housing.

The *Act* also provides for the **levying of mandatory contributions** under section 7.2, provided the council or scheme area is included within an environmental planning instrument (EPI) and can demonstrate local need, nexus and feasibility. A small number of council areas have been included under SEPP70, which provides for the levying of mandatory contributions, since 2000, although this was expanded to include six additional Sydney councils in late 2017. At the time of writing, Central Coast Council area is not included, so that mandatory contributions cannot be levied. However, there is scope for Council to apply for inclusion based on evidence in research that supports this *Strategy*. Alternately, Council could seek to have relevant provisions inserted within another EPI, for example, the forthcoming Gosford Town Centre SEPP based on the evidence that supports this *Strategy*.

Moreover, local government has a role and indeed a **statutory responsibility** to seek to create affordable housing through the planning and assessment process, particularly where the market is failing to provide such accommodation.

2.3 Growing Need for Affordable Housing

Although the Central Coast has historically been an affordable area, a range of factors has made the area less affordable than Greater Sydney for local residents, with higher rates of housing stress and higher rates of growth of primary homelessness and those who are marginally housed. This provides particular challenges in the local demographic and housing market context.

Although housing in the Central Coast is still cheaper than the Greater Sydney average, the incomes of local people are also much lower than average largely due to the very high rate of older people on pensions and benefits, the high concentration of very low income renters, the influx of low income households from Sydney seeking affordable housing and improved lifestyle, and high levels of overall social disadvantage, particularly in the former Wyong LGA.

The constrained supply of diverse housing options and of private rental and social housing is having a significant impact upon housing affordability in the context of a rapidly aging population, increasing demand from the Sydney market and an increase in long-term rental among families and older people who can no longer afford home purchase.

The proportion of medium and higher density development in the LGA is much lower than the Greater Sydney average, and has experienced little or no proportional growth over the past decade. Apartments still make up 8% of stock as they did in 2006. Likewise, private rental makes up only 23% of dwellings compared with 30% for Greater Sydney, and the local rate of social housing is 3.7% compared with 5.1% for Greater Sydney despite the far higher rate of very low income renters (41% of renters compared with 29% for Greater Sydney).

There has been no proportional growth in private rental stock in the LGA since 2006, and an actual decline in the amount of social housing since 2011. This is directly related to the lack of growth in medium and higher density housing, noting that around 55% of apartments and 35% of Multi-dwelling housing is privately rented compared with only 20% of separate houses. The loss of more affordable caravan parks and Manufactured Housing Estates, and relative undersupply of more affordable

housing types like New Generation Boarding Houses, is also having a serious impact on very low income renters and those more vulnerable in the local housing market.

In this context, increasing pressure from the Sydney housing market is placing significant pressure on the available stock of lower cost housing, and Central Coast residents are forced to compete in an increasingly competitive rental market. Virtually everyone who moved into the LGA in net terms since 2011 came from Greater Sydney; and 90% of these people were retirees and families on very low and low incomes, often continuing to commute to jobs in Greater Sydney. This exacerbates the effects of constrained local supply outlined above.

The impacts of this are being felt most acutely in the local rental market, where growth in rents for smaller strata dwellings has far outstripped Greater Sydney since 2009. Rents for a one bedroom apartment grew at more than double the Sydney rate (31% in former Gosford and 28% in former Wyong LGA compared with 13% for Greater Sydney, adjusted for inflation); and more than four times the Sydney rate of increase for two bedroom apartments in the former Wyong LGA (64% compared with 15%).

Only 2% of available rental stock in the Central Coast was affordable to very low income renters in a snap shot by JSA in early 2018, noting that this group makes up more than 40% of all renters. The relative scarcity of rental accommodation at the more affordable end of the market, and the extreme pressure on existing supply, is contributing to the increasing numbers in housing stress, homelessness and marginal housing, even among groups who would once have been in more secure accommodation.

In 2016, there were around 24,200 households in the Central Coast LGA in 'housing stress' (paying more than 30% of their gross household income on housing costs). By far the most serious affordability problem is among very low income renters, who make up almost half of all households in housing stress in the Central Coast. When combined with low income renters, these groups make up almost two-thirds of those in housing stress. They are also far more likely than other target groups to be in 'severe' housing stress (paying more than 50% of their household income in rent).

It is projected that an additional 7,000 households will be in housing stress by 2036. Of these, 60% are expected to be smaller households (lone persons and couples) and 40% families with children. 'Rule of thumb' measures such as housing stress do not take into account the adequacy or security of housing, nor the high social and economic cost of commuting for the large number of workers who travel from the Central Coast to metropolitan Sydney each day, so the situation is likely to be far worse for many local people.

In this context, it is not surprising that there was a 35% increase in homelessness in the Central Coast from 2011 to 2016. There are now conservatively estimated to be from 4,100 to 8,500 people who are homeless or marginally housed in the LGA. Although the rate of homelessness is still lower than for metropolitan areas, 'rough sleepers' increased at double the Greater Sydney rate and people who were marginally housed grew at more than twice the metropolitan rate from 2011-16. More than 40% of people reported that they had been homeless for three months or more, and were thus at serious risk of chronic, long-term homelessness.

2.4 Particular Needs of Homeless People and those at Risk of Homelessness

People who are homeless or at risk of homelessness often experience particular social, health or personal vulnerability that is exacerbated by the high cost and relatively low supply of appropriate rental. As well as the normal financial barriers, they may need additional support to access and to maintain their tenancies, and will sometimes need more intensive support on an ongoing basis.

JSA's (2018) *Homelessness Intervention and Prevention Background Paper* provides more detailed research and data on the nature and extent of homelessness, and on strategies that have been found to be effective for different groups. This section provides a brief summary as a further rationale for the Prevention and Intervention plank of the *Strategy*.

The cost to the community of long-term homelessness is generally much higher than even the most intensive housing and support programs, and indicates that the cost of early intervention to prevent homelessness and of programs to reduce homelessness are strongly justified from a social and economic perspective. JSA (2014) calculated the average annual cost of homelessness as **between \$48,000 and \$70,000 per homeless person per annum**, noting that this is a conservative estimate. Most early intervention approaches like brokerage, information and referral, and rental support cost a fraction of this amount.

National and international research also indicates that **'Housing First' models** that provide or assist with accessing long-term housing with some support to maintain the tenancy, but do not wait for the homeless person to be 'housing ready', are likely to be most effective in resolving homelessness in the long-term. Retention rates for those placed in long-term housing were similar, regardless of the service approach used, or whether housing was accessed in a 'foyer' model, private rental or social housing (JSA 2014).

Such 'Housing First' approaches have also been found to be far more effective in reducing long-term homelessness among those with **higher needs such as mental illness** than service-based approaches alone (those *without* the long-term housing component) in the international literature. However, this assumes that there is an available supply of private and/or social rental housing that can be accessed by people who are homeless or at risk. This is clearly *not* the case in the Central Coast.

Research also finds that **deeper rental subsidies and periodic support with rent arrears** are also needed and easily justified for those in the private rental market given the real cost of homelessness to the community, the relatively high levels of subsidy received by those in the social housing sector, and the very high rate of housing stress among very low income households and growing homelessness in the Central Coast.

However, like Census data, research conducted under the *Going Home Staying Home* reforms (JSA 2013) also indicates that **'homeless people' are far from being an homogenous group**.

A majority of people who become homeless are able to **resolve their issues in a relatively short time, many with limited or no assistance from funded services**. These people generally rely on family and friends temporarily and manage to find and maintain long-term housing without the support of services.

A second group become homeless and go to a homelessness service for assistance. They are **first-time homeless or have a relatively short-term experiences of homelessness**. They may not have family

or friends to support and assist them, and may have no rental history, limited information or experience of rental or living independently, or are in crisis, having for example, left a domestic violence situation. They are likely to benefit from relatively 'light' interventions such as support accessing the private rental market, applying for social housing or service referral to resolve related issues such as financial managements or fines, rental support, etc. One-stop-shop approaches or service hubs are likely to be beneficial. Depending on their circumstances, Temporary Accommodation of 1-4 weeks will be required to enable them to access other housing options. To the extent to which services support them into long-term housing, this could be thought of as a 'Housing First' solution

A third group are people who have had **repeat episodes of homelessness and/or whose longest period of homelessness was at least 3-6 months**. They are likely to have more complex needs related to mental health or substance abuse, and to have experienced a total breakdown in family and personal support networks. This is the group that is most likely to benefit from Transitional Housing to support them in stabilising their lives while long-term accommodation is being secured, as well as more intensive long-term support services to maintain their tenancy and to live independently.

However, there is also strong evidence that this group also benefits from 'Housing First' approaches in long-term private and social rental, and which provide a range of supports in the early stages of their tenancy, as well as assistance with rent arrears, mediation with private landlords, and keeping their tenancy 'open' during periodic stays in mental health facilities. It appears that around 60% of this third group obtain private rental, and 40% social rental housing. Social housing is a much more expensive for the community, and again would likely justify deeper subsidies in private rental where these are needed.

The research also indicates that there is a fourth **relatively intractable group of (generally) street homeless people** who move in and out of homelessness regularly, and experience much longer periods of primary homelessness, *regardless* of the degree and type of housing and service intervention (JSA 2014). Whilst every effort should continue to be made to support this group into secure long-term housing, an acknowledgement that there will likely remain such a group living on the fringes of the community highlights the need to enable them to live with as much **comfort, dignity and social inclusion as possible** through the provision of public amenities such as toilets, showers, laundry and internet facilities, safe places to sleep, emergency or 'pop up' shelters in inclement weather, and the inclusive design of public open space that will benefit *all* groups.

Finally, a review of national and international literature, and research and documentation of 17 national and international **best practice case studies** by JSA in 2009 highlights the most effective strategies employed by local governments in reducing local or regional homelessness. Those with a **'high' or 'moderate' level of demonstrated impact** on reducing homelessness in the long-term. This research on effective interventions, as well as consultations with local stakeholders, has informed the strategies set out later.

2.5 The Market is failing to Supply Affordable Housing

The private market delivers the vast majority of housing in the Central Coast, as it does across Australia. However, there is compelling evidence that the market is failing to supply affordable, diverse housing for vast majority of those who need it. In the Central Coast, this is predominantly very

low income renters, the bottom half of the income range for renters on low incomes, and low income purchasers. Although 60% are likely to need smaller, well-located dwellings, around 40% these households are families, who are a very difficult group to accommodate affordably due to the size, type and cost of dwellings often required.

The following table summarises the detailed affordability analysis by housing product and Planning District from the *Background Paper* (JSA 2018), and shows the seriousness of the situation for **renters** on very low and low incomes in the local housing market. It shows that there are virtually no market-delivered housing products affordable to very low income renters in any part of the LGA, and that low income families and those in the bottom half of the low income range are also a very difficult groups to accommodate affordably.

Table 2.3 that follows also summarises detailed data from the *Background Paper* (JSA 2018), and shows the situation for very low and most low income **purchasers** is equally or more problematic in the local context, although *renters* are by far the largest group in housing stress.

Table 2-2: Affordability of Selected Rental Housing Products to Relevant Target Groups in Central Coast LGA

Housing Product (Private Market)	Very Low Income Renting H/Hs	Low Income Renting H/Hs	Moderate Income Renting H/Hs	Comments
1 B/R Strata Dwellings	x	√**	√	**Affordable to low income h/hs in Wyong SA3, and most areas of Gosford SA3
2 B/R Strata Dwellings	x	x **	√	**Affordable only to top 50% of low income h/h in Wyong SA3 & top 30% of low income h/h in Gosford SA3
3 B/R Houses	x	x	√ **	**Affordable to all moderate income h/h in Wyong SA3 & most moderate income h/h in Gosford SA3
New Generation Boarding Houses (Private)	x **	√	√	**Affordable to top 25% of very low income renters only
Caravan Parks (Site Rental or Onsite Van or Cabin)	√	√	√	Assumes weekly site rental and supply of own caravan or MH
MHEs /Lifestyle Villages (Owner Occupied)	x	x	√	Assumes purchase of MH from operator & weekly site rental

Table 2-3: Affordability of Selected Purchase Housing Products to Relevant Target Groups in Central Coast LGA

Housing Product (Private Market)	Very Low Income Purchasers	Low Income Purchasers	Moderate Income Purchasers	Comments
1 B/R Strata Dwellings (1 st Quartile Strata)	x	√**	√	**Affordable to low income h/hs in most of Wyong SA3, but not in Gosford SA3
2 B/R Strata Dwellings (Median Strata)	x	√**	√	**Affordable only to top 50% of low income h/h in Gorokan, San-Remo Budgewoi, Nth Lakes & Toukley Planning Districts in Wyong SA3, but <i>not</i> to low income h/hs in any Planning Districts in Gosford SA3
3 B/R Houses	x	x	√**	**Affordable to most moderate income h/h in Wyong SA3, but <i>not</i> to moderate income h/hs in Gosford SA3

Source: JSA (2018) *Affordable and Alternative Housing Strategy: Background Paper*, Section 4.

A linear regression analysis that forms part of the background research for this *Strategy* indicates that **the main determinants of housing cost in the Central Coast are location, dwelling size, lot size and dwelling type** when controlling for other factors. **Parking requirements and additional bathrooms** also added significantly to housing cost, and to reduced affordability.

As such, an important way of improving affordability for *some* groups is by ensuring that there is an adequate supply of well-located smaller strata dwellings in Residential Flat Buildings and Multi-dwelling Housing, lower cost housing types like New Generation Boarding Houses and Secondary Dwellings, and entry level project homes on smaller lots, as well as reducing parking requirements near key centres in line with *actual* rates of car ownership for strata dwellings. Making sure that there are no unnecessary planning impediments to the supply of smaller, lower cost dwellings and encouraging or mandating lower cost housing types in specific types of developments can also be effective strategic actions. Housing provided through such **‘market’ solutions** will also be more likely to be affordable when such lower cost housing types are built in cheaper areas, particularly those in the former Wyong LGA.

Increasing the supply of well-located and lower cost housing types also has benefits for an aging population, and may exert some downward pressure on rents generally. The creation of ‘lower cost’ housing through removing unnecessary planning impediments, for example, can also help to alleviate housing stress, even where such housing is not strictly speaking ‘affordable’.

However, such market solutions are likely to provide for the needs of only 23% of those in housing stress in the LGA (smaller low income households and moderate households), and these are not the groups most in need of affordable housing. The majority of those who need affordable housing will not have their needs met through strategies to improve market delivery of particular housing types, even in lower cost areas.

Specific strategies to increase the supply of **non-market or more deeply subsidised housing** are required to meet the needs of the majority of people who need affordable housing in the Central Coast. This includes stronger (or mandatory) intervention through the planning system to create affordable housing in perpetuity through mandatory contributions; and the direct creation of affordable housing, for example, on publicly owned land in partnership with a registered community housing provider. **Early intervention strategies** and housing programs that are directly funded by government, use more innovative partnership approaches, or have deeper subsidies are also needed to meet the needs of people who are homeless and most at risk of homelessness.

This *Strategies* set out in Section 3 below have been developed to address the special local needs and housing market conditions within the Central Coast, taking into account the local planning context and issues raised during community consultations.

2.6 Locational Criteria for Affordable Housing

The location of affordable housing is a key issue in terms of social equity and sustainability. Providing for a mix of affordable housing for different target groups in **well-located areas** provides for social mix and reduces the potential stigma that can be associated with such accommodation. Locating such housing **close to transport and services** also provides for the needs of the growing number of people

with a disability and the frail aged, and reduces car dependency and the cost of transport, which can be a significant impost on low and income households¹ and on the environment.

Ideally, housing that meets the needs of very low, low and moderate income households, including older private renters, low income working families and those with special needs should be located **close to larger service centres** with a comprehensive range of retail, health, recreation and support services and facilities, and where possible, public transport. A focus on transit oriented developments near major railway stations is also important given the level of commuting out of area in the Central Coast.

As such, the focus of many of the key planning and partnership strategies detailed later is on **precincts within 400 of the business zones (B2, B3 and B4) of Gosford, Woy Woy, Wyong, Lake Haven, Bateau Bay, The Entrance, Toukley and Ourimbah; and 800 metres of railway stations that provides for access to service and employment centres including Gosford, Woy Woy, Wyong, Tuggerah and Ourimbah.** This locational criteria is also in line with accessible area provisions in SEPP ARH.

2.7 Key Performance Indicators

The implementation of this *Strategy* will be monitored by assessment and reporting against the following Key Performance Indicators (KPIs) as part of Council's annual reporting requirements. Monitoring of KPIs over time should see an overall increase in affordable rental housing and reduction in homelessness and households in housing stress.

- Number of affordable rental dwellings for very low and low income households created as a result of partnerships between Council and community housing providers and/or the private sector. Data can be collected by Council;
- Net change (loss/gain) in Social (Public and Community) Housing. Data can be obtained from Family and Community Services – Housing NSW and local community housing providers;
- Number of affordable rental dwellings for very low and low income households created through other agencies or mechanisms, including Family and Community Services – Housing NSW and Community Housing Providers. Data can be collected by Council;
- Number of affordable housing dwellings for very low and low income renters and low income purchasers provided through the market. Data can be obtained from Family and Community Services – Housing NSW Rent and Sales Reports and Council's approvals data;
- Increase in supply of lower cost housing types/products created through the market. Data can be obtained from Family and Community Services – Housing NSW Rent and Sales Reports and Council's approvals data;

¹ See for example Gleeson, B. and Randolph, B. (2002) 'Social disadvantage and planning in the Sydney Context', in *Urban Policy and Research Vol. 20(1)* pp101-107; and Kellett, J. Morrissey, J. and Karuppannan, S. 2012. 'The Impact of Location on Housing Affordability', *Presentation to 6th Australasian Housing Researchers Conference*, 8-10 February 2012, Adelaide, South Australia.

- Reduction in local homelessness, including appropriate accommodation of rough sleepers, people living temporarily with others, or living in inappropriate, unsafe or severely overcrowded accommodation. Data can be provided by local agencies; and each 5 years through the ABS Census, or other periodic publications;
- Reduction in the proportion of very low and low income households in housing stress. Data can be obtained from the ABS Census every five years;²
- Retention of diverse income, age and employment groups in the LGA. Data can be obtained from the ABS Census every five years;
- Increase in supply of alternative housing options including temporary, crisis and transitional housing. Data can be obtained from relevant NGOs and Council's approvals data.

2.8 Indicative Targets

Setting firm targets for a desired increase in affordable housing can be problematic as such targets are rarely met without strong planning intervention in the market such as inclusionary zoning. However, having **indicative targets** based on an explicit methodology is important in understanding the extent of the challenge faced, and in monitoring the progress of strategic actions in making in-roads into housing need in the long-term.

By 2036, around 32,000 Central Coast households are likely to be in housing stress or serious housing need based on current trends and projected growth rates. This is an **additional 7,300 households** in need of affordably priced housing from 2016-2036.

At least **50% of dwellings would need to be for very low income households** (most of them renters), with around one-third for low income households, and 14% for moderate income households. The tenure share would be also be around **two thirds rental** and one third purchase on current trends, although fewer low income households are likely to be able to affordably purchase in the future³ so that factoring in a higher level of rental may be prudent.

There would be a relatively even split between dwellings suited to singles and couples, and those suited to families, although given the rapid aging of the population projected for the Central Coast, it would be again be prudent to plan for at least a **60% to be smaller well-located dwellings near larger urban centres**.

Potential targets are shown in the following table. Council can **adopt indicative targets based on additional or projected need** in seeking to influence the supply of affordable housing and monitoring progress.

² Note that levels of housing stress on very low and low income households can be reduced if increasing housing costs cause these people to be displaced. Consequently this KPI must be considered in the context of changing demography as set out in the next KPI.

³ We assume that low income purchasing households were able to enter the market when prices were lower, and that entry will be increasingly constrained.

Table 2-4: Potential Targets for Affordable Housing to 2036 based on Additional and/or Total Affordable Housing Need

		Small renting households	Family renting households	Small purchasing households	Family purchasing households
Additional Required 2016-2036	Affordable to Very Low Income Households	1,900	1,400	500	200
	Affordable to Low Income Households	500	900	500	600
	Affordable to Moderate Income Households	100	100	200	400
Total Required in 2036	Affordable to Very Low Income Households	8,000	5,900	2,100	1,400
	Affordable to Low Income Households	2,100	3,800	1,900	2,300
	Affordable to Moderate Income Households	500	900	800	1,800

Source: JSA calculations, using data from ABS Census of Population and Housing 2016 and NSW Government Planning and Environment, 2016 New South Wales State and Local Government Area Population and Household Projections, and Implied Dwelling Requirements.

(1) Calculated using pro-rata household growth from population projections

3 Strategies to Improve Access to Affordable & Alternative Housing

3.1 Overview of Strategic Themes

The *Central Coast Affordable and Alternative Housing Strategy* has been developed under three strategic themes:

- Affordable Housing Development and Management Partnerships;
- Planning Mechanisms and Strategies to Increase the Supply of Affordable and Lower Cost Housing; and
- Prevention and Intervention to Reduce Homelessness.

Strategies outlined under each of these three themes necessarily overlap. For example, implementing 'Housing First' approaches to address homelessness will be far more feasible with an increase in the supply of appropriate private rental through relevant planning mechanisms, or if a component of housing developed on Council-owned land in a multi-tenure development partnership is ear-marked as Transitional Accommodation for formerly homeless people. However, there are also strategies that are specific to each of the themes, and they are considered separately and cross referenced with other themes where relevant.

A summary of key strategies are first set out. This is followed by general strategies related to benchmarks and definitions, and a more detailed outline of strategies and specific rationale under each of the three strategic themes.

3.2 General Strategies

Rationale

Establishing transparent definitions, benchmarks, targets and KPIs is important to ensure that the *Strategy* can be properly implemented and regularly monitored to understand progress, and for the purpose of assessing of policies and development proposals by Council more generally.

Strategies

Strategy 1

For the purpose of this *Strategy*, Council adopts:

- The definitions and benchmarks for 'affordable housing'

Housing is generally considered to be 'affordable' when very low, low and moderate income households are able to meet their housing costs and still have sufficient income to pay for other basic needs such as food, clothing, transport, medical care and education. This is generally accepted to be where such households pay no more than 30% of their gross household income on housing costs, although other factors such as cost of transport and access to services are also important.

	Very low-income household	Low-income household	Moderate-income household
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Attachment 1

Central Coast Affordable and Alternative Housing Strategy

Income Benchmark	<50% of Gross Median H/H Income for Greater Sydney	50-80% of Gross Median H/H Income for Greater Sydney	80%-120% of Gross Median H/H Income for Greater Sydney
Income Range (2)	<\$897 per week	\$898-\$1,435 per week	\$1,436-\$2,152 per week
Affordable Rental Benchmarks (3)	<\$269 per week	\$269-\$431 per week	\$432-\$646 per week
Affordable Purchase Benchmarks (4)	<\$280,000	\$280,001- \$455,000	\$455,001- \$683,000

Source: JSA 2018, based on data from ABS (2016) Census indexed to December Quarter 2017 dollars

- All values reported are in December Quarter 2017 dollars
- Total weekly household income
- Calculated as 30% of total household income
- Calculated using ANZ Loan Repayment Calculator, using 23 March 2018 interest rate (4.60%) and assuming a 20% deposit for a 30 year ANZ Standard Variable Home Loan and 30% of total household income as repayments.

Strategy 2

For the purpose of this *Strategy*, Council adopts the following KPIs:

- Number of affordable rental dwellings for very low and low income households created as a result of partnerships between Council and community housing providers and/or the private sector. Data can be collected by Council;
- Net change (loss/gain) in Social (Public and Community) Housing. Data can be obtained from Family and Community Services – Housing NSW and local community housing providers;
- Number of affordable rental dwellings for very low and low income households created through other agencies or mechanisms, including Family and Community Services – Housing NSW and Community Housing Providers. Data can be collected by Council;
- Number of affordable housing dwellings for very low and low income renters and low income purchasers provided through the market. Data can be obtained from Family and Community Services – Housing NSW Rent and Sales Reports and Council's approvals data;
- Increase in supply of lower cost housing types/products created through the market. Data can be obtained from Family and Community Services – Housing NSW Rent and Sales Reports and Council's approvals data;
- Reduction in local homelessness, including appropriate accommodation of rough sleepers, people living temporarily with others, or living in inappropriate, unsafe or severely overcrowded accommodation. Data can be provided by local agencies; and each 5 years through the ABS Census, or other periodic publications;
- Reduction in the proportion of very low and low income households in housing stress. Data can be obtained from the ABS Census every five years;⁴
- Retention of diverse income, age and employment groups in the LGA. Data can be obtained from the ABS Census every five years;

- Increase in supply of alternative housing options including temporary, crisis and transitional housing. Data can be obtained from relevant NGOs and Council's approvals data.

Strategy 3

For the purpose of this *Strategy*, Council adopts the targets in the following table.

DRAFT

		Small renting households	Family renting households	Small purchasing households	Family purchasing households
Additional Required 2016-2036	Affordable to Very Low Income Households	1,900	1,400	500	200
	Affordable to Low Income Households	500	900	500	600
	Affordable to Moderate Income Households	100	100	200	400
Total Required in 2036	Affordable to Very Low Income Households	8,000	5,900	2,100	1,400
	Affordable to Low Income Households	2,100	3,800	1,900	2,300
	Affordable to Moderate Income Households	500	900	800	1,800

3.3 Affordable Housing Development and Management Partnerships

3.3.1 Provision of Affordable Housing on Council Land

Rationale

The majority of need for affordable housing in the Central Coast LGA is from very low income households. The bottom half of the lower income band and lower income families are also generally unable to find affordable housing. Affordable rental is particularly important for these groups who are increasingly unable to purchase on these incomes. However, the evidence indicates that the private market is not providing affordable accommodation, and is unlikely to do so even with planning intervention. There is also evidence of growing local homelessness and an inability to respond effectively to this problem largely due to a lack of appropriate, affordable and alternative housing options.

The **direct creation of social and affordable rental housing** for diverse groups including lower income key workers, older pensioners and retirees, people with a disability, people at risk of homelessness, and very low and low income families will be necessary to meet the growing need for such housing in the future. This is the only effective strategy in the current and future housing context for such groups.

An effective way of delivering affordable housing is through development of such housing on public land as a development and/or management partnership with a registered community housing provider (CHP) and/or the private sector. Partnering with a registered CHP is the preferred option due to their experience, management expertise, and access to government grant funding and their own revenue raising capacity. Partnerships with NGOs can also be beneficial in the development and development of housing alternatives for people with particularly needs.

Multi-tenure models that incorporate alternative (special needs), social housing, affordable (discount market rent) housing, and private rental and/or owner-occupied housing are preferred as they generally improve social inclusion, reduce stigma and have the ability to cross subsidise the social or alternative housing components of a development. Mixed tenure developments developed in conjunction with community, cultural or recreational uses, for example, also have the advantage of enlivening the street scape and making more efficient use of land in CBD locations.

Council land can be developed under a variety of contractual arrangements - by Council acting alone; or in conjunction with a partnering agency or agencies, such as a CHP and/or private sector partner. Financially, the arrangement can be structured in a number of ways, depending on Council's preference. Likewise, risk can be shared and rates of return factored in at a level appropriate to the needs and preferences of partnering agencies.

A first cut assessment of site suitability, appropriateness of location and preliminary economic modelling was carried out on a number of Council-owned sites nominated by Council officers and detailed by JSA in a commercial in confidence internal working paper; whilst the JSA (2018) *Case Study Booklet* for examples of partnership models that could be adapted to the Central Coast.

Of these, six sites were assessed as likely to be suitable for multi-tenure developments including on well-located Council-owned sites within or close to the Town Centres of Gosford, Wyong, Toukley,

Bateau Bay and The Entrance. A further was assessed as being suitable for a lower cost caravan park/MHE or Tiny Homes-type development.

Several development options or scenarios were modelled on each site; and each option modelled could at least break even, or provide a small profit, in their first year of operation. Some options provided reasonable or good rates of return, even at year one. The net financial position largely depended on the location and relative market context; the mix of dwellings and controls governing the site; the number of private apartments sold to augment income from rents; and whether a New Generation Boarding House component is included, with the latter tending to improve the financial viability of the development due to the higher dwelling yield/lower capital cost. No additional capital grants were assumed in the modelling, although asset leveraging/debt financing was assumed.

Preferred sites were ranked from most to least favourable with regard to their likely dwelling yield, economic return and location (proximity to buses, trains and services). It is noted that the sites discussed in the working paper are examples only of what could be done, and would require more detailed assessment to determine their suitability etc.

It is proposed that Council dedicate at least three sites to affordable housing multi-tenure demonstration projects, and seek to develop these in partnership with a community housing provider and/or other not for profit provider in the short, medium and longer-term as the strategy is rolled out. Council could choose among the listed sites, or could further identify and explore other sites that it owns near relevant Town Centres.

It is also proposed that an additional site be developed as a community-managed lower cost caravan park/MHE/Tiny Homes development with a combination of rented manufactured or tiny homes placed on sites, and sites for rent where people can place their own home. A further site could be dedicated to this purpose following successful implementation of the first development.

Strategy 4

Council will dedicate at least three Council-owned sites for affordable housing partnerships as the *Strategy* is rolled out, ensuring that sites are well located with regard to transport and/or services, maximise the yield of social and affordable housing and are able to achieve favourable economics (at least break even in the first year). Of these, one will be developed in the short-term, and others will be investigated and developed as the *Strategy* is rolled out.

Strategy 5

- a. Council will facilitate a well-located multi-tenure development on Council-owned land in partnership with a **registered community housing provider** and/or other not for profit service provider (NGO) in the short-term.
- b. This development will be a multi-tenure development and will be targeted to very low and low income renting households and to low income purchasing households, and will seek to include:
 - A portion as a new generation boarding house providing rental accommodation to very low income renting single person or couple households, and including some people who are formerly homeless in Temporary or Transitional Accommodation arrangements;

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Central Coast Affordable and Alternative Housing Strategy

- Principally one and two apartments providing rental accommodation to very low income and low income renters who are singles, couple and smaller family households and purchase for low income households, possibly including some shared equity;
 - Adequate provision for Adaptable Dwellings on the ground floor per AS 4299;
 - Space for on-site or outreach services and a manager's dwelling as part of the new generation boarding house.
- c. Council will seek to develop the site through a competitive select tendering process (an expression of interest), or preferred partnering arrangement,⁵ with a **registered community housing provider** and/or appropriate NGO that clearly specifies requirements for the site including maximisation of affordable housing yield, indicative dwelling type and tenure mix, risk apportionment and long-term management and maintenance arrangements.

Strategy 6

- a. Council will further investigate and dedicate at least a further two sites to multi-tenure affordable housing developments that are well-located.
- b. The other two Council sites will be identified by Council, and likewise developed in partnership with a **registered community housing provider and/or appropriate NGO** under an EOI or preferred partnering arrangement.

