



Works continue on upgrading the road and drainage along Lakeside Parade, The Entrance.

Wyong Shire Council

Business Paper

ORDINARY COUNCIL MEETING

10 March 2016

This page is intentionally blank

MEETING NOTICE

The Ordinary Council Meeting
of Wyong Shire Council
will be held in the Council Chamber,
Wyong Civic Centre, Hely Street, Wyong on
Thursday 10 March 2016 at 6.00 pm,
for the transaction of the business listed below:

OPENING PRAYER

ACKNOWLEDGEMENT OF COUNTRY

RECEIPT OF APOLOGIES

1 PROCEDURAL ITEMS

1.1	Disclosure of Interest.....	5
1.2	Confirmation of Minutes of Previous Meeting.....	6
1.3	Proposed Briefings and Inspections	19
1.4	Address By Invited Speakers	21

2 PLANNING REPORTS

2.1	RZ/4/2015 Rezoning of 100-110 Pacific Highway Doyalson to permit a Manufactured Home Estate	22
2.2	RZ/7/2015 Rezoning of 171-175 Sparks Road Halloran to expand the IN1 General Industrial Zone	46

3 PROPERTY REPORTS

3.1	Classification of Land, Lot 333 DP 1209705 at Bokhara Avenue, Blue Haven.....	65
-----	---	----

4 CONTRACT REPORTS

4.1	CPA/239606 - Road and Drainage Upgrade Construction Works, Hume Boulevard (between Sturt Street and Yangoora Street) Killarney Vale.....	68
-----	---	----

5 GENERAL REPORTS

5.1	Sponsorship Program 2016/17	72
5.2	Proposed Councillors' Community Improvement Grants	83
5.3	Future Operation of Pools and Lake Haven Recreation Centre.....	87

6 INFORMATION REPORTS

6.1	Initiatives to Improve Safety on Rock Platforms in Munmorah State Conservation Area	94
6.2	Response from Department of Planning & Environment to Request to Dissolve the Central Coast Joint Regional Planning Panel	108
6.3	Road Capital Works Program.....	110
6.4	Graffiti Trailer	123
6.5	Draft Minutes of the Audit and Risk Committee Meeting - 16 February 2016 (rescheduled from 14 December 2015).....	125
6.6	2015 National General Assembly Resolutions	132
6.8	Proposed Merger Update	138
6.8	Outstanding Questions on Notice and Notices of Motion.....	141

7 NOTICES OF MOTION

7.1	Notice of Motion - Closure of Wyong Shire RMS Offices.....	154
7.2	Notice of Motion - Five Year Development Consent Period.....	155

8 QUESTIONS ON NOTICE ASKED

At the conclusion of the meeting and at the discretion of the Mayor, Council may meet with staff in an informal, non-decision making mode for a period of no more than 30 minutes.

Rob Noble
ACTING CHIEF EXECUTIVE OFFICER

1.1 Disclosure of Interest

TRIM REFERENCE: F2016/00012 - D12243680

MANAGER: Lesley Crawley, Manager Corporate Governance

AUTHOR: Jacquie Elvidge; Councillor Services Officer

The provisions of Chapter 14 of the *Local Government Act, 1993* regulate the way in which Councillors and nominated staff of Council conduct themselves to ensure that there is no conflict between their private interests and their public trust.

The Act prescribes that where a member of Council (or a Committee of Council) has a direct or indirect financial (pecuniary) interest in a matter to be considered at a meeting of the Council (or Committee), that interest must be disclosed as soon as practicable after the start of the meeting and the reasons for declaring such interest.

As members are aware, the provisions of the Local Government Act restrict any member who has declared a pecuniary interest in any matter from participating in the discussions, voting on that matter, and require that member to vacate the Chamber.

Council's Code of Conduct provides that if members have a non-pecuniary conflict of interest, the nature of the conflict must be disclosed. The Code also provides for a number of ways in which a member may manage non pecuniary conflicts of interest.

RECOMMENDATION

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

ATTACHMENTS

Nil

1.2 Confirmation of Minutes of Previous Meeting

TRIM REFERENCE: F2016/00012 - D12243690
MANAGER: Lesley Crawley, Manager Corporate Governance
AUTHOR: Jacquie Elvidge; Councillor Services Officer

SUMMARY

Confirmation of minutes of the previous Ordinary Meeting of Council held on Wednesday 24 February 2016.

RECOMMENDATION

That Council confirm the minutes of the previous Ordinary Meeting of Council held on Wednesday 24 February 2016.

ATTACHMENTS

- | | | |
|---|--|-----------|
| 1 | MINUTES - 24 February 2016 | D12245692 |
| 2 | MINUTES - Confidential Ordinary Meeting Meeting - 24 February 2016 - | D12246195 |

WYONG SHIRE COUNCIL

MINUTES OF THE
ORDINARY COUNCIL MEETING OF COUNCIL
HELD IN THE COUNCIL CHAMBER
WYONG CIVIC CENTRE, HELY STREET, WYONG
ON 24 FEBRUARY 2016
COMMENCING AT 5.00PM

PRESENT

Councillors D J Eaton OAM (Chairperson), G P Best, R L Graham, K G Greenwald, L A Matthews, L S Taylor, A Troy, D P Vincent and L D Webster.

IN ATTENDANCE

Acting Chief Executive Officer, Director Development and Building, Director Infrastructure and Operations, Director Property and Economic Development, Director Community and Recreation Services, General Counsel, Communications Coordinator, IT Infrastructure Administrator and two administration staff.

The Mayor, Councillor Eaton OAM, declared the meeting open at 5.02pm and advised in accordance with the Code of Meeting Practice that the meeting is being recorded.

Councillor Eaton delivered the opening prayer and Councillor Matthews read an acknowledgment of country statement.

APOLOGIES

RESOLVED unanimously on the motion of Councillor EATON and seconded by Councillor TAYLOR:

151/16 That Council note there were no apologies.

152/16 That Council grant Councillor Webster leave of absence from the 7 March 2016 until the 18 March 2016 for any Ordinary Council meetings, Committee Meetings or any Extraordinary Meetings that may be held during that time.

At the commencement of the ordinary meeting report nos 1.1, 1.2, 1.3, 7.1 and 1.4, were dealt with first then the remaining reports in order. However for the sake of clarity the reports are recorded in their correct agenda sequence.

1.1 Disclosure of Interest

5.3 Q2 Business Report 2015-16

Councillor Vincent declared a non-pecuniary insignificant interest in the matter for the reason that there are road works at the western end of Vincent Close Buff Point and participated in consideration of this matter.

Councillor Vincent stated:

"I choose to remain in the chamber and participate in discussion and voting as the conflict has not influenced me in carrying out my public duty because the works are in the general locality to where I live and do not provide any benefit or connect directly to my property."

6.3 The Art House, Wyong Performing Arts and Conference Centre - Board of Directors

Councillor Eaton declared a non-pecuniary significant conflict of interest in the matter for the reason that he is the Chair of the Art House Board. Councillor Eaton left the chamber at 6.56pm, took no part in discussion, did not vote and returned to the chamber at 7.08pm.

RESOLVED unanimously on the motion of Councillor TAYLOR and seconded by Councillor GREENWALD:

153/16 That Council receive the report on Disclosure of Interest and note advice of disclosures.

PROCEDURAL MOTION

RESOLVED unanimously on the motion of Councillor TROY and seconded by Councillor WEBSTER:

154/16 That Council allow meeting practice to be varied.

155/16 That Council use the exception method to deal with the balance of the Agenda.

RESOLVED unanimously on the motion of Councillor TAYLOR and seconded by Councillor WEBSTER:

156/16 That with the exception of report numbers 1.4, 1.6, 2.1, 3.1, 5.3, 5.4, 6.1, 6.3 and 6.4 Council adopt the recommendations contained in the remaining reports.

1.2 Proposed Briefings and Inspections

RESOLVED unanimously on the motion of Councillor EATON and seconded by Councillor WEBSTER:

157/16 That Council receive the report on Proposed Briefings and Inspections.

158/16 That Council note there will be no briefings on the 9 or 10 March 2016.

1.3 Address By Invited Speakers

RESOLVED unanimously on the motion of Councillor BEST and seconded by Councillor TAYLOR:

159/16 That Council receive the report on Invited Speakers.

160/16 That Council agree meeting practice be varied to allow reports from Directors and/or the General Manager to be dealt with following an Invited Speaker's address.

1.4 Confirmation of Minutes of Previous Meeting

RESOLVED unanimously on the motion of Councillor GRAHAM and seconded by Councillor TAYLOR:

161/16 That Council confirm the minutes of the previous Ordinary Meeting of Council held on 10 February 2016.

Business Arising

There was no business arising.

1.5 Notice of Intention to Deal with Matters in Confidential Session

RESOLVED unanimously on the motion of Councillor TAYLOR and seconded by Councillor WEBSTER:

162/16 That Council consider the following matters in Confidential Session, pursuant to Section 10A (2)(d)(ii) of the Local Government Act 1993:

8.1 – Coregas Oxygen Injection

163/16 That Council note its reason for considering Report No 8.1 – Coregas Oxygen Injection, as it contains commercial information of a confidential nature that would, if disclosed confer a commercial advantage on a competitor of the Council.

164/16 That Council request the Acting Chief Executive Officer to report on these matters in open session of Council.

165/16 That Council resolve, for the purposes of s. 55(3)(i) of the Local Government Act (where applicable), the following in respect to “item 8.1 Coregas Oxygen Injection” at:

(a) the extension of the contract is made due to extenuating circumstances set out in the confidential report; and

(b) a satisfactory result would not have been achieved by inviting tenders, due to:

- i. the need for a further period to complete the current odour control review, which is expected to include a recommendation for odour control and identified costs savings; and*
- ii. the costs of inviting tenders for the supply of bulk oxygen for a further 12 month period are significant;*
- iii. if tenders were invited and the current supplier was not the successful tenderer then Council would need to pay significant disestablishment to the current supplier and significant establishment costs to the new supplier;*
- iv. the likelihood that the odour control review will influence the content of future invitations for tender for the supply of bulk oxygen; and*
- v. if the Wyong and Gosford local government areas are amalgamated as proposed, the new merged council for the amalgamated area may invite tenders for the supply of bulk gas to the waste water systems within that much larger area.*

166/16 That Council further note that, in respect to “item 8.1 Coregas Oxygen Injection:

- (a) it has considered the “Guidelines on council decision making during merger proposal periods” published by the Chief Executive of the Office of Local Government pursuant to s. 23A of the Local Government Act 1993; and*
- (b) that the expenditure during the 12 month extension is less than 1% of the Council’s rates revenue for the 2014/15 rating year and is within budget; and*
- (c) the extension of the contract is necessary to meet Council’s ongoing service delivery commitments in respect to waste water.*

1.6 Mayoral Minute - Ordinary Meeting 9 March 2016

Councillor Best left the meeting at 6.00pm and returned to the meeting at 6.02pm and as a result took no part in voting.

RESOLVED unanimously on the motion of Councillor EATON:

- 167/16** That Council note that 6 Councillors have indicated their possible inability to attend the Ordinary Meeting of Council scheduled to be held on 9 March 2016.
- 168/16** That Council reschedule the Ordinary Meeting of Council scheduled to be held on 9 March 2016 to 10 March 2016 commencing at 6pm.
- 169/16** That Council give appropriate public notice of the rescheduled meeting.

2.1 Public Exhibition of Planning Proposal at Gwandalan

Councillor Best left the meeting at 6.00pm and returned to the meeting at 6.02pm during consideration of this item.

RESOLVED unanimously on the motion of Councillor VINCENT and seconded by Councillor GREENWALD:

- 170/16 That Council note that there were no submissions made during the formal public exhibition period.**
- 171/16 That Council request the Acting Chief Executive Officer to exercise the Written Authorisation to Exercise Delegation for RZ/8/2014, to amend the Wyong Local Environmental Plan (WLEP 2013) to insert an enabling provision within Schedule 1-Additional Uses, to permit a form of “tourist and visitor accommodation” on the land (Amendment No. 22).**

FOR: CRS G BEST, D EATON, B GRAHAM, K GREENWALD, L MATTHEWS, L TAYLOR, A TROY, D VINCENT AND L WEBSTER

AGAINST: NIL

2.2 Results of Public Exhibition draft Development Control Plan 2013 Chapter 3.1 - Site Waste Management

RESOLVED unanimously on the motion of Councillor TAYLOR and seconded by Councillor WEBSTER:

- 172/16 That Council adopt the revised Wyong Development Control Plan 2013 Chapter 3.1 Site Waste Management and appropriate public notice be given within 28 days that the draft DCP as amended will come into effect.**
- 173/16 That Council forward a copy of the amended Wyong DCP 2013 to the Secretary of the NSW Department of Planning and Environment within 28 days of the DCP becoming effective.**

FOR: CRS G BEST, D EATON, B GRAHAM, K GREENWALD, L MATTHEWS, L TAYLOR, A TROY, D VINCENT AND L WEBSTER

AGAINST: NIL

2.3 RZ/4/2014 - Outcome of pre gateway review process for 425 Bushells Ridge Road, Bushells Ridge (Site 4)

RESOLVED unanimously on the motion of Councillor TAYLOR and seconded by Councillor WEBSTER:

- 174/16 That Council advise the Department of Planning and Environment that it will accept the role of being the Relevant Planning Authority (RPA) for the planning proposal for 425 Bushells Ridge Road, Bushells Ridge (Site 4).**
- 175/16 That Council progress the rezoning planning proposals for 425 Bushells Ridge Road, Bushells Ridge (Site 4) and Wyee Road, Doyalson (Site 3).**

- 176/16 That Council prepare a planning proposal to amend Wyong Local Environmental Plan 2013, pursuant to Section 55 of the Environmental Planning and Assessment (EP&A) Act, 1979 to rezone the subject land generally in accordance with the proposed zoning plan for site 4 in Attachment 1.
- 177/16 That Council forward the Planning Proposal to the Department of Planning and Environment accompanied by a request for a gateway determination, pursuant to Section 56.
- 178/16 That Council request the Acting Chief Executive Officer to apply to accept plan making delegations for the LEP Amendment.
- 179/16 That Council prepare an appropriate amendment to Wyong Development Control Plan (WDCP 2013) to provide provisions for the sites to be placed on public exhibition for 28 days concurrent with the planning proposal.
- 180/16 That Council amend the Section 94 Contributions Plans (if required) to support the development of the land subject to this Planning Proposal.
- 181/16 That Council authorise the Acting Chief Executive Officer (or delegate) to sign any voluntary planning agreement to support the rezoning. This agreement shall:
- a Address the cost, timing, staging and responsibilities for funding and provision of infrastructure to service the development.
 - b Ensure that Council is not responsible for the cost of any public infrastructure required to support the development such as hard infrastructure (including, roads water and sewer and drainage) and soft infrastructure (which includes open space, community facilities and environmental corridors).
- 182/16 That Council authorise the Acting Chief Executive Officer (or delegate) to sign any documentation associated with any future application for biodiversity certification of the lands (as this can only be made by a planning authority).
- 183/16 That Council undertake community and public authority consultation, in accordance with the requirements of the gateway determination.
- 184/16 That Council consider a further report on results of community and public authority consultation.

FOR: CRS G BEST, D EATON, B GRAHAM, K GREENWALD, L MATTHEWS, L TAYLOR, A TROY, D VINCENT AND L WEBSTER

AGAINST: NIL

3.1 Classification of Land, Lot C DP 360458 at 7 Anzac Avenue, Wyong

The Acting Chief Executive Officer advised that new information has come to light and that the report has been withdrawn and will be presented to a future Council meeting.

- 185/16 That Council note that this item has been withdrawn.

4.1 CPA/266418 – Supply, Delivery and Lay of Cultivated Turf

RESOLVED unanimously on the motion of Councillor TAYLOR and seconded by Councillor WEBSTER:

- 186/16 That Council accept the tender from Yarra Turf Supplies Pty Ltd as the first ranked tenderer for a period of three years for Contract CPA/266418 – Supply, Delivery and Lay of Cultivated Turf.
- 187/16 That Council accept the tender from Qualturf Pty Ltd as the second ranked tenderer for a period of three years for Contract CPA/266418 – Supply, Delivery and Lay of Cultivated Turf.
- 188/16 That Council approve the contingency sum as detailed in the Tender Evaluation Report in Attachment A.
- 189/16 That Council note the estimated expenditure under the contract is approximately \$543,834.27(excl. GST) however actual expenditure may vary significantly with fluctuations in demand.
- 190/16 That Council determine the Tender Evaluation Report in Attachment 1 remains confidential in accordance with Section 10 A (2) (d) of the Local Government Act 1993 as the report contains commercial information of a confidential nature, except for the name of the successful tenderer(s), which may be disclosed after Council has resolved to accept those tenders.

4.2 CPA/268922 - Construction of In-Ground GPT at Murrawal Road, Wyongah

RESOLVED unanimously on the motion of Councillor TAYLOR and seconded by Councillor WEBSTER:

- 191/16 That Council accept the tender from Kerroc Constructions Pty Ltd, for the lump sum amount of \$172,750.00 (excl GST) for Contract CPA/268922 – Construction of In-ground Gross Pollutant Trap at Murrawal Road, Wyongah.
- 192/16 That Council determine the Tender Evaluation Report in Attachment A, remains confidential in accordance with Section 10 A (2) (d) of the Local Government Act 1993 as the report contains commercial information of a confidential nature, except for the name of the successful tenderer, which may be disclosed after Council has resolved to accept that tender.
- 193/16 That Council approve the contingency sum as detailed in the Tender Evaluation Report in Attachment A.

5.1 Proposed Councillors' Community Improvement Grants

RESOLVED unanimously on the motion of Councillor TAYLOR and seconded by Councillor WEBSTER:

194/16 That Council allocate an amount of \$5,800 from the 2015-16 Councillors' Community Improvement Grants as follows:

Concertante Ensemble (\$4000)	Venue hire and marketing.	700
Ourimbah United Football Club (\$3059.65)	To provide members with socks, shorts and footballs	1,900
The Entrance District Cricket Club (\$4000)	Refurbishment of cricket nets.	2,500
YMCA Toukley Aquatic Centre (\$2000)	Annual Swimathon	700

5.2 Councillor Attendance - Australian Local Government Women's Association 2016 NSW Conference

RESOLVED unanimously on the motion of Councillor TAYLOR and seconded by Councillor WEBSTER:

195/16 That Council note the approval granted by the Acting Chief Executive Officer for Councillors to attend the Australian Local Government Women's Association 2016 NSW Conference in accordance with the Council's Facilities and Expenses Policy for Councillors.

196/16 That Council authorise the reimbursement of expenses for Councillors in accordance with the Council's Facilities and Expenses Policy for Councillors.

5.3 Q2 Business Report 2015-16

Councillor Vincent declared a non-pecuniary insignificant interest in the matter for the reason that there are road works at the western end of Vincent Close Buff Point and participated in consideration of this matter.

Councillor Vincent stated:

"I choose to remain in the chamber and participate in discussion and voting as the conflict has not influenced me in carrying out my public duty because the works are in the general locality to where I live and do not provide any benefit or connect directly to my property."