Strategy 7

- a. Council will investigate an appropriate site in the short-term for the development of an affordable caravan park in partnership with a registered community housing provider and/or not for profit service provider with a best practice management model to accompany the business case including a combination of temporary and crisis accommodation through rented manufactured homes/tiny homes on sites for rent, and sites for rent where people can place their own home.
- b. This site will be identified by Council, and likewise developed in partnership with a **registered community housing provider and/or appropriate NGO** under an EOI or preferred partnering arrangement.

(See also relevant strategies in **Section 3.5: Prevention and Intervention** below).

⁵ That is, Council may selected two or three appropriately skilled and experienced Community Housing Providers and/or NGO and put out an Expression of Interest to which they respond, and select the most competitive tender that meets the criteria set by Council; or Council may enter into a long-term partnering arrangement with one Community Housing Provider and/or NGO for the development of all sites under a Memorandum of Understanding or similar.

3.4 Planning Mechanisms and Strategies to Increase Supply of Affordable and Lower Cost Housing

3.4.1 Overview of Strategies and Mechanisms

There are a range of planning mechanisms and strategies available to Central Coast Council to increase affordable and lower cost housing, as summarised in the table below. These strategies range from 'light' intervention such as research, advocacy and community education (Column 1); facilitative intervention such as removing planning impediments to the development of low cost housing types and providing incentives to development of affordable housing (Column 2); to stronger intervention like mandating affordable housing types or seeking to impose mandatory contributions (Column 3), and direct provision of affordable housing (Column 4, and addressed in Section 3.3 above).

As noted in the JSA (2018) *Strategic Planning Background Paper*, some of these strategies are more likely to be effective in the local housing market context. Those likely to be most effective are the focus of the strategies in this section.

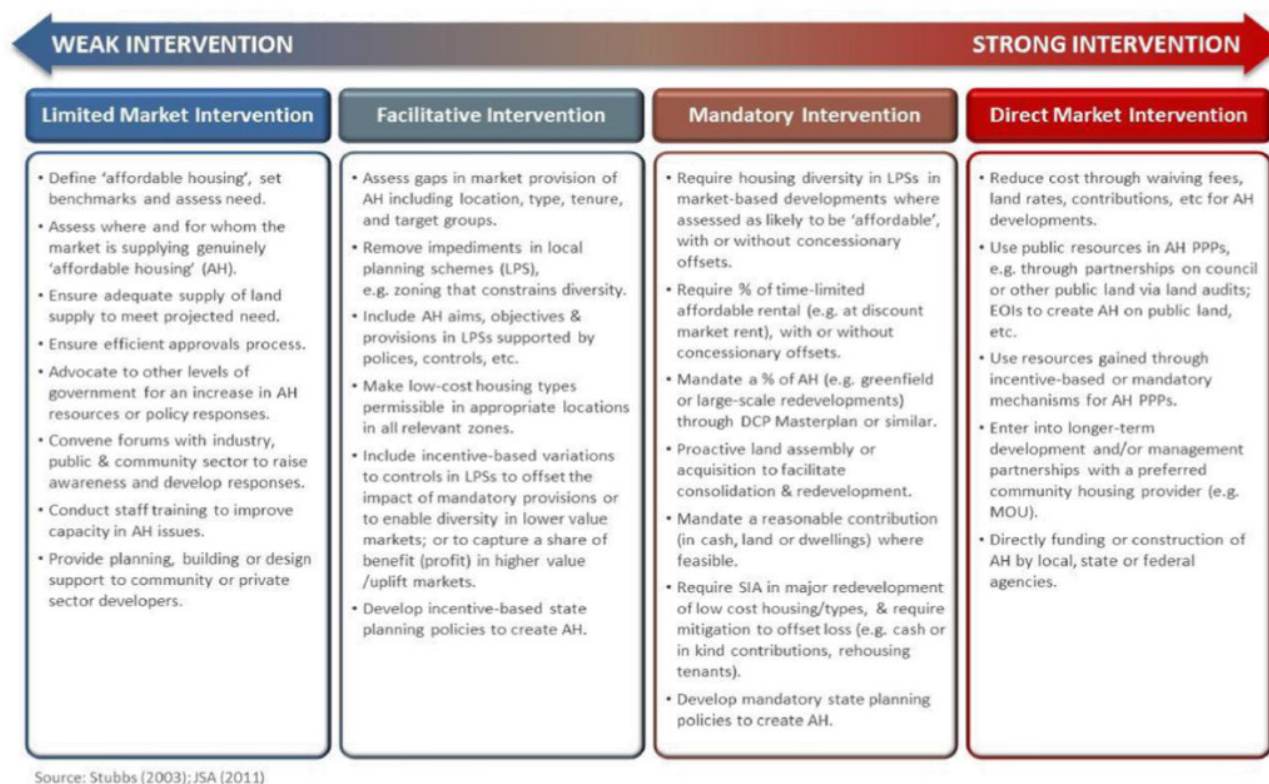


Figure 3.1: Mechanisms and Strategies to Create Affordable Housing along a Continuum of Planning Intervention

3.4.2 Facilitative Intervention

Remove Impediments in Local Planning Instruments

Rationale

The provision of smaller one and two bedroom strata dwellings is the main way that lower cost housing is being provided through the private market. In the local context, this is mainly provided through **Multi Dwelling Housing (particularly single storey one and two bedroom villas) and Residential Flat Buildings (smaller studio, one and two bedroom apartments)**, which are affordable to all moderate income household and many smaller low income households, and would likely provide for the needs of around 23% of those in housing need.

Increasing the supply of smaller strata dwellings in well-located areas through the market has other benefits. These include meeting the needs of an aging population, easing existing pressure on private rental, which is more likely to be provided in apartments, villas and townhouses, and exerting some downward pressure on rents through increasing supply over time.

The provision of such dwellings is most likely to be economically feasible through the redevelopment of **older separate houses on larger or consolidated lots, with most practical opportunities for this in areas currently zoned R2 Low Density Residential**, as much of the existing R1 General Residential zoned land has dwellings (including medium density uses) that are relatively new and/or have not reached the end of their economic life.

However, there are likely to be significant constraints to the development of such low cost and affordable housing under the forthcoming Central Coast consolidated LEP, as it is understood that Multi Dwelling Housing (MDH) and Residential Flat Buildings (RFBs) will not be permissible in R2 zones. As noted, Separate Houses being constructed in R2 zones are generally not affordable to any low income households, or to most moderate income households in the former Gosford LGA, so that one of the major practical opportunities to create lower cost and affordable housing in economically feasible scenarios will be lost, and these groups will be increasingly excluded.

A review of similar peri-urban and regional councils in reasonably close proximity to Sydney, which are also facing increasing affordability problems, show that most include provision for more diverse housing forms in the R2 zones. For example, Wollongong allows RFBs and MDH in R2; Newcastle and Wollondilly allow Residential Accommodation (includes RFBs and MDH) in R2; and Shellharbour, Midwestern and Campbelltown allow MDH in R2.

In order to address amenity concerns, councils generally specify controls that will apply **in addition to the normal controls** (e.g. setbacks, FSR, etc) that will **still** apply in an LEP or DCP. For example, clause 7.14 in Wollongong LEP states that MDH is permissible with consent in on lots with a minimum 18 metre frontage, and that RFBs must be on sites with a minimum of 24 metre frontage. It is also noted that amenity impacts from increased bulk and scale from the redevelopment of older housing to large two storey separate housing can be significant, and arguably greater than well-designed MDH developments. Some councils also seek to minimise such impacts through the development of good practice guidelines for MDH in different contexts/lots.

At the time of writing, the consolidated Central Coast LEP and DCP were exhibited to the public. Smaller lot sizes are proposed to be enabled within the R1 zone under the Draft Central Coast LEP. It is important to note the role of minimum lot sizes in the creation of affordable housing. The forthcoming Housing Strategy, which will inform the future Comprehensive LEP and DCP, will review and consider enabling smaller lots in R2 zones or rezoning of land to support more opportunities for affordable housing. It is important that this review is undertaken in context with existing and proposed land use settlements, servicing and infrastructure provision across the Central Coast.

In general, if seeking to facilitate housing diversity and greater affordability of market housing, ensuring sufficient supply of R1 and R3 zoned land is important as each of these currently provide for MHH and RFBs. However, this would likely provide for a far more liberal planning scenario, and it seems unlikely that such zoning would be extended into existing R2 zoned areas that would provide for much of the opportunity for redevelopment for smaller dwellings in the foreseeable future. A compromise would be to provide for MDH in R2 zones, with tight controls included in the LEP, as discussed above.

Height and FSR can also constrain the development of apartments, for example, 8.5 metres height is unlikely to be sufficient to allow for the construction of Residential Flat Buildings of even two storeys when undercroft parking is provided. Allowance for at least 11.5 metres height would provide for more flexibility with respect to development of apartments, and would provide opportunities for developers to take advantage of larger lots and corner lots by providing two stories with undercroft parking, which is the cheapest form of construction, even under the constraints of the Apartment Design Guide.⁶

Where appropriate, height of at least 15 metres would be preferred as this allows for 4 stories of apartments with underground parking or three stories of apartments with undercroft parking, which would support increased economic feasibility of development. FSR needs to be commensurate with Height. Assuming a 25% building footprint, an FSR of 1.0: 1.0 would be required to construct 4 storey development.

Affordable accommodation for most of the target groups in the context of the Central Coast private housing market is likely to be provided by Caravan Parks, and New Generation Boarding Houses under SEPPARH, discussed later.

Strategy 8

- a. Council will investigate opportunities for rezoning developable land within 400 metres of town centres and 800 metres of railway stations and transport nodes, to R1 or R3 so as to facilitate the construction of Multi-dwelling Housing and Residential Flat Buildings. Examples of currently appropriate town centres could include Gosford, Woy Woy, Wyong, Lake Haven, Bateau Bay, Toukley and Ourimbah and appropriate transport nodes could also include Tuggerah. It is noted that any such rezoning is subject to a detailed assessment process

⁶ For example, the Apartment Design Guide set back requirements triggered at 3 stories effectively constrain apartment construction on narrow lots.

on a case by case basis including community consultation, appropriate height and character of the area.

Strategy 9

Council will **maintain at least existing height and FSR controls** in Gosford, Wyong, Toukley and The Entrance Town Centres to continue to support lower cost housing types in these areas through the market, and consider at least 15 metres in height where appropriate to increase the economic feasibility of Residential Flat Buildings.

Strategy 10

Council will seek to zone precincts within Greenfield urban expansion areas as R1 residential to allow a range of housing typologies and lot sizes, including Multi-dwelling Housing such as villas and townhouses. These should be in areas that are well located i.e. within 400 metre walking distance of designated urban centres and railway stations/ transport hubs.

Strategy 11

As part of the broader Central Coast Housing Strategy and forthcoming comprehensive LEP, and/or in its forthcoming DCP, Council will consider **permitting Multi dwelling housing in R2 zoning**, where lots have a minimum street frontage of 18 metres to provide sufficient opportunities for lower cost and affordable market accommodation in diverse areas.

Parking

Rationale

Excessive requirements on parking affect the delivery of affordable housing in two ways; firstly the provision of parking adds to the price of dwellings, and secondly the provision of parking impacts on development feasibility, so that excessive parking requirements will mean that economically marginal developments will not go ahead. The cost of providing an underground car parking space is around \$70,000,⁷ and JSA's regression analysis shows that each additional car space adds \$69,000 to the price of a strata property in Central Coast LGA. This means that reduced parking will make some marginal developments more profitable and more likely to proceed, and reduced parking will reduce the sales price (and likely the rental cost) of a dwelling.

At the time of writing, it is understood that the draft DCP requires 1.5 parking spaces per dwelling in **Residential Flat Buildings**. **Affordability would be increased by reducing this to the actual average car ownership per apartment – a maximum of one space for two bedroom apartments and 0.6 spaces for studio and one bedroom apartments.** There is a reduction in parking to 1 space per dwelling for development within 400 metres of a train station. The reduction in parking could be further reduced (for example 0.5 spaces per apartment) and **could be expanded to within 800 metres**

⁷ Rawlinsons Australian Construction Handbook 2012, adjusted for inflation.

of a train station and to areas within 400 metres proximity to in Gosford, Woy Woy, Wyong, Lake Haven, Bateau Bay, The Entrance, Toukley and Ourimbah Town Centres.

Actual car ownership in the Central Coast and Gosford Suburb is around 0.6 cars per dwelling on average for studios and one bedroom units, 1 car per dwelling on average for two bedroom units and 1.3 cars on average for three bedroom units. Average car ownership for apartment dwellers in Wyong Suburb is actually lower, and the rate of households that own no vehicles is higher. Nearly half of households in studio and one bedroom apartments do not own a vehicle, suggesting that parking requirements for these dwellings could be reduced to zero in town centre areas close to public transport, as shown in the table below.

Table 3-1: Average car ownership per dwelling in Residential Flat Buildings, and rates of households with no vehicle

	Studio & 1b/r units	% with no car	2 b/r units	% with no car	3 b/r units	% with no car
Central Coast LGA	0.6	44%	1.0	20%	1.3	7%
Gosford Suburb	0.6	41%	1.1	16%	1.3	6%
Wyong Suburb	0.4	57%	0.7	40%	No data	No data

Source: JSA 2018, based on data from ABS Census of Population and Housing 2016 (Table Builder)

Actual car ownership is similar for Multi-dwelling Housing (attached dwellings, villas, townhouses, etc) in Central Coast LGA for a studio or one bedroom dwelling (0.6 on average per dwelling) and a two bedroom dwelling (0.9 per dwelling). Three bedroom strata dwellings are actually slightly lower (1.2 vehicles on average per dwelling). **As such, the parking reduction that has been suggested above for Residential Flat Buildings should also be considered for Multi-dwelling Housing in designated areas.**

Strategy 12

- Through the broader Central Coast Housing Strategy, Council will consider amending its Comprehensive DCP to require **0.6 parking spaces for studio and one bedroom apartments** and **1 parking space for two bedroom apartments** in Residential Flat Buildings in line with actual rates of car ownership and in consideration of affordability and equity, and to make this form of development more competitive.
- This reduction will apply to Residential Flat Buildings in appropriate precincts within 400 metres of the business zones (B2, B3 and B4) of Gosford, Woy Woy, Wyong, Lake Haven, Bateau Bay, The Entrance, Toukley and Ourimbah, and 800 metres of Gosford, Woy Woy, Wyong, Tuggerah and Ourimbah railway stations that meet a specific locational criterion.

- c. Decisions regarding the centres or localities in which these parking standards will apply will take into account proximity to relevant transport infrastructure.
- d. Council will consider a **further reduction in parking** within 400 metres of Gosford and Wyong train station, for example, 0.5 parking spaces for one and two bedroom apartments.
- e. Council will also extend the parking standards and locational criteria set out in Strategies 10a), b) and c) to **Multi-dwelling Housing**.

New Generation Boarding Houses

Rationale

New Generation Boarding Houses under *SEPP Affordable Rental Housing 2009* can provide affordable accommodation to some very low income singles and couples, and all low and moderate income smaller households in the LGA, and are one of the most affordable types of accommodation in the local housing market context. Where they are managed by a community housing provider, they will be affordable to all very low income renters as well. They can also provide flexible and affordable accommodation to very low and low income key workers in hospitality, retail and community services.

Boarding Houses are an allowable use in areas zoned R1 General Residential, R2 Low Density Residential, R3 Medium Density Residential, B1 Neighbourhood Centre, B2 Local Centre and B4 Mixed Use under the *Draft Central Coast LEP*. **The wide range of zones in which such accommodation is permissible is positive for affordability in the context of the local housing market.**

On 1 June 2018, car parking standards were increased for boarding houses under the *State Environmental Planning Policy (Affordable Rental Housing) 2009* (ARHSEPP). The Department of Planning amended parking rates to a minimum standard of 0.2 parking spaces per boarding room for New Generation Boarding Houses developed in partnership with and/or managed by Community Housing Providers in well-located areas and 0.4 in non-accessible areas. This change ensures that community housing cannot be refused if it meets the standard and where appropriate, a lower rate may be considered.

As there are no FSR controls in the *Draft Central Coast LEP*, the only bonus for development of Boarding Houses in accessible areas will be a reduction in parking. The SEPP has recently been amended to increase parking requirements from 0.2 spaces per room to 0.5 spaces per room (other than for developments by a community housing provider), although this is the level at which development 'cannot be refused' by Council under the SEPP rather than an absolute requirement. **It is likely that this will have a significant impact upon the feasibility of privately developed Boarding Houses through reduced yield (lower number of rooms).**

Council could provide for the previous parking standard (0.2 spaces) within the Central Coast DCP within 400 meters of business zones Gosford, Woy Woy, Wyong, Lake Haven, Bateau Bay, The Entrance, Toukley and Ourimbah to ensure that this important form of development remains viable in well-located areas.

Council could also actively promote development of New Generation Boarding Houses and Supported Boarding Houses in town centres, and develop guidelines consistent with government policy to

support their development taking into account local needs and the housing market context, and best practice in design and management.

In some LGAs, Councils have develop guidelines⁸ to address matters of which SEPP ARH is silent or generic in nature. These include adequacy of open space, shared bathroom and kitchen facilities, amenities, and on-site management.

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⁸ See for example North Sydney Development Control Plan 2013 Boarding Houses from which proposed conditions have been adapted.

Strategy 13

- a. Council will develop an appropriate Social Impact Assessment Policy and Guidelines which will include a chapter **for the development of Supported and New Generation Boarding Houses**. This will inform their development taking into account local needs and the housing market context, and best practice in design and management.
- b. **Guidelines** would include the following provisions:
 - Shared ('private') open space be provide at 5m² for each ten lodgers, with a minimum of 20 m² for any Boarding House development.
 - Where boarding rooms are *not* fully self-contained (with en suite bathroom, laundry and kitchen facilities), the following criteria will be considered:
 - The communal kitchen and dining area is to be a minimum of 15 m², with at least 1 m² per lodger over 6 lodgers.
 - One washing machine and tub should be provided for every 10 lodgers.
 - One clothes drier or 20m of external line should be provided for every 10 lodgers;
 - Bathrooms must be at least 5m² and comply with BCA requirements;
 - A plan of management should be provided which addresses:
 - fees for residency;
 - management and supervision through an on-site manager or regular visits;
 - kitchen usage, the provision of meals or resident provision of meals;
 - noise inside the boarding house and in adjacent private open space areas;
 - use of communal space and facilities;
 - parking for cars;
 - cleanliness and maintenance of the property and grounds;
 - house rules (covering issues such as access to rooms, keeping shared facilities clean and tidy, visitors, pets, quiet enjoyment etc); and
 - 24 hour contact details.

Incentives to Enhance Opportunities to Capture Benefit

Rationale

Variations to existing planning controls such as FSR, Height, parking or setbacks can be currently applied for under clause 4.6 of Gosford and Wyong LEPs, and will be available in the future through the consolidated Central Coast LEP. Council's approval is not automatic, but considers the merit of such applications, including the impact of granting the variation in the locality. Such variations may, though not always, be tied to a public benefit, for example, dedication of land for open space or connectivity that is above that required under normal section 94 contributions.

Some NSW councils have long-standing policies that tie such variations to a specified public benefit, including affordable rental housing in perpetuity. Under these planning agreement policies, the **additional profit** gained by a developer from such variations is properly valued, and a contribution is provided to council for a specified public benefit. The agreement reached is set out in a legally binding voluntary planning agreement under section 7.4 of the Act.

Due to increasing housing affordability problems, and the exacerbation of such problems through ongoing redevelopment and gentrification, a number of NSW councils have adopted planning agreement policies that include a contribution to affordable rental housing. For example, Waverley Council has a long-standing policy that provides for a **maximum 15% variation to FSR**, and calculates the contribution to affordable housing as **50% of the additional profit arising from the additional floor space**, and calculated on a case by case basis by qualified valuers (see Attachment A: *Waverley Planning Agreement Policy 2014*). This method is consistent and transparent, and allows for significant ongoing increases in land value in the areas where developers often choose to take up such options rather than resorting to indexation.

A second method of determining the amount of contributions is as a fixed proportion of additional floor space or the equivalent dollar value at current sales prices. Again, a transparent method of calculation would be set out in the policy as to how the contribution rate was arrived at. This method has the advantage of avoiding difficult case by case negotiations.

A third method is to define a cash contribution with indexing, but this has the disadvantage of often not keeping pace with significant increases in land value that run ahead of average housing price increases.

Under *current* housing market conditions such a 'density bonus' scheme is likely to be viable in **Central Gosford and Peninsula Planning Districts**, with contribution rates of 13% and 10% of total additional area of floor space (apartments) created, or equivalent cash contribution assessed as viable. Although not modelled, similar opportunities are expected in higher amenity precincts of Planning Districts such as Coastal, East Brisbane Water and West Brisbane Water (see Section 3.4 of JSA (2018) *Strategic Planning Discussion Paper* for more detail).

Contributions can be made in units, cash contributions or land, and dwellings created would be used as affordable rental housing in perpetuity, with title generally retained by council and the units managed by a community housing provider. It is generally at the discretion of Council whether the contribution is made in cash or in kind.

Whilst the mechanism that provides for the variation is basically the same as the current situation in council policies reviewed (linked to a clause 4.6 variation), the development of an explicit planning agreement policy related to (or that includes) affordable housing provides for transparency, consistency and accountability in the process, and avoids the appearance of ad hoc decisions.

Regardless, such a policy does not provide for automatic approval of the variations sought. These must be subject to the same merits assessment process as a development application. However, the experience of other councils has generally been that developers have sought to use the policy, as it sets out a clear and predictable pathway, and is generally pursued in areas where land value uplift is sufficient to make profit share worthwhile.

Strategy 14

- a. Council will develop a *Voluntary Planning Agreement Policy (Affordable Housing)* to allow for additional FSR and/or Height and/or variation to other controls in accordance with section 7.4 of the Act in return for a contribution toward affordable rental housing in perpetuity as public purpose.
- b. The *Policy* will set out the areas to which the Policy will apply, the contribution rates and method of calculation, and the variations to controls that will be considered (for example, maximum of 15-20% GFA), and any other relevant matters (see Attachment A for example of the Waverley VPA Policy).
- c. Council will adopt, and set out in its Policy, an appropriate method of calculating the contributions that apply, taking into account matters set out in the Rationale above. These include either:
 - i. A determination of value uplift and appropriate profit share on a case by case basis, for example, a contribution of 50% of the profit from additional floor area created from variations to controls as assessed by independent valuation; or
 - ii. A contribution of a fixed proportion of additional floor area, or an equivalent dollar value based on current sales prices, based on an initial assessment of likely additional profit or value uplift from the variation to controls.
- d. The affordable housing contributions will be provided in cash, land or dwellings in accordance with Council's *Voluntary Planning Agreement Policy (Affordable Housing)*, and in accordance with Council's preferences, and will be dedicated to the creation of affordable rental housing in perpetuity to be managed by a community housing provider.
- e. Council will implement this mechanism in all areas covered by the local planning scheme in the Central Coast LGA to allow for market innovation and changing land values and market conditions, noting that the normal merits assessment will apply in relation to such applications.
- f. As an alternative to Strategy 13(e), Council will implement the Policy in stages, with the first stage applying to areas within the Planning Districts of Central Gosford and Peninsula; with second stage implementation in the Planning Districts of Coastal, East Brisbane Water and West Brisbane Water following an evaluation of the impact of the mechanisms in Central Gosford and Peninsula, and rolled out across the LGA thereafter.

3.4.3 Mandating Housing Diversity

Rationale

Mandating housing diversity is also likely to be an effective mechanism for the creation of affordable housing in appropriate areas of the Central Coast LGA. This will be equitable in areas where the mandating of such dwellings does not constitute an undue impost on the viability development, and has been explored in detail in the *Background Paper* and in Appendix A to the *Strategic Planning Discussion Paper*.

One bedroom strata dwellings are affordable to low income purchasers and renters in all study areas, and where they are available at least 50% of them are likely to enter the private rental market. Further, amenity (location, dwelling size, additional bathrooms, additional parking) generally increases sales price, so that smaller dwellings with one bathroom and reduced parking are likely to increase affordability. However, such properties are in very short supply in the LGA and are likely to be particularly attractive to very low income older people as they become less physically able, or need to move from a more remote area.

Two bedroom strata dwellings are affordable to around half of low income renting households and all moderate income households. Again, supply and amenity have been found to significantly impact upon price and affordability for dwellings that have the potential to be more affordable.

Strategies

Strategy 15

- a. As part of the broader Central Coast Housing Strategy, Council will consider amendments to the forthcoming Comprehensive DCP to **require a proportion of one bedroom, one bathroom dwellings with a floor area of 50 to 55 m²** in Residential Flat Buildings in areas within 400 metres of business zones in the Town Centres and within 800 metres of Railway stations (1 dwelling in 10 or 10% of dwellings in development of 10 or more dwellings).
- b. As part of the broader Central Coast Housing Strategy, Council will consider amendments to the forthcoming Comprehensive DCP to **require a proportion of two bedroom, one bathroom dwellings with a maximum floor area of 70 or 75 m²** in Multi dwelling Housing developments and Residential Flat Buildings in areas within 400 metres of town centres and 800m meters of Railway stations (1 in 10 or 10 % of dwellings in development of 10 or more dwellings).

Greenfield sites

Rationale

As well as the greater affordability of smaller strata dwellings, smaller dwellings on smaller lots in Greenfield developments are likely to be affordable to most moderate income households. It is likely that smaller strata dwellings and small lot housing will also be more attractive to investors, and thus increase the supply of rental accommodation to low income renters.

Strategy 16

As part of the broader Central Coast Housing Strategy, Council will **consider** amendments to the forthcoming Comprehensive DCP to include a range of lot sizes at the sub-division stage to allow for different housing typologies in Greenfield areas, and include the following requirements:

- A proportion of lots to be allocated to Multi dwelling Housing (10% of lots), with mandatory provisions for smaller 2 bedroom stock above (i.e. 2 bedroom, 1 bathroom dwellings with a maximum floor area of 70 to 75 m²);
- A proportion of lots be allocated as smaller lots (10% of lots or 5% of the masterplan area as 200 m² lots);
- A proportion of separate houses of a specified size (3 bedroom dwellings with 1 bathroom and a maximum floor area of 120 m²);
- Other performance criteria related to affordability of a reasonable proportion of dwellings (say 15% of all dwellings).

3.4.4 Mandate contribution to or inclusion of affordable housing

Rationale

There are only a limited number of areas under *SEPP 70 (Affordable Housing)* where mandatory contributions toward affordable housing are legal, although it is encouraging that more Sydney council areas were included under these provisions in late 2017. Other areas have been enabled to levy contributions under other relevant legislation, for example, the Redfern Waterloo Contribution Plan made under s32(1) of the *Redfern Waterloo Authority Act 2004 (NSW)*.

Unlike other countries and some other Australian states, NSW does not have a comprehensive inclusionary zoning approach to affordable housing. However, some NSW councils have sought to use a masterplan approach to the inclusion of affordable housing, for example, performance criteria that require 15% of dwellings to be 'affordable' to prescribed target groups in Greenfield or major redevelopment areas, with the developer to propose market and non-market mechanisms to ensure these criteria are met. This is usually put in place in areas where there is significant uplift or additional profit from rezoning or more generous controls that apply in redevelopment areas.

As noted, preliminary modelling above suggests that there are likely to be significant opportunities for value capture in the form of mandatory contributions to affordable rental housing in perpetuity, particularly in higher value districts such as The Entrance, Gosford Central, and Peninsula Districts. Although not modelled, similar opportunities are expected in districts such as Coastal, East Brisbane Water and West Brisbane Water.

Mandatory contributions have normally been levied and are most equitable when there is a major re- or up-zoning that results in an increase in land values above what is experienced under normal market conditions. In this case, mandatory contributions seek to capture a reasonable share of the 'unearned increment' from such a rezoning for a public purpose (in this case, affordable rental housing in perpetuity).⁹

⁹ See for example JSA (2016) *Position Paper: Best Practice in Value Capture*, Inner West Council.

On 12 October 2018 the Department of Planning launched the new Gosford City Centre SEPP. The new planning framework will remain a stand-alone state policy until the Central Coast Council completes its comprehensive LEP. In spite of the opportunities for density and height in the area, the policy did not include mandatory contributions for affordable housing. During this time, the Department of Planning also released an expression of interest to regional area to expand the application of SEPP 70. Central Coast Council has lodged a submission based on the demographical and economic findings of the background reports. **If this moves forward, there is likely to be a major opportunity to create affordable rental housing through the planning system in perpetuity through the suburbs of Gosford, The Entrance and The Peninsular in the foreseeable future.**

Strategies

Strategy 17

Council regularly review the economic viability of introducing mandatory contributions under SEPP 70 in the case of rezonings in other higher value locations over the next 5-10 years.

- Investigate opportunities for value capture in the form of mandatory affordable rental housing contributions in perpetuity, in higher value districts such as The Entrance, Gosford Central, and Peninsula Districts.
- As part of the broader Central Coast Housing Strategy, consider the preparation of Affordable Housing Contribution Scheme and Planning Proposal to effect the provisions of the SEPP within local planning instruments

3.4.5 Protect low cost housing

Rationale

SEPP Affordable Rental Housing 2009 provides a mechanism for the protection of low rental residential buildings. Council should ensure that planners are aware of this mechanism and that development applications are routinely assessed with regard to low of low rental accommodation and that appropriate conditions are put in place.

This could be extended to caravan parks and Manufactured Housing Estates (MHEs) that are providing lower cost and affordable housing to very low and low income households. The major pressure is likely to be conversion of caravan parks to 'MHEs' (even if they are not technically under SEPP 36); and gradual conversion of long-term residential sites to tourist uses, which displaces very low income, asset poor households with those more likely to have access to some reasonable asset (a better quality MH).

Strategies

Strategy 18

- a. As part of the broader Central Coast Housing Strategy, Council will ensure that the impacts of the loss of low cost housing continue to be considered in accordance with *SEPP Affordable*

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Rental Housing 2009 in relation to all relevant developments including caravan parks, boarding houses and lower cost flat buildings through redevelopment, conversion or demolition.

- b. As part of the broader Central Coast Housing Strategy, Council include a specific Clause to be applied (similar to Gosford 2014) as part of the Comprehensive LEP which extends beyond caravan parks & MHEs to boarding houses and lower cost RFBs. This would include identification of specific sites for the northern part of the LGA (currently already applies in the south).

3.5 Prevention & Intervention to Reduce Homelessness

3.5.1 General

Rationale

Homelessness has grown 35% over the past five years on the Central Coast (or 25% when adjusted for population growth), whilst rates of primary homelessness and those that are marginally housed in the LGA have grown at much higher rates than for Greater Sydney. Given the serious constraints in the local housing market and the very high and growing rates of housing stress among very low income renters, this is problem that is likely to significantly worsening in coming years.

The social and economic cost of homelessness to the community warrants strong action to respond to existing homelessness and prevent it from worsening as a matter of priority. A number of the strategies below require excellent co-ordination and leadership, which can be provided by Council or by a co-ordinated stakeholder group strongly supported and/or convened by Council.

Strategies

Strategy 19

- a. Council consider appointing a **Housing and Homelessness Officer** to further develop and implement strategies and to support and monitor progress
- b. Council convene and/or support an appropriate homelessness taskforce to further develop, implement and monitor progress on relevant actions in this *Strategy*.

3.5.2 Implement 'Housing First' Approaches

Overview

Background research to this *Strategy* highlights the importance of '**Housing First**' approaches in addressing both existing homelessness and to prevent future homelessness. Such approaches seek to place a person who is homeless or at risk of imminent homelessness in long-term housing in the social housing or private rental sector, regardless of their 'housing readiness', with some degree of support to maintain the tenancy in the early stages and at times when the person faces increased vulnerability or risk of losing their housing.

Whilst, this model is generally considered to be best practice both nationally and internally, it is dependent on the availability of housing stock and accompanying social services. The current landscape on the Central Coast does not support this model in either infrastructure or case

management and whilst recognised here as a critical step towards prevention and intervention, the subsequent chapter will deal with gaps in the long standing model of “transitional accommodation”. The distinction between the two approaches is important to recognise and this strategy will address Housing First as a long term goal when stocks are increased and funded services respond to new opportunities and Transitional Models as a short term goal and likely to have a more immediate result for vulnerable groups.

A range of potential strategies are likely to be effective and needed to implement Housing First approaches. These are outlined below for further consideration and development. The first relate to *supply*, and the second to increased *access* for more vulnerable people.

Strategies to increase affordable dwelling **supply** for relevant target groups

Rationale

The first strategy relates to **increasing the supply of affordable and lower cost housing and housing types** through the planning system, and through dedication of Council or other public land for affordable housing partnerships. It is noted that around three-quarters of the stakeholders interviewed during the preparation of this *Strategy* said that increasing the ‘supply’ of social, affordable and alternative housing was by far the most important response to addressing homelessness at the local level.

Summary of Strategies (from Sections 3.3 and 3.4)

There is a necessary overlap between actions to address homelessness and key actions recommended in the Planning and the Partnerships themes of the *Strategy*, as outlined above. In summary, these include:

- The use of Council land to partner on affordable housing developments that include a component of accommodation for formerly homeless people and those at risk of homelessness as part of a multi-tenure development;
- Increasing private rental stock through providing for increased density around key centres, and removing impediments to the planning system to encourage the development of Residential Flat Buildings and Multi-dwelling Housing, noting that a majority of such development will enter the private rental market;
- Removing planning impediments to, and providing incentives for, the development of low cost housing types around centres including smaller strata dwellings, New Generation Boarding Houses and secondary dwellings;
- Implementing incentive based (‘density bonus’) and mandatory (development contributions) value capture mechanisms to create affordable rental housing in perpetuity.

(See Sections 3.3 and 3.4 above for detail).

Strategies to increase **access** to long-term private rental housing for relevant target groups

Rationale

A second group of strategies recognises that, even with increased supply, **access to the private rental market** for many homeless people and those at risk of homelessness will remain problematic due to the high cost of rental, lack of savings, poor or no rental histories, and barriers related to complexity of needs, such as chronic or episodic mental health problems.

Although increasing supply of some smaller, low cost dwellings like New Generation Boarding Houses and smaller entry-level strata dwellings with reduced parking is important in providing a lower cost housing alternative, most of what will be created through market-based strategies will not be affordable to those on very low incomes, and particularly on Centrelink payments.

Nonetheless, most rental is provided through the private market, and is likely to be in the future. As such, specific strategies are needed to increase access to private rental for those on very low incomes, who often have other vulnerabilities that make securing and maintaining private rental housing problematic. The following strategies are supported by research and were also favoured by a range of key informants.

Strategy 20

Council will advocate to State and Federal Government for a fair and equitable increase in resources to meet growing homelessness in the Central Coast, including

- a. Increasing the capacity/resources of community housing providers and not for profit homelessness services to **headlease properties** on the private market, noting the effectiveness and relatively high efficiency of this mechanism through initiatives such as the **Lease Hold Program**;
- b. Access to an **increased amount brokerage funding with a broader scope of criteria** to support tenancy establishment and assist with rent arrears, noting frequent comments that this is currently insufficient to support the number of tenancies for those at risk of homelessness required;
- c. Expansion of positive schemes such as Rent Choice **with increased subsidies to a broader target group including but not limited to people with complex needs seeking to access private rental, seeking to access private rental**, in particular those with longer-term and repeat episodes of homelessness, noting the increased risk of this group, the highly unaffordable cost of rental, and the cost of chronic homelessness to the community.

Strategy 21

Council will actively support the following actions to increase sustainable access to the private rental market for homeless and at risk people:

- a. A structured pilot with local real estate agents and their peak bodies that seeks to proactively build relationships with local homelessness services, raise the profile of homelessness, and take positive action on housing formerly homeless people part of their **accreditation or registration process**;
- b. Developing a **local pilot for home share opportunities** in under-occupied private owner occupied housing, for example, an older person sharing their home with a younger person at

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risk of homelessness, or older asset poor person, including screening, matching, setting 'house rules', and mediation in resolving issues that may arise early in the tenancy;

- c. Piloting a **Central Coast shared accommodation model** between suitable formerly homeless people, again including screening, matching, setting 'house rules', and mediation in resolving issues that may arise early in the tenancy, drawing on the experiences of existing youth share models.
- d. Investigate model to incentivise property owners to make use of existing stock e.g. unoccupied dwelling and lone person households
- e. Partner with Central Coast Council's Credit Management Team to expand existing hardship policies to cater for a broader section of vulnerable groups to assist people at-risk of homelessness

Strategies to increase **access** to long-term social rental housing for relevant target groups

Rationale

Although many formerly homeless people successfully access and maintain private tenancies, social (public and community) housing remains a critical tenure for many homeless and vulnerable people with special social, health and housing support needs. There is a much lower than average rate of social housing in the LGA compared with Greater Sydney, despite the much higher rate of very low income renters, the higher local rate of housing stress, and higher than average growth in street homelessness and marginally housed people.

There are particular access for people who are chronically homeless and more mobile, and less likely to maintain up to date contact details and to 'fall through the cracks' of the social housing system. There are also serious problems for people who face episodic or chronic mental health problems, which may jeopardise their tenancy. More proactive approaches to accessing social housing are also likely to be needed to assist those who chronically 'cycle' through public hospitals and mental health facilities, are creating 'exit blocks' in the hospital system in the absence of sufficient housing options, and who regularly 'exit into homelessness' from institutional settings.

These issues were repeatedly raised by many during stakeholder interviews, who also noted the long waiting times and chronic undersupply of social housing relative to growing need. A frequent comment was, 'We really just need a whole lot of really basic studio and one bedroom apartments to house singles and couples affordably', noting also the preference that these be well-located near town centres and socially integrated within the broader urban fabric and community.

The following strategies are again based on those assessed as effective in the research as well as those raised by a range of local stakeholders.

Strategy 22

Council will actively support the following actions to increase access to the social housing for those who are particularly at risk of long-term and chronic homelessness:

- a. Incorporate transitional accommodation options for formerly homeless people within **multi-tenure pilot projects** developed on Council land so as to increase social inclusion and the option for people to transition into other affordable housing dwellings within the complex as their capacity increases;
- b. Lobby the State and Federal Government to **implement title transfer or long-term (20+ year) leases on stock transfers of public housing** to community housing providers in areas like the Killarney Vale Bateau Bay and Tumby Umbi Estates and allow providers the ability to leverage the asset for multi tenure developments which is a mix of public, private and affordable homes
- c. Lobby the State and Federal Government to conduct a **comprehensive 'clean up' of the centralized waiting list** to ensure that it operates efficiently to accommodate those most in need of housing;
- d. Support the development of **protocols that guarantee housing is 'kept open'**, for example, for those facing periodic mental health hospitalisations are developed by local social housing providers.

3.5.3 Increased access to Transitional Housing

Rationale

As noted above, transitional housing with a relatively high degree of support is likely to be a more effective response for higher need homeless people with repeat episodes of homelessness and who have experienced an episode of homelessness lasting at least 3-6 months. The following types of strategies are likely to be effective from key informants and are generally supported by the literature.

Strategies

Strategy 23

Transitional housing with case management support is likely to be effective for those with higher needs including the homeless to access the private market, and sustain a tenancy. The following strategies have been identified by key informants as areas that require more investment to strengthen pathways and overall effectiveness.

- a. Council will support the development of a Central Coast **Pilot Transitional Housing Model** to support effective transition to the private rental market for homeless people, for example, a dedicated number of properties by community housing provider for this purpose, with guaranteed support services and a maximum tenure of 12 months;
- b. Piloting a **transitional housing model** to support effective transition to the private rental market for homeless people, for example, working with community housing providers to **dedicate an increased number of properties to the transitional housing pilot for a 12 month period with guaranteed support services** provided by relevant Specialist Housing

Services or Not for Profits, with a clear plan to transition tenants private rental housing after 12 months including a positive rental history and references;

Strategy 24

Council will strongly advocate to the State and Federal Government for:

- **A significant increase in funding for case management services** that are required to support Rent Choice programs, noting comments by many key informants that this is a major barriers to engaging more young people and other high need groups in the program;
- **Extension of higher rental subsidy programs like Rent Choice** to a wider target groups, and particularly those at risk of long-term and repeat homelessness, and with chronic mental health issues as an acknowledgement of the cost of homelessness to the community, and the inability of these groups to sustain private rental without such deeper subsidies.
- Access to an **increased amount of brokerage funding with broader scope of criteria** to support tenancy establishment and household items, noting frequent comments that this is currently insufficient to support the number of tenancies for those at risk of homelessness required;

3.5.4 Other Strategies related to Prevention and Early Intervention

Rationale

Some of the most frequent comments related to the lack of basic accommodation options for Temporary Accommodation in the Central Coast, and the loss of accommodation that has traditionally provided such accommodation such as lower cost caravan parks, motels and older boarding houses. The lack of funding for support linked to Temporary Accommodation and limited funding for brokerage services to assist with rapid re-housing of people who are homeless or imminently homeless in accordance with best practice was also often noted.

A further issue is the inadequacy or standard of some private facilities like motels currently providing Temporary Accommodation, including lack of interview rooms for services to work with homeless people, lack of storage for their belongings, poor management, and the high cost of accessing some of this accommodation. The potential to better use Government funding for Temporary Accommodation in a purpose built, or repurposed facility was also raised by a number of informants, and the potential for more innovative models like 'Pop-Up' facilities and Abbeyfield supported boarding house models was also noted (see also JSA (2018) *Case Study Booklet*).

The ability of most people to resolve their homelessness quite quickly with some degree of support is also noted, but appropriate Temporary Accommodation for their initial crisis period is often required at that initial crisis point. Access to effective information and referral services before a person's situation becomes critical is also noted.

A typical comment from an NGO working with people who have often encountered such a crisis for the first time was, 'There is a huge need to give people something straight away when they're tired and frightened, and to act quickly to support them. If we could be properly funded to just work with

them intensively for even 2 weeks, we could generally help most people to sort out their housing problems. Having onsite facilities for interviews and casework would also be very valuable’.

The following were strategies were put forward by a range of stakeholders and are also supported by the literature.

Strategy 25

Council will support and/or advocate for the development or expansion of a range of service, subsidy and accommodation options to facilitate early intervention and prevention of homelessness:

- a. Better resourcing and promotion of ‘homeless hub’ or one-stop-shop services to provide drop-in information and referral including support in seeking rental accommodation to address imminent homelessness, internet access, telephone advice lines, and toilet, shower and laundry facilities, as well as access to brokerage and case management services as an integrated approach to service delivery;
- b. Provision of additional funding and resources for brokerage and rent start packages for the Central Coast;
- c. Obtaining additional funding and resources that enable better **links between case management/intensive support services and Temporary Housing for the first 2-4 weeks** to avoid more chronic homelessness among this group;
- d. Develop a **register of church, Council, government and Not for Profit facilities** that could be used for Temporary Accommodation, and develop protocols regarding the use of these facilities in close consultation with the owners of these facilities and homeless support services;
- e. Identify facilities that are currently vacant and/or in the process of longer-term redevelopment that could be repurposed as a **‘Pop-Up’ Temporary or Transitional Accommodation Pilot**, accompanied by appropriate support and protocols (see Pop-Up Transitional/Temporary Accommodation model in the JSA (2018) *Case Study Booklet*);
- f. Seek to develop a **Temporary Accommodation facility** with on-site management to support clients such as women experiencing domestic violence with adequate support arrangements, and ancillary facilities such as an interview room, common room, and adequate storage, with funding under a contract to provide such accommodation from State Government
- g. Incorporate a component of Temporary Accommodation within a community-managed MHE/Tiny Homes partnership development, and the New Generation Boarding House component of a partnership multi-tenure partnership developed under the Partnership plank of Council’s *Affordable and Alternative Housing Strategy*, ensuring good on-site management and appropriate protocols are in place (see also Strategies 3, 4 and 5 above);
- h. Work with hospitals, mental health and drug and alcohol rehabilitation facilities, and with social housing providers and homelessness services to **identify and agree ‘core’ chronic homelessness list** and proactively target this group for housing, including under a **Central Coast Transitional Housing Pilot**, outlined in Strategy 23a) above;

- i. Work with social housing providers and homelessness services to implement **regular 'assertive outreach'** to mental health facilities, public hospitals and other institutional settings to ensure those most at risk of housing are accommodated;
- j. Support the development of **agreements** with relevant local mental health, health and correctional institutions that no one leaving institutional care will 'exit into homelessness'.

3.5.5 Supporting people who are chronically homeless despite service interventions

Rationale

As noted, the literature and data indicates that there is a group of homeless people for whom homelessness is a more intractable problem, despite their entry to supported housing programs and intensive use of services. Some appear to be unable to sustain permanent accommodation, even in programs with very high levels of service intervention and guaranteed housing. This group is likely to include a high proportion of people with chronic mental health and substance abuse problems.

For these largely street homeless people, there is a need to provide services and public facilities that enable them to have the best possible quality of life, to be socially included, to maintain their dignity, and to be protected from violent attacks.

The following were suggestions put forward during interviews and also supported by research and international human rights instruments.

Strategies

Strategy 26

- a. Council will advocate for increased resources for 'one stop shop' or homeless 'hubs' that provide information and referral, as well as **services for chronically homeless people** such as outreach medical and counselling services, low cost meals, laundry, shower and internet access and storage facilities for belongings;
- b. Council will consider the principles of **social inclusion policies and procedures** in relation to the design of public open space and public amenities in accordance with best practice on social equity for all groups in the Central Coast community. This includes design elements like:
 - i. All weather /covered seating areas;
 - ii. Landscaping and layout that allows for outdoor 'rooms' that can allow for quiet enjoyment by a variety of users with different needs;
 - iii. Accessible/continuous paths of travel;
 - iv. Safe sleeping areas that are well lit, visible and under cover;
 - v. 24 hour toilets, showers and facilities to fill drink bottles in key areas used by homeless people;
 - vi. Undercover areas that can be used by food and medical outreach services;

- vii. Welcoming and integrative facilities like moveable chess boards, outdoor ping pong tables, etc (see **Section 3.6** of the JSA (2018) *Homeless Intervention and Prevention Background Paper* for more detail).
- c. Council will provide **information to the community** on issues of homelessness, the rights of homeless people and how the community can support and include homeless people in public space. This can help to encourage tolerance and understanding within the community, and awareness of the need for social inclusion strategies as outlined in Strategy 26b) above;
- d. Council will support regular public events that bring together local homeless support services, and give them an opportunity to **connect with chronically homeless people**, assist them in seeking and/or applying for housing, advertising their services, and linking in local business who will donate their time and/or products to the benefit of homeless people such as free haircuts, or new clothes;
- e. Council will identify facilities from the register of church, Council, government and Not for Profit facilities outlined in Strategies 25d) and e) above that could also be used by street homeless people in inclement and extreme weather events (for example, as 'pop-up' homeless shelters), and develop protocols regarding the use of these facilities in close consultation with the owners of these facilities, homeless support services and Not for Profit groups with access to volunteer support.

3.6 Administration and Maintenance

3.6.1 Administration

Rationale

There is a need for transparent reporting and accountability with regard to administration of Council's affordable housing program, and to ensure that the *Strategy* is effective in achieving its objectives. Adequate responsive, recurrent and planned maintenance of any properties dedicated or constructed under this program is also vital to ensure the amenity of the properties and locality, and the longevity of affordable rental stock.

Strategy 27

Council will establish required administrative mechanisms to ensure proper monitoring, management and administration related to the *Strategy*, and any Affordable Housing Program resulting from this *Strategy*, including:

- a. Annual reporting against KPIs;
- b. Transparent processes for the selection of affordable housing partners, whether on the basis of competitive tendering on individual projects, or a preferred partner basis;
- c. The establishment of a separately accounted and reported Affordable Housing Trust Fund to hold any resources generated through the *Strategy* (for example, affordable housing units created in perpetuity).

3.6.2 Maintenance

Rationale

Adequate provision for responsive, recurrent and planned maintenance is also vital to ensure the amenity of the properties and locality, and the longevity of stock.

Strategies

Strategy 28

Council will ensure that partnering and management arrangements with any Community Housing Provider include adequate budgetary provision and planning for maintenance and facilities management including:

- a. Responsive maintenance within the required timeframe;
- b. Recurrent maintenance, such as minor works, gardening, etc to ensure high quality amenity; and
- c. Planned maintenance, such as external painting, roof and fence replacement, including a planned maintenance schedule and regular asset condition audits.

3.7 Monitoring and Evaluation

Rationale

It is also important that Council and service providers are able to use strong evidence to evaluate the effectiveness of services and to advocate for better resources in an ongoing way.

Strategies

Strategy 30

- a. Council will publish the background reports and discussion papers that provide the evidence-base for this *Strategy* so that they can be used by local services to advocate for increased resources;
- b. Council will regularly update and publish the data and information in the *Strategy* so as to provide an up-to-date evidence-base, and to understand the extent to which trends are worsening or improving;
- c. Council will undertake a full review of the *Strategy* against set KPIs (in section 2) in 2023

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Community Submissions in relation to the Draft Central Coast Affordable and Alternative Housing Strategy

Public Exhibition Findings from the draft Central Coast Affordable and Alternative Housing Strategy

PRIORITY LEVEL THEMES			
Theme	Occurrence of Theme	Theme Definition	Response to Theme
<i>General Support</i>	201	Submissions of general support either called to adopt the strategy in full and or commend the Council for taking the initiative on this complex but much needed area.	Staff recommendation is for no change to the strategy as this is a recommendation for the affirmative.
<i>Locational Criteria</i>	181	<p>Locational criteria was set in the first instance as a way of presenting the best possible opportunity for affordable housing in the local context; where buses can link to trains and tenants can use public transport to access employment, medical, commercial and social outcomes.</p> <p>Submissions were centered upon the suitability of particular nominated town centres. Concerns about the capacity and frequency of transport and type and nature of commercial precincts were called into question. Respondents compared and contrasted the nominated town centres against one another and were not confident that there was a clear balance.</p> <p>Submissions against the proposed locational criteria were most typically linked to other concerns about property prices, zoning changes and or anti-social behavior, suggesting that this theme is driven by the perception and fear of affordable housing in general.</p>	<p>Staff recommendation is to remove reference to specific town centres as the quantity and nature of services must be matched with the size and scale of development and is therefore a case by case consideration in the assessment process.</p> <p>The location of affordable housing is a key issue in terms of social equity and sustainability. Providing for a mix of affordable housing for different target groups in well-located areas provides for social mix and reduces the potential stigma that can be associated with such accommodation. Locating such housing close to transport and services also provides for the needs of the growing number of people with a disability and the frail aged, and reduces car dependency and the cost of transport, which can be a significant impost on low and middle income households and on the environment.</p> <p>Ideally, housing that meets the needs of very low, low and moderate income households, including older private renters, low income working families and those with special needs should be located close to larger service centres with a comprehensive range of retail, health, recreation and support services and facilities, and where possible, public transport. A focus on transit oriented developments near major railway stations is also important given the level of commuting out of area in the Central Coast.</p> <p>As such, the focus of many of the key planning and partnership strategies detailed is on precincts within 400 metres of the business zones (B2, B3 and B4) of Gosford, Woy Woy, Wyong, Lake Haven, Bateau Bay, The Entrance, Toukley and Ourimbah; and 800 metres of railway stations that provides for access to service and</p>

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Community Submissions in relation to the Draft Central Coast Affordable and Alternative Housing Strategy

PRIORITY LEVEL THEMES			
Theme	Occurrence of Theme	Theme Definition	Response to Theme
			employment centres including Gosford, Woy Woy, Wyong, Tuggerah and Ourimbah. This locational criteria is also in line with accessible area provisions in SEPP ARH.
<i>Support prevention and intervention</i>	127	<p>Prevention and intervention is a suite of strategies to reduce homelessness, citing strengths in the current servicing landscapes and area requiring more investment. A central tenant of this arm of the strategy is partnership with both the state and federal government to expand social services on the Central Coast. This is a necessary outcome if Council is to make investment in infrastructure that will function effectively.</p> <p>Submissions in support of this theme called for more investment into social support services for vulnerable people. These are either those who are homeless or in transition or those on very low to moderate incomes who are at risk of homelessness. Key areas of support were for the strategies of a homeless hub, housing officer and more choice for families.</p> <p>Some submissions were from consortiums in the industry who prepared lengthy responses citing organisational data, programming frameworks and partnership opportunities in reference to the strategies number 19 through to 26.</p>	<p>Staff recommendation is for no change to the strategy as this is a recommendation for the affirmative.</p> <p>Homelessness has grown 35% over the past five years on the Central Coast and those who are marginally housed have grown at much higher rates than for Greater Sydney. Given the serious constraints in the local housing market and the very high and growing rates of housing stress among very low income renters, this is a problem that is likely to significantly worsening in coming years.</p> <p>The first strategy relates to increasing the supply of affordable and lower cost housing and housing types through the planning system, and through dedication of Council or other public land for affordable housing partnerships. A second group of strategies recognises that, even with increased supply, access to the private rental market for many homeless people and those at risk of homelessness will remain problematic due to the high cost of rental, lack of savings, poor or no rental histories, and barriers related to complexity of needs, such as chronic or episodic mental health problems. Nonetheless, most rental is provided through the private market, and is likely to be in the future. As such, specific strategies are needed to increase access to private rental for those on very low incomes, who often have other vulnerabilities that make securing and maintaining private rental housing problematic.</p>
<i>Planning controls – zoning</i> <i>Planning controls – character</i>	103 85	<p>Responses to these themes have been grouped as they appeal to the same response. On the whole, respondents felt that both changes to zoning and character would impact their existing quality of life and existing suburb typology.</p> <p>Concerns about zoning related to increased height and density and concerns about character, whilst relating to</p>	<p>Staff recommendation is for no change to the strategy where issues of height and character are addressed in the development application process.</p> <p>A residential flat building (RFB) is a dwelling containing 3 or more dwellings on one lot of land, examples include apartments and units that have other dwellings above or</p>

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Community Submissions in relation to the Draft Central Coast Affordable and Alternative Housing Strategy

PRIORITY LEVEL THEMES			
Theme	Occurrence of Theme	Theme Definition	Response to Theme
		<p>height and density also related to amenity.</p> <p>The strategy identifies a number of planning mechanisms to increase the supply of affordable housing.</p> <p>These include multi dwelling and residential flat buildings. Any developments arising from the recommendations would be in keeping with existing height and character of the areas in which they are built. All development applications are subject to the Development Application process and accepted on their merits. The outputs of this strategy are no exception.</p> <p>There was also the view that any boarding house developments would be high rise. These types of development are not only subject to the same assessment conditions of multi-dwelling houses but further they are also subject to a social impact assessment; meaning that there will be an opportunity for community engagement, education and feedback. Another action of the strategy to ensure the effectiveness of this principle is to develop a social impact policy. If endorsed the community can have confidence that all development will take into account their collective interest.</p> <p>There was a clear group of respondents who cited that changes to planning controls in Bateau Bay would devalue their properties. Similarly there was a group of respondents who cited the changes to planning controls would negatively effect the character of Ourimbah.</p>	<p>below. Often with shared access or common areas. All developments regardless of the zoning are reviewed on a case by case basis and subject to conditions of character, amenity, outlook and view.</p> <p>Boarding Houses are often permissible with consent under local planning schemes in a wide number of zones, including R1, R2, R3, B1, B2 B3, B4 and B5, consequently there are limited planning restrictions on the development of Boarding Houses, and the SEPP is likely to take precedence over a local DCP to the extent of any inconsistencies in controls.</p> <p>In regards to submissions specifically about changes to planning instruments in the locations of Bateau Bay and Ourimbah, concerns are not legitimate as the development assessment process will ensure that both height and character are maintained.</p>
<i>Housing Choice</i>	77	<p>A large number of submissions identified a gap in the strategy in reference to housing suitable for families. Other submissions relate to more housing choice for singles and couples.</p> <p>The partnership arm of the strategy is implicitly linked to the supply of options for these groups through the creation of more housing choice. This means that one, two and three bedroom units would be built into multi tenure developments.</p> <p>Similarly, the prevention and intervention arms of the</p>	<p>Staff recommendation is for no change to the strategy and this to be on the agenda for implementation.</p> <p>The direct creation of social and affordable rental housing for diverse groups including lower income key workers, older pensioners and retirees, people with a disability, people at risk of homelessness, and very low and low income families will be necessary to meet the growing need for such housing in the future. This is the only effective strategy in the current and future housing context for such groups.</p>

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PRIORITY LEVEL THEMES			
Theme	Occurrence of Theme	Theme Definition	Response to Theme
		<p>strategy will also support families and those who are vulnerable through the expansion of case management services, deeper subsidies and increased brokerage funding.</p> <p>The criteria set against these provisions are to be defined and planned in more detail during the implementation stages of the project.</p> <p>The planning areas also facilitate more housing choice through a diversification of the current zones and controls.</p>	<p>Families are a very difficult group to accommodate affordably due to the size, type and cost of dwelling often required. When planning for the future; and the relevant instruments, there should be a relatively even split between dwellings suited to singles and couples, and those suited to families. This is achieved through the opportunity for more multi dwelling housing.</p> <p>Also important to consider is the rapid ageing of the population projected for the Central Coast, who will require at least a 60% of dwellings created to be smaller and well-located dwellings near town centres.</p>
<i>Boarding Houses</i>	59	<p>Submissions were centered on concentrated disadvantage, loss of amenity, increased height, and loss of character. Submissions did not reflect an understanding of new generation boarding houses nor mixed tenure and good design.</p> <p>A boarding house is defined in general terms as a house where 5 or more individual rooms are let to lodgers. It does not include backpackers' accommodation, a group home, hotel or motel seniors housing or serviced apartments. Manager's owners and people living in boarding houses must adhere to the Boarding Houses Act 2012.</p> <p>Boarding houses are the most affordable type of accommodation in the market context. They provide accommodation options to very low income singles and couples, and all low and moderate income smaller households. They are characterised by small floor space and shared facilities such as laundry, lounge and outdoor areas.</p> <p>Boarding houses are often unpopular with local residents generally due to the intensification of land use in lower density environments and misconceptions about the "type of people" who will live there.</p> <p>Councils sometimes have concerns that privately developed boarding houses are not likely to be genuinely affordable in higher value markets and about the internal amenity of</p>	<p>Staff recommendation is for no change to the strategy as it supports a contemporary and best practice approach to boarding house development.</p> <p>New Generation Boarding Houses (under SEPP Affordable Rental Housing 2009) can provide affordable accommodation to some very low income singles and couples, and all low and moderate income smaller households in the LGA, and are one of the most affordable types of accommodation in the local housing market context. When managed by a community housing provider, they are affordable to all very low income renters as well. They can also provide flexible and affordable accommodation to very low and low income key workers in hospitality, retail and community services.</p> <p>Good design is based upon a number of principles; character of area, crime prevention through environmental design, with existing amenity, well located, mixed tenure, close to transport and services therefore ensuring the highest possible quality of life and opportunity for residents and neighbors. New generation boarding houses are characterised by good design this means they are within existing height and character of the area, they are well located to services to give people the best life opportunities, there is a tenancy mix that is balanced and complementary and where necessary they are directly supported by community housing providers – there is also a mandated</p>

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		design in this context, incompatibility with the local character is often used as grounds for refusal.	<p>FSR that makes these more aptly referred to as micro-apartments, rather than the historical boarding house design. New generation boarding houses are making a departure from the shared-model as lodgers are increasingly underutilising these facilities.</p> <p>Boarding houses are often permissible with consent under local planning schemes in a wide number of zones including R1 R2 R3 B1 B2 B3 B4 and B5. Consequently there are limited planning restrictions on the development of boarding houses and the SEPP is likely to take precedence over local DCP to the extent of any inconsistencies in controls.</p>
<i>General Negative</i>	59	Submissions of general negative called for the strategy to be rejected with no specific reference to strategy content.	Staff recommendation is for no change to the strategy as there has been no identification of context.
<i>Infrastructure</i>	58	Submissions on this topic expressed concerns about the suitability of infrastructure (water, waste, traffic, education and transport) to service an increasing population (higher density). The sentiment of respondents was that this was not a consideration contained within the strategy.	<p>Staff recommendation is for no change to the strategy and information and education on this area will be included in the social impact assessment policy.</p> <p>Whilst infrastructure is not explicitly mentioned in the strategy, provisions for its impact are implied both within the development application process and the wider Central Coast Housing Strategy where population needs will be matched against plans for growth. The Affordable and Alternative Housing Strategy in addition to the forthcoming broader Central Coast Housing Strategy will form part of a suite of documents to support regional growth. In this same way, the development assessment process takes into account the capacity of nearby servicing when investigating all types of development, to which outcomes of this strategy are not exempt.</p> <p>Section 94 of the Environmental Planning and Assessment Act 1979 permits Council to levy or require provision of facilities or land where, as a consequence of development, the increased number of residents or workers will result in an increased demand for those services. This will take place as a matter of course and ensure that the needs of higher</p>