RESOLVED unanimously on the motion of Councillor EATON and seconded by Councillor WEBSTER:

197/16 That Council receive the Q2 Business Report on progress against Year 3 of the 2013-2017 Delivery Program.

198/16 That Council note that Council's Responsible Accounting Officer has declared the financial position of Wyong Shire Council to be satisfactory.

199/16 That Council approve the proposed budget amendments included in the Q2 Business Report for 2015-16 with the following changes to the capital works program to result in a full year budget of \$106.1 million:

- Addback of Magenta Shared Pathway budget \$1.3 million
- Add Buff Point foreshore repair project \$0.1 million
- Add Alison Road street lights project \$0.1 million
- Defer the Remote Access Security System for Community Facilities project into later years (\$0.2 million)

5.4 Wyong Shire Council's Submission to the Council Boundary Review

RESOLVED on the motion of Councillor BEST and seconded by Councillor TROY:

200/16 That Council endorse the attached submission to be sent to the Delegate appointed to examine and undertake public consultation on the proposed amalgamation of Wyong Shire and Gosford City Councils.

201/16 That Council express its outrage at Lake Macquarie City Council's attempted land grab of this shire's northern suburbs.

202/16 That, despite the fact that this Council provides all essential services such as water, sewerage and waste to the shire's north, Council provide the local communities north of Doyalson with the opportunity to voice their views around this issue through Council's provision of a statistically valid survey.

203/16 That Council note the funding for the survey be provided through the Q3 review.

FOR: CRS G BEST, D EATON, L TAYLOR, A TROY AND L WEBSTER

AGAINST: CRS B GRAHAM, K GREENWALD, L MATTHEWS AND D VINCENT

6.1 Quarterly Update on EP & LGA Developer Contributions

RESOLVED unanimously on the motion of Councillor TROY and seconded by Councillor TAYLOR:

204/16 That Council refer the quarterly update report to the Employment and Economic Development Committee (EEDC) for consideration of section 94 contribution credits to be expended.

6.2 Investment Report for January 2016

RESOLVED unanimously on the motion of Councillor TAYLOR and seconded by Councillor WEBSTER:

205/16 That Council receive the Investment Report for January 2016.

6.3 The Art House, Wyong Performing Arts and Conference Centre - Board of Directors

Councillor Eaton vacated the chair and Councillor Webster assumed the Chair for consideration of this item.

Councillor Eaton declared a non-pecuniary significant conflict of interest in the matter for the reason that he is the Chair of the Art House Board. Councillor Eaton left the chamber at 6.56pm, took no part in discussion, did not vote and returned to the chamber at 7.08pm.

Councillor Greenwald left the meeting at 6.56pm and returned to the meeting at 6.58pm during consideration of this item.

Councillor Matthews left the meeting at 7.07pm and returned to the meeting at 7.08pm and as a result took no part in voting.

RESOLVED on the motion of Councillor BEST and seconded by Councillor TROY:

206/16 That Council receive the report on The Art House, Wyong Performing Arts and Conference Centre - Board of Directors.

FOR: CRS G BEST, B GRAHAM, K GREENWALD, L TAYLOR, A TROY AND L WEBSTER

AGAINST: CR D VINCENT

6.4 Draft Minutes of the Tuggerah Lakes Estuary, Coastal and Floodplain Management Committee - 4 February 2016

Councillor Matthews left the meeting at 7.07pm and returned to the meeting at 7.08pm during consideration of this item.

Councillor Greenwald left the meeting at 7.08pm and returned to the meeting at 7.09pm during consideration of this item.

RESOLVED unanimously on the motion of Councillor TAYLOR and seconded by Councillor TROY:

207/16 That Council receive the Minutes of the Tuggerah Lakes Estuary, Coastal and Floodplain Management Committee meeting held on 4 February 2016.

208/16 That Council request that the Acting Chief Executive Officer provide a report which records photographic evidence of gross pollutant trap contents for use in education programs be referred to the Committee.

209/16 That Council request that the Acting Chief Executive Officer provide a report on the existing proposed and completed works and actions contained within adopted floodplain risk management plans to the Committee.

6.5 Wyong Water - Works in Progress

RESOLVED unanimously on the motion of Councillor TAYLOR and seconded by Councillor WEBSTER:

210/16 That Council receive the report on Wyong Water - Works in Progress.

6.6 Results of Water Quality Testing for Beaches and Lake Swimming Locations

RESOLVED unanimously on the motion of Councillor TAYLOR and seconded by Councillor WEBSTER:

211/16 That Council receive the report on Results of Water Quality Testing for Beaches and Lake Swimming Locations.

6.7 Activities of the Development and Rezoning and Building Certification Compliance and Health Units - January 2016

RESOLVED unanimously on the motion of Councillor TAYLOR and seconded by Councillor WEBSTER:

212/16 That Council receive the report on Activities of the Development and Rezoning and Building Certification, Compliance and Health Units for the month of January 2016.

6.8 Outstanding Questions on Notice and Notices of Motion

RESOLVED unanimously on the motion of Councillor TAYLOR and seconded by Councillor WEBSTER:

213/16 That Council receive the report on Outstanding Questions on Notice and Notices of Motion.

7.1 Notice of Motion - Remote Piloted Vehicles (RPVs) / Drone Ports

Councillor Taylor left the meeting at 5.49pm and returned to the meeting at 5.50pm during consideration of this item.

Mr David Inwood, representing Bravo Drones, addressed the meeting at 5.06pm, answered questions and retired at 5.36pm.

RESOLVED unanimously on the motion of Councillor BEST and seconded by Councillor TROY:

214/16 That, due to the escalating popularity of Remote Piloted Vehicles (RPVs), Council recognise the need to better manage, educate and police their usage.

- 215/16 *That Council seek to engage local user groups, key stake holders and regulators to best identify how Council can assist in managing this emerging and innovative industry sector.*
- 216/16 *That Council review options around possible suitable usage locations/ drone ports, with a view to developing a policy to assist safe recreational and professional usage of these devices.*

Confidential items 8.1 was resolved via the exception method during open session. The Acting Chief Executive Officer reported on these items as follows:

8.1 Coregas Oxygen Injection

- 217/16 *That Council approve a one year extension to Contract CPA/159634 – Supply and delivery of bulk oxygen to various sewerage sites.*
- 218/16 *That Council approve a contract variation of \$695,000.00 (excl GST) to Contract CPA/159634 – Supply and delivery of bulk oxygen to various sewerage sites.*

QUESTIONS ON NOTICE

Q4/16 Train Maintenance Facility - Kangy Angy
Councillor Lisa Matthews

“Can staff please provide an update on the proposed train maintenance facility at Kangy Angy?”

THE MEETING closed at 7.20pm.

1.3 Proposed Briefings and Inspections

TRIM REFERENCE: F2016/00012 - D12243710

MANAGER: Lesley Crawley, Manager Corporate Governance

AUTHOR: Jacquie Elvidge; Councillor Services Officer

SUMMARY

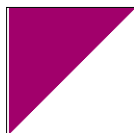
There are no Briefings proposed for this meeting of Council.

RECOMMENDATION

That Council receive the report on Proposed Briefings and Inspections.

ATTACHMENTS

1 Proposed Inspections and Briefings - 10 February 2016 D12255655



Proposed Briefings List to Date



Briefing Title:	Directorate:	Proposed Month:	Proposed Date:
Southern Cross University – EOI (1hour)	Property and Economic Development		23/03/2016
Aurecon - Fixed Wireless Network	CEO Unit		23/03/2016
CONFIDENTIAL: Strategic Lands Bio-certification Project	Development and Building		23/03/2016
Central Coast Regional Plan	Property and Economic Development	March	23/03/2016
RZ/2/2016 - 165 Louisiana Road Wadalba	Development and Building		23/03/2016
Merger Update (15min update)	CEO Unit		23/03/2016
LGA Draft Amendments (15min update)	CEO Unit		23/03/2016
Jilliby 2	Development and Building		23/03/2016
INSPECTION - Proposed residential rezoning with wildlife corridor - 145 Johns Rd, Wadalba - RZ/1/2013	Development and Building		06/04/2016
Final Draft Plan changes	CEO Unit		13/04/2016
Water, Sewerage and Drainage prices - 1 hour	CEO Unit		25/05/2016
Q3 Report	CEO Unit		25/05/2016
Discuss and Consider Strat Plan Submissions (1 hours)	CEO Unit		08/06/2016
Development Infrastructure - Porters Creek Stormwater Diversion Project	Development and Building	March	

1.4 Address By Invited Speakers

TRIM REFERENCE: F2016/00012 - D12240784

MANAGER: Sonia Witt, TL Governance and Councillor Services

AUTHOR: Jade Maskiewicz; Councillor Services Officer

SUMMARY

The following person has been invited to address the meeting of Council:

SPEAKERS	REPORT	PAGE NO	DURATION
Mr Mark Maund from Dewitt Consultating <i>Speaking in favour of the motion</i>	2.1 RZ4/2015 Rezoning of 100-110 Pacific Highway Doyalson to Permit a Manufactured Home Estate	22	5 mins

RECOMMENDATION

- 1 ***That Council receive the report on Invited Speakers.***
- 2 ***That Council agree meeting practice be varied to allow reports from Directors and/or the General Manager to be dealt with following an Invited Speaker's address.***

ATTACHMENTS

Nil

2.1 RZ/4/2015 Rezoning of 100-110 Pacific Highway Doyalson to permit a Manufactured Home Estate

TRIM REFERENCE: RZ/4/2015 - D12100756

MANAGER: Tanya O'Brien, Manager

AUTHOR: Chris Ferry; Strategic Planner

SUMMARY

Council is in receipt of a request to amend Wyong Local Environmental Plan (WLEP) 2013 to rezone land directly north of the Doyalson-Wyee RSL Club from RU6 Transition to RE2 Private Recreation to permit the use of a Manufactured Home Estate (MHE) on the land.

An assessment of the request has been undertaken which supports the proposed use of a MHE on the site. The request is considered to have sufficient strategic justification for Council to support an additional permitted use on the site. It is proposed to prepare a Planning Proposal and refer it to the Department of Planning and Environment (DP&E) for a gateway determination.

Proponent:	Doyalson-Wyee RSL Club Ltd
Owners:	Doyalson-Wyee RSL Club Ltd
Description of Land:	Lot 49 DP 707586 and Lot 7 DP 240685
Address:	100-110 Pacific Highway Doyalson
Site Area:	21.69 ha
Current Zoning:	RU6 Transition
Proposed Amendment:	Add the site to Schedule 1 Additional Permitted uses to permit a MHE
Existing Use:	Cricket Nets, RAW Challenge Course
Employment Generation:	Some construction and use related jobs would be created
Estimated (Future Development) Value:	\$14,000,000

RECOMMENDATION

- 1 ***That Council prepare a Planning Proposal to amend Wyong Local Environmental Plan 2013, pursuant to Section 55 of the Environmental Planning and Assessment (EP&A) Act 1979, to amend Schedule 1 Additional Permitted Uses to allow a MHE on part of Lot 7 DP 240685.***
- 2 ***That Council forward the Planning Proposal to the Department of Planning and Environment (DP&E) accompanied by a request for a Gateway Determination, pursuant to Section 56 of the EP&A Act 1979.***
- 3 ***That Council request the Acting Chief Executive Officer to apply to accept plan making delegations for the LEP Amendment.***
- 4 ***That Council undertake community and government agency consultation in accordance with the requirements of the gateway determination.***

- 5 ***That Council consider a further report on results of the community consultation.***
- 6 ***That Council request the Acting Chief Executive Officer negotiate, publically exhibit and sign a Voluntary Planning Agreement which secures contributions toward required facilities, which may include district open space, community facilities, bushfire and access requirements.***
- 7 ***That Council acknowledge its previous resolution of 26 November 2003 and note that the proposed use of a MHE on Lot 7 DP 240685 is supported in principle subject to further assessment.***

BACKGROUND

The Doyalson-Wyee RSL own two properties north of the Doyalson-Wyee RSL Club which they are seeking to develop into the future. The Club has applied to rezone the land to RE2 Private Recreation with the intention to develop a MHE which will increase the range of housing options available to the community.

THE SITE

Lot 49 DP 707586 and Lot 7 DP 240685 (the site) comprises 21.69 hectares and is located north of the Doyalson-Wyee RSL on the Pacific Highway at Doyalson. Lot 49 contains two buildings one is leased to an independent party and the second building contains amenities facilities. The lot also has cricket nets and remnant vegetation at the front and rear of the site. Lot 7 contains no buildings, the site of the proposed MHE is generally clear of vegetation and is used for outdoor fitness events such as the RAW Challenge, Figure 1 shows the location of the site and existing land uses. The land is located at the northern extent on the existing residential area of Doyalson and thus is on the urban fringe. The site adjoins Delta land to the east (Munmorah Power Station) and a hydroponics establishment is located to the north of the site.

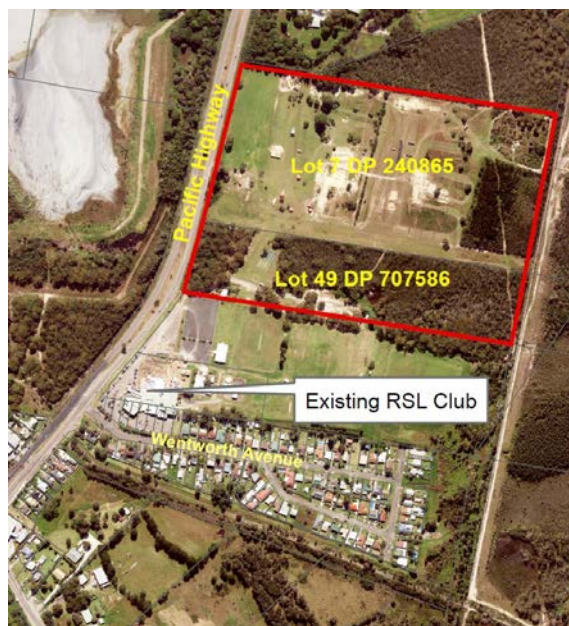


Figure 1 – Site Location and Land Uses

The sites are currently zoned RU6 Transition under WLEP 2013. The purpose of the RU6 Zone in Wyong is that of a holding zone which provides for a limited range of uses to ensure land remains fit for the long term intended purpose.

Lot 7 DP 240685 has been identified within a development precinct as determined by the North Wyong Shire Structure Plan (NWSSP). The site would be subject of future investigation to verify the uses proposed under in the North Wyong Shire Structure Plan and Wyong Settlement Strategy. Figure 2 provides the current land use zonings for the site.

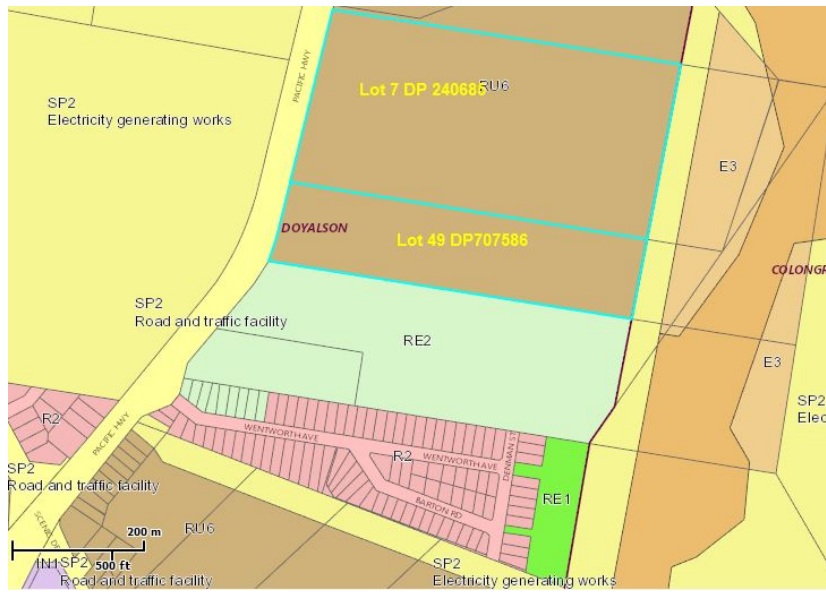


Figure 2 Current Land Zoning

The landowner has investigated development opportunities for the site however due to future subsurface mining of the area for coal, the Mine Subsidence Board has objected to each proposal. Options considered have been:

- Residential Subdivision,
- Retirement Facility,
- Tourist Accommodation,
- Mixed Tourist and Residential Accommodation,
- Motel.

THE PROPOSAL

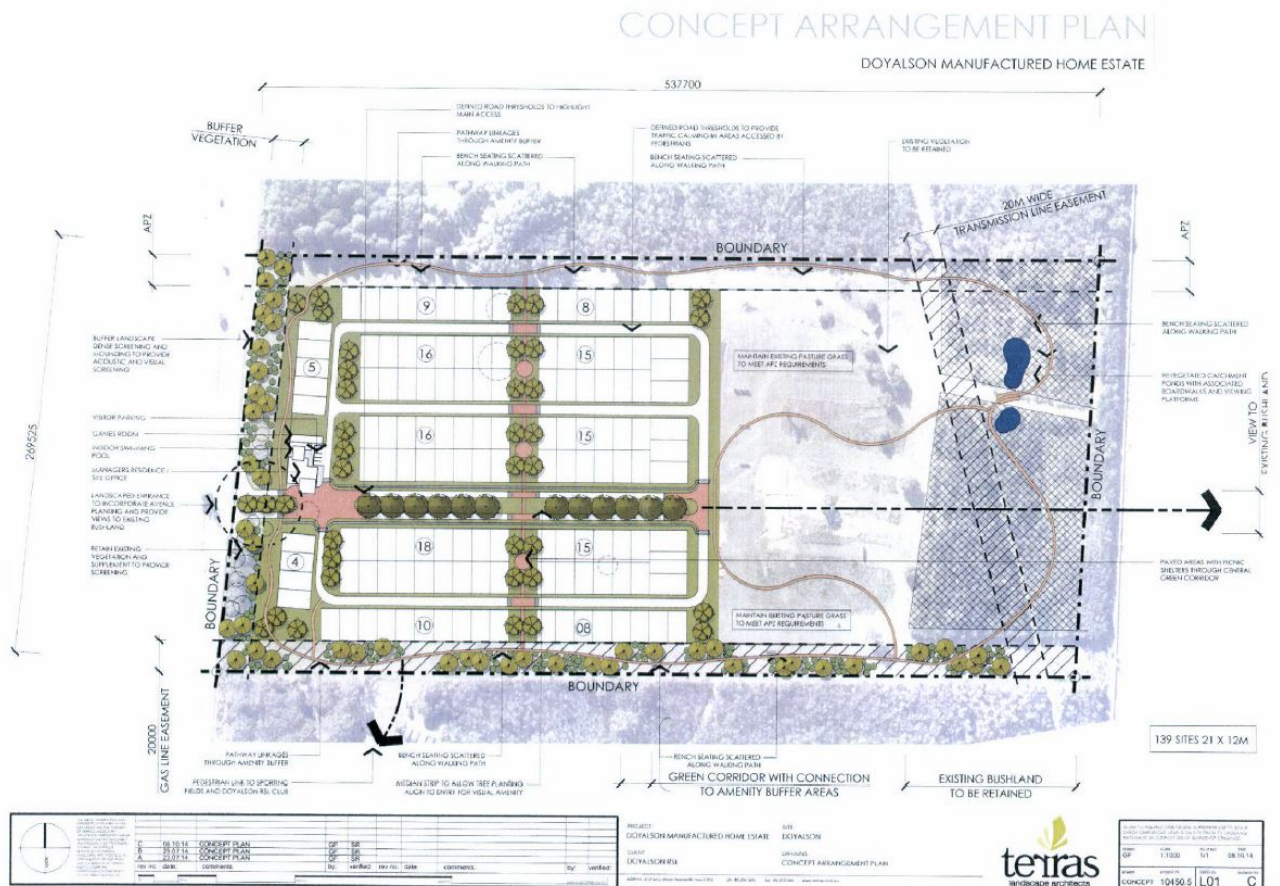
The proposal (rezoning application) requests that Council prepare a planning proposal to amend WLEP 2013 to by rezoning the sites to RE2 Private Recreation to permit a MHE. The applicant has provided a concept which shows the MHE wholly within Lot 7 DP 240685 and a lit pathway on Lot 49 DP 707586 linking the MHE to the existing playing fields and club facilities. (see Figure 3). The proposed MHE is to comprise of 139 sites and will include walking / cycling tracks a games room and indoor swimming pool and a manager's residence / site office.