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			densities are accounted for.
<i>Anti-Social Behaviour</i>	57	<p>Submissions in this area related to the fear of increased anti-social behavior that is thought to take place with increased low socioeconomic density. Respondents reported fear of crime, vandalism, drugs and general offense that could be created by the “types” of people who would live in social and community housing.</p> <p>A number of respondents referred also to concentrated disadvantage when citing antisocial behavior and past developments that employed a precinct approach to social housing such as Cresthaven Avenue, Bateau Bay.</p>	<p>Staff recommendation is for no change to the strategy as the evidence suggests otherwise.</p> <p>The strategy firmly disputes this approach to the creation of more social and affordable housing, but rather the new and contemporary approach which disperses vulnerable people across sites and areas.</p> <p>Increasingly affordable housing developments are multi tenure which means there is a mix of affordable, community, private rental and owner occupied housing. The objectives of mixed tenure include increased social interaction between different income and employment groups as a way of improving life opportunities, providing increased social inclusion and creating more sustainable communities. New generation developments require careful planning, good design, high quality environment, community participation and excellent management. This is the criteria for all developments associated with this strategy.</p> <p>Research shows that the feared impacts of social housing developments are much greater than the actual experience and that the perception of affordable housing is the key problem, not the developments themselves. These are by and large unproblematic once complete with no evidence of social impacts (The Conversation 2016) which is also the case in developments that were originally strongly opposed by residents and the wider community.</p> <p>There are a small number of tenants whose anti-social and illegal behavior puts safety and security of the neighbours at risk. This is mitigated in two ways firstly; through a tenancy management program tailored to the specific support needs of tenants, which is implement as a matter of practice by registered community housing providers and secondly; The State Government has introduced laws to crackdown on criminal and antisocial behavior in social housing properties across NSW to better protect tenants and the wider community, which is further enforcement for the</p>

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Community Submissions in relation to the Draft Central Coast Affordable and Alternative Housing Strategy

PRIORITY LEVEL THEMES			
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			advantage of community housing providers.
SECONDARY LEVEL THEMES			
<i>Concentrated disadvantage</i>	53	Many submissions received relate to the perception that affordable housing is social housing and that Council is promoting the development of concentrated areas of social housing or 'Slums of tomorrow'. Respondents focused on the "type" of people who typify tenants of social housing. There was the view that the character of these people was undesirable and of less value than those in high social economic positions.	<p>Staff recommendation is for no change to the strategy as this is not the intent of the development.</p> <p>The Strategy is not about a concentration of disadvantaged; being social and community housing tenants who are on very low to low incomes.</p> <p>Best practice in the application of social housing is not to place similar economic groups of people in one location, but rather adopt a mixed tenure that includes key workers, private rentals and private purchasers. The historical concept of a Department of Housing block has been deemed unsuccessful and is now defunct.</p> <p>Increasingly affordable housing developments are multi tenure which means there is a mix of affordable, community, private rental and owner occupied housing. The objectives of mixed tenure include increased social interaction between different income and employment groups as a way of improving life opportunities, providing increased social inclusion and creating more sustainable communities. New generation developments require careful planning, good design, high quality environment, community participation and excellent management. This is the criteria for all developments associated with this strategy.</p> <p>The aim of this strategy is to create a mix of Affordable housing. It is not just social housing; it a number of types of housing in both the private and public sector. It typically comprises units, flats and other smaller lot dwellings that are less expensive than free standing homes. To be genuinely affordable, this housing is located in areas where there is less market competition.</p> <p>Fears are an obstacle in themselves, overall findings</p>

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			<p>indicate that the feared impacts of planned affordable housing developments tend to be much greater than the impacts neighbouring residents actually experience. In other words the perception of affordable housing is the key problem not the affordable housing developments themselves, there are by and large unproblematic once completed (The Conversation 2016). Research for the Community Housing Industry Association (CHIA) found no adverse economic or social impacts even in developments that were originally strongly opposed by existing residents.</p>
<i>Planning controls – mandating diversity</i>	47	<p>Submissions were generally in support of mandated diversity through the planning system as a way of ensuring affordable housing in perpetuity. This is also a mechanism to ensure the ongoing monitoring and enforcement of housing that is genuinely affordable through partnerships with community housing providers.</p> <p>Mandating housing diversity is also likely to be an effective mechanism for the creation of affordable housing in appropriate areas of the Central Coast LGA. The Strategy suggests Gosford, The Entrance and The Peninsular for their opportunity for height and density of development. This will be equitable in areas where the mandating of such dwellings does not constitute an undue impost on the viability of development.</p>	<p>Staff recommendation is for no changes to the strategy as submissions were in support of this action.</p> <p>One bedroom strata dwellings are affordable to low income purchasers and renters in all study areas, and where they are available they tend to enter the private rental market. Further, amenity (dwelling size, appointment and location) generally increases price, so that smaller dwellings with one bathroom are likely to increase affordability. However, such properties are in very short supply across the LGA and are likely to be particularly attractive to very low income older people as they become less able, or need to move from a more remote area.</p> <p>Through the inclusion of a SEPP 70 amendment, the strategy considers mandating a proportion of one bedroom, one bathroom dwellings with a maximum floor area of 50 or 55 m² in Multi dwelling Housing developments and Residential Flat Buildings in areas within 400 metres of the town centres (for example, 1 dwelling in 5 or 20% of dwellings).</p> <p>Two bedroom strata dwellings are affordable to around half of low income renting households and all moderate income households. Again, supply and amenity are likely to impact on price and affordability for dwellings that have the potential to be more affordable. As well as encouraging an</p>

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Theme	Occurrence of Theme	Theme Definition	Response to Theme
			increased supply of two-bedroom strata dwellings, and ensuring that there are no planning impediments to their development as outlined above, the Strategy considers consider mandating a proportion of two bedroom, one bathroom dwellings with a maximum floor area of 70 or 75 m ² in Multi dwelling Housing developments and Residential Flat Buildings in areas within 400 metres of town centres (dwelling size, appointment and location) (for example, two in five or 40% of dwellings).
<i>Implementation</i>	46	<p>A number of respondents either made suggestions or queries that related to the way in which the strategy would roll out. The theme of implementation was coded to demonstrated the investment in the operational arm of this plan and the interested in consulting prior to this stage.</p> <p>Many potential partners also came to the fore through the public exhibition period who will be invited to participate in engagement for the forthcoming action plan.</p>	<p>Staff recommendation is for no change to the strategy as submissions demonstrated the level of interest in the next stage of the process.</p> <p>It is important for the community to understand the type and nature of implementation techniques in order to confidently support the principles. JSA has made suggestions throughout the strategy that includes case studies from other areas and frameworks for operation such as consortiums, expressions of interest and key performance indicators. These techniques will be guide the process of implementation and evaluation.</p>
<i>Community education</i>	40	Respondents who either called for more information or clarification on the concepts of affordable housing and the relevant topics were coded as community education. This means that Central Coast Council needs to coordinate a campaign to address the myths and facts of affordable housing with case studies of success in order to raise awareness.	<p>Staff recommendation is that feedback from respondents becomes part of the Affordable and Alternative Housing Strategy Action Plan.</p> <p>Implementation plans to include communication via social media, case studies captured on video and existing programs that have brought value to the community.</p>
<i>Parking</i>	38	Submissions related to car parking referred to population expansion, rather than the strategy to reduce parking for affordable types of housing. Respondents spoke about the limited on street parking available in particular areas, such as Ourimbah and limited availability in town centre precincts.	<p>Staff recommendation is for no change to the strategy</p> <p>At the time of writing, it is understood that the draft DCP requires 1.5 parking spaces per dwelling in Residential Flat Buildings. Affordability would be increased by reducing this to the <i>actual</i> average car ownership per apartment – a maximum of one space for two bedroom apartments and</p>

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		<p>Whilst it is acknowledged that parking is an issue in some areas, this needs to be considered in the context of the locality of service centres, such as universities, hospitals and entertainment venues.</p> <p>The strategy to reduce car parking refers to actual car ownership for those occupying 1 and 2 bedroom flats that are likely to be the most affordable. The aim of reducing the rates of parking required for development is to stimulate and incentivise more of this type of housing.</p> <p>Excessive requirements on parking affect the delivery of affordable housing in two ways; firstly the provision of parking adds to the price of dwellings, and secondly the provision of parking impacts on development feasibility, so that excessive parking requirements may mean that economically marginal developments will not go ahead.</p> <p>The cost of providing an underground car parking space is around \$70,000,¹ and JSA's regression analysis shows that each additional car space adds \$69,000 to the price of a strata property in Central Coast LGA. This means that reduced parking will make some marginal developments more profitable and more likely to proceed, and reduced parking will reduce the sales price (and likely the rental cost) of a dwelling.</p>	<p>0.6 spaces for studio and one bedroom apartments. There is a reduction in parking to 1 space per dwelling for development within 400 metres of a train station. The reduction in parking could be further reduced (for example 0.5 spaces per apartment) and could be expanded to within 800 metres of a train station and to areas within 400 metres proximity to in Gosford, Woy Woy, Wyong, Lake Haven, Bateau Bay, The Entrance, Toukley and Ourimbah Town Centres.</p> <p>Nearly half of households in studio and one bedroom apartments do not own a vehicle, suggesting that parking requirements for these dwellings could be reduced to zero in town centre areas close to public transport.</p> <p><i>Actual</i> car ownership in the Central Coast and Gosford Suburb is around 0.6 cars per dwelling on average for studios and one bedroom units, 1 car per dwelling on average for two bedroom units and 1.3 cars on average for three bedroom units. Average car ownership for apartment dwellers in Wyong suburb is actually lower, and the rate of households that own no vehicles is higher.</p> <p>Actual car ownership is similar for Multi-dwelling Housing (attached dwellings, villas, townhouses, etc) in Central Coast LGA for a studio or one bedroom dwelling (0.6 on average per dwelling) and a two bedroom dwelling (0.9 per dwelling). Three bedroom strata dwellings are actually slightly lower (1.2 vehicles on average per dwelling). As such, the parking reduction that has been suggested for Residential Flat Buildings should also be considered for Multi-dwelling Housing in designated areas.</p>
Property values	33	A group of respondents were concerned that being located adjacent to community and social housing would have the	Staff recommendation is that the strategy remove the identification of targeted suburbs and rather explore

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		potential to reduce the property prices in the surrounding area. This was particularly evident for a group of residents from the Bateau Bay area who reported concerns about a decrease in the value of their homes if rezonings were to take place enabling higher density.	<p>any rezoning on a case by case basis in reference to locational criteria.</p> <p>There is no evidence to support the myth that “affordable housing” has any significant impact on property prices nor has there been any cases of developments being vetoed based on the “types of people” living in them (Land and Environment Court).</p> <p>The impact of affordable housing on property developments values can be positive, negative or neutral and is likely to be strongly influenced by factors relating to property design and management, the characteristics of the host neighbourhood and the clustering (or not) of affordable housing in that area. For example, good design and management of affordable housing is likely to result in a positive impact on the property prices of surrounding properties.</p> <p>Research has shown that impacts have been minimal in fact they were not universally positive or negative. Research found that the characteristics of the individual properties such as number of bedroom and number of bathroom consistently had a much greater influence on sale prices than proximity to affordable housing developments.</p> <p>For the suburb of Bateau Bay in particular, the precinct surrounding the town centre is already zoned R1 where residential flat buildings and boarding houses are in fact permissible and therefore will experience no change to the current landscape if rezoning strategies were to be adopted.</p>
<i>Support – partnerships</i>	26	Submissions of support for the arms of this partnership model were placed to enable much needed intervention to create social housing.	<p>Staff recommendation is for no change to the strategy</p> <p>The majority of need for affordable housing in the Central Coast LGA is from very low income households. The bottom half of the lower income band and lower income families are also generally unable to find affordable housing. Affordable rental is particularly important for these groups who are increasingly unable to purchase on</p>

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			these incomes. However, the evidence indicates that the private market is not providing affordable accommodation, and is unlikely to do so even with planning intervention. There is also evidence of growing local homelessness and an inability to respond effectively to this problem largely due to a lack of appropriate, affordable and alternative housing options. The direct creation of social and affordable rental housing for diverse groups including lower income key workers, older pensioners and retirees, people with a disability, people at risk of homelessness, and very low and low income families will be necessary to meet the growing need for such housing in the future. This is the only effective strategy in the current and future housing context for such groups. An effective way of delivering affordable housing is through development of such housing on public land as a development and/or management partnership with a registered community housing provider (CHP) and/or the private sector.
<i>Community housing providers</i>	26	Submissions related to support for community housing providers. Respondents understood the role and function of these providers in the creation and management of affordable housing.	Noted
<i>Housing officer position</i>	22	Submissions related to support for a housing officer position.	Noted An Affordable Housing Officer position is recommended in the strategy to further develop and implement actions, and to support and monitor and report on implementation phase.
<i>Target group</i>	21	Submission related to target group were equally affirmative and negative. The affirmative respondents provided anecdotal feedback on either their lived or professional experience with the people in the target area. Respondents who reported negatively either disputed the scope of the target area or did not understand the demographical data. The strategy (and affordable housing) is targeted to households on very low, low and moderate incomes. These are households that earn \$111,000 and below. Over 63% of households on the Central Coast are in this bracket. This	Staff recommendation is for no change to the strategy as submissions were either affirmative or misunderstood and to be addressed in educational component of implementation phase. The issue of affordable housing spans from crisis issues such as homelessness and social housing through to affordable home purchase. Central Coast residents need affordable housing e.g. key workers (entry level police, nurses, teachers), first home buyers, families, older people and university students.



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

29 April 2019 Ordinary Council Meeting

Trim Reference: F2018/00020-07 - D13492925
Author: Kathy Bragg, Acting Section Manager, Governance
Manager: James Taylor, Acting Unit Manager, Governance and Business Services
Executive: Shane Sullivan, Acting Director Governance

Report Purpose

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

Recommendation

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

Context

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

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

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

No submissions were received on the draft Policy.

Current Status

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

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

Consultation

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

Link to Community Strategic Plan

Theme 4: Responsible

Goal G: Good governance and great partnerships

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

Attachments

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



POLICY NO: CCC038

UNSOLICITED PROPOSALS POLICY

April 2019

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Wyong Office: 2 Hely St / PO Box 20 Wyong NSW 2259 | **P** 02 4350 5555

Gosford Office: 49 Mann St / PO Box 21 Gosford NSW 2250 | **P** 02 4325 8222

E ask@centralcoast.nsw.gov.au | **W** www.centralcoast.nsw.gov.au | ABN 73 149 644 003



Unsolicited Proposals Policy

AUTHORITY	NAME & TITLE
AUTHOR	Kathy Bragg, Senior Governance Officer
MANAGER	James Taylor, Acting Unit Manager Governance and Business Services
DIRECTOR	Shane Sullivan, Acting Director Governance
CHIEF EXECUTIVE OFFICER	Gary Murphy, Chief Executive Officer

History of Revisions:

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



Unsolicited Proposals Policy

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Unsolicited Proposals Policy

POLICY SUMMARY

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

PURPOSE OF THE POLICY

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



Unsolicited Proposals Policy

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

GENERAL

GUIDING PRINCIPLES

8. Optimise Outcomes

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

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

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

9. Uniqueness

Proposal and Proponent to be uniquely able to deliver proposed service

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



Unsolicited Proposals Policy

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

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

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



Unsolicited Proposals Policy

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

10. Assessment Criteria

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

The Criteria are:

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



Unsolicited Proposals Policy

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



Unsolicited Proposals Policy

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



Unsolicited Proposals Policy

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



Unsolicited Proposals Policy

11. Interactive Process

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

12. Probity

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

(a) Maintaining impartiality

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

(b) Maintaining accountability and transparency

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

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

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

(c) Managing conflicts of interest

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



Unsolicited Proposals Policy

(d) Maintaining confidentiality

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

(e) Obtaining value for money

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

13. Resource Commitments

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

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

14. Governance Arrangements

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

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

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

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



Unsolicited Proposals Policy

15. Participation Agreement

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

The Participation Agreement will contain:

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

16. Stage 3 Agreement

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



Unsolicited Proposals Policy

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

DEFINITIONS

The following definitions are used in this policy:

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



Unsolicited Proposals Policy

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

REVIEW

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

RELATED RESOURCES

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



PROCEDURE NO: CCC038

UNSOLICITED PROPOSALS PROCEDURES

April 2019

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Wyong Office: 2 Hely St / PO Box 20 Wyong NSW 2259 | **P** 02 4350 5555

Gosford Office: 49 Mann St / PO Box 21 Gosford NSW 2250 | **P** 02 4325 8222

E ask@centralcoast.nsw.gov.au | **W** www.centralcoast.nsw.gov.au | **ABN** 73 149 644 003

Unsolicited Proposals Procedure

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

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

2. CONTACT DETAILS AND LODGEMENT

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

Unsolicited Proposals Procedure

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

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

The Proponent is required to:

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

3.2. Council

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

The required approval process will be described to the proponent.

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

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

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

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

Unsolicited Proposals Procedure**Proposal Specific Steering Committees**

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

Responsibilities

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

3.5. Proposal Manager

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

Unsolicited Proposals Procedure

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

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

3.6. Assessment Panel

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

The Assessment Panel will:

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

3.7. Advisers

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

- Legal
- Financial
- Technical
- Environmental

Other advisers may be appointed where specialist input is required.

Unsolicited Proposals Procedure

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

Advisers are to follow all project governance and probity requirements.

3.8. Probity Adviser

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

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

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

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

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

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

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

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

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

Unsolicited Proposals Procedure**Timing**

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

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

Proponent responsibilities

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

Council responsibilities

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

4.2. Stage 1 A – Initial Submission and Preliminary Assessment

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

Assessment criteria

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

Proponent responsibilities

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

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

Unsolicited Proposals Procedure**Council responsibilities**

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

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

Outcomes

The following outcomes may result from this stage:

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

Feedback

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

4.3. Stage 1 B – Strategic Assessment of Initial Submission

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

Proponent responsibilities

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

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

Unsolicited Proposals Procedure**Council responsibilities**

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

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

Outcomes

The following outcomes may result from this stage:

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

Feedback

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

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

Unsolicited Proposals Procedure**Disclosure**

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

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

4.4. Stage 2 – Detailed Proposal

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

Proponent responsibilities

During Stage 2, the Proponent will:

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

Council responsibilities

During Stage 2, Council will:

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

Unsolicited Proposals Procedure

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

Outcomes

The following outcomes may result from this stage:

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

Feedback

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

Disclosure

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

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

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

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

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

Proponent responsibilities

During Stage 3, the Proponent will:

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

Council responsibilities

During Stage 3, Council will:

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

Outcomes

The following outcomes may result from this stage:

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

Feedback

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

Disclosure

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

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

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

Unsolicited Proposals Procedure

5. DEFINITIONS

The following definitions are used in this procedure:

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

Unsolicited Proposals Procedure

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

Unsolicited Proposals Procedure

SCHEDULE OF INFORMATION REQUIREMENTS

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

Organisation Name:		Address:	
Identity:	[Individual, sole trader, company, etc.]	Type of organisation:	[Profit / non-profit, educational, small
Contact person(s) details for evaluation purposes:		Date of submission	
Concise title and abstract of proposal (approx. 200 words)			
Short Title Abstract			
Proposal details			
i. Objectives of the proposal ii. Method of approach iii. Nature and extent of anticipated outcomes iv. Benefits the proposal will bring to Council			
Assessment Criteria			

Unsolicited Proposals Procedure

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

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

Financial and commercial details

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

Costs and Requirements of Council

Please provide details of costs to Council.

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

Risks

Please provide a list of proponent and Council risks.

Organisation

Unsolicited Proposals Procedure

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

Unsolicited Proposals Procedure

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

Name: _____

Position: _____

Signature: _____

Date: _____

Unsolicited Proposals Procedure

PRE-LODGEEMENT MEETING CHECKLIST

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

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

Unsolicited Proposals Procedure

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



Item No: 3.3
Title: Meeting Record of the Protection of the Environment Trust Management Committee held on 26 February 2019
Department: Governance

29 April 2019 Ordinary Council Meeting

Trim Reference: F2018/00020-06 - D13474615

Author: Kelly Drover, Advisory Group Support Officer

Executive: Shane Sullivan, Acting Director Governance

Report Purpose

To note the draft Meeting Record of the Protection of the Environment Trust Management Committee held on 26 February 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 Protection of the Environment Trust Management Committee held on 26 February 2019 that is Attachment 1 to this report.**
- 2 That Council support the Consolidated Central Coast Local Environmental Plan.**
- 3 That Council review the zoning of 95 Pile Road, Somersby, 115 Wisemans Ferry Road, Somersby, 31-33 Somersby Falls Road, Somersby, 3A Ainslie Close, Somersby, 1A Raverson Close, Somersby and 6 Deodar Road, Somersby as part of the Comprehensive Local Environmental Plan.**
- 4 That Council appoint Gary Chestnut to the Protection of the Environment Trust Management Committee as a voting community representative.**

Background

The Protection of the Environment Trust Management Committee held a meeting on 26 February 2019. The Meeting Record of that meeting is Attachment 1 to this report.

Committee Recommendation

The Committee recommends that Council rezone the following lots held by the Trust to E2:

- 1. 95 Pile Road, Somersby (Lot 3 DP 1117622)*
- 2. 115 Wisemans Ferry Road, Somersby (Lot 2 DP 1112163)*
- 3. 31-33 Somersby Falls Road, Somersby (Lot 15 DP 1136135)*

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

4. 3A Ainslie Close, Somersby (Lot 122 DP 1134128)
5. 1A Raverson Close, Somersby (Lot 42 DP 1143508)
6. 130 Bakali Road, Forresters Beach (Lot 8 DP 8857)
7. 158 Bakali Road, Forresters Beach (Lot 4 DP 1182930)
8. 6 Deodar Road, Somersby (Lot 3 DP 1209664)

Committee Recommendation

The Committee request the Chief Executive Officer investigate the most efficient mechanism for rezoning the aforementioned lots to E2 including giving consideration to incorporating as part of the Consolidated LEP.

Staff Response

Council is currently in the process of reviewing deferred lands as part of the Consolidated Central Coast Local Environmental Plan (Consolidated CCLEP) project. Where the recommended zoning under the Consolidated CCLEP is E2 Environmental Conservation as sought by the Protection of the Environment Trust Management Committee it is recommended that the Consolidated CLEP continue to rezone these lands as per the planning proposal process. This outcome applies to the following lots:

130 Bakali Road, Forresters Beach
158 Bakali road, Forresters Beach

For the remaining lots, Council would need to resolve to commence a separate planning proposal to rezone Council owned lands to an E2 Environmental Conservation Zone. This project is not part of the 19/20 Operational Plan or Operational Budget.

95 Pile Road, Somersby – Currently zoned RE1 Public Recreation
115 Wisemans Ferry Road, Somersby - Currently zoned RE1 Public Recreation
31-33 Somersby Falls Road, Somersby – Currently zoned B5 Business Development
3A Ainslie Close, Somersby - Currently zoned IN1 General Industrial
1A Raverson Close, Somersby – Currently zoned IN1 General Industrial
6 Deodar Road, Somersby – Currently zoned IN1 General Industrial

Recommendations to Council

That Council support the Consolidated Central Coast Local Environmental Plan.
That Council review the zoning of 95 Pile Road, Somersby, 115 Wisemans Ferry Road, Somersby, 31-33 Somersby Falls Road, Somersby, 3A Ainslie Close, Somersby, 1A Raverson Close, Somersby and 6 Deodar Road, Somersby as part of the Comprehensive Local Environmental Plan.

Committee Recommendation

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

The Committee recommends to Council that Mr Gary Chestnut be appointed to the Protection of the Environment Trust Management Committee as a voting community representative.

Staff Response

Staff have no objection to Gary Chestnut being appointed as a voting community representative on the Committee.

Recommendation to Council

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

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 Protection of the Environment Trust Management Committee Meeting Record 26 February 2019 | D13485781 |
|---|-----------|

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



Location:	Central Coast Council Gosford Office Level 1 Committee Room 49 Mann Street, Gosford	
Date:	26 February 2019	
Time	Started at: 3.35pm	Closed at: 4.44pm
Chair	Mayor Jane Smith	
File Ref	F2018/00732	

Present:

Mayor Jane Smith, Joy Cooper, Barbara Wills, Gary Murphy – Chief Executive Officer, Gary Chestnut (Advisor – non voting)

Staff present:

Scott Cox – Director Environment and Planning (left 4.30pm), Shane Sullivan – Acting Director Governance, Luke Sulkowski – Unit Manager Natural and Environmental Assets, Kelly Drover – Advisory Group Support Officer

Item 1 Welcome and Apologies

No apologies.

The Committee acknowledged the passing of Alan Ford (OAM) and noted he was a valued staff member of the former Gosford City Council and had been an asset to not only Council's Protection of the Environment Trust Management Committee, but also to the local community.

Action: A letter acknowledging Alan's contribution to be sent from the Committee to Alan Ford's family.

Item 2 Disclosure of Interest

Barbara Wills previously declared a less than significant non-pecuniary interest as a member of the MacMasters Beach Bushcare Group.

Mayor Smith declared a less than significant non-pecuniary interest in regard to Item 5 as Gary Chestnut ran for Council as an Independent under the New Independents banner. Ms. Smith chose to leave the room for consideration of Item 5.

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



Gary Chestnut declared significant non-pecuniary interest in regard to Item 5 (application for vacant position) and the fact that he initiated the process for the Trust Deed when he was employed by the former Gosford City Council.

Item 3 Confirmation of Previous Meeting Record

Joy Cooper noted her disappointment that the legal advice provided at the previous meeting was not able to be taken away to be given the time to read through properly.

Barbara Wills noted the same disappointment and has concerns that the information provided as the basis of legal advice may not accurately reflect the previous operation of the Trust as she understood it.

The Committee confirmed the Meeting Record from 30 October 2018.

Item 4 Action Log

The Committee discussed the Action Log.

In regard to Action Item 21

Recommendation: The Committee recommend that Council rezone the following lots held by the Trust to E2:

1. 95 Pile Road, Somersby (Lot 3 DP 1117622)
2. 115 Wisemans Ferry Road, Somersby (Lot 2 DP 1112163)
3. 31-33 Somersby Falls Road, Somersby (Lot 15 DP 1136135)
4. 3A Ainslie Close, Somersby (Lot 122 DP 1134128)
5. 1A Raverson Close, Somersby (Lot 42 DP 1143508)
6. 130 Bakali Road, Forresters Beach (Lot 8 DP 8857)
7. 158 Bakali Road, Forresters Beach (Lot 4 DP 1182930)
8. 6 Deodar Road, Somersby (Lot 3 DP 1209664)

Recommendation: The Committee request the Chief Executive Officer investigate the most efficient mechanism for rezoning the aforementioned lots to E2 including giving consideration to incorporating the process as part of the Consolidated LEP.

Action: Strategic Planning Staff to attend the next meeting of the Committee to discuss the Urban Edge Study regarding adoption of E zones and the planning proposal process for changing a zone.

In regard to Action Item 25

Action: Patrick Donellan to be invited to the next meeting of the Trust to discuss the Protection of the Environment Trust Deed.

Action: Shane Sullivan to seek advice from Council's Legal team as to whether the legal advice regarding the Trust Deed is able to be viewed by Mr. Donellan as part of the committee's discussions.

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



Item 5 Consideration of Application for Vacant Position

Gary Chestnut left the room while this item was considered. Mayor Smith also left the room while this item was considered.

The Committee reviewed Gary Chestnut's application for the vacant position of membership.

Recommendation: The Committee recommends to Council that Mr Gary Chestnut be appointed to the Protection of the Environment Trust Management Committee as a voting community representative.

Item 6 Memorandum of Advice – Trusts of the Former Gosford City Council

This item was covered in earlier discussions.

Item 7 General Business and Close

a) Consolidated LEP

Barbara Wills noted concerns regarding the Consolidated LEP and zoning of land.

Action: Barbara to provide further information identifying the particular properties of concern.

b) Funds allocated to bush regeneration at MacMasters Beach

Mayor Smith advised that MacMasters Beach Bushcare Group has concerns regarding the release of funds, in particular the length of time it took for their last request to be processed.

The Committee confirmed the following process for future applications:

- Written request to the Trust is required by MacMasters Beach Bushcare Group (on letterhead and authorised by the Committee) and identifying any specific timeframe around the funds.
- The Trust Convenor to convene a meeting of the Trust to consider the request within 14 days of the application being received.
- The recommendation of the Trust be then forwarded to the next practicable Ordinary Meeting of Council for consideration.
- If Council resolves to release the funds, that they be released within 30 days of the Council resolution.

Action: Following adoption of the Committee minutes by Council, the Protection of the Environment Trust to write to the MacMasters Beach Bushcare group clarifying the process for future applications.

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



c) PoET Grants program for 2019

The Mayor raised the matter of Protection of the Environment Trust Grants. Each year, PoET provides a grants program utilising interest generated by the Trust and in keeping with the objectives of the Trust.

Action: Advisory Group Support Officer to circulate Grant Program Guidelines to the Committee that were included in the 2018/19 Protection of the Environment Trust Round, for review and comments.

The Mayor asked the Committee to give consideration to a "Volunteer Research" element of the grants program (similar to programs run by Earthwatch) and will circulate further information for the next meeting.

Action: Mayor to circulate information to Committee regarding Volunteer Research activities, prior to the next meeting.

d) Promotion of the Trust for donations

The Mayor raised the matter of a Promotions Strategy for the Trust. Shane indicated that it was unlikely that internal Council staff could provide support for this. The Mayor provided a list of activities that had previously been considered as part of a strategy with mixed results in terms of success.

Action: Shane Sullivan to have a discussion with the Communications team to identify opportunities and avenues for promotions and marketing of the Trusts.

e) Financial Report

Joy Cooper requested a Statement of Finances for the Trust to be provided at each meeting

Action: Finance report to be a standing item on future agendas.

The meeting closed at 4.44pm

Next Meeting: Tuesday 26 March 2019
11am – 12pm
Central Coast Council Gosford Admin Building
Level 1 Committee Room
49 Mann Street, Gosford

Item No: 3.4

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

Department: Roads Transport Drainage and Waste

29 April 2019 Ordinary Council Meeting

Trim Reference: F2018/00020-07 - D13512022

Author: Jeanette Williams, Unit Manager, Roads Business Development and Technical Services

Executive: Boris Bolgoff, Director, Roads Transport Drainage and Waste

Report Purpose

This report is provided to advise of the successful grant funding of \$3.99M secured by Council under the NSW Government's Regional Communities Development Fund to progress the redevelopment of Woy Woy Town Centre Wharf. Council is required to co-contribute 25% to the funding being \$1.33M with a total project cost of \$5.32M.

The estimated project budget phasing is as follows:

2019/20 - \$3.591M (Grant funding)

2020/21 - \$399,000 (Grant funding) plus \$1.33M (Council co-contribution funding)

Recommendation

- 1 That Council reflect the grant funding under the NSW Government's Regional Communities Development Fund for the redevelopment of Woy Woy Town Centre Wharf in accordance with the grant funding agreement in future budgets.**
- 2 That Council update the draft capital works program to reflect the total project cost of \$5.32M to be phased as follows; \$3.591 million in the 2019/20 financial year and \$1.729 million in the 2020/21 financial year.**

Background

The former Gosford City Council adopted a concept plan for the future upgrade of the Woy Woy Wharf, inclusive of a floating pontoon and associated infrastructure to ensure accessibility. The project also provides for a new sea wall, a dedicated fishing wharf and associated facilities, footpath and cantilever boardwalk; lighting and landscaping.

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

Report

The delivery of this project will provide an improved facility for commercial (ferry) and recreational access to Brisbane Water. The improved wharf will be able to operate in all weather and tide conditions enabling water access for public and ferry operators which will also address community and business safety concerns.

A section of new sea wall, fishing wharf and associated facilities, footpath and cantilever boardwalk along with lighting and landscaping will also be delivered as part of this project.

Due to the scale of the project it will be delivered over consecutive years commencing in 2019/20 with completion by 31 December 2020.

Consultation

Extensive community consultation was undertaken prior to the adoption of the concept plan, however further community consultation will be undertaken in the finalisation of the design plans prior to construction commencing.

Options

1. Allocate \$1.33 million in the 2020/21 financial year to comply with the funding agreement executed under the NSW Government Regional Communities Development Fund. This will result in the delivery of a new all-accessible public wharf and facilities for the benefit of residents and the wider community.
2. Non-allocation of Council's co-contribution of \$1.33 million in the 2020/21 financial year will result in the non-delivery of this project.

Financial Impact

Council co-contribution of \$1.33M required in the Roads Transport Drainage and Waste Capital Works Program for the 2020/21 financial year.

Link to Community Strategic Plan

Theme 4: Responsible

Goal H: Delivering essential infrastructure

R-H4: Plan for adequate and sustainable infrastructure to meet future demand for transport, energy, telecommunications and a secure supply of drinking water.

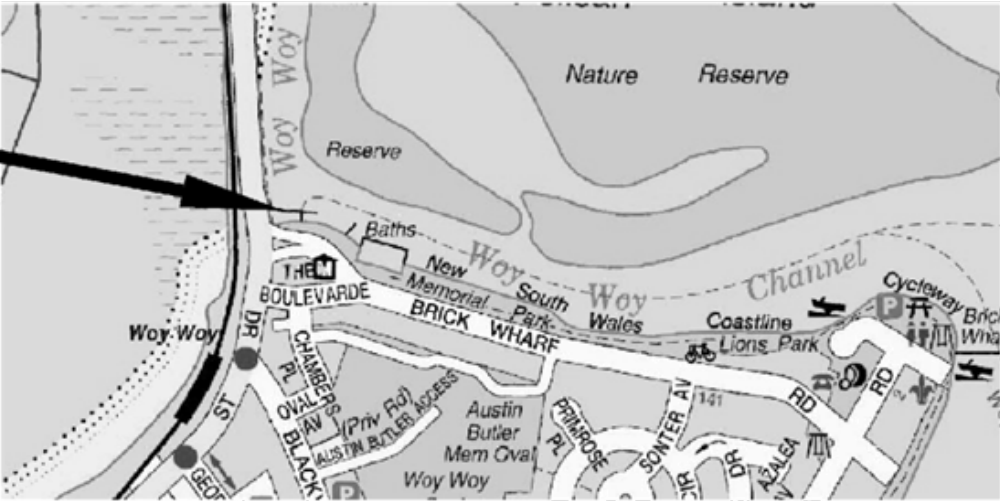
Critical Dates or Timeframes

Completion of the project by 31 December 2020.

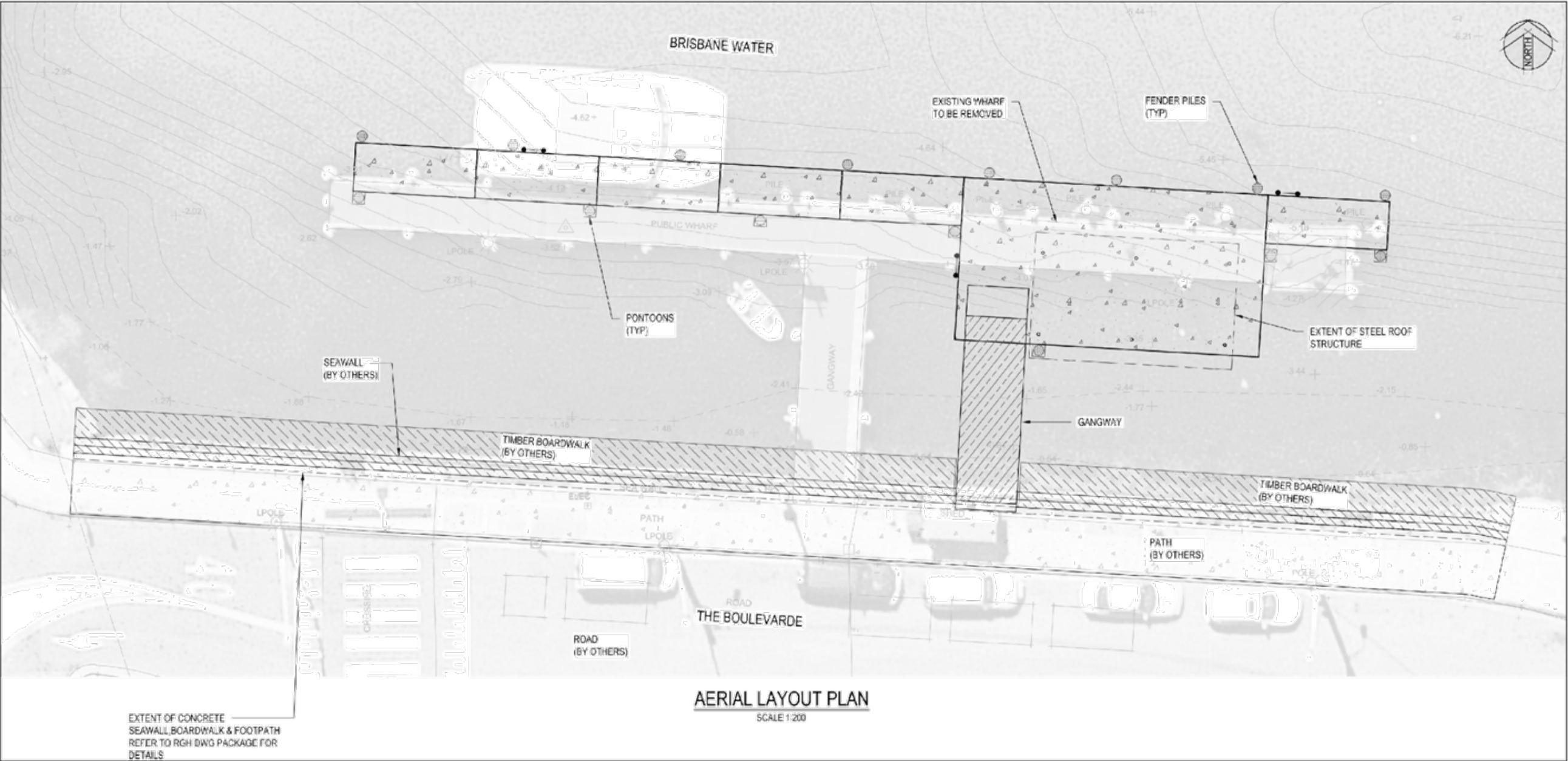
Attachments

- 1** Wharf Replacement Design - Woy Woy Wharf D13515600

WOY WOY WHARF



LOCALITY SKETCH
NOT TO SKETCH



Item No: 3.5
Title: Terrigal Boardwalk and Rock Pool
Department: Innovation and Futures



29 April 2019 Ordinary Council Meeting

Trim Reference: F2018/00020-07 - D13515575

Author: Jamie Barclay, Unit Manager, Economic Development and Project Delivery

Executive: Matthew Prendergast, Acting Executive Manager, Innovation and Futures

Report Purpose

The purpose of this report is to update Council on the detailed design, community consultation and to seek Council endorsement for full match funding for the construction of the proposed Terrigal Boardwalk.

Recommendation

- 1 That Council receive and note this report and all attachments for a proposed Boardwalk, providing an improved pedestrian link between The Haven and Terrigal CBD.**
- 2 That Council authorize the Chief Executive Officer to enter into the Funding Deed of agreement with Restart NSW for \$2,938,600 to construct the Terrigal Boardwalk in accordance with Attachment 1 – Terrigal Boardwalk Basis of Design**
- 3 That Council approve the allocation of funds to match Restart NSW 50% contribution of \$2,938,600 for the 2019/20 and 2020/2021 capital works budget period for the construction of the proposed Boardwalk in line with the terms and conditions of the funding agreement.**
- 4 That Council authorise the Chief Executive Officer to invite tenders by way of a public Tender in accordance with the Local Government Procurement Guidelines for the construction of the proposed Boardwalk and Rock Pool at Terrigal as one Contract.**
- 5 That Council resolve, pursuant to s10A(2)(c) of the Local Government Act 1993, that Attachments 9 and 10 to this report remain confidential as they contain information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.**

Background

The Terrigal Boardwalk project will enhance the connectivity between Terrigal Haven and Terrigal Town Centre through improved pedestrian access and mobility. This project will also be iconic not only to Terrigal but the entire Central Coast Region, and will generate increased interest locally and regionally for people to visit the Terrigal Town Centre and the Central

Coast Region. The proposed Terrigal Boardwalk also provides improved for less mobile persons in accordance with Council's Pedestrian Access and Mobility Plan (PAMP) and the draft Disability Inclusion Action Plan (DIAP).

Council is in receipt of a funding commitment of \$2,938,606 million through Restart NSW from the Regional Growth Environment and Tourism Fund. Council has not entered into the agreement as it requires Councillor endorsement to support match funding of \$2,938,606 million for the project to proceed.

The Council did as part of the 2018/19 Operational Plan commit \$900,000 capital budget for staff to undertake appropriate works and studies to plan, design and environmentally assess the feasibility of a boardwalk from Terrigal Beach promenade to The Haven. Council staff have been operating within this budget and the Operational Plan Action as endorsed by the Council.

Council has also received funding from the Public Reserves Management Fund for the amount of \$250,000 towards the upgrade works to the Terrigal Rock Pool which is to be completed before the 2019/2020 Summer season. The Terrigal Rock Pool is a separate project identified and funded in the draft 2019/20 Operational Plan, however Council staff identified that both the Boardwalk and the Terrigal Rock Pool could be combined together to develop a sympathetic design which complement each other, minimise disruption during construction, and reduce overall construction costs.

Community Consultation

In accordance with Central Coast Council's Engagement Framework, the Terrigal Boardwalk concept designs, environmental assessment and geotechnical report were placed on public exhibition from 12 November 2018 to 14 December 2018. (*Attachment 8 - Terrigal Boardwalk Consultation Report*)

In order to determine community sentiment for the project, Council adopted two methods to collect feedback from the community and stakeholders.

Method 1: Written Submissions

All residents and stakeholders could make a written submission via email, the online submission form on yourvoiceourcoast.com, hand written submission forms provided at information sessions, or via post.

Method 2: Random Face-to-Face Surveys

Interviewers from an independent market researcher (Micromex) approached 441 people randomly in public places. The purpose of these surveys was to understand sentiment of residents from both Terrigal and other areas on the Central Coast. This method aimed to eliminate self-selection bias (where an individual chooses to participate in the consultation and may lead to a biased sample).

3.5 Terrigal Boardwalk and Rock Pool (contd)

Surveys were conducted at:

- Terrigal Beach Markets
- Terrigal Lions Club Car boot Sale
- Terrigal CBD
- Gosford CBD
- Greedy Guts Market (Terrigal)
- The Entrance Market

Consultation Method 1: Written submissions

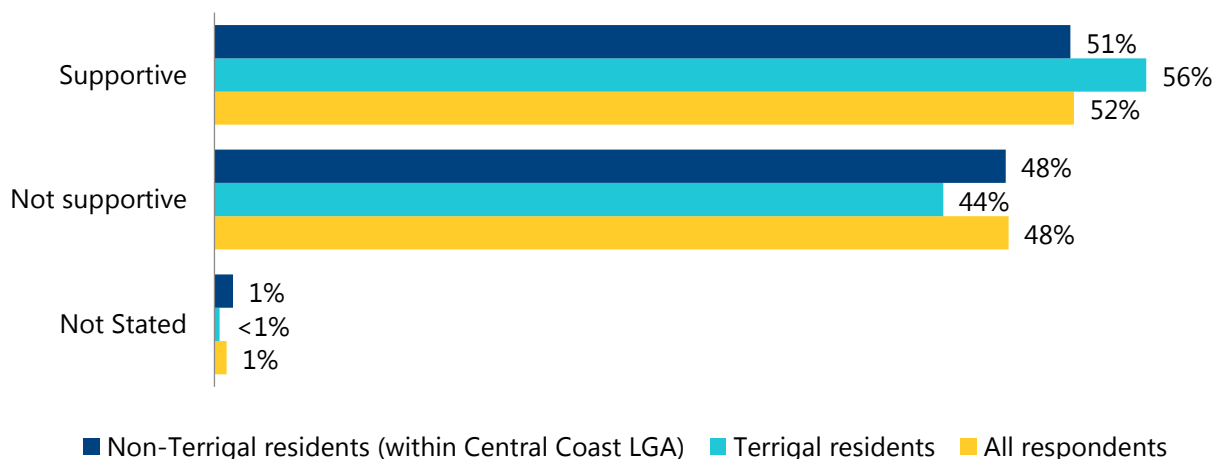
A total of **688** written submissions were received during the consultation period from 12 November to 14 December 2018.

Of the 688 individuals who made a submission:

- **52%** (355) expressed **general support** for the proposal
- **48%** (328) expressed a **lack of support** for the proposal
- **Less than 1%** (3) did not express clear sentiment towards the proposal

(Note: these percentages have been rounded)

Level of support based on written submissions – Comparison between place of residence
(Note: Percentages have been rounded)



Consultation Method 2: Random Face-to-Face Surveys

In addition to written submissions, **441** random face-to-face surveys were conducted over a week between Saturday 2 and Saturday 9 February 2019.

Before being asked questions about the boardwalk, participants were shown concept drawings, advised of the estimated cost, and where the funding for the boardwalk was being sourced.

Of the 441 individuals who took part in the surveys:

- **49%** were **very supportive** of the proposal
- **15%** were **supportive** of the proposal
- **17%** were **somewhat supportive** of the proposal
- **7%** were **not very supportive** of the proposal
- **12%** were **not at all supportive** of the proposal

Current Status

The detailed design of Terrigal boardwalk is complete with all relevant background studies and community consultation complete. These documents are attached to this report.

Attachment 1 – Terrigal Boardwalk Basis of Design

Attachment 2 – Terrigal Boardwalk and Rock Pool Design Drawings

Attachment 3– Terrigal Boardwalk peer review

Attachment 6 – Terrigal Boardwalk Review of Environmental Factors

Attachment 7 – Geotechnical Interpretive Report

Attachment 8 - Terrigal Boardwalk Consultation Report

Confidential Attachment 1 – Terrigal Boardwalk Rider Levitt Becknell QS Estimate April 2019

Confidential Attachment 2 – Terrigal Rock Pool Rider Levitt Becknell QS Estimate April 2019

Financial Impact

Council is required to match the \$2,938,606 million to secure the funding grant from Restart NSW for the Terri gal boardwalk. The construction cost estimate for the Terrigal Boardwalk is in line with the total Grant funding amount combined with the 50% contribution from Council (*Confidential Attachment 1 – Terrigal Boardwalk Rider Levitt Becknell QS Estimate April 2019*).

The Terrigal Rock Pool Cost estimate is in line with the total Grant Funding amount of \$250,000 provided by the Crown Land Public Reserve Management Fund (*Confidential Attachment 2 – Terrigal Rock Pool Rider Levett Bucknall QS Estimate April 2019*).

Social Impact

The proposed boardwalk will provide a safe and inclusive link from Terrigal Beach to the Haven and complement planned upgrades to the existing Rock pool, further enhancing Terrigal as a tourist destination.

Environmental Considerations

A Review of Environmental Factors (*Attachment 6 – Review of Environmental Factors*) has been prepared by Arup to assess the environmental impacts of the proposed boardwalk. The proposal has been assessed under division 5.1 of the Environmental Planning & Assessment Act 1979 and the State Environmental Planning Policy (Infrastructure) 2007.

The review of environmental factors includes the assessment of key engineering, environmental and planning issues such as sea level rise, landscape, visual, bio-diversity and socio-economic impacts. Relevant Commonwealth, State and local environmental planning provisions have also been assessed.

Risk Management

Based on review of preliminary geotechnical assessment reports prepared by Coffey Partners International on behalf of former Gosford Council in 1994 and 1997, the design brief identified the risk associated with rock fall from the cliff face and landslides from the upper vegetated area and required the boardwalk to be located away from the toe of the cliff line in order to adequately address these risks. Additional Geotechnical testing was undertaken by Arup in May 2018, slope treatment and the stabilisation of the toe of the soils slope is required to mitigate the risk of further rock fall. (*Attachment 7 – Geotechnical Interpretive Report*)

The consultant ARUP have completed a comprehensive Risk Register with a risk management process in accordance with the AS/NZS 4360:2004 Risk Management standard, utilising a cyclical framework of identification, assessment, treatment and evaluation duration.

As Terrigal increases in popularity as a top tourist destination there is a risk of more public users who choose to walk or climb over the rock platform between Terrigal Beach and The Haven, they are exposing themselves to potential danger and risk resulting from the instability of the rock platform and headland. Council has installed signage in and around the rock platform, warning the public of these risks. Local residents are aware of the recent rock falls (2018) in The Haven and are taking more caution however tourist may not.

The construction the boardwalk will reduce the danger and risks for the public to continue enjoying this space safely.

Critical Dates or Timeframes

The Terrigal Rock Pool funding commitment requires the Rock Pool to be constructed prior to the commencement of Summer 2019. Following a resolution from Council to proceed with the construction of proposed boardwalk and Rock Pool, it is anticipated that the Rock Pool will meet the proposed timeline and that the Boardwalk project will be completed during 2019/20 financial year

Link to Community Strategic Plan

Theme 1: Belonging

Goal B: Creativity connection and local identity

B-B4: Activate spaces and places to complement activity around town centres, foreshores, lakes and green spaces for families, community and visitors.

Theme 2: Smart

Goal C: A growing and competitive region

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

Theme 3: Green

Goal E: Environmental resources for the future

R-H2: Improve pedestrian movement safety, speed and vehicle congestion around schools, town centres, neighbourhoods, and community facilities.

Theme 4: Responsible

Goal I: Balanced and sustainable development

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

Theme 5: Liveable

Goal K: Out and about in fresh air

L-K2: Design and deliver pathways, walking trails and other pedestrian movement infrastructure to maximise access, inclusion and mobility to meet the needs of all community members.

Attachments

1	Attachment 1 - Terrigal Boardwalk Basis of Design	Attached under separate cover	D13515598
2	Attachment 2 - Terrigal Boardwalk and Rockpool Design Drawings	Attached under separate cover	D13519320
3	Attachment 3 - Terrigal Boardwalk Peer Review	Attached under separate cover	D13515604

3.5 Terrigal Boardwalk and Rock Pool (contd)

4	Attachment 4 - Terrigal Masterplan 1996	Attached under separate cover	D13515607
5	Attachment 5 - Terrigal Haven Plan of Management	Attached under separate cover	D13515608
6	Attachment 6 - Terrigal Boardwalk Review of Environmental Factors	Attached under separate cover	D13519787
7	Attachment 7 - Geotechnical Interpretive Report	Attached under separate cover	D13515611
8	Attachment 8 - Terrigal Boardwalk Consultation Report	Attached under separate cover	D13515619
9	Confidential Attachment 1 - Terrigal Boardwalk Rider Levett Bucknall QS Estimate Apr -	Confidential Attached under separate cover	D13515621
10	Confidential Attachment 2 - Terrigal Rockpool Rider Levett Bucknall QS Estimate April -	Confidential Attached under separate cover	D13515622

Item No: 3.6
Title: Gosford Cultural Precinct
Department: Innovation and Futures



29 April 2019 Ordinary Council Meeting

Trim Reference: F2018/00020-07 - D13515636

Author: Jamie Barclay, Unit Manager, Economic Development and Project Delivery

Executive: Matthew Prendergast, Acting Executive Manager, Innovation and Futures

Report Purpose

The purpose of this report is to provide an update on the progress of actions relating to Resolution 984/18, as well as to seek approval from Council to formalise Council's offer to enter into an agreement for the acquisition of ET's property at 123b-125a Donnison Street, Gosford based on the terms outlined in Confidential Attachment 1 – Proposed ET Commercial Terms

The terms differ from those originally presented to Council at the Ordinary Meeting held on 24 September 2018.

Recommendation

- 1 That Council purchase the land known as Lot 11 DP 746819 (which has a street address of 123B-125A Donnison Street, Gosford) by private treaty, in accordance with either Option 1 or Option 2 outlined in Confidential Attachment.**
- 2 That Council purchase the land in Certificate of Title Folio Identifier B/321076 being Lot B in DP 321076 (known as 73 Mann Street, Gosford) by private treaty.**
- 3 That Council purchase the land in Certificate of Title Folio 2/543135 being Lot 2 in DP 543135 (known as 75 Mann Street, Gosford) by private treaty.**
- 4 The Chief Executive Officer be authorised to carry out all actions necessary to complete the purchases.**
- 5 That Council resolve, pursuant to s10A(2)(c) of the Local Government Act 1993, that Attachment 1 and 2 to this report remain confidential as they contain information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.**

Summary

At its Ordinary Meeting held on 24 September 2018, Council resolved as follows:

984/18 *That Council request the Chief Executive Officer negotiate and execute a Deed of Agreement with ET Australia to acquire the land known as Lot 11 DP 746819 (which has a street address of 123B-125A Donnison Street, Gosford)*

Council staff have held numerous meetings with various representatives from ET Australia. The discussions have reached a point that further approval and direction is required from Council as the terms which are being considered vary from the terms outlined in the report presented to Council 24 September 2018.

This report seeks approval to present alternate compensation options to ET Australia contained within Confidential Attachment 1 – Proposed ET Commercial Terms in order to secure an agreement to acquire 123b-125a Donnison Street, Gosford.

Link to Community Strategic Plan

Theme 2: Smart

Goal C: A growing and competitive region

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

Attachments

1	Confidential Attachment 1 - Proposed ET Commercial Terms (RevB) -	Attached under separate cover	D13515640
2	Confidential Attachment 2 - Valuation Report -	Attached under separate cover	D13515639



Item No: 4.1
Title: Deferred Item - Sportsground Fees and Charges
Department: Environment and Planning

29 April 2019 Ordinary Council Meeting

Trim Reference: F2018/00020-05 - D13373380
Author: Karen Tucker, Acting Unit Manager, Open Space and Recreation
Manager: Brett Sherar, Unit Manager, Open Space and Recreation
Executive: Scott Cox, Director, Environment and Planning

Summary

Council, at its meetings held 29 October 2018, resolved:

1152/18 That Council defer this item to the meeting being held on 12 November 2018

Council, at its meetings held 12 November 2018, resolved:

1011/18 That Council defer this item for consideration at the 26 November 2018 Ordinary Meeting.

Recommendation

- 1 That Council note the deferred Sportsground Fees and Charges report which is Attachment 1 to this report.**
- 2 That Council receive the report on Deferred Item – Sportsground Fees and Charges.**

Attachments

- 1 Sportsground Fees and Charges D13374722**



Item No: 4.2
Title: Sportsground Fees and Charges
Department: Assets, Infrastructure and Business

29 October 2018 Ordinary Council Meeting

Trim Reference: F2018/00020-04 - D13340869

Author: Karen Tucker, Acting Unit Manager, Open Space and Recreation

Manager: Brett Sherar, Unit Manager, Open Space and Recreation

Executive: Boris Bolgoff, Acting Director, Assets, Infrastructure and Business

Report Purpose

The purpose of this report is to advise Council of the outcome of the meeting with Central Coast Sports Council representatives following their submission to Council on the 2018/19 Delivery and Operational Plans.

Summary

Staff met with representatives of Central Coast Sports Council on 17 July 2018 to discuss concerns raised at the 25 June 2018 Council meeting. Many of the issues identified were due to the complexity of bringing the former two Council's fees into one consolidated fees and charges structure. The consolidated fees do not collate to an increase in fees more than CPI since prior to amalgamation.

Recommendation

That Council receive the report on Sportsground Fees and Charges.

Background

At its meeting on 25 June 2018, Council resolved, in part:

563/18 *That Council request the Chief Executive Officer hold a meeting with representatives of the Sports Council and then provide a report to the Council prior to the workshop referred to in recommendation 562/18 and include discussions around the following proposed amendments:*

- *Refund of competition and/or training fees booked on a seasonal basis for facilities not utilised under the twenty week period, due to inclement weather or withdrawn for maintenance issues*
- *Refund of training fees to be booked on a daily basis for facilities not utilised, due to inclement weather or withdrawn for maintenance issues*
- *Be able to choose an hourly lighting rate or a seasonal lighting rate.*

4.2 Sportsground Fees and Charges (contd)

- *Sports Council the Fees and Charges for seasonal hire be amended to include all final series games/matches.*
- *In regards to the Bond Monies, the members of Central Coast Sports Council indicated at our meeting on 7 June 2018 that they wish the bond monies remain as is and held with Central Coast Sports Council.*
- *Foreshadow a return on fees and charges as at 2017/18 for a period of 3 years*
- *To reduce the level 2 grading fees to level 3 for sports fields*

Council Officers met with representatives of Central Coast Sports Council (CCSC), Ms Diane Dales and Mr Riley Sohier, on 17 July 2018 to discuss the Council resolution.

Following extensive discussion with the above representatives of the CCSC, information on how the consolidated fees and charges were structured was provided as follows:

Refund of competition and/or training fees booked on a seasonal basis for facilities not utilised under the twenty week period, due to inclement weather or withdrawn for maintenance issues.

And

Refund of training fees to be booked on a daily basis for facilities not utilised, due to inclement weather or withdrawn for maintenance issues

The seasonal ground hire fees are calculated at 20 weeks for a season duration up to 25 weeks. Therefore a portion of the seasonal fee is built in to allow for potential wash out weeks (up to 5 weeks). It is rare that sporting clubs will have seasons that are washed out for the amount of weeks allocated in the fees and are therefore essentially not paying for these weeks.

Despite wet weather closures, Council is still required to maintain service levels to the sportsground facilities with no reduction in maintenance costs. In addition, wet weather periods often provide increase maintenance as damage to facilities is more likely after periods of inclement weather.

Should there be a significant period whereby a club is unable to utilise a playing field due to no fault of their own, Council may make a reduction to their fees.

In seasons that experience extensive wet weather and lack of use is documented, Council have also considered a fee reduction as it deemed the lack of access is beyond the reasonable access.

If the fields are unable to be utilised due to being withdrawn from use by Council, consideration in regards to a fee reduction will be provided if it is deemed the lack of access

4.2 Sportsground Fees and Charges (contd)

is beyond reasonable access and the field is not withdrawn due to the activities undertaken by the club or association.

Be able to choose an hourly lighting rate or a seasonal lighting rate

The current lighting systems across the Central Coast sporting fields is unable to be metered to allow lights to be charged hourly at all sporting facilities. Council is working towards harmonising the telemetry systems across the facilities which will allow reporting of usage and potential readjustment of lighting fee structure.

However lighting usage for the first hour demonstrates a significant peak in usage to ignite lighting systems and future fees may be required to consider the first hour of usage to be a higher rate than subsequent hours.

The Fees and Charges for seasonal hire be amended to include all final series games/matches.

Finals series games are considered outside of the seasonal allocation approval process as many final series events have different requirements than normal seasonal competition games. For instance, a number of codes utilise mobile food vans, amusement devices and marquees in conjunction with their finals activities which require regulation under a special event application.

When a clubs final series is within the parameters of its normal conduct and does not include special event activities, their fee is determined within the normal seasonal hire (no additional charge). However, for those clubs that conduct special event activities that require regulation, the associated fees are required to be charged in line with those activities such as, but not limited to, food surveillance inspections. In some cases, additional field maintenance requirements are requested that attract a charge, such as additional line-marking.

In regards to the bond monies, the members of Central Coast Sports Council wish the bond monies remain as is and held with Central Coast Sports Council.

The current process in the former Gosford Council was for key bonds to be paid by the clubs and these bonds were held by the CCSC in perpetuity. Council did not have access to the bond money to fund the cost of key or lock replacement or to fund the repair of any damage by the clubs or associations.

Council is unable to allow an entity that is not a body of Council to collect and hold fees on its behalf. The bond is collected to ensure keys are returned at the end of each season minimising issues between codes and is only used to cover costs of lock and/or key replacement when keys are lost or stolen to protect Council's assets.

The bond will be charged to associations/clubs at the commencement of the season and, pending return of all keys and no damage to the locks or buildings, the bonds will be returned to the associations/clubs at the end of each season.

4.2 Sportsground Fees and Charges (contd)

CCSC currently hold money from associations on their behalf. If these organisations wish to continue this arrangement then it is at their discretion. However, Council will require security bonds from associations during their relevant season in line with the adopted fees and charges.

Foreshadow a return on fees and charges as at 2017/18 for a period of 3 years

The fees and charges for the 2017/18 period are calculated at less than 12% cost recovery with the 2018/19 fees and charges only increased in line with CPI (2-3 %). The cost which has 12% recovery includes the operational and maintenance of the facilities which comprises electricity charges, water usage, turf and general maintenance.

During consolidation of the fees from the former two Councils, careful consideration was given to ensure that no increase above CPI would be levied to any sporting code. Whilst a number of clubs had raised an increase of fees above the CPI, this was not due to an increase in fees but to an increase in requested usage. An offer has been made to CCSC to direct any club who believes their fees have been increased greater than CPI to meet with Council to discuss the matter. Since this offer was made, Council has not received any requests for fee review.

Freezing fees for three years at the rates of the 2017/18 period will reduce the percentage of cost recovery for Council as costs of maintenance will increase between 2-3% annually.

To reduce the level 2 grading fees to level 3 for sports fields

In the former Gosford Council a Category 3 field existed which were generally fields that did not have lighting, irrigation or drainage systems and other support infrastructure. Category 3 fields were removed when harmonising the fees for Central Coast Council as a number of former category 3 fields have benefited from capital works upgrades to the infrastructure and therefore they were consolidated into Category 2.