2.1 RZ/4/2015 Rezoning of 100-110 Pacific Highway Doyalson to permit a Manufactured Home Estate (contd)

The proposal will enable Doyalson-Wyee RSL Club to better utilise its existing land holdings, with the development of additional residential housing. The RAW challenge use is proposed to be relocated to the existing playing fields on the neighbouring site (subject to consent). The use of the site as an MHE may be an interim use until mining constraints have been resolved and this use has been given 'in principle' support from the Mine Subsidence Board.

Doyalson-Wyee RSL currently provides food and drink outlets, a café, TAB facility, auditorium, poker machines, sub-branch offices, RSL memorabilia and museum display, kids play area and gymnasium. The auditorium provides many forms of entertainment and is available to community groups for monthly meetings, currently over 20 groups utilise this facility.

Future plans for the club will be centred around health associated uses with the recently constructed gymnasium, the Club intends to expand the function room to accommodate for a variety of function types. The Club also intends to add a 'pop-up' library to its entertainment facilities. Currently the Club provides assistance by way of donations, sponsorship and grants to welfare groups, sporting organisations and community groups.



ASSESSMENT

The RE2 Private Recreation zone requested by the proponents, in addition to a wide range of other uses, permits caravan parks and therefore manufactured home estates. Manufactured Home Estates are not defined in the Standard Instrument LEP. State Environmental Planning Policy No 36 – Manufactured Home Estates (SEPP 36) states that, development for the purposes of a MHE may be carried out pursuant to SEPP 36 on any land which development for the purposes of a caravan park may be carried out.

Uses permitted with Council Consent in the RE2 Private Recreation zone

Amusement centres; Boat launching ramps; Boat sheds; Building identification signs; Business identification signs; Camping grounds; Caravan parks; Charter and tourism boating facilities; Community facilities; Emergency services facilities; Entertainment facilities; Environmental facilities; Environmental protection works; Flood mitigation works; Food and drink premises; Function centres; Information and education facilities; Jetties; Kiosks; Marinas; Markets; Mooring pens; Moorings; Recreation areas; Recreation facilities (indoor); Recreation facilities (major); Recreation facilities (outdoor); Registered clubs; Roads; Sewerage systems; Water recreation structures; Water supply systems

Wyong Shire currently has 2669 short term and 3237 long term caravan/MHE sites. As at the 2011 census 1.2% of the total number of occupied dwellings in the Shire consisted of permanent caravan or MHE dwellings.

These housing forms offer lower cost housing options and increase the mix of housing types and choices available for the area. Council has taken a number of actions to minimise the opportunity for further caravan parks / MHE to become a more dominant part of the local housing offer by limiting the creation of additional non tourist caravan parks and MHEs in Wyong Shire. These parks are permissible in the following zones

- R1 General Residential,
- R3 Medium Density Residential,
- SP3 Tourist,
- RE1 Public Recreation,
- RE2 Private Recreation.

State Environmental Planning Policy 36 – Manufactured Home Estates (SEPP 36) allows for the development of MHEs on all sites where caravan parks are permitted. The SEPP also allows for subdivision of MHEs into smaller community title lots i.e. 139 lots in this case. This SEPP provision would override the minimum lot size map of Wyong LEP 2013 if the SEPP is applied, leading to fragmentation of the site. This limits the capacity of the site to achieve the long strategic vision established by the NWSSP. Therefore it is proposed to switch off the SEPP by retaining the RU6 zone and facilitate the MHE use via an additional permitted use provision and minimum subdivision size. This will have effect of precluding subdivision of the site but facilitates the intended use.

Such a provision could be worded as follows:

- (1) This clause applies to land at Doyalson identified as "Item #" on the Additional Permitted Uses Map being Lot 7 DP 240685.

2.1 RZ/4/2015 Rezoning of 100-110 Pacific Highway Doyalson to permit a Manufactured Home Estate (contd)

- (2) Development for the purposes of a Manufactured Home Estate is permitted with development consent.
- (3) The number of home sites is restricted to 139
- (4) No subdivision of the site is permitted
- (5) For the purposes of this clause the following definitions apply

manufactured home means a self-contained dwelling (that is, a dwelling that includes at least 1 kitchen, bathroom, bedroom and living area and that also includes toilet and laundry facilities), being a dwelling:

- (a) that comprises 1 or more major sections that are each constructed, and assembled, away from the manufactured home estate and transported to the estate for installation on the estate, and
- (b) that is not capable of being registered under the Traffic Act 1909, and includes any associated structures that form part of the dwelling.

manufactured home estate means land on which manufactured homes are, or are to be, erected.

PREVIOUS COUNCIL RESOLUTIONS

The matter of caravan parks and MHEs has been considered in the past with Council seeking to limit the creation of further developments of this type

On 26 November 2003 Council resolved:

“That Council records its opposition as a matter of policy to the creation or expansion of further non-tourist caravan parks or manufactured home estates within the shire and requests staff to report on the implementation of such a policy.”

The purpose of this resolution was to restrict the number of permanent sites that could be approved under the provisions of Council’s former Wyong Local Environmental Plan 1991 on land zoned 7(b) Scenic Protection. The resolution also sought to limit conversion of tourist sites to permanent accommodation, which reduced the number of tourist accommodation sites in the Shire.

In December 2012 a report on Planning Controls to Support Housing Affordability & Choice in Wyong Shire was prepared for Council by Judith Stubbs and Associates. This report provided advice on how Wyong Shire can provide more affordable housing and contained 83 recommendations, these recommendations included 9 that directly related to promoting Caravans and Manufactured Homes as affordable housing options.

The report was considered by the Economic Employment Development Committee (EEDC) on 6 November 2013, and none of the recommendations in regard to the promotion of development of Caravan Parks or MHEs as affordable housing were approved. The recommendation of the EEDC was subsequently adopted by Council at its meeting of 27 November 2013.

The resolutions outlined above have been made in the context of low residential growth and in a situation where caravan parks and MHEs were becoming an increasingly prevalent residential housing form. Particularly concerns were raised around the isolation of these sites from key infrastructure and services such as public transport, shopping, medical and social services. These matters have been considered in the assessment of this proposal further below.

KEY ISSUES

An assessment of the rezoning request and relevant studies submitted in its support has been undertaken having regard for the existing features of the land and the potential impacts the proposed future land use may have.

Timing and inconsistency with the North Wyong Shire Structure Plan (NWSSP)

The proposal is inconsistent with the NWSSP as it is proposing residential development on land that has been identified for employment in the long term. The timing of the rezoning of the land for employment purposes will be impacted by future coal extraction. This has an indeterminate timing but is likely to be longer than 15 years.

The assessment concluded that the site could accommodate a MHE in the short term provided that the land has the potential to be used for future employment purposes as identified in the NWSSP once mining has been completed in the area. The proposal does not involve community title subdivision which means that the existing land holding will not be further fragmented. DP&E may also review the mix of residential and employment land requirements in the NWSSP in the future which could mean that the current land use inconsistency can be addressed at that time.

Traffic

The proposal seeks to provide a single access to the Pacific Highway. This will require consultation with Roads and Maritime Services (RMS). The access is proposed to be restricted to single left-in and left-out movements which will minimise conflicts with the through traffic movements along the Pacific Highway. The traffic assessment found that the proposal will have an acceptable impact on the existing road network.

Hydrology

A watercourse is located on part of Lot 7 DP 240685 and drains to the adjoining properties to the north triggering the *Water Management Act 2000*. Consultation with Office of Water will be required should the proposal be supported by Council and receive a positive gateway determination.

Council's flood study does not cover the site and thus it is not mapped as flood prone land. A flood study will be required post gateway determination.

Bushfire

The site is bushfire prone land containing vegetation classified as Category 1 and vegetation buffer. An appropriate sized APZ will be required. A second egress should be provided from the site for emergency vehicle access for bushfire purposes. The utilisation of the proposed pedestrian access to Doyalson-Wyee RSL carpark can accommodate this emergency egress should the site require evacuation. It is therefore recommended that the pedestrian access be constructed to meet fire trail standard for emergency vehicle access. The RFS will be consulted should the proposal be supported by Council and receive a positive gateway determination

Ecology

The site is largely free from native vegetation being a grass paddock and a small amount of native vegetation clearing is required on the land that is designated for the MHE.

Land to the rear of Lot 7 DP 240685 and most of Lot 49 DP 707586 contains native vegetation. As the proposed RE2 Private Recreation zone is proposed to be applied to the entire site, this vegetation could be removed, therefore it is recommended that a flora and fauna study be prepared should the proposal be supported by the gateway.

Social Impact

A Social Impact Assessment (SIA) will be required should the proposal be supported by Council and the gateway panel. This assessment shall include consideration of the existing social context of the area, the likely needs of the future residents, the potential impact and benefits of the proposal including:

- population change,
- access,
- resident mobility,
- proximity to social infrastructure such as access to public transport, community, recreation, health and retail facilities,
- employment opportunities,
- public safety,
- community wellbeing,
- residential amenity,
- linkages between the proposal and the existing community.

An assessment of the direct and indirect social impacts will be required which should consider the cumulative impact of an additional MHE in the district. The report will provide an evaluation of the significance of the impacts and any possible measures to mitigate negative impact and enhance the benefits of the proposal.

Gas Main

A 20 metre gas easement is located adjacent to the southern boundary of Lot 7 DP 240685, safety and hazard risks will be examined should the planning proposal be progressed and the concept can be amended if required. Consultation with the gas service provider can be undertaken during the state agency consultation stage.

Acid Sulphate Soils

A phase 1 Environmental Site Assessment has been prepared to support the planning proposal. This assessment concluded that further investigations should be carried out on certain areas on the site which could be carried out should the proposal be supported by the gateway.

Voluntary Planning Agreement (VPA)

A VPA will be required to be negotiated to ensure the development provides appropriate contribution toward local facilities to support the development. The VPA should include provisions to collect contributions for:

- community facilities,
- district open space,
- emergency vehicle access and
- other matters as necessary.

STRATEGIC CONTEXT AND LINKS**Local Plans, Policies and Strategies**

An assessment of the request and relevant studies submitted in its support has been undertaken having regard for Council's local strategic planning framework.

Wyong LEP 2013

The site was previously zoned 10(a) Investigation Zone under WLEP 1991 and was rezoned to RU6 Transition in 2013 in recognition that the land is identified under the North Wyong Shire Structure Plan (NWSSP) for future industrial use.

The objectives of the RU6 Transition zone are:

- to protect and maintain land that provides a transition between rural and other land uses,
- to minimise conflict between land uses the RU6 zone and land uses within adjoining zones
- to ensure that interim land uses do not have adverse impacts on the conservation or development potential of land identified within the NWSSP.

The RU6 zone was applied to the site to ensure that any development does not potentially sterilise land that has been identified as future employment or residential uses as identified in the NWSSP. The RU6 Transition zone is still the most appropriate zone for the site.

In order to accommodate the development of a MHE on the site the most appropriate mechanism is to use an additional permitted use. This approach remains consistent with the NWSSP.

Settlement Strategy

The Settlement Strategy recognises that there are approximately 3,000 permanent caravan and manufactured home sites in Wyong Shire, comprising 2.1% of all available housing in Wyong shire. The strategy also noted that the majority of residents within the existing MHEs are aged over 55 and considered that MHEs could be a form of affordable housing. The Settlement Strategy encourages the protection of the existing caravan parks and MHEs to ensure that existing affordable housing stock is not reduced.

State Plans, Policies and Strategies

An assessment of the request and relevant studies submitted in its support has been undertaken having regard for the state government strategic planning framework.

Central Coast Regional Strategy (CCRS)

The CCRS establishes that North Wyong is a critical growth area, to help accommodate the growing population of the Central Coast, 16,000 new dwellings are required over the next 15 years, through a variety of housing forms.

Section 4 Centres and Housing requires that consideration be given to the appropriateness of the locations in which residential parks or caravan parks are permissible during preparation of principal LEPs, including their access to services. This review is to have regard to the protection of existing affordable housing stock. In preparation of Wyong LEP 2013 a review was conducted having regard to the protection of existing affordable housing stock and existing caravan parks and manufactured home estates to ensure that they were zoned appropriately to ensure the ongoing permissibility of the existing sites.

Draft Central Coast Regional Plan (DCCRP)

The DCCRP outlines visions, goals and actions geared to growing the regional economy and accelerating housing supply. Direction 1.4 - Accelerate Housing Supply aims to meet the projected demand over the next 20 years with an average of 1,980 new homes per annum required. In addition Action 1.6.1 states that the NSW Government will work with Wyong Shire Council to review the existing staging of land release within the NWSSP area and update as required. This will enable Council to provide advice to the NSW Government on appropriate land uses for this and other sites in this locality.

North Wyong Shire Structure Plan (NWSSP)

Lot 7 DP 240685 is within Precinct 15 of the NWSSP which is identified for future employment land. Subsurface coal mining is yet to occur under the site and the land will not be available to be rezoned for urban purposes until subsidence is complete. As such precinct 15 is identified for long term release which means that the land will not be rezoned before 2027 (15 years from the release of the NWSSP). The NWSSP establishes that Precinct 15 consists of 37 hectares of land and is expected to provide an estimated 259 – 518 additional jobs, Lot 7 is the largest parcel of land within Precinct 15 with 14.7 hectares or almost half the land identified for the Precinct. This proposal could potentially sterilise the southern portion of the precinct for future employment land and it would be best to approach the use as an interim land use until such time that the land is available for employment purposes.

The introduction of a MHE on the site is therefore considered inconsistent with this plan and could impair the future employment potential of the land and neighbouring properties. The inconsistency will be discussed with the DP&E to determine the best course of action to take to resolve this issue.

The Minimum Lot Size map will retain the 40 hectare minimum area to ensure that the site cannot be further subdivided creating fragmented ownership which could cause problems once subsurface mining has been completed under the site.

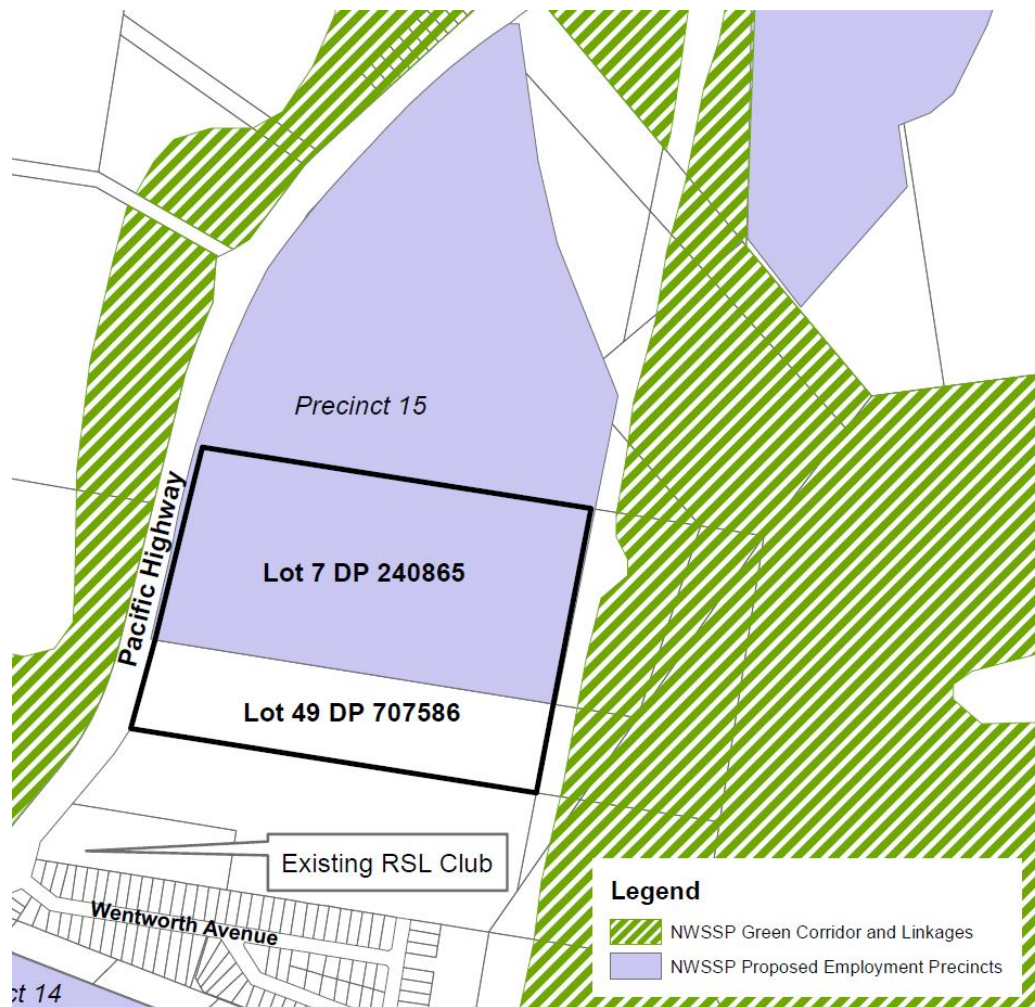


Figure 4 Extract from North Wyong Shire Structure

State Environmental Planning Policies (SEPPs)

The proposal has been assessed having regard for relevant State Environmental Planning Policies (SEPPs).

SEPP 44 – Koala Habitat

The proposed MHE will not involve any significant removal of any native vegetation. Ecological surveys have been undertaken confirming that no Koala were present on the site. The preliminary ecological assessment then concludes that the development is expected to have no impact on any likely koala habitat.

SEPP 55 – Contaminated Land

A phase 1 Environmental Site Assessment was undertaken which concludes that the site may be made suitable for the proposed development subject to further analysis of the impacts from the hydroponics development to the north of the site. Two sites located within the proposed development site require additional investigation which will be required should Council and the gateway support the proposal.

SEPP (Mining, Petroleum and Extractive Industries) 2007

The site is located within the Swansea/North Entrance Mine Subsidence District. Consultation with the Mine Subsidence Board (MSB) has been undertaken by the proponent. The MSB advised that the proposal should not impact on underground mining operations as the modular housing will be founded on stacked blocks and chained down to concrete pad footings which are easily removed should subsidence occur.

The proposed use is considered compatible with the subsidence risks associated with the property and has received 'in principle' concurrence from the MSB.

SEPP 36 – Manufactured Home Estates

A MHE is a form of medium density housing development that allows residents to own or rent manufactured homes on sites leased from the estate.

SEPP 36 has requirements to ensure that MHEs can be approved via a development application in zones where caravan parks are permissible and allows subdivision of the MHEs which is inconsistent with the long term intended use of the land.

The retention of the RU6 zoning of the site switches off the SEPP which means the site cannot be fragmented using the SEPP provisions. The proposed use can be facilitated by an additional permitted use provision.

SEPP (Housing for Seniors or People with a Disability) 2004

The SEPP does not apply to MHEs however consideration to the policy is given in response to the likely higher proportion of over 55 residents. The Settlement Strategy has identified a high proportion of persons aged over 55 are living within existing MHEs in Wyong Shire.

This SEPP establishes a number of provisions for consideration which include distance to:

- shops,
- public transport,
- bank services,
- other retail and commercial services,
- community services,
- recreation facilities,
- practice of a general medical practitioner.

The following brief list provides the approximate distances to some services which can be accessed along public roads from this site:

2.1 RZ/4/2015 Rezoning of 100-110 Pacific Highway Doyalson to permit a Manufactured Home Estate (contd)

- Bus Stop on Pacific Highway – 500m
- Wyong Hospital – approx. 7.9km
- Medical Centre, shops including a supermarket and auto tellers San Remo – 2.5km
- Bank and recreation facilities Budgewoi – 5.9km
- RSL Club, meals and recreation facilities – adjoining

This SEPP may not apply to this development however some of the planning principles should be applied to this development given the large number of persons aged over 55 who typically reside in MHEs.

Section 117 Directions

The proposal has been assessed on a preliminary basis against the relevant Section 117 Ministerial Directions.

The consistency of the proposal against a number of Section 117 Directions has been undertaken. Consistency with Direction 4.1 Acid Sulphate Soils will require further investigation due to the hydroponics development to the north. The inconsistency with Direction 5.1 – Implementation of Regional Strategies must be resolved as the introduction of an MHE on the site is inconsistent with the NWSSP and could impair future employment potential of the land and neighbouring properties. The assessment of Section 117 Directions is included as Attachment 1 to this report.

CONSULTATION

The proposal was referred to the following internal Council units for comment:

- Property Management – Ecology
- Property Management – Bushfire
- Development Assessment - Design Engineering
- Compliance and Health – Public Health
- Compliance and Health – Compliance
- Water and Sewer Planning
- Strategic Development – Section 94

A variety of issues were raised by specialist Council staff concerning the level of supporting information which would be necessary to further advance the planning proposal if it is supported by Council.

OPTIONS

Option 1 Proceed with an amendment to Wyong LEP 2013.

Recommended

Reason:

The development would allow better utilisation of Doyalson-Wyee RSL land holdings and a MHE in this location could provide additional housing choice in the area. It is noted that it would be difficult to encourage the redevelopment of the site for employment purposes once a MHE is developed on the site and underground mining has been completed. However the proposed additional permitted use will allow use of the land as a MHE until such time that underground mining has been completed and the land is ready for employment or other purpose identified in the NWSSP.

A number of issues such as social impact, traffic, site contamination, flooding and bushfire would need to be further addressed should the proposal proceed.

Council will need to revise its policy position from its resolution of 26 November 2003 to provide direction for future proposal of MHEs in the Shire.

Option 2 Refuse the request

Not Recommended

Reason:

If the proposal is not supported, the club will not have an opportunity to generate a commercial return on this part of the site or provide for the orderly and economic development of the land. This area is identified for undermining (to extract coal resources) in the long term. In recognition of this, the Mines Subsidence Board has considered a range of interim development options and in each case has denied concurrence. The mining constraint therefore has the effect of substantially reducing the range of active land uses which are acceptable on the site, until after the undermining has occurred.

The draft Central Coast Regional Plan Action 1.6.1 states that the State government will work with Wyong Council to review the land use and staging of land release areas within the NWSSP. This will enable council to provide advice to the government on appropriate land uses on this and other precincts and identify appropriate areas for industrial and residential development in consideration of the land use constraints (including mining).

Denial of this request will mean that the land remains vacant, until an alternate economic use of the land can be identified.

This may also impact on the range of social support services provided by the club to the community in the Shire's north.

GOVERNANCE**Consideration of s.23A guidelines**

The Chief Executive of the NSW Office for Local Government has issued guidelines titled "*Council Decision Making during Merger Proposal Periods*" pursuant to s.23A(1) of the *Local Government Act 1993* ("LG Act"). The Council must consider those guidelines when making decisions during the "merger proposal period", which commenced on 6 January 2016 and will conclude on the date on which a proclamation is made to amalgamate the Wyong and Gosford local government areas or the Minister for Local Government determines that he will not proceed with the proposal for that amalgamation: s.23A(3) of the LG Act. Councillors have been provided with a copy of those guidelines and have been given advice concerning those guidelines. The decisions that are proposed as part of this report comply with those guidelines.

CONCLUSION

An assessment of the application to Wyong LEP 2013 to permit a MHE on Lot 49 DP 707586 and Lot 7 DP 240685 has been undertaken having regard for the existing strategic framework and the potential impacts the proposed future land use may have on the of the land. The relevant policy resolutions of Council have also been considered.

This assessment has identified that the request has sufficient strategic justification. It is recommended that Council prepare a planning proposal and submit a request for gateway determination.

ATTACHMENTS

- 1 Attachment 1 Ministerial Section 117 Directions D12173257

Ministerial Section 117 Directions

Direction	Comment
Employment & Resources	
1.1 Business & Industrial Zones	
<p>Aims to encourage employment growth in suitable locations, protect employment land in business and industrial zones and to support the viability of identified strategic centres.</p> <p>Applies when a planning proposal affects land within an existing or proposed business or industrial zone.</p>	<p>Applicable</p> <p>The proposal will impact on proposed employment land as identified in the NWSSP.</p> <p>In order to ensure potential future of the proposed employment land it is intended to restrict subdivision of the land by way of applying an additional permitted use of Manufactured Home Estate which will maintain the land in single ownership and retain options for development in the future. This will prevent fragmentation of the site through subdivision but facilitate the intended use.</p> <p>It is therefore considered that the proposal is consistent with this direction.</p>
1.2 Rural Zones	
<p>Aims to protect the agricultural production value of rural land.</p> <p>Applies when a planning proposal affects land within an existing or proposed rural zone.</p>	<p>Applicable</p> <p>The proposal will retain the RU6 Transition zone.</p> <p>The proposal will increase densities on the site however, the objectives of the RU6 Transition Zone within Wyong Local Environmental Plan 2013 is to ensure that land uses do not have an adverse impact on the conservation or development potential of land identified for future investigation in the NWSSP. The proposed MHE will not adversely impact on the development potential of the land for future employment purposes.</p> <p>It is considered that the proposal is consistent with this direction.</p>
1.3 Mining, Petroleum Production and Extractive Industries	
<p>Aims to ensure that the future extraction of State or regionally significant reserves of coal, other minerals, petroleum and extractive materials are not compromised by inappropriate development.</p> <p>Applies when a planning proposal would have the effect of prohibiting the mining of coal or other</p>	<p>Applicable</p> <p>The proponent has had extensive discussions with the MSB on possible uses of the land until subsurface mining is completed. The MSB advised that the proposal is unlikely to impact on underground mining operations as the modular housing will be</p>

Direction	Comment
<p>minerals, production of petroleum, or winning or obtaining of extractive materials, or restricting the potential of development resources of coal, other mineral, petroleum or extractive materials which are of State or regional significance by permitting a land use that is likely to be incompatible with such development.</p>	<p>founded on stacked blocks and chained down to concrete pad footings which are easily removed should subsidence occur.</p> <p>It is therefore considered that the proposal is consistent with this direction.</p>
1.4 Oyster Aquaculture	
<p>Aims to ensure that Priority Oyster Aquaculture Areas and oyster aquaculture outside such an area are adequately considered, and to protect Priority Oyster Aquaculture Areas and oyster aquaculture outside such an area from land uses that may result in adverse impacts on water quality and the health of oysters and consumers.</p> <p>Applies when a planning proposal could result in adverse impacts on a Priority Oyster Aquaculture Areas or current oyster aquaculture lease in the national parks estate or results in incompatible use of land between oyster aquaculture in a Priority Oyster Aquaculture Area or current oyster aquaculture lease in the national parks estate and other land uses.</p>	<p>Not Applicable</p> <p>There are no Priority Oyster Aquaculture Areas within the Wyong LGA.</p>
1.5 Rural Lands	
<p>Aims to protect the agricultural production value of rural land; and facilitate the orderly and economic development of rural lands for rural and related purposes.</p> <p>Applies to local government areas to which State Environmental Planning Policy (Rural Lands) 2008 applies and prepares a planning proposal that affects land within an existing or proposed rural or environment protection zone.</p>	<p>Not Applicable</p> <p>This direction does not apply to the Wyong LGA.</p>
Environment & Heritage	
2.1 Environmental Protection Zones	
<p>Aims to protect and conserve environmentally sensitive areas.</p> <p>Applies when the relevant planning authority prepares a planning proposal.</p>	<p>Applicable</p> <p>The proposed development of the MHE is to be located on land that is cleared of vegetation. The proponent has not indicated that the vegetation occurring on Lot 49 DP 707586 is not intended to be removed. Retaining the RU6 Transition zone ensures that any clearing will be in accordance with <i>Native</i></p>

Direction	Comment
	<p><i>Vegetation Act 2003.</i></p> <p>It is therefore considered that the proposal is consistent with this direction.</p>
2.2 Coastal Protection	
<p>Aims to implement the principles in the NSW Coastal Policy.</p> <p>Applies when a planning proposal applies to land in the coastal zone as defined in the <i>Coastal Protection Act 1979</i>.</p>	Not Applicable.
2.3 Heritage Conservation	
<p>Aims to conserve items, areas, objects and places of environmental heritage significance and indigenous heritage significance.</p> <p>Applies when the relevant planning authority prepares a planning proposal.</p>	<p>Applicable</p> <p>The Additional Permitted Uses Clause will be restricted to the area of the site proposed to contain the MHE. This area is highly disturbed and is generally clear.</p> <p>An Aboriginal Due Diligence Assessment has been conducted and found that the proposal is unlikely to impact on indigenous heritage.</p> <p>It is considered that the proposal is consistent with this direction.</p>
2.4 Recreational Vehicle Areas	
<p>Aims to protect sensitive land or land with significant conservation values from adverse impacts from recreational vehicles.</p> <p>Applies when the relevant planning authority prepares a planning proposal.</p>	<p>Applicable</p> <p>The proposal does not seek to enable development for recreational vehicle use. It is therefore considered that the proposal is consistent with this direction.</p>
Housing, Infrastructure and Urban Development	
3.1 Residential Zones	
<p>Aims to encourage a variety and choice of housing types to provide for existing and future housing needs, to make efficient use of existing infrastructure and services and ensure that new housing has appropriate access to infrastructure and services, and to minimise the impact of residential development on the environmental and resource lands.</p> <p>Applies when a planning proposal affects land within</p>	<p>Applicable</p> <p>The proposal will broaden the choice of housing types in the area, reduce the uptake of land for housing on the urban fringe.</p> <p>It is considered that the proposal is consistent with this direction.</p>

Direction	Comment
an existing or proposed residential zone, and any other zone in which significant residential development is permitted or proposed to be permitted.	
3.2 Caravan Parks and Manufactured Home Estates	
<p>Aims to provide for a variety of housing types and provide opportunities for caravan parks and manufactured home estates.</p> <p>Applies when the relevant planning authority prepares a planning proposal.</p>	<p>Applicable</p> <p>The provision of an Additional Permitted Use of a MHE provides the opportunity to develop this type of housing on part of the site.</p> <p>Additional studies will be required including a Social Impact Assessment which will include consideration of the cumulative impacts on other MHEs in the locality.</p> <p>The proposal is in conflict with this direction as it prevents subdivision of individual MHE sites. The inconsistency with this direction can be justified as the site is within the NWSSP area (a strategy approved by the Director-General of the Department of Planning) and has been identified for future employment.</p> <p>It is considered that consistency with this direction will require approval of the Director-General.</p>
3.3 Home Occupations	
<p>Aims to encourage the carrying out of low impact small business in dwelling houses.</p> <p>Applies when the relevant planning authority prepares a planning proposal.</p>	<p>Applicable</p> <p>Retention of the RU6 zone ensures that home occupations remain permissible with development consent.</p> <p>It is considered that the proposal is consistent with this direction</p>
3.4 Integrating Land Use & Transport	
<p>Aims to ensure that urban structures, building forms, land use locations, development designs, subdivision and street layouts to achieve: improving access to housing, jobs and services by walking, cycling and public transport; increasing choice of available transport and reducing transport on cars; reducing travel demand; supporting efficient and viable public transport services; and provide for efficient</p>	<p>Not Applicable</p> <p>The proposal does not intend to alter or remove a zone or provision relating to urban land.</p>

Direction	Comment
<p>movement of freight.</p> <p>Applies when a planning proposal creates alters or moves a zone or provision relating to urban land, including land zoned for residential, business, industrial, village or tourist purposes.</p>	
3.5 Development Near Licensed Aerodromes	
<p>Aims to ensure the effective and safe operation of aerodromes, their operation is not compromised by development which constitutes an obstruction, hazard or potential hazard to aircraft flying in the vicinity, development for residential purposes or human occupation (within the ANEF contours between 20 & 25) incorporates appropriate mitigation measures so that the development is not adversely affected by aircraft noise.</p> <p>Applies when a planning proposal creates, alters or removes a zone or provision relating to land in the vicinity of a licensed aerodrome.</p>	<p>Not Applicable</p> <p>The proposal does not intend to alter or remove a zone or provision relating to land in the vicinity of a licenced aerodrome.</p>
3.6 Shooting Ranges	
<p>Aims to maintain appropriate levels of public safety and amenity when rezoning land adjacent to an existing shooting range, to reduce land use conflict arising between existing shooting ranges and rezoning of adjacent land, and to identify issues that must be addressed when giving consideration to rezoning land adjacent to an existing shooting range.</p> <p>Applies when a relevant planning authority prepares a planning proposal that will affect, create, alter or remove a zone or a provision relating to land adjacent to and/ or adjoining an existing shooting range.</p>	<p>Not Applicable</p> <p>The proposal is not on land adjacent or adjoining an existing shooting range.</p>
Hazard & Risk	
4.1 Acid Sulfate Soils	
<p>Aims to avoid significant adverse environmental impacts from the use of land that has a probability of containing acid sulfate soils.</p> <p>Applies when a planning proposal applies to land having a probability of containing acid sulfate soils on the Acid Sulfate Soils Planning Maps.</p>	<p>Applicable</p> <p>The site is classified type 5 ASS under Wyong LEP 2013 as it within 500 metres of area known to have 'low probability' of ASS.</p> <p>A phase 1 Environmental Site Assessment has been prepared to support the planning proposal (a copy of the report is provided in the 'supporting documents'</p>

Direction	Comment
	<p>section of the planning proposal). This assessment concluded that further investigations should be carried out on certain areas on the site. The assessment could be conducted should the proposal be supported by the gateway.</p> <p>Consistency with this direction will depend upon the results of further investigations.</p>
4.2 Mine Subsidence & Unstable Land	
<p>Aims to prevent damage to life, property and the environmental on land identified as unstable or potentially subject to mine subsidence.</p> <p>Applies when a planning proposal permits development on land which is within a mine subsidence district, or identified as unstable in a study or assessment undertaken by or on behalf of the relevant planning authority or other public authority and provided to the relevant planning authority.</p>	<p>Applicable</p> <p>The site is located within a proclaimed mine subsidence district. The proponent has had extensive discussions with the MSB on possible uses of the land until subsurface mining is completed. The MSB advised that the proposal should not impact on underground mining operations as the modular housing will be founded on stacked blocks and chained down to concrete pad footings which are easily removed should subsidence occur (a copy of the correspondence with MSB is provided in the 'supporting documents' section of the planning proposal).</p> <p>It is therefore considered that the proposal is consistent with this direction.</p>
4.3 Flood Prone Land	
<p>Aims to ensure: development on flood prone land is consistent with NSW Government's Flood Prone Land Policy and principles of the Floodplain Development Manual 2005; and provisions of an LEP on flood prone land are commensurate with flood hazard and include consideration of the potential flood impacts both on and off the subject land.</p> <p>Applies when a planning proposal creates, removes or alters a zone or provision that affects flood prone land.</p>	<p>Applicable</p> <p>A watercourse is located on that part of Lot 7 DP 240685 which flows to the adjoining land to the north. Council's flood study does not cover this site and therefore is not mapped as flood prone land. A flood study will be required should the proposal be supported by the gateway. The study will determine the extent of the floodway and flood prone land.</p> <p>Consistency with this direction will be confirmed once the outcomes of the flood study are provided.</p>
4.4 Planning for Bushfire Protection	

Direction	Comment
<p>Aims to protect life, property and the environment from bushfire hazards, and encourage sound management of bushfire prone areas.</p> <p>Applies when a planning proposal affects or is in proximity to land mapped as bushfire prone land.</p>	<p>Applicable</p> <p>The site contains vegetation buffer and Category 1 Vegetation. A Bushfire Threat Assessment was carried out which concluded that the site is suitable for the development of a MHE on the condition that bushfire protection measures such as appropriate APZ, vehicular access, construction standards and landscaping are provided.</p> <p>The utilisation of the proposed pedestrian access to Doyalson-Wyee RSL Club can accommodate emergency egress should the site require evacuation, this can be formalised through the VPA.</p> <p>It is considered that the proposal is consistent with this direction.</p>
Regional Planning	
5.1 Implementation of Regional Strategies	
<p>Aims to give legal effect to the vision, land use strategy, policies, outcomes and actions contained within regional strategies.</p> <p>Applies when the relevant planning authority prepares a planning proposal that is located on land addressed within the Far North Regional Strategy, Lower Hunter Regional Strategy, Central Coast Regional Strategy, Illawarra Regional Strategy & South Coast Regional Strategy.</p>	<p>Applicable.</p> <p>Section 4 Centres and Housing of the CCRS requires Councils to consider the appropriateness of the locations in which residential parks or caravan parks are permissible during preparation of principal LEPs, including their access to services. This review is to have regard for protection of existing affordable housing stock. In preparation of Wyong LEP 2013 a review was conducted having regard to the protection of existing affordable housing stock and existing caravan parks and manufactured home estates were zoned appropriately to ensure the ongoing permissibility of the existing sites. This use is considered consistent with the objective of providing a range of additional housing options.</p> <p>The introduction of a MHE on the site is however inconsistent with the NWSSP Precinct 15 'industrial purpose' classification and could impair the future employment potential of the land and neighbouring properties.</p> <p>This inconsistency will be discussed with the DP&E to</p>