A Category 2 field would be considered a local playing facility in terms of standard of infrastructure provisions whereas a Category 1 field would be a district to sub- regional level facility.

A number of the playing fields that have changed in categories are generally provided free of charge to users as they are only utilised for training purposes in daylight hours due to no floodlighting (e.g. Kitchener Oval, Davistown Oval, Fred Pinkstone Oval) based on the adopted fees and charges.

4.2 Sportsground Fees and Charges (contd)

Follow Up

Subsequent to the meeting of 17 July 2018, Council officers provided summation notes of the meeting and clarification of issues in writing to the representatives of CCCSC.

CCCSC responded advising, *The information you have provided has been advised to our members and noted at our last meeting on 2 August. Our members have instructed the executive to raise certain matters with the Councillors when the follow up report on item 2.1 from 25 June 2018 is presented to Council.*

Link to Community Strategic Plan

Theme 1: Belonging

Goal L: Healthy lifestyle for a growing community

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

Attachments

Nil.

Item No: 4.2
Title: Community Facilities Review Progress Status Report
Department: Connected Communities



29 April 2019 Ordinary Council Meeting

Trim Reference: F2007/01569 - D13503729

Author: Phil Cantillon, Unit Manager, Leisure and Lifestyle

Executive: Julie Vaughan, Director, Connected Communities

Summary

This report provides a progress status on the Community Facilities Review following an initial progress report provided to Council at the Ordinary Council Meeting on 11 February 2019.

Recommendation

That Council receive the report on Community Facilities Review Progress Status Report.

Background

At the Ordinary Council Meeting on 11 February 2019, Council resolved as follows:

91/19 That Council receive the report on Community Facilities Review Progress Status Report.

92/19 That Council request the CEO to provide a further status report on the Community Facilities Review in April 2019.

This report provides a brief update on the progress status of 92/19 resolution.

Central Coast Council is undertaking a community facilities review that will enable a consistent and transparent approach to the management, operation and planning of community facilities. The review will focus on the use and management of community facilities that operate under lease, licence, hire and volunteer models.

As part of the first phase of the review, Council is holding a series of workshops during April with existing tenants and regular users of community facilities to help identify current challenges and opportunities for these community facilities. At the conclusion of these targeted workshops, broader community consultation will occur via Councils Have Your Say communication channels with an online survey. Further targeted consultation will occur with telephone interviews planned with regular hirers and volunteer committees during April and May.

Council has appointed Urbis Consultancy to assist with the review, apply an independent lens to community feedback and identify best practice. Urbis have significant experience in similar projects. A Councillor Working Group is also established to assist the review. A briefing and planning workshop is planned with all Councillors during May.

The received input into the review will help to shape a new overarching framework and policy for community facilities that will provide transparency and consistency for the community.

Following the conclusion of phase one in late 2019, phase two of the review will assess Council's portfolio of community facilities, understand community demand and need, and plan for future population growth across the region with community facilities.

It is proposed a draft community facilities framework and policy is presented to Council in late 2019, following the conclusion of phase one.

Consultation

A communication and engagement plan is in place to ensure appropriate levels of engagement and feedback from stakeholders and the broader community. Targeted workshops with current tenants and users are planned in April, followed by a broader community survey during April and May.

Options

Council could decide not to progress with the Community Facilities Review, which will not address the community concerns regarding the current inconsistencies in approach, tenure and fees from the legacy of the former Gosford City and Wyong Shire Council's.

It is recommended to progress the Community Facilities Review.

Financial Impact

The Community Facilities Review will be funded by Council's operational budget in 2018/19, and in 2019/20. The costs have been planned and budgeted.

Link to Community Strategic Plan

Theme 5: Liveable

Goal L: Healthy lifestyle for a growing community

L-L4: Provide equitable, affordable, flexible and co-located community facilities based on community needs.

Risk Management

A risk management plan is in place as per the project management plan and communication and engagement plan.

Attachments

Nil.

Item No: 4.3
Title: Response to Notice of Motion - Proposed Sale - 4 and 10 Warren Road, Warnervale
Department: Innovation and Futures



29 April 2019 Ordinary Council Meeting

Trim Reference: F2018/00020-07 - D13515534

Author: Matthew Gallagher, Property Development Manager

Manager: Jamie Barclay, Unit Manager, Economic Development and Project Delivery

Executive: Matthew Prendergast, Acting Executive Manager, Innovation and Futures

Report Purpose

The purpose of this report is to provide an update on the progress of work related to Resolutions 1082/18 and 1083/18 relating to the sale of land at Warnervale.

Summary

At the Ordinary Meeting of Council held on 8 October 2018, it was resolved:

- 1082/18 That Council request that the Chief Executive Officer proceed with the sale of 4 and 10 Warren Road, Warnervale, being Lots 1 and 2 in DP 1230740.*
- 1083/18 That Council requests the Chief Executive Officer to bring a report to Council by the Ordinary Meeting of 26 November 2018 in relation to listing for sale 4 and 10 Warren Road, Warnervale, being Lots 1 and 2 DP 1230740, being the site of the formerly proposed Australian Chinese Theme Park. The Report is to include:*
- i Whether it is recommended that the land be sold through an expressions of interest process (EOI), a tender process (Tender), sale at auction (Auction), or sale at market value;*
 - ii Identification of the estimated current market value price as determined by a valuation assessment;*
 - iii The "Land Economics Report" and the "Chinese Theme Park Proposal – Site Evaluation" (confidential attachment D0318469) referred to on page 215 of the staff report (TRIM F2011/00192 – D03176019) in the business paper of the Ordinary Meeting of Council held on 14 November 2012.*

Council staff are in the process of obtaining reports required from external consultants in order to accurately report back to council regarding both the most appropriate method of sale and estimated current market value. These reports have largely been prepared as draft documents, but require further work prior to collation and presentation to Council.

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

Once these reports have been finalised, a report will be prepared and brought to the next available Council Meeting. It is anticipated that this will be prior to the end of this financial year.

Recommendation

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

Link to Community Strategic Plan

Theme 2: Smart

Goal C: A growing and competitive region

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

Attachments

Nil.

Item No: 4.4
Title: Meeting Record of the Catchments and Coast Committee Tuggerah Lakes held on 27 February 2019
Department: Governance

29 April 2019 Ordinary Council Meeting

Trim Reference: F2018/00020-07 - D13489193

Author: Zoie Magann, Advisory Group Support Officer

Manager: Peter Ham, Unit Manager, Waterways and Coastal Protection

Executive: Scott Cox, Director, Environment and Planning

Report Purpose

To note the draft Meeting Record of the Catchments and Coast Committee Tuggerah Lakes held on 27 February 2019.

Recommendation

- 1 That Council note the draft Meeting Record of the Catchments and Coast Committee Tuggerah Lakes held on 27 February 2019.**
- 2 That Council note the extraordinary meeting will not proceed.**

Background

The Catchments and Coast Committee – Tuggerah Lakes held a meeting on 27 February 2019 in line with their bimonthly meeting schedule as per the adopted Terms of Reference. The draft Meeting Record of that meeting is Attachment 1 to this report.

In General Business, the Committee discussed holding an extraordinary meeting in April for two items which were previously deferred. An Action was consequently recorded in the Meeting Record that this be arranged. The Staff Convenor was not present during these discussions, as their attendance was required at the Climate Change Workshops along with other senior staff, and as such their comments were not noted at the time. The Staff Convenor's comments regarding this Action are as follows:

The attendance of relevant staff to the extraordinary meeting cannot be granted as the Advisory Group already meets bi-monthly.

Link to Community Strategic Plan

Theme 4: Responsible

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

Goal G: Good governance and great partnerships

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

Attachments

- | | | |
|----------|--|-----------|
| 1 | Draft Catchments and Coast Committee Tuggerah Lakes Meeting Record
- 27 February 2019 | D13489169 |
|----------|--|-----------|

Catchments and Coast Committee Tuggerah Lakes Meeting Record 27 February 2019



Location:	Central Coast Council Wyong Office Level 2 Committee Room 2 Hely Street, Wyong	
Date:	27 February 2019	
Time	Started at: 3.05pm	Closed at: 5.18pm
Chair	Councillor Doug Vincent	
File Ref	F2018/00098	

Present:

Mayor Jane Smith (left 5.10pm), Councillor Doug Vincent, Councillor Louise Greenaway (left 5.15pm), Councillor Jilly Pilon, Michael Campbell, Doug Darlington (left 5.07pm), Robert Davies, Graham Hankin, Marlene Pennings, Samantha Willis

External Representatives present:

Neil Kelleher – Office of Environment and Heritage (left 5.07pm)

Council Staff present:

Scott Cox – Director Environment and Planning (arrived 3.41pm, left 4.31pm), Peter Ham – Unit Manager Waterways and Coastal Protection (left 4.31pm), Scott Duncan – Section Manager Land Use and Policy (left 4.55pm), Ben Fullagar – Section Manager Coastal Protection, Peter Sheath – Section Manager Waterways (left 4.31pm), Matthew Barnett – Team Leader Catchment Operations, Vanessa McCann – Team Leader Estuary Management and Projects (left 4.49pm), Emma Hawkins – Senior Strategic Environmental Planner (left 4.31pm), Nicole McGaharan – Ecologist, Zoie Magann – Advisory Group Support Officer

Item 1 Apologies and Acknowledgement of Country

No apologies were received

Mayor Jane Smith opened the meeting at 3.05pm and undertook an Acknowledgement of Country.

It is noted this meeting was brought forward as some staff had to attend a Climate Change Workshop.

Item 2 Disclosure of Interest

Mayor Jane Smith previously declared a less than significant non-pecuniary interest as a founding board member of the Central Coast Marine Discovery Centre, which is supporting a proposal for research project in Tuggerah Lakes.

Catchments and Coast Committee – Tuggerah Lakes Meeting Record
27 February 2019



Item 3 Confirmation of Previous Meeting Record

The Advisory Group confirmed the Meeting Record from 19 December 2018.

The Advisory Group reviewed the Action Log.

Item 4 Feedback from Previous Meeting

No feedback was received.

Item 8 was moved forward after this as agreed by the Advisory Group.

Item 5 Central Coast Sustainability Strategy

Emma Hawkins (Senior Strategic Environmental Planner) provided a presentation on the Central Coast Sustainability Strategy that is being developed by staff. The presentation included the scope of the strategy including themes and indicators, the methodology, and timelines.

Relating to this, there is a [Central Coast Sustainability Survey](#) open until 17 March 2019.

Item 6 2019/20 Budget (Action 27)

Item deferred to next meeting.

Item 7 Development Controls and Porters Creek (Action 34)

Scott Duncan (Section Manager Land Use and Policy) provided a presentation on the development controls in place for Porters Creek Wetland (PCW).

Action: A presentation on the Stormwater Management Plan currently under review for the PCW catchment to be provided at a future meeting.

Action: Staff to liaise with the relevant Council section on the reclassification of PCW from operational to community land and report back to the Advisory Group.

Item 8 Narrabeen Lagoons and Tuggerah Lakes

Vanessa McCann (Team Leader Estuary Management and Projects) provided a presentation on the management arrangements in place for Narrabeen Lagoon and Tuggerah Lakes. The presentation explained how the Plan of Management model that Narrabeen Lagoon uses would not be appropriate for Tuggerah Lakes due to the differences in the systems.

It was noted that Tuggerah Lakes is in comparatively good condition compared to other estuaries, and is responding well to long-term management. The Advisory Group agreed that community understanding of the estuary needs to be improved to avoid negative assumptions, and that better education and communication are required, particularly through social media platforms.

Catchments and Coast Committee – Tuggerah Lakes Meeting Record
27 February 2019



The Advisory Group was shown a [Map of Projects](#) that is publicly available on Council's website.

The Advisory Group noted concerns about the methodology of the Office of the Environment and Heritage (OEH) Beachwatch State of Beaches Report, especially considering timeframes. Staff advised that an internal State of Beaches Report is being developed.

Action: Staff to review presentation slides for distribution to the Advisory Group and all Councillors.

Action: Staff to circulate the Estuary Management Plan snapshot to the Advisory Group for feedback. Advisory Group members to identify key issues and aspects to be considered for potential education/communication programs.

Action: Staff to liaise with Connected Communities to explore options for increasing community awareness and education on the quality of Tuggerah Lakes, such as creating a short video that addresses key issues of estuary management, debunking myths, and FAQs.

Action: Melanie James (Waterways Officer) to be invited to the next meeting.

Item 9 Tuggerah Lakes Foreshore Wrack Harvesting Strategy

Item deferred to next meeting.

Item 10 General Business and Close

Frustrations were raised that the topic of the 2019/20 Budget has been deferred the last two meetings due to running out of time.

Action: An extraordinary meeting to be held before the next meeting to discuss Items 6 and 9. *(Note: The Advisory Group Convenor was not present for this Action, and is unable to make staff available for an additional extraordinary meeting)*

The meeting closed at 5.18pm

Next Meeting: **Wednesday 1 May 2019**
 2pm – 4pm
 Central Coast Council Wyong Office
 Level 2 Committee Room



Item No: 4.5
Title: Meeting Record of the Employment and Economic Development Committee held on 7 March 2019
Department: Governance

29 April 2019 Ordinary Council Meeting

Trim Reference: F2018/00020-07 - D13492652

Author: Kelly Drover, Advisory Group Support Officer

Manager: Jamie Barclay, Unit Manager, Economic Development and Project Delivery

Executive: Matthew Prendergast, Acting Executive Manager, Innovation and Futures

Report Purpose

To note the draft Meeting Record of the Employment and Economic Development Committee held on 7 March 2019.

Recommendation

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

Background

The Employment and Economic Development Committee held a meeting on 7 March 2019. The draft Meeting Record of that meeting is Attachment 1 to this report.

There are no actions recommended to Council. The Meeting Record is being reported for information only in accordance with the Terms of Reference.

Link to Community Strategic Plan

Theme 4: Responsible

Goal G: Good governance and great partnerships

G3: Engage with the community in meaningful dialogue and demonstrate how community participation is being used to inform decisions.

Attachments

1 Draft Employment and Economic Development Committee Meeting Record - 7 March 2019	D13492646
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Employment and Economic Development Committee Meeting Record 7 March 2019



Location:	Central Coast Council Gosford Office Level 1 Committee Room 49 Mann Street, Gosford	
Date:	7 March 2019	
Time	Started at: 5.01pm	Closed at: 6.58pm
Chair	Mayor Jane Smith	
File Ref	F2018/00100	

Present:

Mayor Jane Smith, Councillor Rebecca Gale Collins (phoned in), Councillor Chris Holstein, Councillor Kyle MacGregor (left 5.46pm), Councillor Bruce McLachlan (arrived 5.06pm), Councillor Jilly Pilon, John Asquith, Mike Goodman, Michael Pilon, Brad Wilson

Council Staff present:

Jamie Barclay – Unit Manager Economic Development and Project Delivery, Glenn Cannard – Unit Manager Community Partnerships, Carolyne Wildman – Section Manager Marketing and Tourism, Janine Crawford – Team Leader Marketing and Brand (arrived 5.15pm, left 6.01pm), Kelly Drover – Advisory Group Support Officer

Item 1 Apologies, Welcome and Acknowledgement of Country

Councillor Jeff Sundstrom, William Adames

The Chairperson, Mayor Jane Smith, declared the meeting open at 5.01pm and undertook an Acknowledgement of Country.

Item 2 Disclosure of Interest

During the meeting the Mayor called for any declarations of interest.

Councillor McLachlan previously declared a less than significant non-pecuniary interest as a business owner on the Central Coast.

Item 3 Confirmation of Previous Meeting Record

The Advisory Group confirmed the Meeting Record from 12 December 2018.

The Advisory Group reviewed the Action Log.



Item 4 Signage Project

Janine Crawford (Team Leader Marketing and Brand) gave a presentation on the Signage Project.

Resourcing was raised as an issue in relation to grant funding, marketing and Employment and Economic Development.

Action: The Committee requests an update to be provided at a future meeting on badging and identity for the Central Coast region.

Item 5 Destination Management Plan and Tourism Opportunity Plan

Carolynne Wildman (Section Manager Marketing and Tourism) gave a presentation on the Destination Management Plan and Tourism Opportunity Plan.

Brad Wilson tabled the *Central Coast Tourism Opportunity Plan April 2013* and the Committee discussed the top 5 projects.

Action: The Committee requests an update from staff on the status of the top 5 projects identified in the *Central Coast Tourism Opportunity Plan April 2013*, as to whether they are still viable options and any future plans for these projects.

Item 6 Regional Initiatives Presentation

Mike Goodman provided a presentation that was developed with Anton Kriz (Australian National University) on Australian Regional Innovation Success Stories.

Action: Advisory Group Support Officer to circulate Mike Goodman's presentation to Committee members.

Item 7 Town Centre Review

Item deferred to next meeting.

Item 8 Revitalisation of The Entrance – Letter and Response

Item deferred to next meeting.

Item 9 Clean Green Economic Development/Innovation Opportunities

Item deferred to next meeting.

Employment and Economic Development Committee Meeting Record
7 March 2019



Item 10 Aviation hub (WEZ)

Item deferred to next meeting.

Item 11 Update on Economic Development Strategy

Jamie Barclay (Unit Manager Economic Development and Project Delivery) gave a presentation on the Economic Development Strategy.

Item 12 General Business and Close

The meeting closed at 6.58pm

Next Meeting: **Thursday 13 June 2019**
 5pm – 7pm
 Central Coast Council Gosford Office
 Level 1 Committee Room
 49 Mann Street, Gosford



Item No: 4.6
Title: Investment Report at 31 March 2019
Department: Finance

29 April 2019 Ordinary Council Meeting

Trim Reference: F2004/06604 - D13499448

Author: Devini Susindran, Financial Accountant Treasury and Taxation

Manager: Carlton Oldfield, Unit Manager, Financial Services

Executive: Shane Sullivan, Acting Director Governance

Report Purpose

To present the monthly report on the investment portfolio as required in accordance with cl. 212 of the *Local Government (General) Regulation 2005*.

Summary

This report details Council's investments as at 31 March 2019.

Recommendation

That Council receive the Investment Report at 31 March 2019.

Background

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.

Current Status

Council's current cash and investment portfolio totals \$494.18million at 31 March 2019.

Source of Funds	Value (\$'000)
Investment Portfolio	\$493,455
Transactional accounts and cash in hand	\$ 725
Total	\$494,180

This investment report will focus on the investment portfolio of \$493.45 million.

Cash flows are managed primarily through term deposit and floating rate note maturities, with a net of \$ 2.20million in Council's investments in March 2019 as per Table 1 – Portfolio Movements.

Total net return on the portfolio for Council, in March was \$ 1.11m, comprising entirely of interest earnings. The total value of the Council's investment portfolio as at 31 March 2019 is outlined in Table 1 below.

Table 1 – Portfolio movement

Description	2017-18 Financial Year \$'000	Quarter 1 2018/19 \$'000	Quarter 2 2018/19 \$'000	January 2018/19 \$'000	February 2018/19 \$'000	March 2018/19 \$'000	FYTD 2018/19 \$'000
Opening Balance	409,890	467,254	470,791	470,628	477,738	495,655	467,254
Movement for the period	57,364	3,537	-163	7,110	17,917	-2,200	26,201
Closing Balance	467,254	470,791	470,628	477,738	495,655	493,455	493,455
Interest earnings	11,625	3,012	3,193	978	1,231	1,109	9,523

Council's investments are evaluated and monitored against a benchmark appropriate to the risk (Standard and Poor's BBB long term or above) and time horizon of the investment concerned. Council's investment portfolio includes rolling maturity dates to ensure that Council has sufficient funds at all times to meet its obligations. A summary of the term deposit and floating rate notes maturities are listed in Table 2 below.

Table 2 - Investment Maturities

Time Horizon	Percentage Holdings	Maturity on or before	Value \$'000
At Call	2.69%	Immediate	13,252
Investments			
0 - 3 months	19.95%	Jun-2019	98,453
4 - 6 months	19.61%	Sep-2019	96,750
7 - 12 months	30.60%	Mar-2020	151,000
1 - 2 years	13.98%	Mar-2021	69,000
2 - 3 years	7.09%	Mar-2022	35,000
3 - 4 years	2.03%	Mar-2023	10,000
4 - 5 years	4.05%	Mar-2024	20,000
Total Investments	97.31%		480,203
Total Portfolio	100.00%		493,455

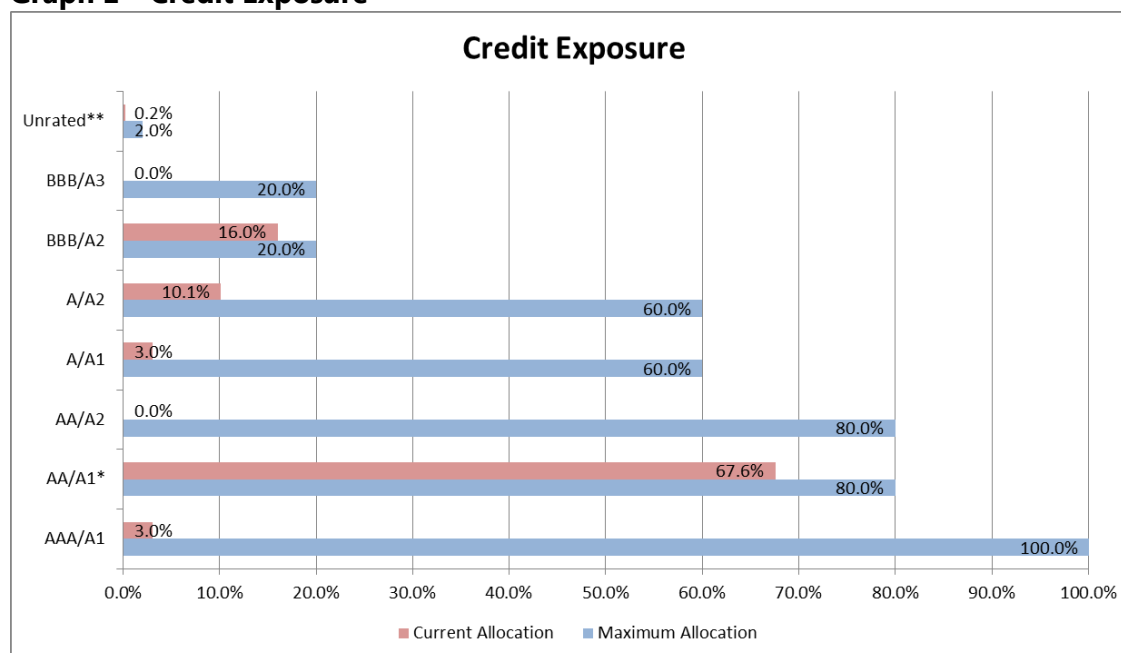
The investment portfolio is concentrated in A1/AA (67.58%) and A2/BBB (16.00%). Standard and Poors has reassessed ratings for AMP Bank Ltd (3%) with the short term rating downgraded from A1 to A2. The department exposures will remain within credit exposure guidelines (refer Graph 1).

The investments placed in A1/AA are of a higher credit rating and those in A2/BBB represented the best returns at the time of investment within Policy guidelines. Financial institutions issuing fixed income investments and bonds are considered investment grade (IG) if its credit rating is BBB or higher by Standard and Poor (S&P).

Council continues to monitor the portfolio and manage investments taking into consideration credit ratings of financial institutions, interest rates offered for the maturity dates required and the amount of our investment portfolio already held with each financial institution.

The current spread of investments is listed in Graph 1 and counter party credit exposure is listed in Graph 2.

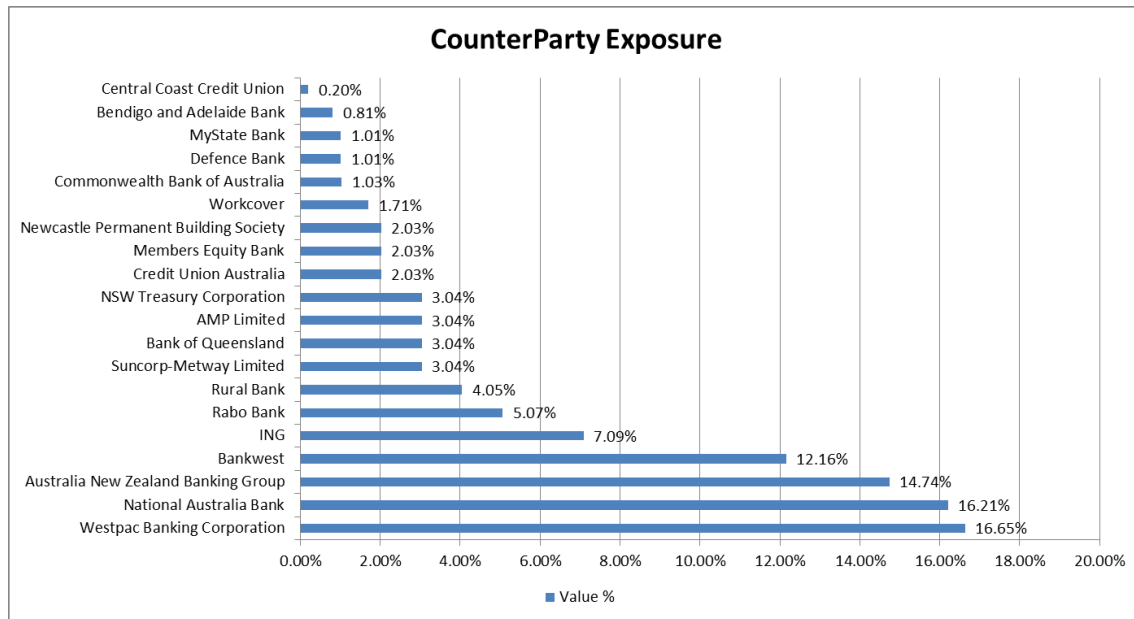
Graph 1 – Credit Exposure



* **AA/A1:** Council has provided security for self-insurance by way of a term deposit invested in an ADI (with a short term S & P rating of A1) through State Insurance Regulatory Authority (formerly WorkCover NSW). This security has been included as part of Council's investment portfolio. Council regularly conducts a review to identify the optimal security providing Council with the best return possible.

** **Unrated:** Unrated investment comprises of a term deposit with Central Coast Credit Union

Graph 2 - Counter Party Credit Exposure



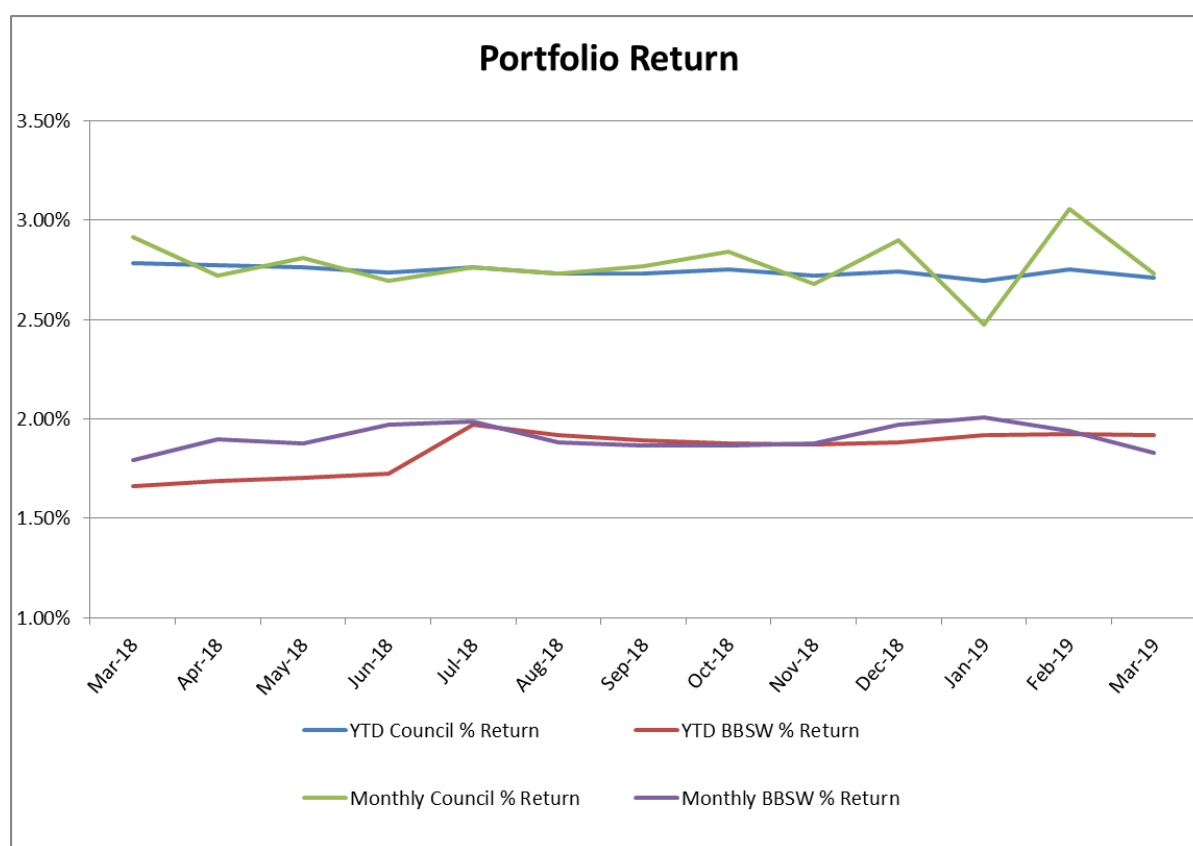
Green Investments

Council continues to look for 'Green' investment opportunities subject to prevailing investment guidelines. A list of current green investments held is contained on the investment listing, highlight in green. For the month of March there have been no new green investments undertaken.

Portfolio Return

Interest rates on investments in the month, ranged from 2.07% to 3.50%, all of which exceeded the annualised monthly Bank Bill Swap Rate (BBSW) benchmark of 1.83%. The annualised financial year to date return for February of 2.71% for Central Coast Council is favourable compared to benchmark bank bill swap (BBSW) *financial year to date* Bank Bill Index of 1.92% as shown in Graph 3 - Portfolio returns.

Graph 3 – Portfolio Returns



Council's portfolio by Source of Funds

Council is required to restrict funds received for specific purposes. Restricted funds consist of funds in the investment portfolio and in transactional accounts as follows:

Source of Funds	Value (\$'000)
Investment Portfolio	\$493,455
Transactional accounts and cash in hand	\$725
Total	\$494,180
Restricted Funds	\$395,400
Unrestricted Funds	\$98,780

Attachment 1 details Investments by Type held by Council at 31 March 2019 and Attachment 2 details Restrictions for Council by fund as at 28 February 2019. The restrictions for March 2019 will be finalised after completion of the financial statements for the month.