Direction	Comment
	determine a solution to allow the proposal to continue until mine subsidence issues on the site are resolved.
5.2 Sydney Drinking Water Catchments	
<p>Aims to protect water quality in the hydrological catchment.</p> <p>Applies when a relevant planning authority prepares a planning proposal that applies to Sydney's hydrological catchment.</p>	<p>Not Applicable.</p> <p>The proposal is not located within Sydney's hydrological catchment.</p>
5.3 Farmland of State and Regional Significance on the NSW Far North Coast	
<p>Aims to: ensure that the best agricultural land will be available for current and future generations to grow food and fibre; provide more certainty on the status of the best agricultural land, assisting councils with strategic settlement planning; and reduce land use conflict arising between agricultural use and non-agricultural use of farmland caused by urban encroachment into farming areas.</p> <p>Applies to Ballina, Byron, Kyogle, and Tweed Shire Councils, Lismore City Council and Richmond Valley Council.</p>	<p>Not Applicable.</p> <p>The proposal is not located within the Far North Coast Region.</p>
5.4 Commercial and Retail Development along the Pacific Highway, North Coast	
<p>Aims to manage commercial and retail development along the Pacific Highway, North Coast.</p> <p>Applies to all councils between and inclusive of Port Stephens and Tweed Shire Councils.</p>	<p>Not Applicable.</p> <p>The proposal is not located between Port Stephens and Tweed Shire Councils.</p>
5.8 Second Sydney Airport: Badgerys Creek	
<p>Aims to avoid incompatible development in the vicinity of any future second Sydney Airport at Badgerys Creek.</p> <p>Applies to land located within the Fairfield, Liverpool and Penrith City Council and Wollondilly Shire Council Local Government Areas.</p>	<p>Not Applicable.</p> <p>The proposal is not located within the Fairfield, Liverpool and Penrith City Council or Wollondilly Shire LGA.</p>
Local Plan Making	
6.1 Approval and Referral Requirements	
<p>Aims to ensure that LEP provisions encourage the efficient and appropriate assessment of development.</p>	<p>Applicable</p> <p>The planning proposal does not seek to include</p>

Direction	Comment
Applies when the relevant planning authority prepares a planning proposal.	provisions which require concurrence from other agencies.
6.2 Reserving Land for Public Purposes	
<p>Aims to facilitate the provision of public services and facilities by reserving land for public purposes, and facilitate the removal of reservations of land for public purposes where land is no longer required for acquisition.</p> <p>Applies when the relevant planning authority prepares a planning proposal.</p>	<p>Not Applicable</p> <p>The proposal does not seek to alter or create land for public purposes.</p>
6.3 Site Specific Provisions	
<p>Aims to discourage unnecessarily restrictive site specific planning controls.</p> <p>Applies when the relevant planning authority prepares a planning proposal to allow particular development to be carried out.</p>	<p>Applicable</p> <p>In order prevent the fragmentation of ownership it is intended to apply an Additional Permitted Use to Schedule 1 of WLEP 2013 to permit a MHE with development consent on part of Lot 7 DP 240685. Retention the existing RU6 Transition zone and the minimum lot size of 40 hectares will switch off State Environmental Planning Policy 36 ensuring no subdivision the land can occur which in turn will ensure that the land remains in single ownership and opportunities to develop in accordance with the NWSSP can be facilitated.</p> <p>It is therefore considered the proposal is consistent with this Direction.</p>
Metropolitan Planning	
7.1 Implementation of A Plan for Growing Sydney	
Aims to give legal effect to the planning principles, directions and priorities for sub regions, strategic centres and transport gateways contained in A Plan for Growing Sydney	<p>Not Applicable.</p> <p>This Direction does not apply to Wyong LGA.</p>
7.2 Implementation of Greater Macarthur Land Release Investigations	
Aims to ensure development within the Greater Macarthur Land Release Investigation Area is consistent with the Greater Macarthur Land Release Preliminary Strategy and Action Plan.	<p>Not Applicable.</p> <p>This Direction does not apply to Wyong LGA.</p>

2.2 RZ/7/2015 Rezoning of 171-175 Sparks Road Halloran to expand the IN1 General Industrial Zone

TRIM REFERENCE: RZ/7/2015 - D12174459

MANAGER: Tanya O'Brien, Manager

AUTHOR: Chris Ferry; Strategic Planner

SUMMARY

Council is in receipt of a request to amend Wyong Local Environmental Plan (WLEP) 2013 by rezoning a small portion of land directly south of the existing industrial development at 171-175 Sparks Road Halloran. The proposal seeks to rezone part of the site from E2 Environmental Conservation to IN1 General Industrial to facilitate expansion of the current industrial uses on the site.

An assessment of the request has been undertaken, which identifies that there is sufficient strategic justification for Council to initiate the rezoning process by preparing a Planning Proposal and referring it to the Department of Planning and Environment (DP&E) for a gateway determination.

Proponent:	Trehy Ingold Neate for HTH Holdings Pty Ltd
Owners:	HTH Holdings Pty Ltd
Description of Land:	Lot 1 DP 796730
Address:	171-175 Sparks Road Halloran
Site Area:	12.96ha – Proposed area to be rezoned 2.07ha
Current Zoning:	E2 Environmental Conservation
Proposed Zoning:	IN1 General Industrial
Existing Use:	Vacant Land
Employment Generation:	Approximately 40

RECOMMENDATION

- 1 That Council prepare a Planning Proposal to amend Wyong Local Environmental Plan 2013, pursuant to Section 55 of the Environmental Planning and Assessment (EP&A) Act 1979 to enable the rezoning of part of Lot 1 DP 796730 (171-175 Sparks Road Halloran) to the IN1 General Industrial zone.**
- 2 That Council forward the Planning Proposal to the Department of Planning and Environment (DP&E) accompanied by a request for a gateway determination, pursuant to Section 56 of the EP&A Act 1979.**
- 3 That Council request the Acting Chief Executive Officer to apply to accept plan making delegations for the LEP Amendment.**
- 4 That Council undertake community and government agency consultation in accordance with the requirements of the gateway determination.**

5 That Council consider a further report on results of the community consultation.

BACKGROUND

HTH Holdings Pty Ltd (the land owner) own approximately 23.6 hectares of land located at 171-175 Sparks Road Halloran which consist of Lot 1 DP 796730, Lot 2 DP 796730, Lot 7 DP 239691, and Lot 74 DP 755245. Lot 1 DP 793760 is currently zoned part E2 Environmental Conservation and part IN1 General Industrial and the industrial portion is developed with an industrial building and related hardstand.

The landowner has identified a portion of the site adjoining the industrial land which the proponent claims has development potential (the triangle portion). The triangle portion is currently zoned E2 Environmental Conservation and is intended to be rezoned to increase the IN1 General Industrial zoned land in the locality. Figure 1 provides the current ownership and land zonings for the site.

Two long term tenants who employ approximately 100 people occupy the existing building that adjoins site to be rezoned. In order to cater for increased business demand the tenants require additional industrial land to increase their business operations. The proposed IN1 General Industrial zone will facilitate this expansion and seek retain these local employers in the shire.

The site was previously zoned 10(a) Investigation under Wyong LEP 1991 as it was identified as a precinct 13 as part of the draft Sydney Regional Environmental Plan – Wyong Development Areas and Coal Mining. In 2008 SEPP (Major Development) – Amendment 21 was introduced which rezoned the land E2 Environmental Conservation zone due to the placement of a water quality and water quantity facility proposed by the previous Porters Creek Water Cycle Management Strategy. This zone was adopted for Wyong LEP 2013.

The land owner has had extensive consultation with Council since 2005 with regard to the zoning of the site including proposing it to be rezoned for industrial purposes. Until the issue with the placement of the water quality and water quantity could be resolved no action could be taken in regard to rezoning the site for industrial purposes.



Figure 1 Current Land Ownership and Zoning

Part of Lot 1 DP 796730 and Lot 74 DP 755245 are currently being leased by two long term tenants who occupy the existing building and adjoining land.

THE SITE

The area proposed to be rezoned is a triangular portion of land contained within Lot 1 DP 796730 and located off Mountain Road within the Wyong Employment Zone (WEZ). The part of the site proposed to be rezoned adjoins industrially zoned land, contains a small portion of River Flat Forest Endangered Ecological Community (EEC) vegetation and a portion is located below the 1% flood level. Figure 2 shows the location of the site and existing land uses.



Figure 2 – Site Location and Land Uses

THE PROPOSAL

The Planning Proposal seeks to rezone 2.07 hectares known as the 'triangle' site from E2 Environmental Conservation under Wyong Local Environmental Plan 2013 (WLEP) to IN1 General Industrial, to allow the range of land uses permitted under to the IN1 zone to facilitate expansion of the existing long term uses.

The applicant's intention is to rezone the area known as the 'triangle' to IN1 General Industrial to expand the available industrial zoned land on the site which adjoins the leased area, and which has development potential.

ASSESSMENT OF KEY ISSUES

An assessment of the rezoning request and relevant studies submitted in its support have been undertaken having regard for the existing features of the land and the potential impacts the proposed future land use may have.

Hydrology and Flooding

Part of the area proposed to be rezoned to IN1 General Industrial is impacted by the 1% flood level, figure 3 shows the extent.

The triangle site has previously been identified for a constructed wetland under Porters Creek Stormwater Harvesting Scheme (PCSHS). The PCSHS is currently being reviewed by consultants with a view to reducing the extent and cost of the scheme while achieving stormwater retention and water quality targets. The preliminary review undertaken by Council's consultants' BMT WBM confirms that the whole site is not required for stormwater treatment infrastructure in this catchment. Therefore a portion of the site could be rezoned for development noting that alternative water quality facilities will be required to be provided.

Should the planning proposal be supported by Council, the proponent will be requested to provide detail of the final location and quantum of the revised stormwater infrastructure in order to facilitate the rezoning. This is to be confirmed through a flood study to which examines the extent of fill required to progress the proposal post gateway. The investigations should also explore any impacts the filling would create to adjoining properties.

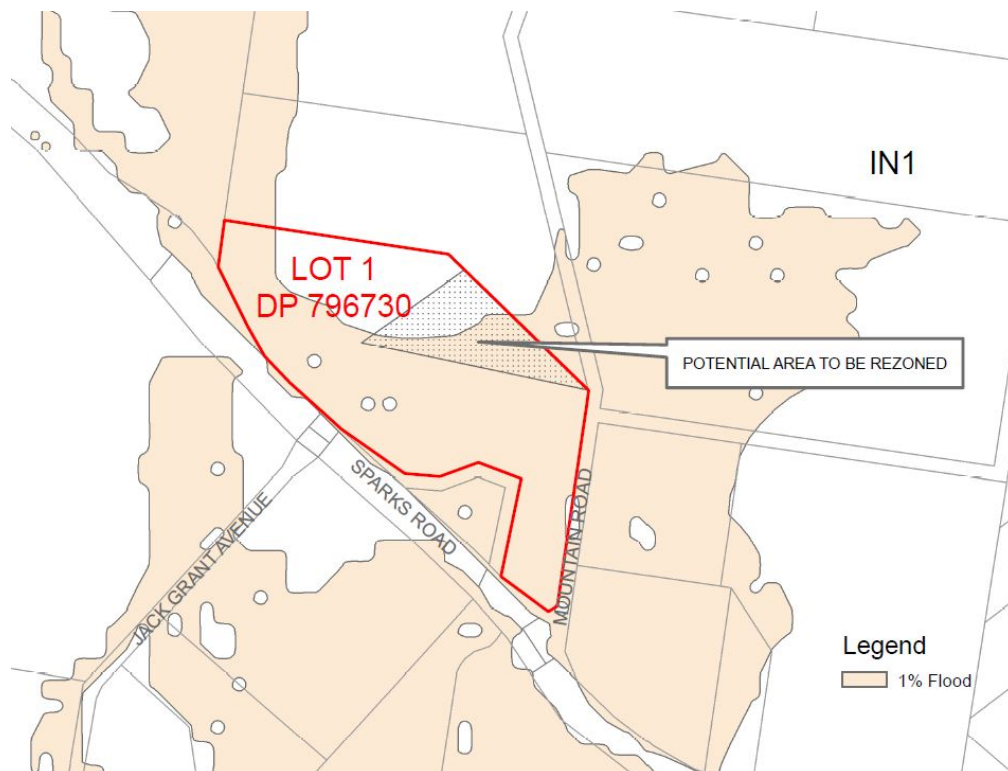


Figure 3 1% flood levels

Bushfire

The site is bushfire prone containing vegetation Category 1 and vegetation buffer. There are minimal setbacks required for industrial developments, and by their nature they are usually fire resistant type buildings (concrete tilt-up, colourbond etc) or have large setbacks adjacent to the bush used for storage, truck parking etc. The RFS will be consulted should the proposal be supported by Council and receive a positive gateway determination to determine width and location of APZ. Figure 4 is an extract from the bushfire prone land map.

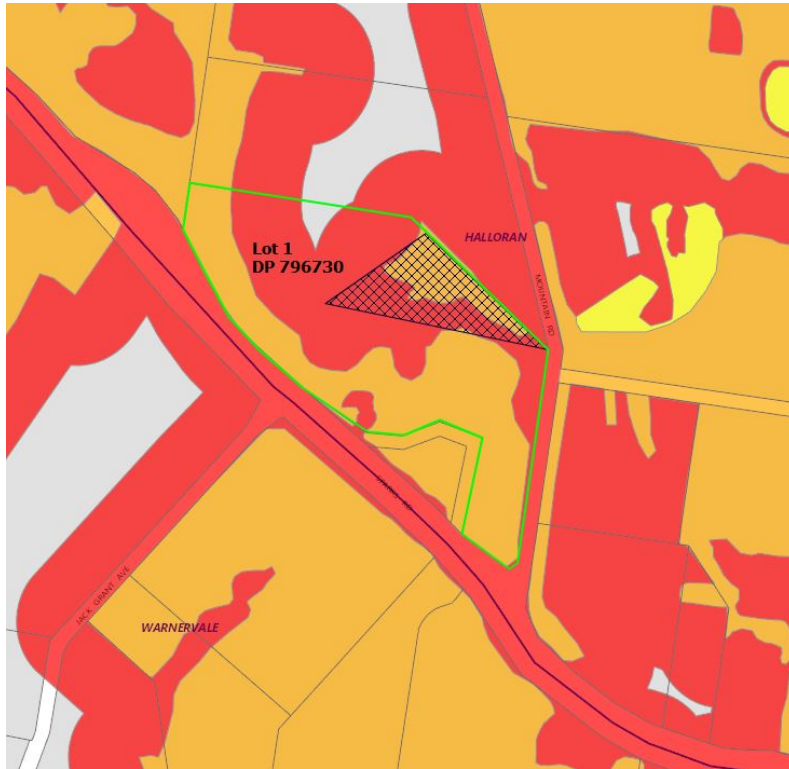


Figure 4 Bushfire Prone Land Map

Ecology

The ecological assessment by Parsons Brinkerhoff in 2008 mapped the extent vegetation on the site. The assessment identified 4.55 hectares of River Flat Forest EEC on the site and that approximately 1800 square metres will be impacted by the proposed IN1 General Industrial Zone. No other EECs were identified on the site which has highly disturbed regenerating vegetation. Figure 5 shows the extent of the EEC and the impact within the triangle site. The ecological assessment would be updated post gateway to reflect the current flora and fauna conditions on the site and discuss potential offsetting options.

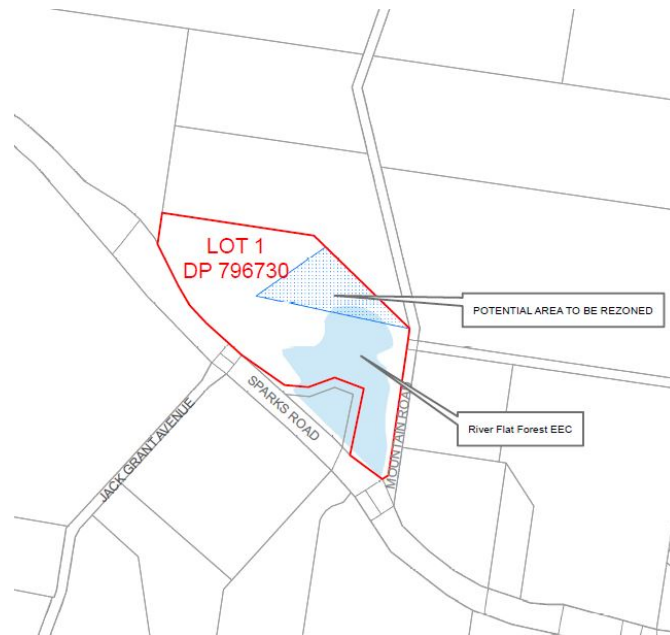


Figure 5 River Flat Forest EEC – Extract from

The 1800 square metre portion of land which contains EEC may need to be excluded from the proposed rezoning to IN1 General Industrial Zone if loss of the vegetation is unable to be offset. The E2 Environmental Conservation Zone may be the most appropriate zone for this portion of the site in that case. Therefore it is recommended that the final location of the zone boundaries will be determined after agency consultation and the revised studies have been provided.

ASSESSMENT

The proposal to rezone part of the site to IN1 General Industrial has merit on condition that that the proponent can provide suitable alternative onsite stormwater retention, ensure the protection to the EEC located within the triangle by retaining the E2 Environmental Conservation Zone on part of the site and plan for appropriate APZ setbacks. Should the proposal be supported by Council and receive a positive gateway determination the following additional information will be requested from the proponent:

- A development concept to determine the ultimate redevelopment plan for the site which includes appropriate APZ.
- Updated ecological assessment as part of the site contains the River Flat Forest EEC as the study provided by the proponent is 8 years old.
- Revised hydrological study to determine the most appropriate location for re-siting of the water quality treatment facility and water quality detention.
- Revised flood study to determine if any filling of the triangle will impact on other properties.

STRATEGIC CONTEXT AND LINKS

Local Plans, Policies and Strategies

An assessment of the request and relevant studies submitted in its support has been undertaken having regard for Council's local strategic planning framework.

Wyong LEP 2013

Lot 1 DP 793760 is proposed to be zoned part IN1 General Industrial and part E2 Environmental Conservation. The proposal is consistent with several objectives of the LEP including:

- to foster economic, environmental and social well being so that Wyong continues to develop as a sustainable and prosperous place to live, work and visit,
- to encourage a range of housing, employment, recreation, human services and appropriately located tourism-related development in Wyong to meet the existing and future needs of residents and visitors,
- to conserve, protect and enhance the environmental and cultural heritage (both indigenous and non-indigenous) values of Wyong,

The purpose of the E2 zone is to:

- To protect, manage and restore areas of high ecological, scientific, cultural or aesthetic values.
- To prevent development that could destroy, damage or otherwise have an adverse effect on those values.
- To protect endangered ecological communities, coastal wetlands and littoral rainforests.
- To enable development of public works and environmental facilities if such development would not have a detrimental impact on ecological, scientific, cultural or aesthetic values.

In respect of this site the current zoning seeks to protect known EECs occurring in the riparian corridor along Buttonderry Creek.

The purpose of the IN1 General Industrial Zone is to:

- To provide a wide range of industrial and warehouse land uses.
- To encourage employment opportunities.
- To minimise any adverse effect of industry on other land uses.
- To support and protect industrial land for industrial uses.
- To enable other land uses that provide facilities or services to meet the day-to-day needs of workers in the area.

Settlement Strategy

The Settlement Strategy includes considerations such as supporting and encouraging opportunities for employment generating industries. The current land use provides approximately 100 local jobs. The proposed expansion of the IN1 General Industrial zone will allow these industries to create additional jobs in the area. Based on typical job numbers for industrial land of 20 jobs per hectare the increase of 2 hectares would equate to an additional 40 local jobs.

Wyong Development Control Plan 2013

Chapter 2.12 – Industrial Development currently applies to all industrial land and provides controls to deal with developments that are anticipated as part of this planning proposal. A draft DCP Chapter for the WEZ is being developed, to provide guidance for land owners and developers to develop land in the WEZ. This draft chapter is proposed to be finalised when land use strategies in the area have been determined.

Section 94 Contributions

The Warnervale District Contributions Plan is currently collecting for drainage and water quality facilities, road and traffic management including the upgrade of Mountain Road with a new bridge over Buttonderry Creek and intersection upgrades along Sparks Road in the vicinity of the WEZ. The proponent will be required to provide an alternate stormwater management facility in and altered configuration to the one originally shown by the WEZ Integrated Water Cycle Management, a VPA would not be required as this will be included as a development requirement for any future development of the site.

State Plans, Policies and Strategies

An assessment of the request and relevant studies submitted in its support has been undertaken having regard for the state government strategic planning framework.

Central Coast Regional Strategy (CCRS)

The CCRS promotes regional employment self-containment, furthermore, the CCRS encourages the investigation of options to expand existing employment nodes to ensure future development on employment lands is not fragmented. Increasing the IN1 General Industrial zone for this site will assist in providing additional employment and will negate any fragmentation of the employment land.

Draft Central Coast Regional Plan

The draft Central Coast Regional Plan (dCCRP) intends the WEZ to provide a range of diverse employment activity in the future and provide for up to 6,000 jobs. It is identified as the main economic gateway for the northern half of the Central Coast region. The proposal has the potential of providing additional employment land which is in accordance with Direction 2.6 *Enhance the Warnervale Employment Lands* of the dCCRP.

Special Infrastructure Contribution (SIC)

A SIC applies to the WEZ at a rate of \$70,945 per net development hectare. This will apply to any new development on the site.

State Environmental Planning Policies (SEPPs)

The proposal has been assessed having regard for relevant State Environmental Planning Policies (SEPPs).

SEPP 44 – Koala Habitat

The ecological assessment by Parsons Brinkerhoff (2008) did not identify any koala present on the site and no habitat trees were recorded in the area. Therefore it is considered that the proposal will not impact on koala habitat.

SEPP 55 – Contaminated Land

The Phase 1 Contamination Assessment by Coffey Geosciences concluded that no areas of environmental concern were identified that would impact on the proposed industrial development of the south east precinct of the WEZ. Due to previous land uses on the site to the north for brick manufacturing the assessment recommended that a phase 2 Environmental Site Assessment should be carried out during development of the land. The site is considered suitable for industrial uses.

Section 117 Directions

The proposal has been assessed against relevant Section 117 Ministerial Directions.

The consistency of the proposal against a number of Section 117 Directions is subject to the outcomes of a number of additional or updated studies including an updated ecological assessment, revised stormwater management study and a revised flood assessment will be required to be undertaken by the proponent.

The proposal is generally consistent with the Directions with minor exceptions to the following:

2.1 Environmental Protection Zones – The applicant seeks to rezone the whole triangle site to IN1 General Industrial which would impact on 1800 square metres of EEC, and this would be inconsistent with this direction. It is instead recommended that this boundary be confirmed following a flora and fauna study. The zone boundary is to be adjusted accordingly to minimise impact on the EEC, thereby achieving consistency with the 117 direction.

4.1 Acid Sulphate Soils –The Phase 1 Contamination and Acid Sulphate Soil Assessment by Coffey Geosciences identified Lot 1 DP 796730 as potential Acid Sulphate Soil (ASS). The report recommended that an ASS assessment be carried out prior to any significant works that could disturb the subsurface profile. This is a matter that can adequately be dealt with during DA stages. These actions will provide consistency with this 117 direction.

4.3 Flood Prone Land – the triangle site is impacted by the 1% flood level and is within Flood Precinct 3 – Flood Storage and Precinct 4 High Hazard. Should the proposal be supported the proponent will be required to prepare a flood study to determine the location of zone boundaries, the extent of fill required to progress the proposal and any impacts the filling may have on downstream properties.

CONSULTATION

The proposal was referred to the following internal Council units for comment:

2.2 RZ/7/2015 Rezoning of 171-175 Sparks Road Halloran to expand the IN1 General Industrial Zone (contd)

- Property Management – Ecology
- Property Development – Airport Development and Operations
- Property Development – Transportation
- Development Assessment – Design Engineering
- Waterways and Asset Management
- Contracts and Project Management
- Senior Planner – Natural Environmental Assets
- Property Development - Contributions

Specialist Council staff concur that the proposal has merit and identified that additional supporting information would be necessary to further advance the planning proposal if it is supported by Council. The issues raised have been discussed earlier in this report.

Should the proposal receive a positive gateway determination, community and agency consultation will be in accordance with that determination.

OPTIONS

Option 1 Proceed as proposed

Not Recommended

It would not be considered prudent to rezone the entire triangle to IN1 General Industrial as it contains constraints such as EEC, flooding, water quality and water quantity infrastructure facilities. In order to ensure these constraints are managed appropriately, the proposed zone boundaries should be modified to reflect the revised studies and agency consultation.

Option 2 Proceed with the request (with amendments)

Recommended

Reason:

A portion of the site (particularly the northern part) is capable of being developed without substantial impacts. Constraints such as EEC, flooding, water quality, water quantity and bushfire can be managed on-site through planning controls. Zone boundaries will need to be verified following consideration of revised studies and consultation. The development of the 'triangle' site could stimulate development of additional employment land within the WEZ and is therefore supported.

Option 3 Refuse the request

Not Recommended

Reason:

The site is acknowledged to have some development potential, if the proposal is not supported, the land owner will not have an opportunity to generate a commercial return on this part of the site. The review undertaken to date establishes that the site has some development potential (to be confirmed through further studies) and that there is no need for the whole triangle area to be retained within the E2 Environmental Conservation zone. In order to protect the riparian corridor along Buttonderry Creek it is proposed to retain the E2 Environmental Conservation zone in that area.

The proposal seeks to support expansion of employment generating uses while appropriately protecting environmental outcomes on the site. The rezoning should be progressed to facilitate orderly and economic development of the site in accordance with the objectives of the EP&A Act 1979.

GOVERNANCE

Consideration of s.23A guidelines

The Chief Executive of the NSW Office for Local Government has issued guidelines titled "*Council Decision Making during Merger Proposal Periods*" pursuant to s.23A(1) of the *Local Government Act 1993* ("LG Act"). The Council must consider those guidelines when making decisions during the "merger proposal period", which commenced on 6 January 2016 and will conclude on the date on which a proclamation is made to amalgamate the Wyong and Gosford local government areas or the Minister for Local Government determines that he will not proceed with the proposal for that amalgamation: s.23A(3) of the LG Act. Councillors have been provided with a copy of those guidelines and have been given advice concerning those guidelines. The decisions that are proposed as part of this report comply with those guidelines.

CONCLUSION

An assessment of the application to rezone land at 171-175 Sparks Road Halloran to increase the IN1 General Industrial zone has been undertaken having regard for the existing strategic framework and the potential impacts of the proposed future land use.

This assessment has identified that the request has sufficient strategic justification and it is recommended that Council prepare a planning proposal in relation to the rezoning request.

ATTACHMENTS

- 1 Attachment 1 Ministerial Section 117 Directions D12180511

Ministerial Section 117 Directions

Direction	Comment
Employment & Resources	
1.1 Business & Industrial Zones	
<p>Aims to encourage employment growth in suitable locations, protect employment land in business and industrial zones and to support the viability of identified strategic centres.</p> <p>Applies when a planning proposal affects land within an existing or proposed business or industrial zone.</p>	<p>Applicable</p> <p>The proposal intends to increase an existing industrial zone but does not affect land within an existing or proposed business or industrial zone.</p> <p>It is therefore considered that the proposal is consistent with this direction.</p>
1.2 Rural Zones	
<p>Aims to protect the agricultural production value of rural land.</p> <p>Applies when a planning proposal affects land within an existing or proposed rural zone.</p>	<p>Not Applicable</p> <p>The planning proposal does not intend to alter or impact an existing or proposed rural zone.</p>
1.3 Mining, Petroleum Production and Extractive Industries	
<p>Aims to ensure that the future extraction of State or regionally significant reserves of coal, other minerals, petroleum and extractive materials are not compromised by inappropriate development.</p> <p>Applies when a planning proposal would have the effect of prohibiting the mining of coal or other minerals, production of petroleum, or winning or obtaining of extractive materials, or restricting the potential of development resources of coal, other mineral, petroleum or extractive materials which are of State or regional significance by permitting a land use that is likely to be incompatible with such development.</p>	<p>Not Applicable</p> <p>The proposal will not prohibit or restrict potential development of coal or other minerals, production of petroleum or extractive minerals.</p>
1.4 Oyster Aquaculture	
<p>Aims to ensure that Priority Oyster Aquaculture Areas and oyster aquaculture outside such an area are adequately considered, and to protect Priority Oyster Aquaculture Areas and oyster aquaculture outside such an area from land uses that may result in adverse impacts on water quality and the health of oysters and consumers.</p> <p>Applies when a planning proposal could result in adverse impacts on a Priority Oyster Aquaculture Areas or current oyster aquaculture lease in the</p>	<p>Not Applicable</p> <p>There are no Priority Oyster Aquaculture Areas within the Wyong LGA.</p>

Direction	Comment
national parks estate or results in incompatible use of land between oyster aquaculture in a Priority Oyster Aquaculture Area or current oyster aquaculture lease in the national parks estate and other land uses.	
1.5 Rural Lands	
<p>Aims to protect the agricultural production value of rural land; and facilitate the orderly and economic development of rural lands for rural and related purposes.</p> <p>Applies to local government areas to which State Environmental Planning Policy (Rural Lands) 2008 applies and prepares a planning proposal that affects land within an existing or proposed rural or environment protection zone.</p>	<p>Not Applicable</p> <p>This Direction does not apply to the Wyong LGA.</p>
Environment & Heritage	
2.1 Environmental Protection Zones	
<p>Aims to protect and conserve environmentally sensitive areas.</p> <p>Applies when the relevant planning authority prepares a planning proposal.</p>	<p>Applicable</p> <p>1800 sq metres of River Flat Forest EEC will be impacted by the proposal. It is intended to exclude this area from the IN1 General Industrial Zone and retain the E2 Environmental Conservation Zone over this area.</p> <p>It is therefore considered that the proposal will be consistent with this direction.</p>
2.2 Coastal Protection	
<p>Aims to implement the principles in the NSW Coastal Policy.</p> <p>Applies when a planning proposal applies to land in the coastal zone as defined in the <i>Coastal Protection Act 1979</i>.</p>	<p>Not Applicable</p> <p>The site is not within a coastal zone.</p>
2.3 Heritage Conservation	
<p>Aims to conserve items, areas, objects and places of environmental heritage significance and indigenous heritage significance.</p> <p>Applies when the relevant planning authority prepares a planning proposal.</p>	<p>Applicable</p> <p>An Aboriginal Heritage Assessment was conducted by John Appleton Archaeological Surveys & Report Pty Ltd in April 2005. The study concluded that no items or sites of Indigenous heritage occur on the site.</p> <p>It is therefore considered that the proposal will be consistent with this direction.</p>

Direction	Comment
2.4 Recreational Vehicle Areas	
<p>Aims to protect sensitive land or land with significant conservation values from adverse impacts from recreational vehicles.</p> <p>Applies when the relevant planning authority prepares a planning proposal.</p>	<p>Applicable</p> <p>The proposal does not seek to enable development for recreational vehicle use. It is therefore considered that the proposal is consistent with this Direction.</p>
Housing, Infrastructure and Urban Development	
3.1 Residential Zones	
<p>Aims to encourage a variety and choice of housing types to provide for existing and future housing needs, to make efficient use of existing infrastructure and services and ensure that new housing has appropriate access to infrastructure and services, and to minimise the impact of residential development on the environmental and resource lands.</p> <p>Applies when a planning proposal affects land within an existing or proposed residential zone, and any other zone in which significant residential development is permitted or proposed to be permitted.</p>	<p>Not Applicable</p> <p>The proposal does not impact on any existing or proposed residential zone.</p> <p>The nearest Residential zone is approximately 1 km from the site.</p>
3.2 Caravan Parks and Manufactured Home Estates	
<p>Aims to provide for a variety of housing types and provide opportunities for caravan parks and manufactured home estates.</p> <p>Applies when the relevant planning authority prepares a planning proposal.</p>	<p>Applicable</p> <p>The proposal does not change provisions that permit caravan parks in certain zones.</p> <p>It is therefore considered that the proposal is consistent with this direction.</p>
3.3 Home Occupations	
<p>Aims to encourage the carrying out of low impact small business in dwelling houses.</p> <p>Applies when the relevant planning authority prepares a planning proposal.</p>	<p>Applicable</p> <p>The proposal will not change the provisions for home occupations.</p> <p>It is therefore considered that the proposal is consistent with this direction.</p>
3.4 Integrating Land Use & Transport	
<p>Aims to ensure that urban structures, building forms, land use locations, development designs, subdivision and street layouts to achieve: improving access to housing, jobs and services by walking, cycling and public transport; increasing choice of available</p>	<p>Applicable</p> <p>The proposal will increase the area of land zoned for industrial purposes and will be consistent with the objectives of the relevant guidelines and policies.</p>

Direction	Comment
<p>transport and reducing transport on cars; reducing travel demand; supporting efficient and viable public transport services; and provide for efficient movement of freight.</p> <p>Applies when a planning proposal creates alters or moves a zone or provision relating to urban land, including land zoned for residential, business, industrial, village or tourist purposes.</p>	<p>It is therefore considered that the proposal is consistent with this direction</p>
3.5 Development Near Licensed Aerodromes	
<p>Aims to ensure the effective and safe operation of aerodromes, their operation is not compromised by development which constitutes an obstruction, hazard or potential hazard to aircraft flying in the vicinity, development for residential purposes or human occupation (within the ANEF contours between 20 & 25) incorporates appropriate mitigation measures so that the development is not adversely affected by aircraft noise.</p> <p>Applies when a planning proposal creates, alters or removes a zone or provision relating to land in the vicinity of a licensed aerodrome.</p>	<p>Applicable</p> <p>The proposal is in the vicinity of Warnervale Aerodrome but it will not adversely impact on its operation.</p> <p>Building heights will not penetrate the Limitation or Operations Surface for the aerodrome.</p> <p>It is therefore considered that the proposal is consistent with this direction.</p>
3.6 Shooting Ranges	
<p>Aims to maintain appropriate levels of public safety and amenity when rezoning land adjacent to an existing shooting range, to reduce land use conflict arising between existing shooting ranges and rezoning of adjacent land, and to identify issues that must be addressed when giving consideration to rezoning land adjacent to an existing shooting range.</p> <p>Applies when a relevant planning authority prepares a planning proposal that will affect, create, alter or remove a zone or a provision relating to land adjacent to and/ or adjoining an existing shooting range.</p>	<p>Not Applicable</p> <p>The proposal does not adjoin a shooting range.</p>
Hazard & Risk	
4.1 Acid Sulfate Soils	
<p>Aims to avoid significant adverse environmental impacts from the use of land that has a probability of containing acid sulfate soils.</p> <p>Applies when a planning proposal applies to land</p>	<p>Applicable</p> <p>The Phase 1 Contamination and Acid Sulphate Soil Assessment by Coffey Geosciences identified Lot 1 DP 796730 as potential Acid Sulphate Soil (ASS). The</p>

Direction	Comment
<p>having a probability of containing acid sulfate soils on the Acid Sulfate Soils Planning Maps.</p>	<p>report recommended that an ASS assessment be carried out prior to any significant works that could disturb the subsurface profile. If ASS are identified an ASS management plan will be required to manage the disturbances.</p> <p>It is considered that the proposal is consistent with this direction.</p>
<p>4.2 Mine Subsidence & Unstable Land</p>	
<p>Aims to prevent damage to life, property and the environmental on land identified as unstable or potentially subject to mine subsidence.</p> <p>Applies when a planning proposal permits development on land which is within a mine subsidence district, or identified as unstable in a study or assessment undertaken by or on behalf of the relevant planning authority or other public authority and provided to the relevant planning authority.</p>	<p>Not Applicable</p> <p>The site is not within a mine subsidence area.</p>
<p>4.3 Flood Prone Land</p>	
<p>Aims to ensure: development on flood prone land is consistent with NSW Government's Flood Prone Land Policy and principles of the Floodplain Development Manual 2005; and provisions of an LEP on flood prone land are commensurate with flood hazard and include consideration of the potential flood impacts both on and off the subject land.</p> <p>Applies when a planning proposal creates, removes or alters a zone or provision that affects flood prone land.</p>	<p>Applicable</p> <p>Part of the area proposed to be rezoned to IN1 General Industrial is impacted by the 1% flood level. Should the proposal be supported by Council and the gateway the proponent will be required to prepare a flood study to determine the extent of fill required to progress the proposal. The investigations should also explore any impacts the filling would create to adjoining properties. The proponent will be required to demonstrate that the filling can occur without negative impact on flood levels.</p> <p>Consistency with this direction will be determined once the impacts are identified and mitigation measures have been determined.</p>
<p>4.4 Planning for Bushfire Protection</p>	
<p>Aims to protect life, property and the environment from bushfire hazards, and encourage sound management of bushfire prone areas.</p> <p>Applies when a planning proposal affects or is in proximity to land mapped as bushfire prone land.</p>	<p>Applicable</p> <p>The site contains vegetation buffer and Category 1 Vegetation. Bushfire protection measures such as appropriate APZ, vehicular access, construction standards and landscaping are to be provided.</p>