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 | Summary of Investments by Type as at 31 March 2019 | D13506988 |
| 2 | Summary of Restrictions at 28 February 2019 | D13486831 |

Central Coast Council Summary of Investments as at 31-March-2019							
Financial Institution	Type of Investment	Short Term Rating	Long Term Rating	Maturity Date	Portfolio Balance \$	As a % of the total Portfolio	Interest Rate %
CASH AT CALL:							
Westpac Banking Corporation	Corporate Investment Account	A1	AA	Daily	8,150,801	1.65%	1.60
Workcover	At Call Deposit	A1	AA	Daily	-	0.00%	1.60
Bankwest	At Call Deposit	A1	AA	Daily	1,569	0.00%	1.75
Commonwealth Bank of Australia	Business On-line Saver	A1	AA	Daily	5,100,000	1.03%	1.20
Total Cash At Call					13,252,370	2.69%	
TERM DEPOSITS, FLOATING RATE NOTES & BONDS:							
National Australia Bank	Term Deposit	A1	AA	03-Apr-2019	10,000,000	2.03%	3.10
Australia New Zealand Banking Group	Term Deposit	A1	AA	17-Apr-2019	10,000,000	2.03%	2.69
Workcover	Term Deposit	A1	AA	18-Apr-2019	8,453,000	1.71%	2.72
Australia New Zealand Banking Group	Term Deposit	A1	AA	02-May-2019	10,000,000	2.03%	2.70
Australia New Zealand Banking Group	Term Deposit	A1	AA	15-May-2019	10,000,000	2.03%	2.70
Bank of Queensland	Term Deposit	A2	BBB	27-May-2019	10,000,000	2.03%	2.75
AMP Limited	Term Deposit	A1	A	04-Jun-2019	5,000,000	1.01%	2.85
Defence Bank	Term Deposit	A2	BBB	04-Jun-2019	5,000,000	1.01%	2.86
AMP Limited	Floating Rate Note	A1	A	11-Jun-2019	5,000,000	1.01%	BBSW + 1.10%
AMP Limited	Term Deposit	A1	A	18-Jun-2019	5,000,000	1.01%	2.90
ING	Term Deposit	A2	A	18-Jun-2019	5,000,000	1.01%	2.70
Bank of Queensland	Term Deposit	A2	BBB	24-Jun-2019	5,000,000	1.01%	2.75
National Australia Bank	Term Deposit	A1	AA	28-Jun-2019	10,000,000	2.03%	2.80
Bankwest	Term Deposit	A1	AA	03-Jul-2019	10,000,000	2.03%	2.80
Credit Union Australia	Term Deposit	A2	BBB	03-Jul-2019	10,000,000	2.03%	2.82
Rural Bank	Term Deposit	A2	BBB	09-Jul-2019	10,000,000	2.03%	2.85
Bankwest	Term Deposit	A1	AA	17-Jul-2019	10,000,000	2.03%	2.78
Suncorp-Metway Limited	Term Deposit	A1	A	19-Jul-2019	10,000,000	2.03%	2.76
Australia New Zealand Banking Group	Floating Rate Note	A1	AA	25-Jul-2019	2,750,000	0.56%	BBSW + 0.82%
Rural Bank	Term Deposit	A2	BBB	06-Aug-2019	10,000,000	2.03%	2.85
National Australia Bank	Term Deposit	A1	AA	19-Aug-2019	10,000,000	2.03%	2.80
MyState Bank	Term Deposit	A2	BBB	03-Sep-2019	5,000,000	1.01%	2.85
National Australia Bank	Term Deposit	A1	AA	03-Sep-2019	5,000,000	1.01%	2.80
National Australia Bank	Term Deposit	A1	AA	17-Sep-2019	10,000,000	2.03%	2.64
Westpac Banking Corporation	Term Deposit	A1	AA	24-Sep-2019	4,000,000	0.81%	3.20
Bankwest	Term Deposit	A1	AA	02-Oct-2019	10,000,000	2.03%	2.66
Australia New Zealand Banking Group	Term Deposit	A1	AA	15-Oct-2019	10,000,000	2.03%	2.77
Bankwest	Term Deposit	A1	AA	16-Oct-2019	10,000,000	2.03%	2.68
Bankwest	Term Deposit	A1	AA	30-Oct-2019	10,000,000	2.03%	2.69
Australia New Zealand Banking Group	Term Deposit	A1	AA	12-Nov-2019	10,000,000	2.03%	2.78
Westpac Banking Corporation	Term Deposit	A1	AA	25-Nov-2019	10,000,000	2.03%	2.73
ING	Term Deposit	A2	A	13-Dec-2019	5,000,000	1.01%	2.83
National Australia Bank	Term Deposit	A1	AA	16-Dec-2019	10,000,000	2.03%	2.70
National Australia Bank	Term Deposit	A1	AA	15-Jan-2020	10,000,000	2.03%	2.78
Bankwest	Term Deposit	A1	AA	20-Jan-2020	10,000,000	2.03%	2.60
Central Coast Credit Union	Term Deposit	Unrated	Unrated	15-Feb-2020	1,000,000	0.20%	2.75
ING	Term Deposit	A2	A	26-Feb-2020	5,000,000	1.01%	2.75
Australia New Zealand Banking Group	Term Deposit	A1	AA	02-Mar-2020	10,000,000	2.03%	2.50
Westpac Banking Corporation	Floating Rate Note	A1	AA	05-Mar-2020	10,000,000	2.03%	BBSW + 0.77%
ING	Term Deposit	A2	A	12-Mar-2020	10,000,000	2.03%	2.55
Westpac Banking Corporation	Term Deposit	A1	AA	17-Mar-2020	10,000,000	2.03%	3.10
Australia New Zealand Banking Group	Term Deposit	A1	AA	18-Mar-2020	10,000,000	2.03%	2.55
Members Equity Bank	Floating Rate Note	A2	BBB	05-Apr-2020	10,000,000	2.03%	3.05
National Australia Bank	Term Deposit	A1	AA	14-Apr-2020	10,000,000	2.03%	2.58
Westpac Banking Corporation	Term Deposit	A1	AA	07-May-2020	10,000,000	2.03%	2.65

Central Coast Council Summary of Investments as at 31-March-2019							
ING	Term Deposit	A2	A	21-May-2020	10,000,000	2.03%	2.70
Bendigo and Adelaide Bank	Floating Rate Note	A2	BBB	18-Aug-2020	4,000,000	0.81%	BBSW +1.10%
Rabo Bank	Term Deposit	A1	AA	07-Sep-2020	5,000,000	1.01%	3.50
Suncorp-Metway Limited	Floating Rate Note	A1	A	20-Oct-2020	4,500,000	0.91%	BBSW +1.25%
Suncorp-Metway Limited	Floating Rate Note	A1	A	20-Oct-2020	500,000	0.10%	BBSW +1.25%
National Australia Bank	Term Deposit	A1	AA	10-Dec-2020	5,000,000	1.01%	2.80
Westpac Banking Corporation	Term Deposit	A1	AA	10-Dec-2020	10,000,000	2.03%	2.90
Westpac Banking Corporation	Term Deposit	A1	AA	21-Jun-2021	10,000,000	2.03%	2.07
Rabo Bank	Term Deposit	A1	AA	05-Jul-2021	10,000,000	2.03%	2.92
Westpac Banking Corporation	Floating Rate Note	A1	AA	26-Nov-2021	5,000,000	1.01%	2.67
Newcastle Permanent Building Society	Floating Rate Note	A2	BBB	24-Jan-2022	10,000,000	2.03%	BBSW + 1.65%
Rabo Bank	Term Deposit	A1	AA	12-Dec-2022	10,000,000	2.03%	3.18
Westpac Banking Corporation	Floating Rate Note	A1	AA	27-Nov-2023	5,000,000	1.01%	2.87
NSW Treasury Corporation	Bonds	A1	AAA	15-Dec-2028	15,000,000	3.04%	3.00
Total Term Deposit & Bonds:					480,203,000	97.31%	
TOTAL PORTFOLIO					493,455,370	100.00%	
Current					359,455,370	72.84%	
Non-Current					134,000,000	27.16%	
TOTAL PORTFOLIO					493,455,370	100.00%	

Green Investments

Restrictions at 28 february 2019

FUND	SOURCE	Principal Amount \$'000
GENERAL FUND	Cemeteries Surplus	759
	Contributions to works	7,200
	Developer Contributions	81,977
	Developer Contributions (Bonus Provisions)	4,918
	Developer Contributions (Prepaid)	1,802
	Developer Contributions (VPA)	2,535
	Holiday Park Surplus	10,156
	Internal commitments	83,871
	Other Crown Land	1,502
	RMS Advances	411
	Self Insurance	6,320
	Stormwater Levy	940
	Unexpended grants	9,965
	Waste Management (Tip Rehabilitation)	27,712
	TOTAL GENERAL FUND RESTRICTIONS	240,068
Water FUND	Developer Contributions	37,564
	Contributions to works	50
	Developer Contributions (Prepaid)	59
	Developer Contributions (VPA)	2,326
	Internal commitments	1,007
	Self Insurance	611
	Unexpended grants	2,355
	TOTAL WATER FUND RESTRICTIONS	43,972
SEWER FUND	Contributions to works	
	Developer Contributions	20,732
	Developer Contributions (VPA)	389
	Internal commitments	1,034
	Self Insurance	1,522
	TOTAL SEWER FUND RESTRICTIONS	23,677
DRAINAGE FUND	Contributions to works	100
	Developer Contributions	28,708
	Internal commitments	543
	Unexpended grants	44
	TOTAL SEWER FUND RESTRICTIONS	29,396
DOMESTIC WASTE FUND	Domestic Waste Management	57,021
	Unexpended grants	1,267
	TOTAL SEWER FUND RESTRICTIONS	58,288
TOTAL RESTRICTED FUNDS		395,400

Item No: 4.7
Title: Reports Due to Council
Department: Governance



29 April 2019 Ordinary Council Meeting

Trim Reference: F2018/00020-06 - D13439685

Author: Sonia Witt, Meeting Support Coordinator

Manager: Sarah Georgiou, Section Manager, Councillor Support

Executive: Shane Sullivan, Acting Director Governance

Report Purpose

To provide the list of outstanding reports and to confirm the date reports are proposed to be provided to Council.

Recommendation

That Council receive the report on Reports Due to Council.

Background

This report is to provide information regarding the status of outstanding reports which have been resolved to be submitted to future Council Meetings.

Since September 2017, Council has resolved to consider a further 145 reports at future Ordinary Meetings;

- 11 reports were provided during the period from September 2017 to December 2017
- 18 reports were provided during the period from January 2018 to April 2018
- 48 reports were provided during the period from May 2018 to October 2018
- 19 reports were provided during the period from November 2018 to December 2018
- 21 reports were provided during the period from January 2019 to March 2019
- 28 reports remain outstanding to date

The attached report is current as at 3 April 2019.

This "Report Due to Council" report will be provided for the information of Councillors quarterly.

Link to Community Strategic Plan

Theme 4: Responsible

Goal G: Good governance and great partnerships

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

Attachments

- 1** Outstanding Reports Due to Council - March 2019 D13506442

Meeting Date	Item #	Report Title	Resolution - Report Required (as at end April 2018)	Due Date OR	Proposed Date	Completed	In Time	Area	Comments for Council Report
09-Oct-17	2.1	Mayoral Minute - Mangrove Mountain Landfill	<i>That the advisory committee report back to a subsequent Council meeting with an explanation of how this advisory committee complements or contradicts any other (current or future) inquiries in to these alleged activities by bodies such as ICAC, or any other government or non-government bodies or agencies.</i>		25/02/2019	25/02/2019	Yes	Governance	Report provided to 25 February 2019 meeting
12-Feb-18	3.3	Mangrove Mountain and Spencer Advisory Committee	<i>That Council request the Acting Chief Executive Officer report to Council regarding how best to minimise legal liabilities and risks to the rate payer purse with regard to the operation of this committee.</i>		11/02/2019	25/02/2019	No	Governance	Report provided to 25 February 2019 meeting
12-Feb-18	5.4	Notice of Motion - Tourism Opportunities for the Central Coast Region	<i>That Council request the Acting Chief Executive Officer provide a report or briefing on the tourism opportunities and initiatives currently available to the Central Coast region in line with global tourism trends. The report should also acknowledge and consider the current unemployment rates for the region and opportunities that exist to drive improvement, and an understanding of required investment, for both public and private equity participants, and what Council can do to be a catalyst to drive this investment.</i>		24/06/2019			Connected Communities	This was addressed in the scheduled Briefing on Tourism Opportunities 23 July 2018. An additional briefing being will be held in June 2019. A report will be prepared following this.
12-Mar-18	6.2	Deferred Item - Notice of Motion - Graffiti	<i>That Council request the Acting Chief Executive Officer to convene a Councillor briefing and then provide a report to Council outlining feasible policy, infringement and community programs that Council can implement, facilitate or support to reduce the amount of graffiti in local town centres and residential suburbs.</i>		24/06/2019			CC & EP	A review of both former Council's approach to graffiti management has been recently concluded with an updated draft graffiti management strategy finalised. A Councillor briefing will be held early 2019.
13-Aug-18	8.1	Notice of Motion - Success of Amalgamation	<i>That Council therefore request the CEO to:-1. Require staff to bring forward reports as follows:- A) A report on the "Online Questionnaire For The Inquiry into Local Government" that was conducted by the former Gosford City Council and surveys undertaken by the former Wyong Shire Council prior to amalgamation. (B) A realistic estimate of the costs involved in amalgamating the two former Councils and the projected time period for completion of amalgamation.(C) A report on the progress of all the various aspects of the amalgamation. 2. That Council request the CEO to bring a report back regarding a) Conducting a community survey (formulated with input from Councillors and staff) to assess current community views of the of the amalgamation of Gosford and Wyong Councils and b) An estimate of cost and process regarding a proposal for a poll to be held at an upcoming election (either Federal or State) to gauge the community support or rejection of the continuation, or the reversal of, the amalgamation.</i>		24/06/2019			Governance	A briefing was conducted with Councillors on 10 December 2018 to assist with understanding the scope of this resolution and Councillor expectations. A report will be provided to Council in early 2019. Staff continue to consolidate information for this report.
13-Aug-18	8.6	Notice of Motion - Davistown Wetlands Acquisition	<i>That Council request the CEO to 2. Report on the existing legislation and constraints that provide protection to the current environmental and community values of that land; 3. Request the CEO to bring a report back to Council at the last meeting in November ranking land for long term acquisition in order to prioritise lands for potential purchase.</i>	26/11/2018			No	E&P	This item is currently being investigated and will be reported to Council once completed.
10-Sep-18	4.3	Request to Name Park - Corner Coburg and Wells Streets East Gosford	<i>That Council request the Chief Executive Officer to provide a report on the status of any plan of management and any proposed review.</i>		29/01/2019	29/01/2019	Yes	E&P	This report is included on the 29 January 2019 Ordinary Meeting agenda as Request to Name Park East Gosford Community Reserve.
10-Sep-18	4.4	Lifeguard Patrols at The Grant McBride Baths	<i>That Council request the Chief Executive Officer submit a report on the impact and merits to the community.</i>		4/11/2019			Connected Communities	A report will be prepared following the review of the initial twelve month trial.
10-Sep-18	5.6	Response to Notice of Motion - Homeless Concerns	<i>That Council request the Chief Executive Officer submit a further report on Homeless Concerns in line with the following resolutions from the Ordinary Meeting of Council held on 12 June 2018; 1 That Council make urgent representation to State Government to: a) Form an assertive Outreach Team for the Central Coast to tackle the issue of homeless (sleeping rough) in Council parks, reserves and in cars as a matter of priority, b) Council seek support from local members of Parliament;c) That Council advise all local non-government agencies of the request and seek their support. 2 That Council continues to take part in actions that are within its jurisdiction in regard to illegal camping and caring for these individuals. 3 That Council invite the Minister for Family and Community Services and Social Housing, the Hon Pru Goward MP, to the Central Coast and advocate for an assertive outreach pilot program to assist homelessness in the Central Coast region.</i>		29/04/2019	25/03/2019	Yes	Connected Communities	Addressed via strategy within Affordable Housing Strategy presented to Council 25.3.19.
10-Sep-18	7.1	Deferred Item - Notice of Motion - Local Employment	<i>That Council requests the Chief Executive Officer to report back to Council within 3 months with a review of Council's approach to employing apprentices and trainees. That Council requests the Chief Executive Officer also report on the recruitment methods for internships and scholarships and what current partnerships are in place with the TAFE and University.</i>	10/12/2018	25/02/2019	25/02/2019	Yes	P&C	This item is currently being investigated and will be reported to Council once completed. This report went to Council at the 25 February 2019 Council Meeting.
10-Sep-18	7.2	Notice of Motion - Central Coast Water Security, Risk Minimisation	<i>That Council request the Chief Executive Officer report to Council on our general water security status and risk minimisation opportunities. Such a report should pay particular attention to the looming threats to our water security including: a The possible approval of the Wallarah 2 Coal Mine and its effects on our water supply. b Climate Change.</i>		11/02/2019	11/02/2019	Yes	W&S	A Councillor Briefing was held on 26 November 2018 addressing this matter. A report to Council was presented at the 11 February 2019 Ordinary Meeting.

Meeting Date	Item #	Report Title	Resolution - Report Required (as at end April 2018)	Due Date OR	Proposed Date	Completed	In Time	Area	Comments for Council Report
24-Sep-18	2.1	Deferred Item - Mayoral Minute - Review of Community Facilities	That Council be provided with a progress report at the first meeting in February 2019 outlining key actions and milestones in the review process.		11/02/2019	11/02/2019	Yes	Connected Communities	Status report was provided to the first meeting in February 2019
24-Sep-18	7.1	Notice of Motion - 2019 State and Federal Election Funding Opportunities	That Council request that the Chief Executive Officer provide an urgent report to the Council in October 2018 setting out a proposed strategy for the Council pursuing electoral funding opportunities and to identify the projects to be identified for such funding.	30/10/2018	25/02/2019	25/03/2019	No	Innovation and Futures	Report provided at the 25 March 2019 meeting
24-Sep-18	8.2	Snowy Hydro Scheme Legacy Fund	That Council request the Chief Executive Officer to provide a further report on the Tuggerah Smart Transit Orientated Development with an outline of the staging of the project including indicative costs, issues and constraints at each stage of the project.	26/11/2018	25/02/2019	25/03/2019	No	Innovation and Futures	Report provided at the 25 March 2019 meeting
24-Sep-18	8.2	Snowy Hydro Scheme Legacy Fund	That Council request the Chief Executive Officer to provide a further report on Council's commitments to each of the remaining priority projects including funding, in-kind contributions or staging of works for each project.	26/11/2018	25/02/2019	25/03/2019	No	Innovation and Futures	Report provided at the 25 March 2019 meeting
24-Sep-18	8.2	Snowy Hydro Scheme Legacy Fund	That the information from (3) and (4) above is reported to Council by end of November 2018 or the determination of the Snowy Hydro Legacy Fund.	26/11/2018	25/02/2019	25/03/2019	No	Innovation and Futures	Report provided at the 25 March 2019 meeting
8-Oct-18	6.1	Notice of Motion - Major Water Park Opportunity Investigations for the Central Coast	That Council requests the Chief Executive Officer to provide a report on possible sites that could be made available to the industry as an EOI tender.		24/06/2019			Connected Communities	Report back to Council scheduled for June 2019.
8-Oct-18	6.4	Notice of Motion - Central Coast Dredging	That Council request the Chief Executive Officer advise and create a detailed report outlining the dredging requirements across the relevant waterways within the Central Coast region.		11/06/2019			E&P	This will be addressed in 2019 regarding the benefits/costs/risks of dredging generally.
8-Oct-18	6.5	Notice of Motion - Proposed Sale of 4 and 10 Warren Road Warnervale	That Council requests the Chief Executive Officer to bring a report to Council by the Ordinary Meeting of 26 November 2018 in relation to listing for sale 4 and 10 Warren Road, Warnervale, being Lots 1 and 2 in DP 1230740, being the site of the formerly proposed Australian Chinese Theme Park. The Report is to include: i) whether it is recommended that the land be sold through an expressions of interest process (EOI), a tender process (Tender), sale at auction (Auction), or sale at market value; ii) identification of the estimated current market value price as determined by a valuation assessment; iii) the "Land Economics Report" and the "Chinese Theme Park Proposal - Site Evaluation" (confidential attachment D0318469) referred to on page 215 of the staff report (TRIM F2011/00192 - D03176019) in the business paper of the Ordinary Meeting of Council held on 14 November 2012.		25/02/2019		No	Innovation and Futures	This item is currently being investigated and will be reported to Council once completed.
29-Oct-18	3.4	Fire Safety Inspection Report for Residential Flat Building at No. 71 Faunce Street West Gosford	That Council receive a further report to be provided to the next Council meeting in accordance with 17(2)(b) of Part 8 of Schedule 5 of the Environmental Planning and Assessment Act (EP&A Act) 1979.	12/11/2018	29/01/2019	29/01/2019	No	E&P	A report was presented to the 29 January 2019 Ordinary Meeting.
29-Oct-18	3.9	Response to Notice of Motion - Gwandalan Playground	That Council request the Chief Executive Officer report back to Council by the end of February 2019 on the feasibility, design, timing and cost for a District Level Play Space at Tunkuwallin Oval, Gwandalan including staging the project to deliver a park/play space as part of the first stage.	25/02/2019		11/03/2019	No	E&P	A report was presented to the 11 March 2019 Ordinary Meeting
29-Oct-18	6.4	Notice of Motion - Animal Behaviour Education Programs	That Council request the Chief Executive Officer to provide a report including the following: a) invitations to the RSPCA or other animal welfare organisations to undertake information sessions and programs at Councils libraries and facilities, to educate parents, carers and children about the body language of animals; b) communicates the information sessions to the community through a variety of local print media and electronic channels; c) provide material similar to the tabled item 'Enjoy Your Dog' brochure to educate dog owners as well as the general public about dog free areas; d) distribute the flyer through print out and electronic media (including uploading to Council's website).		11/03/2019	11/03/2019	Yes	Connected Communities	A report was presented to Council at 11 March 2019 meeting.
12-Nov-18	3.1	Central Coast Tourism Advisory Committee	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.		8/04/2019	8/04/2019	Yes	Connected Communities	Applications assessed with Council Report April 2019
12-Nov-18	6.6	Notice of Motion - Legal Advice regarding Warnervale Airport Restrictions	That Council be provided with a further report in confidential session regarding the external legal advice received by the Council.		27/05/2019			Governance	Pending receipt of legal advice. Once the advice is received the report will be provided to Council as soon as practicable in confidential session. - Date moved to 27 May 2019.
26-Nov-18	1.5	Mayoral Minute - Investigation into Central Coast Airport	That Council request the Chief Executive Officer to report on a quarterly basis to Council on progress of the investigation.	11/03/2019		29/01/2019	Yes	Governance	Request has been provided to the NSW Audit office as resolved by Council. A follow up report will be provided to Council as resolved within three months. Subsequently the NSW Audit Office declined to action this. A further resolution of Council was made
26-Nov-18	3.2	Proposed Council Meeting Dates 2019	That Council hold all Ordinary Meetings in the Wyong Chambers until a safety audit of the Gosford Chambers for staff, Councillors and the public has been undertaken and reported to Council.		27/05/2019			Governance	Audit being conducted. Further information to be collected. It is proposed to report this back to Council prior to or in conjunction with the Code of Meeting Practice

Meeting Date	Item #	Report Title	Resolution - Report Required (as at end April 2018)	Due Date OR	Proposed Date	Completed	In Time	Area	Comments for Council Report
26-Nov-18	3.5	Aquatic Weed Management in Springfield and Holgate	<i>That Council proceed with appropriate bio controls that would include the mechanical removal in the first instance, using the Springfield site as pilot, and report back to the first Council meeting of 2019.</i>	29/01/2019		29/01/2019	Yes	E&P	This report was presented at the 29 January 2019 Ordinary Meeting agenda.
26-Nov-18	3.11	Tender CPA/286371 – Supply of Tourism Marketing and Industry Services Contract	<i>That Council request the CEO to provide a report to the community on the Tourism and marketing achievements over the past 12 months.</i>		30/06/2020			Connected Communities	Report will be provided by June 2020.
26-Nov-18	4.4	Response to Notice of Motion – Littering – Enforcement and Education Review	<i>That Council request further information on the resourcing of the Rangers department to carry out the policy directives in Option 2, including litter blitzes, road side kerb litter, including a review and report of dog exercising options on our beaches from restricted times of 7pm – 7am.</i>		27/05/2019		No	E&P	This item is currently being investigated and will be reported to Council once completed.
26-Nov-18	7.1	Tender CPA/1298 – After Hours Call Centre Contract	<i>That Council request the Chief Executive Officer provide a further report on alternative delivery models.</i>		10/12/2019			Connected Communities	Report will be provided by the end of 2019.
10-Dec-18	4.1	Deferred Item – Town Centre Review	<i>That the Council request the Chief Executive Officer to provide a further report back to Council to the Jan 2019 meeting which details:</i> <ul style="list-style-type: none"> • Roles to be undertaken by Council • Proposed Role of regional board • The role of Councils Employment and Economic Development Committee • Local/place focus • Regional focus • Options to engage with stakeholders and Local Communities on Town Centre Activities • An Oversight Committee of interested Councillors. 		29/01/2019	29/01/2019	Yes	Connected Communities	This item was included in the 29 January 2019 Ordinary Council Meeting. It was deferred and tabled at 11 February meeting.
10-Dec-18	4.5	Biodiversity Offsets	<i>That Council staff prepare a further report for Council on the outcome of investigations and negotiations prior to finalisation of any Biodiversity Stewardship Agreements by the NSW Biodiversity Conservation Trust.</i>		13/05/2019			E&P	This item is currently being investigated and will be reported to Council once completed.
10-Dec-18	4.7	Progress of Actions of the Destination Management Plan 2018-2021	<i>That Council receive a further report on the progress of the Destination Management Plan in twelve months.</i>		10/12/2019			Connected Communities	Further report will be provided by the end of 2019.
29-Jan-19	2.5	Fire Safety Report – 268 Main Road Toukley	<i>That Council receive a further report to be provided to the next Council meeting in accordance with Section 17(2)(b) of Part 8 of Schedule 5 of the Environmental Planning and Assessment Act (EP&A), 1979.</i>	11/02/2019		11/03/2019	No	E&P	Report presented at 11 March 2019 Ordinary Meeting.
29-Jan-19	3.2	Deferred Item – Management Activities at Wamberal and Terrigal Beaches	<i>That Council request the Chief Executive Officer to provide a report on the activity suggested by Councillor Pilon.</i>		27/05/2019			RTDW	A report responding to the resolution regarding removal of asbestos at Wamberal Beach using an excavator will be provided on or before 27 May 2019 council meeting.
11-Feb-19	3.1	Deferred Item – Town Centre Review – Additional Information	<i>That Council receive an additional report in 12 months reporting on program and outcomes delivered by the Town Centre Advisory Committee.</i>	11/02/2020				Connected Communities	Additional report to be provided early 2020
11-Feb-19	3.2	Conduct of the 2020 Local Government Elections	<i>That Council request the Chief Executive Officer provide a further report back to Council dealing with the findings of the IPART report to the Minister for Local Government and the Election arrangement for the September 2020 Council Election.</i>		11/03/2019	11/03/2019	Yes	Governance	Report provided to meeting of 11 March 2019.
11-Feb-19	3.3	Unsolicited Proposals Policy	<i>That Council publicly exhibit the Central Coast Council Unsolicited Proposals Policy as set out in Attachment 1 to this report for a period of 28 days and a further report be provided to Council.</i>	29/04/2019		29/04/2019	Yes	Governance	Exhibition period has closed and report provided to Council.
11-Feb-19	3.5	Community Facilities Review Progress Status Report	<i>That Council request the Chief Executive Officer to provide a further status report on the Community Facilities Review in April 2019.</i>	29/04/2019		29/04/2019	Yes	Connected Communities	Status Report presented at meeting 29 April 2019
11-Feb-19	6.1	Deferred Item – Notice of Motion – Responsible Feral Animal Trapping and Domestic Pet Protection	<i>That Council, in response to Community concern around humane feral animal trapping and the necessary protections for domestic pets, provide a thorough report on all aspects of this initiative including full details of current trapping contracts over the past three years and their specific processes and methods.</i>		13/05/2019			E&P	This item is currently being investigated and will be reported to Council once completed.
11-Feb-19	6.4	Notice of Motion – Draft DCP Hazard Category Conformation Motion	<i>That Council request the Chief Executive Officer provide a report detailing how many properties currently zoned with development rights (residential or commercial type) will subsequent to the adoption of this policy fall in to categories H4 and above and face complete sterilization of development rights.</i>		13/05/2019			E&P	This item is currently being investigated and will be reported to Council once completed.
11-Feb-19	6.4	Notice of Motion – Draft DCP Hazard Category Conformation Motion	<i>That Council consider and report on the requirement and impact of the requirement under clause 7 that all homes experiencing a flood depth of circa 20cm or greater (H2 category) must display a 600 x 600mm "Flood Danger" sign prominently on their property.</i>		13/05/2019			E&P	This item is currently being investigated and will be reported to Council once completed.

Meeting Date	Item #	Report Title	Resolution - Report Required (as at end April 2018)	Due Date OR	Proposed Date	Completed	In Time	Area	Comments for Council Report
11-Mar-19	2.1	Draft Greater Lake Munmorah Structure Plan	<i>That the Council consider a further report on the results of the community consultation.</i>		24/06/2019			E&P	Structure Plan on exhibition until end of May 2019 with two stakeholder sessions being held in April 2019. Report will be provided to Council by end of June 2019.
11-Mar-19	2.4	PP/84/2015 - Planning Proposal Collingwood Drive & Matcham Road, Matcham	<i>That Council considers a further report on the results of the public authority and community consultation.</i>		28/10/2019			E&P	This item is currently being investigated and will be reported to Council once completed.
11-Mar-19	3.3	Code of Meeting Practice	<i>That Council note that a further report will be provided to Council on 27 May 2019 setting out submissions received by Council following the public exhibition of the proposed Draft Code of Meeting Practice, with recommendations in respect to the adoption of a new Central Coast Council Code of Meeting Practice.</i>	27/05/2019				Governance	Code of Meeting Practice on exhibition until 26 April 2019 and a report will be provided to Council following this period.
11-Mar-19	3.8	Central Coast Council Sustainable Event Management Policy	<i>That Council consider a further report with a revised policy within six months.</i>	9/09/2019	26/08/2019			Connected Communities	This item is currently being investigated and will be reported to Council once completed.
11-Mar-19	6.1	Notice of Motion - Investigation to host the National Town Crier Championship in 2020	<i>That Council request the Chief Executive Officer to investigate the opportunity to host the 2020 Town Criers' Championship on the Central Coast and bring a report back to Council.</i>		13/05/2019			Connected Communities	A report will be prepared for May 2019.
11-Mar-19	6.3	Notice of Motion - Rocket Ship Park Lions Park Long Jetty	<i>Council provide councillors with a briefing and report back to council on alterations, amendments, additions or removals of play equipment and associated structures at public parks and recreation areas across the Central Coast LGA since amalgamation to February 2019. That this briefing and report come back to council within the next 3 months, ie by the final council meeting in May 2019.</i>	27/05/2019				E&P	This item is currently being investigated and will be reported to Council once completed.
25-Mar-19	3.4	Cities Power Partnership Pledges	<i>That Council provide six monthly progress reports as required by the Cities Power Partnership Program.</i>	9/09/2019	28/10/2019			E&P	This item is currently being investigated and will be reported to Council once completed.