Direction	Comment
	It is considered that the proposal is consistent with this direction.
Regional Planning	
5.1 Implementation of Regional Strategies	
<p>Aims to give legal effect to the vision, land use strategy, policies, outcomes and actions contained within regional strategies.</p> <p>Applies when the relevant planning authority prepares a planning proposal that is located on land addressed within the Far North Regional Strategy, Lower Hunter Regional Strategy, Central Coast Regional Strategy, Illawarra Regional Strategy & South Coast Regional Strategy.</p>	<p>Applicable.</p> <p>The CCRS encourages the investigation of options to expand existing employment nodes to ensure future development on employment lands is not fragmented. Increasing the IN1 General Industrial zone for this site will assist in providing additional employment and will negate any fragmentation of the employment land.</p> <p>The Draft Central Coast Regional Plan (DCCRP) intends the WEZ to provide a range of diverse employment activity in the future and provide for up to 6,000 jobs. It is identified as the main economic gateway for the northern half of the Central Coast region. The proposal has the potential of providing additional employment land which is in accordance with Direction 2.6 Enhance the Warnervale Employment Lands of the DCCRP.</p> <p>It is considered that the proposal is consistent with this direction.</p>
5.2 Sydney Drinking Water Catchments	
<p>Aims to protect water quality in the hydrological catchment.</p> <p>Applies when a relevant planning authority prepares a planning proposal that applies to Sydney's hydrological catchment.</p>	<p>Not Applicable.</p> <p>The proposal is not located within Sydney's hydrological catchment.</p>
5.3 Farmland of State and Regional Significance on the NSW Far North Coast	
<p>Aims to: ensure that the best agricultural land will be available for current and future generations to grow food and fibre; provide more certainty on the status of the best agricultural land, assisting councils with strategic settlement planning; and reduce land use conflict arising between agricultural use and non-agricultural use of farmland caused by urban encroachment into farming areas.</p>	<p>Not Applicable.</p> <p>The proposal is not located within the Far North Coast Region.</p>

Direction	Comment
Applies to Ballina, Byron, Kyogle, and Tweed Shire Councils, Lismore City Council and Richmond Valley Council.	
5.4 Commercial and Retail Development along the Pacific Highway, North Coast	
Aims to manage commercial and retail development along the Pacific Highway, North Coast. Applies to all councils between and inclusive of Port Stephens and Tweed Shire Councils.	Not Applicable. The proposal is not located between Port Stephens and Tweed Shire Councils.
5.8 Second Sydney Airport: Badgerys Creek	
Aims to avoid incompatible development in the vicinity of any future second Sydney Airport at Badgerys Creek. Applies to land located within the Fairfield, Liverpool and Penrith City Council and Wollondilly Shire Council Local Government Areas.	Not Applicable. The proposal is not located within the Fairfield, Liverpool and Penrith City Council or Wollondilly Shire LGA.
Local Plan Making	
6.1 Approval and Referral Requirements	
Aims to ensure that LEP provisions encourage the efficient and appropriate assessment of development. Applies when the relevant planning authority prepares a planning proposal.	Applicable The planning proposal does not seek to include provision which require concurrence from other agencies It is therefore considered the proposal is consistent with this Direction
6.2 Reserving Land for Public Purposes	
Aims to facilitate the provision of public services and facilities by reserving land for public purposes, and facilitate the removal of reservations of land for public purposes where land is no longer required for acquisition. Applies when the relevant planning authority prepares a planning proposal.	Not Applicable The proposal does not seek to alter or create land for public purposes It is therefore considered the proposal is consistent with this Direction
6.3 Site Specific Provisions	
Aims to discourage unnecessarily restrictive site specific planning controls. Applies when the relevant planning authority prepares a planning proposal to allow particular development to be carried out.	Applicable The proposal does not seek to alter or create unnecessary restrictive site planning control. It is therefore considered the proposal is consistent with this Direction

Direction	Comment
Metropolitan Planning	
7.1 Implementation of A Plan for Growing Sydney	
Aims to give legal effect to the planning principles, directions and priorities for sub regions, strategic centres and transport gateways contained in A Plan for Growing Sydney	Not Applicable. This Direction does not apply to Wyong LGA.
7.2 Implementation of Greater Macarthur Land Release Investigations	
Aims to ensure development within the Greater Macarthur Land Release Investigation Area is consistent with the Greater Macarthur Land Release Preliminary Strategy and Action Plan.	Not Applicable. This Direction does not apply to Wyong LGA.

3.1 Classification of Land, Lot 333 DP 1209705 at Bokhara Avenue, Blue Haven

TRIM REFERENCE: F2015/00708 - D12231819

MANAGER: Peter Stokes, Manager Property Management

AUTHOR: Julie Tattersall; Property Officer

SUMMARY

Authority is sought to classify Lot 333 DP 1209705 at Bokhara Avenue, Blue Haven (Lot 333) as Operational Land.

RECOMMENDATION

- 1 That Council adopt the classification of Lot 333 DP 1209705 at Bokhara Avenue, Blue Haven, as Operational Land.**
- 2 That Council note that:**
 - a Nothing in the above resolution authorises the sale of the subject land (section 377(1)(h) of the Local Government Act 1993 provides that any sale of land can only be by resolution of Council).**
 - b Section 31 (3) of the Local Government Act 1993 provides that Council must not resolve that land be classified as operational land if the resolution is inconsistent with the terms of any trust applying to the land.**

BACKGROUND

Darkinjung Local Aboriginal Land Council (DLALC) is the owner of Lot 18 in DP 1184211. As part of the development of 109 lots from subdivision of Lot 562 DP 1010370, Pacific Highway, Blue Haven (DA/229/2010), DLALC was required to provide buffer land from the development. Lot 333 from Stage 2A of the subdivision is now being transferred to Council as buffer land.

Lot 333 is zoned R2 Low Density Residential and has an area of approximately 3089 square meters.

Under Section 34 of the Local Government Act 1993, Council is required to give public notice of the proposal to classify land for a period of 28 days before confirming classification. If no adverse submission is received Council may resolve to adopt the classification.

Public Notice was given on 27 January 2016 of the proposal to classify the land as operational land and no submissions were received.

THE PROPOSAL

It is proposed to classify Lot 333 as Operational Land.

The Policy for Property Transactions – Sales and Acquisitions adopted 14 May 2014, provides that all future land purchases by Council should generally be designated as operational land irrespective of the intended or existing use. This is to maximise flexibility in the management and use of Council's property portfolio and improve community and service delivery outcomes.

The proposed resolution to classify Lot 333 as Operational land will not authorise this land to be used for any purpose that is inconsistent with the purposes for which the land was dedicated to Council, namely road buffer.

OPTIONS

Council may resolve to apply either a "community land" or an "operational land" classification. Lot 333 should be classified as Operational Land in accordance with the Policy for Property Transactions – Sales and Acquisitions adopted by Council.

Budget Impact

There is no cost to Council to classify the land.

GOVERNANCE AND POLICY IMPLICATIONS

Under Section 31 of the Local Government Act 1993, land acquired by Council is taken to be classified as Community Land unless Council resolves that the particular land concerned be classified as Operational Land.

Consideration of s.23A guidelines

The Chief Executive of the NSW Office for Local Government has issued guidelines titled "*Council Decision Making during Merger Proposal Periods*" pursuant to s.23A(1) of the *Local Government Act 1993* ("LG Act"). The Council must consider those guidelines when making decisions during the "merger proposal period", which commenced on 6 January 2016 and will conclude on the date on which a proclamation is made to amalgamate the Wyong and Gosford local government areas or the Minister for Local Government determines that he will not proceed with the proposal for that amalgamation: s.23A(3) of the LG Act. Councillors have been provided with a copy of those guidelines and have been given advice concerning those guidelines. The decisions that are proposed as part of this report comply with those guidelines.



CONCLUSION

Lot 333 are to be transferred to Council and require classification under the Local Government Act 1993 (Chapter 6, Part 2, s.25-34). In this instance, Operational Classification is proposed on the basis of the use of the land for buffer in accordance with Council policy.

ATTACHMENTS

Nil.

4.1 CPA/239606 - Road and Drainage Upgrade Construction Works, Hume Boulevard (between Sturt Street and Yangoora Street) Killarney Vale

TRIM REFERENCE: CPA/239606 - D12241948

MANAGER: Stuart Hull, Manager

AUTHOR: Doug Marchant; Project Director

SUMMARY

Evaluation and selection of tenders for Contract CPA/239606 – Road and Drainage Upgrade Construction Works, Hume Boulevard (between Sturt Street and Yangoora Street) Killarney Vale.

“Councillors are reminded that the name of the successful tenderer will be released after resolution of this item. This means that the contents of Attachment A cannot be disclosed during discussion in the open session of the Council meeting.”

RECOMMENDATION

- 1 That Council accept the tender from the company nominated as Tenderer No 2 in the attached Tender Evaluation Report, for the lump sum amount of \$961,184.87 (excl GST) for Contract CPA/239606 - Road and Drainage Upgrade Construction Works, Hume Boulevard (from Sturt St to Yangoora St) Killarney Vale.**
- 2 That Council determines the Tender Evaluation Report in Attachment A, remains confidential in accordance with Section 10 A (2) (d) of the Local Government Act 1993 as the report contains commercial information of a confidential nature, except for the name of the successful tenderer, which may be disclosed after Council has resolved to accept that tender.**
- 3 That Council approve the contingency sum as detailed in the Tender Evaluation Report.**

BACKGROUND

The works involve a full depth pavement reconstruction of Hume Boulevard, Killarney Vale (between Sturt Street and Yangoora Street) including new kerb and gutters, as well as an upgrade to the storm water drainage system.

The objective of the road works is to improve the condition of the road and resolve storm water flooding issues at this location.

CONTRACT PLAN

The Contract Plan for this tender process was approved by the Director Greg McDonald, before the Request for Tender was issued. The approved Contract Plan is in TRIM D12187409.

INVITATION TO TENDER

The tender was advertised in the Sydney Morning Herald and eTendering on Tuesday 19 January 2016, and the Central Coast Express on Wednesday 20 January 2016.

The invitation documents called for lump sum tenders based on a detailed technical specification and approved construction drawings.

A compulsory pre-tender meeting was held at 10.00am on Friday 29 January 2016 at Pioneer Park, via the Dampier Boulevard entrance, Killarney Vale to allow tenderers to become familiar with site conditions.

Tenders closed at Council's Chambers at 2.00pm on Thursday 11 February 2016.

TENDER SUBMISSIONS

The following tenders were received and are listed in alphabetical order:

- Delcare Constructions Pty Ltd
- JA Bradshaw Civil Contracting
- Robson Civil Projects

No late submissions were received.

TENDER EVALUATION

All members of the Tender Evaluation Panel have signed Pecuniary Interest Declarations. No pecuniary interests were noted.

The relative ranking of tenders as determined from the total weighted score is provided in the Confidential Tender Evaluation Report – Attachment A.

All submissions were assessed in accordance with the approved evaluation criteria being:

- a) Lump Sum Price;
- b) Local Content;
- c) Methodology;
- d) Program;
- e) Proven Performance;
- f) Experience & Capability; and
- g) Capacity.

4.1 CPA/239606 - Road and Drainage Upgrade Construction Works, Hume Boulevard (between Sturt Street and Yangoora Street) Killarney Vale (contd)

FINANCIAL IMPLICATIONS

There are sufficient funds allocated for this contract within the current year's program for Capital Local Roads Rehabilitation - General/Roads Upgrade: Renew/Replace, under the following Project Numbers:

- Project No. 17796 – Road – Budget = \$750k
- Project No. 17797 – Drainage – Budget = \$570k

The project was bought forward from 2016/17 so as to complete the whole Hume Boulevard project this financial year.

RELEVANT LEGISLATION

The tender has been conducted in accordance with the *Local Government Act 1993*, the *Local Government (General) Regulation 2005* and Council's Procurement Policy.

Information provided by tenderers which is commercial-in-confidence has been protected and will not be disclosed in accordance with section 10A(2)(d) of the *Local Government Act 1993*. A consistent standard for all tenderers has been used in assessing any request for confidentiality by a tenderer.

CRITICAL DATES / TIME FRAMES

It is anticipated that the contract will be awarded on 15th March 2016 and that construction will commence by 1st April 2016 and is expected to be completed by 30th June 2016.

RISK

This contract has been assessed as a LOW risk contract. The key risks and mitigations measures have been addressed in the Contract Plan and detailed Risk Assessment, which is on the TRIM file. D12213601.

REGULATORY APPROVALS

The following regulatory approvals have been obtained for this Contract:

- Part 5 Planning Approval

PROCESS REVIEW

The Tender evaluation and this Report and recommendations have been endorsed in TRIM by the Commercial Manager, Contracts and Project Management.

OPTIONS / ALTERNATIVES

Council has the option of not proceeding with this contract by resolving not to accept an offer from any of the Tendering parties. This option is not recommended.

PUBLIC CONSULTATION

Public consultation specific to this contract occurred on 12th January 2015.

A Community Notification Letter was distributed on 21st January 2016 to the residents of Hume Boulevard advising of the upcoming works.

GOVERNANCE

Consideration of s.23A guidelines

The Chief Executive of the NSW Office for Local Government has issued guidelines titled "*Council Decision Making during Merger Proposal Periods*" pursuant to s.23A(1) of the *Local Government Act 1993* ("LG Act"). The Council must consider those guidelines when making decisions during the "merger proposal period", which commenced on 6 January 2016 and will conclude on the date on which a proclamation is made to amalgamate the Wyong and Gosford local government areas or the Minister for Local Government determines that he will not proceed with the proposal for that amalgamation: s.23A(3) of the LG Act. Councillors have been provided with a copy of those guidelines and have been given advice concerning those guidelines. The decisions that are proposed as part of this report comply with those guidelines.

ATTACHMENTS

- 1 CPA/239606 - T144 - Tender Evaluation Report - RD Hume Blvd - D12250527

5.1 Sponsorship Program 2016/17

TRIM REFERENCE: F2014/00920 - D12232854
MANAGER: Sue Ledingham, Manager
AUTHOR: Myra Lowe; Tourism and Marketing Officer

SUMMARY

Consideration of applications and recommendations for contestable funding under the 2016-17 Sponsorship Program Expression of Interest (EOI) and additional applications for 2015-16 Sponsorship Program. The Sponsorship Program 2016-17 aims to build the profile of Wyong Shire and improve the quality of life of our local residents. The program assists initiatives, events and activities to go from idea to reality, enhancing the quality and variety of initiatives on offer in the Shire.

RECOMMENDATION

- 1 That Council allocate the \$55,300 combined cash and in-kind funds from the Sponsorship Program for 2016-17 as follows:

Applicant	Initiative	Tier level	Recommended Funding
CULTURAL INITIATIVES: Recommended for sponsorship			
<i>Long Jetty Locals</i>	<i>Long Jetty Street Festival</i>	<i>Tier 2</i>	<i>2016-17: Cash \$12,500 & In-Kind \$2,500</i>
<i>BBR Agency</i>	<i>PicNic Outdoor Cinema</i>	<i>Tier 2</i>	<i>2016-17: Cash \$10,000</i>
SPORTING INITIATIVES: Recommended for sponsorship			
<i>Wyong Fire Brigade Championships</i>	<i>2016 NSW State Fire Fighter Championships</i>	<i>Tier 2</i>	<i>2016-17: Cash \$9,000 & In-Kind \$1,000</i>
<i>Elite Energy P/L</i>	<i>Colour Me Rad</i>	<i>Tier 2</i>	<i>2016-17: Cash \$10,000</i>
ECONOMIC DEVELOPMENT INITIATIVES: Recommended for partnership			
<i>Central Coast NSW Business Chamber</i>	<i>Central Coast Economic Breakfast</i>	<i>Tier 2</i>	<i>2016-17: Cash \$8,800</i>
<i>Business and Professional Women Central Coast</i>	<i>Business and Professional Women Central Coast: Woman of the Year</i>	<i>Tier 3</i>	<i>2016-17: Cash \$1,500</i>

2 That Council acknowledge the below initiatives have also applied for multi-year funding for 2017-18 and 2018-19 and are supported however that the applicants be advised that as a result of the likely amalgamation these will need to be reviewed by early 2017, noting that these applications are carried forward.

- Long Jetty Street Festival
- PicNic Outdoor Cinema
- Colour Me Rad
- Central Coast Economic Breakfast
- Business and Professional Women Central Coast

3 That Council decline applications for the reasons indicated in the table below, the applicants be advised and where relevant are directed to alternate funding programs:

Initiative	Total Requested	Applied for Tier level	Assessment
<i>Ks for Kids Walkathon</i>	<i>\$5,000</i>	<i>Tier 3 Single year</i>	<i>Initiative does not meet the visitation requirements, potential for growth or ROI through economic development benchmarks that are required. The focus of this event is fundraising.</i>
<i>Mingara Orchid Festival</i>	<i>\$7,500</i>	<i>Tier 3 Multi Year</i>	<i>Initiative does not meet the potential for growth or ROI through economic development benchmarks that are required. Initiative has received sponsorship for many years and has not demonstrated growth or expansion as promised in 2015-16.</i>
<i>Central Coast Food Revolution Day</i>	<i>\$66,000</i>	<i>Tier 1 Multi Year</i>	<i>Initiative has not been recommended due to the competitive process of the sponsorship program. The initiative was eligible to receive funding however potential for ROI through visitor numbers and dispersal of economic benefit was limited. The initiative is recommended to pursue possible grant funding from WSC as an alternative to sponsorship funding.</i>
<i>Central Coast Embrace Life Festival</i>	<i>\$24,000</i>	<i>Tier 2 Multi Year</i>	<i>Initiative has not been recommended due to the competitive process of the sponsorship program. The initiative was eligible to receive funding however potential for ROI through visitor numbers and dispersal of economic benefit was limited.</i>
<i>Veer Left</i>	<i>\$5,000</i>	<i>Tier 3 Single year</i>	<i>Initiative has not been recommended due to the competitive process of the sponsorship program. The initiative was eligible to receive funding however potential for ROI through community</i>

5.1 Sponsorship Program 2016/17 (contd)

			<i>benefits was limited.</i>
--	--	--	------------------------------

- 4 ***That Council reallocate \$1,329 from existing marketing and promotions budget to the Sponsorship Program in 2015-16 through Quarter Review due to the Central Coast Mariners sponsorship payment required to be made in 2015-16 for activities to take place in 2016-17.***
- 5 ***That Council support additional initiatives for 2015-16 and allocate \$23,500 combined cash and in-kind funds from the Sponsorship Program for 2015-16 as follows:***

Applicant	Initiative	Tier level	Recommended Funding
SPORTING INITIATIVES: Recommended for sponsorship			
Central Coast Mariners	Central Coast Mariners - National Youth League 2016-17 activities	Tier 2	2015-16: Cash \$10,000 <i>Nb. Recommended based on Councilor Resolution from 26/01/2016 and on the condition that the negotiation of the sponsorship deliverables meets the requirements of the WSC Policy for Sponsorship Management.</i>
Wyong Fire Brigade Championships	2016 NSW State Fire Fighter Championships	Tier 2	2015-16: Cash \$8,000
ECONOMIC DEVELOPMENT INITIATIVES: Recommended for partnership			
Central Coast NSW Business Chamber	Central Coast Economic Breakfast	Tier 2	2015-16: Cash \$4,000
Business and Professional Women Central Coast	Business and Professional Women Central Coast: Woman of the Year	Tier 3	2015-16: Cash \$1,500

BACKGROUND

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

Sponsorship Program 2015-16:

The total contestable sponsorship funding committed to initiatives in the 2015-16 financial year to date is:

- \$122,829 of a total budget of \$145,000
- An additional amount of \$300 in 2015-16 year sponsorship funding was approved but not spent due to cancellation of the Success Women's Network (SWN) August event. This was cancelled due to SWN staff being unavailable to host the event.