Item No: 5.1
Title: QON - Q18/17 - Gosford CBD Car Parking Fund
Department: Governance



29 April 2019 Ordinary Council Meeting

Trim Reference: F2018/00020-02 - D13254670

Author: Janine McKenzie, Unit Manager, Business Enterprise

Executive: Shane Sullivan, Acting Director Governance

QON – Q18/17 – Gosford CBD Car Parking Fund

The following question was asked by Councillor Chris Holstein at the Ordinary Meeting on 18 December 2017.

Could staff please advise details relating to the Gosford CBD car parking fund; the current status and annual spend?

In 1978, Gosford City Council introduced a levy for businesses within an approximate 1km radius of the Gosford City Parking Station at Baker Street. This levy is to partially fund the operational and capital costs of Gosford City Parking Station.

The operational and capital costs are also partially funded through parking fees charged to users of parking station.

To account for and ensure that the funds from the levy are applied to their set purpose, the revenue and costs of the parking station are managed as a restricted asset.

Financial Impact

The inflows and outflows to the restricted asset for this financial year to 28 February 2019 are as per the table below.

Gosford City Parking Station

Restriction Balance – February 2019

Opening Balance as at 30 June 2018	893,351.96
Income from operations plus Special Rate	732,400.49
Total Expenditure	
Operating Expenses	557,349.36
Capital Spend	217,398.53
Add Back Non-Cash Items:	
Depreciation	191,332.16
Overheads	172,345.97
Closing Estimated Restriction – February, 2019	<u><u>1,214,682.89</u></u>

Attachments

Nil.

Item No: 5.2
Title: QON - Q41/18 - Council Owned Caravan And Residential Parks - Disputes
Department: Governance



29 April 2019 Ordinary Council Meeting

Trim Reference: F2018/00020-03 - D13261164

Author: Janine McKenzie, Unit Manager, Business Enterprise

Executive: Shane Sullivan, Acting Director Governance

QON - Q41/18 - Council Owned Caravan and Residential Parks - Disputes

The following question was asked by Councillor Kyle MacGregor at the Ordinary Meeting on 23 April 2018:

What procedures are in place at Council owned caravan and residential parks to deal with disputes between park residents and Council, does Council recognise Residents Committees established at park level and how does Council ensure park managers are complying with the Residential (Land Lease) Communities Act 2013?

Four of the five Council-run holiday parks have permanent residents residing in them. These are Budgewoi, Canton Beach, Norah Head, and Toowoona Bay.

There are 45 permanent residents in total in Council operated Holiday Parks.

These four holiday parks are operated by an external contractor on behalf of Council, who employ the parks' managers and assistant managers.

The Residential (Land Lease) Communities Act 2013 sets out the legislative obligations and responsibilities of Council, the holiday park operator, park managers and the permanent residents of the Holiday Parks.

What procedures are in place at Council owned caravan and residential parks to deal with disputes between park residents and Council?

There is an agreed process in place for permanent residents to raise issues, complaints and disputes. This involves:

- Raising issue with park managers as the first point of resolution
- Escalating to Council staff if the matter is not resolved within the agreed timeframe.

Permanent Residents are also able to lodge disputes in the NSW Civil and Administrative Tribunal (NCAT) if the matter is not resolved within the agreed timeframes.

Does Council recognize Residents' Committees established at park level?

Council recognises and works with Residents' Committees established in the parks. Currently, only one of the holiday parks has formed a Residents Committee.

How does Council ensure park managers are complying with the Residential (Land Lease) Communities Act 2013?

All park managers and assistant managers are required to undertake mandatory education briefings through the NSW Fair Trading. These briefings ensure that park managers are aware of their obligations in relation to the Residential (Land Lease) Communities Act 2013. Council monitor and ensure compliance with the Act through its contract with the holiday park operator.

Attachments

Nil.

Item No: 5.3
Title: QON - Q54/18 - Provide a Wash Area at Picnic Point
Department: Governance



29 April 2019 Ordinary Council Meeting

Trim Reference: F2018/00020-03 - D13261508

Author: Janine McKenzie, Unit Manager, Business Enterprise

Executive: Shane Sullivan, Acting Director Governance

5.3 QON - Q54/18 - Wash Area - Picnic Point

The following question was asked by Councillor Bruce McLachlan at the Ordinary Meeting on 23 April 2018.

Can staff please look at providing the grey nomads with a wash area at Picnic Point to bring in RV vehicles as part of their destination? Shopkeepers are saying in the winter time the RV's would be very active if we could provide some wash area's where they could take their sullage and some laundry areas to encourage that kind of tourism for The Entrance.

Council does not provide dump points for Caravans and RV's in its public open spaces.

However, Central Coast Council operates 5 holiday parks at Budgewoi, Canton Beach, Norah Head & Toowoon Bay and Patonga.

The first four parks all have recreational vehicle (RV) dump points available for use.

Access to Council's Holiday Park dumping points is managed by the park staff. If customers do not want to pay the nightly tariffs to stay at the parks, they can pay a fee of \$10 for two hours use of the amenities and dump points.

Attachments

Nil.



Item No: 5.4
Title: QON - Q105/18 - Avoca Beach Pre-School
Department: Roads Transport Drainage and Waste

29 April 2019 Ordinary Council Meeting

Trim Reference: F2019/00041 - D13515543

Author: Jeanette Williams, Unit Manager, Roads Business Development and Technical Services

Executive: Boris Bolgoff, Director, Roads Transport Drainage and Waste

5.4 QON - Q105/18 - Avoca Beach Pre-School

The following question was asked by Councillor Rebecca Gale Collins at the Ordinary Meeting on 9 July 2018:

Can the Council please investigate safety and pathway access needs for residents using the Avoca Beach Pre-School on Avoca Drive?

Council Officers has met with the owner of the Hillside Pre-School at Avoca Beach in relation to safety and access needs of those using the Pre-School.

The Pre-School is located in Hillside Road near the intersection of Avoca Drive and does not have vehicular or pedestrian access from Avoca Drive. The Pre-School owner advised that the majority of parents drive their children to the Pre-School which is relatively small with thirty-six (36) child care places available.

The Pre-School has off-street parking for six (6) vehicles. On-street car parking is available in Hillside Road opposite the Pre-School and can accommodate nine (9) to ten (10) vehicles.

A section of footpath has been provided on both sides of Hillside Road across the frontage of the Pre-School and provides all-weather access for residents accessing the Pre-School by car. Council Officers have provided advice to the pre-school owner regarding car parking safety and identified linemarking improvements to the intersection of Hillside Road and Avoca Drive.

A proposal has been identified to provide a shared pathway along Avoca Drive, Kincumber from Empire Bay Drive to Cape Three Points Road, Avoca Beach. This shared pathway would travel along Avoca Drive past the Hillside Pre-School. The shared pathway design is currently being prepared for the section of Avoca Drive between Scenic Highway and The Round Drive, which includes the pre-school site.

Council Officers will continue to seek Federal and State Government grant funding opportunities to assist in the delivery of this shared pathway project to the community.

Attachments

Nil.



Item No: 5.5
Title: QON - Q137/18 - De-Amalgamation Options and
QON - Q138/18 - Costing for De-Merger
Department: Governance

29 April 2019 Ordinary Council Meeting

Trim Reference: F2018/00020-07 - D13507255

Executive: Shane Sullivan, Acting Director Governance

**5.5 QON - Q137/18 - De-Amalgamation Options and
QON - Q138/18 - Costing for De-Merger**

The following question was asked by Councillor Kyle MacGregor at the Ordinary Meeting on 13 August 2018:

Can Council staff advise potential mechanisms or options available to Central Coast Council to de-amalgamate including but not limited to a plebiscite, referendum or other legislatively relevant mechanisms to achieve this outcome that the vast multitude of the community clearly desire?

The following question was asked by Councillor Bruce McLachlan at the Ordinary Meeting on 13 August 2018:

Can Council give us the costing of what a de-merger will actually cost?

A Briefing was conducted with Councillors on 10 December 2018. As part of that briefing, there was discussion regarding the potential mechanisms for de-amalgamation. It was noted that there is no legislated mechanism currently. There was also discussion regarding the challenges associated with assessing the potential cost of a de-amalgamation.

Following that briefing, a report was provided to Councillors in the Councillor Support Update of 5 April 2019 that provided further background and a case study around de-amalgamation.

Attachments

Nil.

Item No: 5.6
Title: QON - Q173/18 - Patonga Wharf
Department: Roads Transport Drainage and Waste

29 April 2019 Ordinary Council Meeting

Trim Reference: F2019/00041 - D13515064

Author: Jeanette Williams, Unit Manager, Roads Business Development and Technical Services

Executive: Boris Bolgoff, Director, Roads Transport Drainage and Waste

5.6 QON - Q173/18 - Patonga Wharf

The following question was asked by Councillor Rebecca Gale Collins at the Ordinary Meeting on 8 October 2018:

Can Council investigate the condition of Patonga Wharf due to excessive use during the ferry diversion from Ettalong Wharf?

Patonga Wharf is inspected every three (3) months to ensure the wharf is safe. Should any defects be identified repairs are undertaken such as replacing decking on the landings and high pressure cleaning of the low landing.

A more detailed inspection is undertaken every three (3) years, with a detailed inspection to be undertaken this year prior to 30 June 2019.

Contained in the draft 2019/20 capital works budget is an allocation of \$150,000, which is subject to Council adoption, to undertake replacement of the wharf pilings.

Patonga Wharf is also well utilised by recreational users, fishing boat operators, sport and educational services and visitors to the area.

The wharf is currently safe and in a satisfactory condition.

Attachments

Nil.



Item No: 5.7
Title: QON - Q189/18 - Suspected Corroded Water Infrastructure at Hardys Bay Club
Department: Roads Transport Drainage and Waste

29 April 2019 Ordinary Council Meeting

Trim Reference: F2018/00025-02 - D13512025

Author: Jeanette Williams, Unit Manager, Roads Business Development and Technical Services

Executive: Boris Bolgoff, Director, Roads Transport Drainage and Waste

5.7 QON - Q189/18 - Suspected Corroded Water Infrastructure at Hardys Bay Club

The following question was asked by Councillor Rebecca Gale Collins at the Ordinary Meeting on 8 October 2018:

Can Council investigate the stench and suspected corroded water infrastructure down from Hardys Bay Club at the Heath Road and Araluen Drive intersection in Hardys Bay.

Council Officers have investigated the reported stench and suspected corroded water infrastructure at the Heath Road and Araluen Drive intersection, Hardys Bay.

This investigation has not identified any stench emanating from the stormwater drainage at this location. Inspection shows that the drainage pipeline is in satisfactory condition and showing no signs of corrosion.

At this location, naturally occurring bacteria is likely taking advantage of oxidised iron in the water, which appear as a rust brown/orange stain. This may give the impression that the pipeline may be corroding. This is not the case, and it is not considered to be causing any risk to the condition of the infrastructure or to the community.

Attachments

Nil.

Item No: 5.8
Title: QON - Q221/18 - Economic Development Officer
Department: Innovation and Futures



29 April 2019 Ordinary Council Meeting

Trim Reference: F2018/00025-02 - D13507600

Author: Jamie Barclay, Unit Manager, Economic Development and Project Delivery

Executive: Matthew Prendergast, Acting Executive Manager, Innovation and Futures

5.8 QON - Q221/18 - Economic Development Officer

The following question was asked by Councillor Bruce McLachlan at the Ordinary Meeting on 12 November 2018:

Will there be an appointment of a dedicated Economic Development Officer/s in the new Department of Innovation?

One Business Development role has been approved in the current organisational structure reporting to the Unit Manager of Economic Development and Project Delivery in the newly formed Innovation and Futures department of Council. The position is currently vacant and Council is in the process of recruiting for this role.

Attachments

Nil.



Item No: 5.9
Title: QON - Q10/19 - Chain Valley Bay Shared Pathway
Department: Roads Transport Drainage and Waste

29 April 2019 Ordinary Council Meeting

Trim Reference: F2019/00041 - D13512026

Author: Jeanette Williams, Unit Manager, Roads Business Development and Technical Services

Executive: Boris Bolgoff, Director, Roads Transport Drainage and Waste

5.9 QON - Q10/19 - Chain Valley Bay Shared Pathway

The following question was asked by Councillor Jillian Hogan at the Ordinary Meeting on 29 January 2019:

What processes are we going to use to consult with the Mannering Park and Chain Valley Bay Community about where their shared pathway should go? And when will that start?

The provision of a shared pathway at Mannering Park to Chain Valley Bay has previously been investigated with two (2) options identified and included within the draft Central Coast Bike Plan 2018. A briefing on the draft Central Coast Bike Plan was presented to Councillors on 14 May 2018 with a report to be presented to Council later this year for consideration and adoption.

One option for this proposed shared pathway is along Ruttleys Road and Pacific Highway and the other option is along the foreshore and in front of the Vales Point Power Station inlet to Kingfisher Shores.

Council previously resolved at its meeting held on 8 October 2018 to include the preliminary investigation and assessment of design options for the Mannering Park to Chain Valley Bay shared pathway in the 2019/20 Capital Works budget. A budget allocation to undertake this preliminary work has been included in the draft 2019/20 budget, which is subject to adoption by Council.

Whilst the engagement strategy has not as yet been formally documented, it is anticipated that the community consultation will be carried out across various platforms. This is likely to include Council's Your Voice – Our Coast online portal, via social media such as Facebook, letter-box drops, and face-to-face community information and feedback sessions held at venues within the Mannering Park/Chain Valley Bay neighbourhoods.

Currently a confirmed timeframe for the community consultation on this proposed shared pathway is not available, however subject to the adoption of the proposed roads and drainage capital works program for 2019/20, it is anticipated that community consultation will be undertaken in 2020.

Attachments

Nil.



Item No: 5.10
Title: QON - Q21/19 - Speeding near Pretty Beach School
Department: Roads Transport Drainage and Waste

29 April 2019 Ordinary Council Meeting

Trim Reference: F2019/00041 - D13512029

Author: Jeanette Williams, Unit Manager, Roads Business Development and Technical Services

Executive: Boris Bolgoff, Director, Roads Transport Drainage and Waste

5.10 QON - Q21/19 - Speeding near Pretty Beach School

The following question was asked by Councillor Rebecca Gale Collins at the Ordinary Meeting on 11 February 2019:

Can Council investigate the public concern regarding speeding vehicles near Pretty Beach School, on Pretty Beach Road in Wagstaffe and also at Wards Hill Road in Killcare at the Stewart turn off?

Council Officers are investigating the public's concerns regarding excessive speed on Pretty Beach Road, Wagstaffe, in the vicinity of the school, and Wards Hill Road, Killcare in the vicinity of Stewart Street.

Traffic surveys which gather data on the volume and speed of vehicles have been undertaken in both Pretty Beach Road and Wards Hill Road. These traffic surveys, along with on-site inspections, a review of any crash data, the road condition, community concerns and visual observations, are invaluable in assisting Council officers determine the most appropriate course of action to address any identified issues.

It is anticipated that these investigations will be completed within six (6) weeks at which time further advice on the outcome will be provided to the Councillors. Additionally, dependent upon the outcome of the investigations, these matters may require referral to the Local Traffic Committee for consideration and recommendation.

Attachments

Nil.

Item No: 5.11
Title: QON - Q22/19 - Umina Beach Public School Signage
Department: Roads Transport Drainage and Waste



29 April 2019 Ordinary Council Meeting

Trim Reference: F2019/00041 - D13515149

Author: Jeanette Williams, Unit Manager, Roads Business Development and Technical Services

Executive: Boris Bolgoff, Director, Roads Transport Drainage and Waste

5.11 QON - Q22/19 - Umina Beach Public School Signage

The following question was asked by Councillor Rebecca Gale Collins at the Ordinary Meeting on 11 February 2019:

Can Council please ensure that the bus and pickup zone signage is corrected at Umina Beach Public School in line with the road safety officers recommendation back in 2018?

In late 2017 the Local Traffic Committee considered a report proposing safety improvements in Sydney Avenue, Umina Beach to address concerns from the School community in relation to access and pedestrian safety.

These safety improvements included:

- 1 Upgrading the existing Pedestrian Crossing located in Sydney Avenue adjacent to the School to a Childrens Crossing school zones times (8 am – 9.30 am and 2.30 pm – 4 pm School Days).
- 2 Swapping the existing No Parking restriction and Bus Zone (8 am – 9.30 am and 2.30 pm – 4 pm School Days) located on the western side of Sydney Avenue.

Council Officers have recently undertaken an inspection of the area and confirmed that the No Parking and Bus Zone restrictions have been swapped. A Council Officer has also spoken with the School Principal who is satisfied with the current traffic arrangements adjacent to the school.

Attachments

Nil.

Item No: 5.12
Title: QON - Q32/19 - Recycling
Department: Roads Transport Drainage and Waste

29 April 2019 Ordinary Council Meeting

Trim Reference: F2004/06769 - D13495580

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

5.12 QON - Q32/19 - Recycling

The following question was asked by Councillor Pilon at the Ordinary Meeting on 25 February 2019:

What actions are Central Coast Council taking to actively promote support and administer recycling, given that Penrith Council saved \$17m in tipping and collection costs in the past financial year?

Central Coast Council is undertaking a wide range of initiatives to actively support recycling on the NSW Central Coast. These include but are not limited to:

- In 2017-18 Council and its contractors collected 32,110 tonnes of household recycling from the yellow lid bins for resource recovery and recycling.
- Council has installed over 100 public place recycling stations at strategic locations. Council maintains and services 100 existing public place recycling stations, and is on track to install an additional 19 in 2018/19.
- As part of Council's Waste Collection Contract, Resource Recovery Officers inspected over 15,000 household recycling bins over a 12 month period and through a program of targeted education, have reduced contamination rates of recycling bins from 1 in 4 bins to 1 in 10 bins.
- In 2017-2018 Council and its contractors collected and composted 55,783 tonnes of organic materials. This material was composted and recycled into organic soil products for reuse in the retail, commercial, agricultural and mining industries.
- In 2017-18 Council collected over 4,000 tonnes of scrap metal from its operations for recycling, including the shredding of over 5,000 mattresses at its' waste management facilities to reclaim the metal springs.
- Council offered free disposal points for various recyclable products at its waste management facilities and/or nominated collection points. This included scrap metal, e-waste, motor oil, batteries, cardboard, fluorescent lights, batteries and mobile phones.

- Waste and recycling education programs were conducted and attended by 3,600 residents including 2,847 students from local pre-schools, primary schools, high schools and TAFEs over a twelve (12) month period - February 2018 to February 2019.
- 151 residents have attended one of the six (6) waste and recycling tours visiting Council's waste management facilities at Buttonderry and Woy Woy to learn about recycling and reducing waste. These tours are often scheduled to coincide with events such as World Environment Day / National Recycling Week and were held in the months of June, August and November 2018.
- 370 people attended our waste collection contract depot open day during National Recycling Week on 16 November 2018.
- Council recently organised two recycling education and inspiration workshops at the Wyong Arthouse on 20 February 2019, hosted by Craig Reucassel, attended by over 700 attendees.
- Regular messages are posted on recycling to our 5,100+ OneCoast waste services followers on Facebook.
- Council undertakes a number of recycling initiatives across its roads operations, including the reuse of recycled asphalt, concrete and road base materials.
- There is a wide range of new innovative recycling and reuse initiatives well advanced in development which will be promoted over coming months.
- Council is currently developing Central Coast Councils inaugural Waste Management Strategy which will identify further opportunities to reduce waste to landfill and maximise resource recovery.

Penrith City Council's 2017-18 Annual Report states that in 2017-18 it diverted 27,168 tonnes of organics for composting saving \$1.7m. This represents a saving of \$62.57 per tonne. Central Coast Council diverted 55,783 tonnes of organics waste for composting and beneficial reuse during 2017-2018 which represents a saving of \$3.49m at the equivalent saving rate, identified by Penrith City Council.

Attachments

Nil.

Item No: 5.13
Title: QON - Q37/19 - Hazardous Chemicals
Department: Roads Transport Drainage and Waste



29 April 2019 Ordinary Council Meeting

Trim Reference: F2008/01522 - D13507256

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

5.13 QON - Q37/19 - Hazardous Chemicals

The following question was asked by Councillor Best at the Ordinary Meeting on 25 February 2019:

Please advise whether staff are aware of any hazardous chemical materials such as CCA or the known carcinogenic creosote or any other hazardous material store that may have been unearthed in the greater Warnervale area. If so, when, who has been advised, and what remediation/capping may have been applied if this material has been identified?

Under Section 60 of the *Contaminated Land Management Act 1997*, a person whose activities have contaminated land must notify the NSW Environmental Protection Authority (EPA) that the land has been contaminated. A review of the EPA public register of historical notifications and corresponding Council records has identified the following two (2) properties in the Warnervale area:

1. A former timber treatment plant at Aldenham and Railway Roads, Warnervale. Contaminates of concern identified following investigations in the 1990's were creosote, total petroleum hydrocarbons and polycyclic aromatic hydrocarbons. The site was subsequently regulated by the EPA and investigations and corresponding remediation works completed in the early 2000's.

Works undertaken included a combination of the removal of contaminated material, onsite treatment of soils, and capping. In 2006 the EPA determined that there are no reasonable grounds to believe the site presented any further risk of harm to human health or the environment and that they no longer proposed to regulate the site under the provisions of the *Contaminated Land Management Act 1997*. This land is under private ownership.

2. Former closed landfill site at Hakone Road, Warnervale. The site was historically used as a small scale quarry before being filled predominately with vegetation and soil in the 1970's. The site was also used as a localised illegal dumping location, including building waste, after formal closure.

The former Wyong Shire made notifications in 2012 under the *Contaminated Land Management Act 1997* on the basis of known asbestos and methane gas contamination. In 2016 the NSW EPA advised Council that following a review of the comprehensive site investigations (including years of environmental monitoring data) and Council's proposed Remediation Action Plan for the site, the EPA would no longer regulate the site under the *Contaminated Lands Management Act 1997*.

Remediation works incorporating site regrading, gas venting, capping with a clay liner, topsoil, and revegetation are now 70% complete and on track for completion in late 2019. Council also engaged an independent NSW EPA accredited contaminated site auditor at the commencement of the project who is responsible for providing a final validation report confirming the site has been remediated to a suitable standard for its end use of passive recreation.

Attachments

Nil.



Item No: 5.14
Title: QON - Q38/19 – Tourism Advisory Committee
Department: Connected Communities

29 April 2019 Ordinary Council Meeting

Trim Reference: F2018/00025-02 - D13506193
Author: Carolyne Wildman, Section Manager, Marketing and Tourism
Manager: Sue Ledingham, Unit Manager Community Engagement
Executive: Julie Vaughan, Director, Connected Communities

5.14 QON - Q38/19 – Tourism Advisory Committee

The following question was asked by Councillor Chris Holstein at the Ordinary Meeting on 11 March 2019:

It is now been several months since resolution, when will the Tourism Advisory Committee meet for their inaugural meeting?

The report on the Tourism Advisory Committee EOI recommendations is scheduled for the Ordinary Meeting on 8th April 2019 for consideration. The first committee meeting is planned for June 2019.

Attachments

Nil.

Item No: 5.15
Title: QON - Q39/19 - New Year's Eve on Gosford Waterfront
Department: Connected Communities



29 April 2019 Ordinary Council Meeting

Trim Reference: F2018/00025-02 - D13498944

Author: Ashlee Abbott, Section Manager, Place Activation

Manager: Glenn Cannard, Unit Manager, Community Partnerships

Executive: Julie Vaughan, Director, Connected Communities

5.15 QON - Q39/19 - New Year's Eve on Gosford Waterfront

The following question was asked by Councillor Holstein at the Ordinary Meeting on 11 March 2019;

I have become aware that Gosford Waterfront Bookings (commercial and community) events have ceased as I believe to redevelopment of the Leagues Club Park. Can staff confirm if in turn New Year's Eve on the Gosford Waterfront will be cancelled?

Council is committed to delivering New Year's Eve at Gosford Waterfront in 2019 and the event will feature live entertainment, food stalls and fireworks.

Whilst Hunter Central Coast Development Corporation has requested cessation of bookings for Leagues Club Field from September 2019 indefinitely to allow for the redevelopment of the site by the State Government; other areas of the waterfront will still be available during this time and Council will continue to work with Hunter Central Coast Development Corporation to determine feasibility of the site and other areas for the 2019 event.

Further updates will be provided to Councillor's via a Councillor update once a works program has been received for the redevelopment of the site and planning for event is confirmed.

Attachments

Nil.



Item No: 5.16
Title: QON - Q42/19 - Bamboo Height in Backyards
Department: Environment and Planning

29 April 2019 Ordinary Council Meeting

Trim Reference: F2019/00041 - D13499268

Author: Scott Rathgen, Section Manager, Central Coast Building Certification North

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

Executive: Scott Cox, Director, Environment and Planning

5.16 QON - Q42/19 - Bamboo Height in Backyards

The following question was asked by Councillor Rebecca Gale Collins at the Ordinary Meeting on 11 March 2019:

Can Council advise of any regulations around bamboo being used in backyards regarding height that blocks sunlight/views from neighbours?

Bamboo is not a controlled plant under the *Biodiversity Conservation Act 2016* and, therefore, not a plant that can be controlled by Council.

Where Council receives enquiries about the use of bamboo and potential blocking of sunlight, Council advises:

- The Community Justice Centre is able to provide mediation services to neighbours in an effort to resolve differences; or
- Residents have the right to seek remedies via personal civil action.

Attachments

Nil.

Item No: 5.17
Title: QON - Q53/19 - Sewer Connections
Department: Water and Sewer



29 April 2019 Ordinary Council Meeting

Trim Reference: F2018/00020-07 - D13503613

Author: Emily Haines, Executive Assistant

Manager: Luke Drury, Section Manager Water Services and Design

Executive: Bileen Nel, Director, Water and Sewer

5.17 QON - Q53/19 - Sewer Connections

The following question was asked by Councillor Jillian Hogan at the Ordinary Meeting on : 11 March 2019

There is community concern about the pressure on the sewer system with all the development taking place. However, how does Council test for illegal sewer connections across the Central Coast?

Central Coast Council undertakes periodic planning studies to ensure sufficient capacity is available to continue to service the Central Coast's growing population. These studies cover various asset classes such as pipes, pumping stations and treatment plants. Staff also utilise computer based hydraulic models, which are verified against real time monitoring of key assets such as sewage pumping stations, to ensure the system is operating correctly.

Council's monitoring tools (SCADA) measure sewage pumping station runtimes and generate alarms if unexpected performance is detected. These alarms alert staff that an asset is not performing as expected, with an investigation then undertaken to determine the relevant cause and appropriate solution.

New private plumbing works are regulated by Council to ensure compliance with the relevant plumbing codes. Where a sewer catchment is showing signs of excessive Inflow and Infiltration, Council staff will investigate for illegal connections of stormwater pipes to the sewer network or cracked/broken pipework. These investigations can involve smoke testing and CCTV pipe inspections. Defects on Council assets are rectified, and repair notices are provided to the property owners for any private plumbing defects.

Attachments

Nil.

Item No: 5.18
Title: QON - Q65/19 - Gosford Short Term Parking Strategy
Department: Innovation and Futures



29 April 2019 Ordinary Council Meeting

Trim Reference: F2018/00025-02 - D13507790

Author: Jamie Barclay, Unit Manager, Economic Development and Project Delivery

Executive: Matthew Prendergast, Acting Executive Manager, Innovation and Futures

5.18 QON - Q65/19 - Gosford Short Term Parking Strategy

The following question was asked by Councillor Chris Holstein at the Ordinary Meeting on 25 March 2019:

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?

Response:

A Councillor Support Update was recently issued on 5 April 2019 in relation to the Gosford Short Term Car Parking this report provides further information. At the Ordinary Meeting of Council held on 29 October 2018, Council resolved as follows:

1131/18 That Council approves the allocation of \$1,400,272 from the current 2018/19 capital works budget from Adcock Park redevelopment to 10 Racecourse Road (180 spaces).

Comment

Site establishment works at 10 Racecourse Road commenced on Saturday, 23 March 2019, with earthworks scheduled to commence earthworks in mid to late April 2019. Construction program extending for 20 + weeks is proposed with an expected completion date of August/September 2019.

1132/18 That Council request the Chief Executive Officer arrange for line marking of the existing loop road in Adcock Park to maximise the parking spaces in the area prior to the delivery of the masterplan works in the precinct.

Comment

Completion of the line marking at Adcock Park is scheduled for mid-April 2019.



Figure 1: Completed Adcock Park Line Marking

1133/18 *That Council implement Strategy Item #4 – Park and Ride (Bus) scheme for a 6 month period at no charge to the public and undertake a review after 6 months of operation.*

Comment

A draft Contract Plan has been prepared and is currently going through the tender process.

1134/18 *That Council undertake a Communication/Promotional Strategy to promote Park and Ride bus initiative.*

Comment

A communications plan is being prepared to commence when 10 Racecourse Road is complete.

1137/18 *That Council request the Chief Executive Officer, on agreement with Central Coast Area Health seek to utilise the current Showground (300 parking spaces) site.*

Comment

Confidential Attachment 1 in relation to Resolution 1137/18 is attached.

Pursuant to s10A(2)(c) of the Local Government Act 1993, Attachments 1 to this report remains confidential as it contains information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

Attachments

1 Confidential - Attachment 1 - Showground - 1 Glennie Street, Gosford -	Attached under separate cover	D13514858
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Item No: 6.1
Title: Notice of Motion - Reflection Seat Plaque, Slade Park Budgewoi
Department: Councillor



29 April 2019 Ordinary Council Meeting

Trim Reference: F2018/00020-07 - D13513347

Author: Jillian Hogan, Councillor

Councillor Hogan has given notice that at the Ordinary Council Meeting to be held on 29 April 2019 she will move the following motion:

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

Attachments

Nil.