In the 2015-16 financial year **\$22,171 in budgeted sponsorship funds remains uncommitted and available for allocation.**

CURRENT STATUS

WSC Policy for Sponsorship Management and WSC Grants, Partnership and Sponsorship Framework both adopted in 2014 as well as the 2016-17 Sponsorship Program Guidelines provide clear direction to staff when considering the best interests of the public, public accountability, public perceptions and the potential risks as well as the potential benefits for any sponsorship proposal. To ensure there is openness and transparency in the Sponsorship Program the guidelines require an expression of interest process be undertaken on an annual basis (where funds are available).

2016-17 Expression of Interest and evaluation

Expression of Interest (EOI) for the 2016-17 round opened 14 September and closed 26 October 2015. Shortlisting occurred from 26 October to 1 December 2015.

In total 12 applications were received, 14 less than what was received in the previous round. While the amount received was less, the ratio of eligible applications has improved with 13 ineligible application received in the previous round and only three ineligible applications received in the current round.

The time frame should also be noted as a factor, the sponsorship program traditionally went to EOI in May with a Council report scheduled in August. This was amended to have the sponsorship EOI activity scheduled to occur in September and a Council report scheduled in January. The new timings better fit in with the grant program to allow unsuccessful sponsorship applicants more time to apply for a range of grants. The new timing also allows successful initiatives to receive a funding agreement and payment at the start of a new financial year rather than mid-way through allowing for better planning with a more secure knowledge of additional funding available to them.

OVERVIEW OF APPLICATIONS:

- 12 applications were received
- 4 have previously received a Council grant or sponsorship amount
- 7 applications progressed to final assessment stage and have been recommended for funding
- 6 are for multi-year agreements
- 9 applications were un-submitted, remaining incomplete in Smarty Grants. They were added to the grants and sponsorship database to be contacted before the next round of sponsorship EOI.
- 5 of the applications were assessed as either not meeting the eligibility requirements or the assessment benchmarks, or meeting some of the assessment benchmarks but

5.1 Sponsorship Program 2016/17 (contd)

not demonstrating as strong a return on investment or growth potential as the recommended initiatives. Of the five unsuccessful initiatives three have been identified as not suitable for the sponsorship program but potentially eligible to apply for funding under the grants program:

- Ks for Kids Walkathon
- Mingara Orchid Festival
- Central Coast Food Revolution Day

The expression of interest was promoted through various media outlets, networks and websites.

Recommended funding for 2015-16 is \$1,329 over funds available in the sponsorship budget line. If Council resolves to fund all of the suggested initiatives in 2015-16 an additional \$1,329 will be required in the Sponsorship Program budget to facilitate these payments.

It is recommended that the additional \$1,329 be funded from the Marketing Promotion budget.

For multi-year applicants, recommended funding for 2017-18 is \$37,800 and for 2018-19 is \$30,300. However as Council is operating in a merger proposal period, it is recommended that no financial commitment is made now for the Sponsorship Program 2017-19 and that support of these initiatives is acknowledged with cash and in-kind funds to be reviewed at a later date.

THE PROPOSAL

It is proposed to provide funding and acknowledge support to the applicants recommended in the table below under the Sponsorship Program 2015-16 to 2018-19 for the purpose of improving public perception and enjoyment of our local area as well as to assist initiatives, programs, events and activities to be staged throughout the Shire and to enhance the quality and variety of initiatives, events or activities hosted in Wyong Shire thus supporting the Place Brand.

There is a positive assortment of applications recommended for sponsorship funding and support in 2015-16 to 2018-19. These range from established sporting and cultural events wanting to take a proven event to the next level, to bespoke and new initiatives which will help to activate and enhance local spaces and help businesses in Wyong Shire to grow in popularity and prosper for the future.

Included in the below recommendations are marketing, fundraising, niche and community conscious initiatives that promote the potential of a range of locations and businesses around the Shire covering the well-known, the under-utilised and the new.

The recommended initiatives encourage local residents and visitors alike to discover the hidden gems in the area, to buy local, to look at the area with fresh eyes and to make the most of the limitless opportunities Wyong Shire has to offer. The recommended funding for initiatives are fit for purpose and based on a like for like support via category of initiative. Initiatives have funding scaled back on a yearly or bi yearly basis in the hopes that they will become self-sustaining initiatives.

The recommended economic development initiatives provide ongoing services to the community such as business support, advice and recognition. For this reason it is suggested

5.1 Sponsorship Program 2016/17 (contd)

that these style of initiatives are entered into as a partnership rather than a sponsorship. The difference is outlined in the WSC Grants, Partnerships and Sponsorship Governance Framework adopted in July 2014. An initiative entering into a partnership should provide an improved service to the community with greater efficiency than if Council itself was to undergo the activity and an initiative entering into a sponsorship should allow Council to align through a commercial agreement with that initiatives specific service, product or activity for the promotional opportunities.

Both partnerships and sponsorships funding is allocated from the sponsorship budget and managed by the WSC sponsorship team.

The recommended initiatives for sponsorship are:

Recommended Sponsorship Recipient	Amount
Recommended Payment in Year 2015-2016	
State Firefighter Championships	\$8,000
Central Coast Mariners Youth League	\$10,000
Total 2015-2016	\$18,000
Recommended Payment in Year 2016-2017	
Long Jetty Street Festival	\$15,000
PicNic Festival	\$10,000
State Firefighter Championships	\$10,000
Colour Me Rad	\$10,000
Total 2016-2017	\$45,000
Recommended for support in Year 2017-2018	
Long Jetty Street Festival	
PicNic Festival	
Colour Me Rad	
Recommended for support in Year 2018-2019	
Long Jetty Street Festival	
PicNic Festival	
Colour Me Rad	

It is also recommended that the following initiatives enter into a partnership arrangement with WSC:

Recommended Payment in Year 2015-2016	
Central Coast Economic Breakfast Series	\$4,000
BPW Central Coast Woman of the Year	\$1,500
Total 2015-2016	\$5,500
Recommended Payment in Year 2016-2017	
Central Coast Economic Breakfast Series	\$8,800
BPW Central Coast Woman of the Year	\$1,500

5.1 Sponsorship Program 2016/17 (contd)

Total 2016-2017	\$10,300
Recommended for support in Year 2017-2018	
Central Coast Economic Breakfast Series	
BPW Central Coast Woman of the Year	
Recommended for support in Year 2018-2019	
Central Coast Economic Breakfast Series	
BPW Central Coast Woman of the Year	

\$1,329 in additional funding is requested to cover the recommended initiatives for sponsorship in 2015-16.

It is also proposed that the previous offer of \$5,000 annual funding made to Mingara Leisure Group to run a community development grant jointly with WSC is reviewed in accordance with the resolution from 9/11/2011. In the past five years Mingara Leisure Group has purposed this money towards the annual Mingara Christmas Under the Stars event with minimal consultation from WSC. Mingara Leisure Group would be encouraged to apply via an EOI for the Grants or Sponsorship programs moving forward to gain future funding for this event.

WSC staff have notified Mingara Leisure Group that the current arrangement is due for review in 2016 and a separate report to Council will be compiled to address the findings of this review.

Summary

Year	2015-16	2016-17	2017-18	2018-19
Total current budget	\$145,000	\$145,000	NA	NA
Recommended addition to budget	\$1,329	\$0	\$0	\$0
Total recommended budget	\$146,329	\$145,000	NA	NA
Recommended new allocation	\$23,500	\$55,300	\$0	\$0
Remaining budget	\$0	\$0	\$0	\$0

Following on from the adoption of these recommendations, Council officers will work closely with each of the successful applicants to prepare contractual agreements. The agreements will identify the specific benefits to Council provided in terms of return on investment; these can include branding, marketing, promotion and recognition. The agreements will include details of how these will be demonstrated and evaluated, and other requirements for probity before funds are released.

OPTIONS

Council could decide not to proceed with some or all of the recommended initiatives, change the mix or amount of initiatives recommended.

5.1 Sponsorship Program 2016/17 (contd)

The recommended initiatives have been assessed by Council staff based on the criteria in WSC Policy for Sponsorship Management adopted in May 2014 and the ICAC's recommended Sponsorship Guidelines.

STRATEGIC LINKS

Wyong Shire Council Strategic/ Annual Plan

<i>Principal Activity</i>	<i>Service</i>	<i>Key Action and Objectives</i>	<i>Funding Source and Description</i>	<i>Impact on Key Performance Indicators/ Service Performance Indicators</i>
Marketing and Communications	Communication and marketing services that raise staff and community awareness of Council activities and support the management of Council's brand and reputation	Within budget scope	Alignment of the delivery of Council operations with the Community Strategic Plan	Marketing and Communications

Long Term Financial Strategy

No impact as budget has been allocated in the Long Term Financial Strategy.

Asset Management Strategy

Nil

Workforce Management Strategy

Nil

Link to Community Strategic Plan (2030)

The proposal supports the delivery of the economic development objectives of the Community Strategic Plan by assisting to attract, encourage and support events that will result in increased visitation and local expenditure as well as social or cultural benefits.

Budget Impact

\$145,000 funding is allocated per year within the Operational Budget in the 2015-16 and 2016-17 financial years.

5.1 Sponsorship Program 2016/17 (contd)

\$1,329 in additional funding is required to fulfil all sponsorship payments recommended in the 2015-16 financial year. Funding allocated from Sponsorship Activation budget can be moved to address the shortfall.

YEAR	2015-16	2016-17	2017-18	2018-19
Remaining Budget	\$0	\$4,700	NA	NA

CONSULTATION

Consultation was undertaken with all applicants that progressed through to shortlisting. All shortlisted applicants are subject to risk controls during assessment. Any applicants who have received previous funding are cross checked with the appropriate team such as grants, for receipt of satisfactory acquittals. An applicant who has not satisfactorily acquitted previous funding in the past two years is ineligible for sponsorship.

In relation to organisations who have a financial history with Council, they are cross checked with credit management. Those currently in arrears are ineligible for sponsorship. Applicants who request in-kind support are required to obtain quotes from the relevant Council department. Payment is then made directly to the relevant department from the available sponsorship funds.

Every sponsorship proposal is assessed against the possibility of a conflict of interest and, in particular, may be refused or terminated as outlined in the Policy. Ongoing sponsorships will be reviewed to ensure any future conflicts of interest are addressed as outlined in the agreements.

Councillors were briefed on 10/02/2016 and additional information addressing questions raised by Councillors has been obtained and included in the confidential attachment.

There were specific queries around three events and following is a summary of the discussion:

- 2016 NSW State Fire Fighter Championships to be hosted by Wyong Fire Brigade Championships an unincorporated association: Lengthy discussion about this event and the amount of funding requested. Recognised that it may be a State Championship, however consideration should be given to the participants being paid professionals, not amateur sportspeople and any support from the State Government. It was noted that the community education side of the event is the responsibility of the fire services and should be happening anyway.

The event is hosted by the local brigade who have won the rights to hold the event and is not driven by the State Fire Brigade services. The event applicant is Wyong Fire Brigade Championships who are legal entity established to host the event. No financial support from the State Government for the event has been outlined in the application. Who can participate: all firefighters permanent, retained or volunteer, and whilst the championships are led by the Firefighters Association and Fire & Rescue NSW participation from other agencies is welcome. These include: Rural Fire Service, National Parks and Wildlife Service, interstate and international services, Armed Forces and all professional firefighters. It is open to the community to watch and education programs and attractions will be part of the event.

- Long Jetty Street Festival to be hosted by The Long Jetty Locals: Some preference to see like events receiving similar levels of support. For example questions were raised about why the Long Jetty Street Festival may secure more funding than the Tuggerah Lakes Mardi Gras Carnivale considering they are both local festivals run by local associations. It was noted that an assessment of sponsorship does consider if initiatives are new, or have been previously supported by Council. The Long Jetty Street Festival is in its second year and the Festival did apply for long term funding with reduced funding requested each year. This is in line with Council's sponsorship objectives to support initiatives to grow and become independent of Council funding over the mid to long term.
- PicNic Outdoor Cinema to be hosted by BBR Agency: There were a number of queries about this new event specifically around the impact on the Entrance Cinema, the ability to charge entry fees on Crown Land and real value to the community of a commercial event. An evaluation of the proposed event identifies that it would have minimum impact on the Entrance Cinema during the time of the Event and the organisers could be asked to work in conjunction with the Entrance Cinema. Charging entry fees on Crown Land may be a permissible use available through an application process by the applicant. Council's sponsorship can be subject to the applicant securing all permits and licenses necessary to hold the event. Based on the sponsorship criteria the event has been assessed as of value to the community by activating a space with a unique entertainment experience and contributing to the attractiveness of the region for visitors.

All Council sponsorship arrangements are formalised in a contract in writing that may be subject to the applicant meeting any pre-conditions prior to the payment of sponsorship funding.

GOVERNANCE AND POLICY IMPLICATIONS

The Sponsorship Program will be run in accordance with the WSC Policy for Sponsorship Management adopted in May 2014.

Consideration of s.23A guidelines

The Chief Executive of the NSW Office for Local Government has issued guidelines titled "*Council Decision Making during Merger Proposal Periods*" pursuant to s.23A(1) of the *Local Government Act 1993* ("LG Act"). The Council must consider those guidelines when making decisions during the "merger proposal period", which commenced on 6 January 2016 and will conclude on the date on which a proclamation is made to amalgamate the Wyong and Gosford local government areas or the Minister for Local Government determines that he will not proceed with the proposal for that amalgamation: s.23A(3) of the LG Act. Councillors have been provided with a copy of those guidelines and have been given advice concerning those guidelines. The decisions that are proposed as part of this report comply with those guidelines.

MATERIAL RISKS AND ISSUES

Risks to Council reputation from poorly managed initiatives. Risk is mitigated through the provision of business and marketing plans from all applicants and review and management of agreements.

CONCLUSION

This report provides details on the applications received through the 2016-17 Expression of Interest for Wyong Shire Council's 2016-17 to 2018-19 sponsorship program. The applicants recommended for funding in this report include single-year and multi-year sponsorships that support the Sponsorship Policy outcomes.

ATTACHMENTS

- | | | |
|---|--|-----------|
| 1 | CONFIDENTIAL ATTACHMENT - Sponsorship Program 2016-17 Applications - | D12234042 |
|---|--|-----------|

5.2 Proposed Councillors' Community Improvement Grants

TRIM REFERENCE: C2016/01723 - D12251777

MANAGER: Lesley Crawley, Manager Corporate Governance

AUTHOR: Lisa Martin; Administration Assistant

SUMMARY

Councillors propose the following allocation of funds for expenditure from Councillors' Community Improvement Grants (CCIG).

RECOMMENDATION

- 1 ***That Council allocate an amount of \$600 from the 2015-16 Councillors' Community Improvement Grants (CCIG) as follows:***

<i>PFLag Central Coast (\$622.30)</i>	<i>Stall Hire Fee, New Banner, and Printing of Postcards for use at G.O.A.T.S Festival at San Remo in April.</i>	<i>600</i>
--	---	-------------------

- 2 ***That Council note the \$1000 donation to the CCIG program from the Water Industry Officers Association as part of its membership promotion.***
- 3 ***That Council note that the \$1000 has been divided equally and added to each Councillors' allocation.***

BACKGROUND

Provision has been made in Council's Annual Plan for each Councillor to recommend to Council the donation of funds to individuals, local service, charitable or community organisations that operate in the Shire or provide a benefit specifically to the residents of the Shire.

Funds may also be allocated for emergency assistance in the event of natural disasters such as bushfires, flood or drought anywhere in Australia, subject to CCIG Policy. The funds are granted subject to approval of the Council as a whole.

THE PROPOSAL

Under Council's Policy, all proposed allocations are subject to the approval of the Council as a whole.

Each Councillor is allocated a one tenth share of a total amount identified annually in Council's Annual Plan.

5.2 Proposed Councillors' Community Improvement Grants (contd)

In the financial year preceding a Local Government election, the allocation to the individual Councillors will be 75% of the allocation identified above and will be available to Councillors from 1 July to 31 May of the 2015-16 year.

The amount allocated in the 2015-16 Annual Plan is \$113,500. In addition Council resolved to 'carry over' the unallocated balance for the 2014-15 financial year, being the amount of \$42,943.

The total available allocated funding for the 2015-16 financial year is \$156,443.00.

The proposed allocations are listed below:

COUNCILLORS' COMMUNITY IMPROVEMENT GRANTS ALLOCATION		Best	Eaton	Graham	Greenwald	Matthews	Nayna	Taylor	Troy	Vincent	Webster	SUB TOTAL
Allocation 01/07/2015 - 31/05/2016		15,536	14,833	16,806	16,459	12,436	18,808	20,466	14,115	11,710	14,274	155,443
Expenditure up to and including Ordinary Council Meeting of 24 February 2016		5,375	7,050	5,000	4,703	6,700	0	3,950	5,420	2,060	8,200	48,458
Available allocation as at 24 February 2016		10,161	7,783	11,806	11,756	5,736	18,808	16,516	8,695	9,650	6,074	106,985
10 March 2016												
PFLag Central Coast (\$622.30)	Stall Hire Fee, New Banner, and Printing of Postcards for use at G.O.A.T.S Festival at San Remo in April.	100				500						600
Total Proposed Allocations for 10 March 2016		100	0	0	0	500	0	0	0	0	0	600
Total Accumulated Allocations as at 10 March 2016		5,475	7,050	5,000	4,703	7,200	0	3,950	5,420	2,060	8,200	49,058
Balance Uncommitted as at 10 March 2016		10,061	7,783	11,806	11,756	5,236	18,808	16,516	8,695	9,650	6,074	106,385

In April 2015 Council reviewed the Councillor Community Improvement Grant Policy in relation to the number of applications a group may be permitted to submit across all WSC grant programs in one financial year. The amended policy (Clause D15) requires that should a group submit two or more applications for any of Council's grant programs within the same financial year, then Council must consider the public benefit that would arise prior to approving the funding recommended for the second or subsequent application.

Staff have commenced applying this clause from 27 April 2015 and reviewed the list of applications not yet fully allocated.

The following is a list of applications that are for consideration in this report that are subsequent applications from the same group in the 2015-2016 year.

N/A

OPTIONS

- 1 Approval of applications as submitted will provide a community benefit to residents of the Shire.
- 2 Non approval could result in assistance not being provided to the community.

Water Industry Operators Association of Australia

A gift voucher in the sum of \$1,000 was received by a WSC employee as a result of membership draw undertaken by the Water Industry Operators Association (WIOA). Council pays for the membership in the association on behalf of its operators and therefore the voucher was surrendered by the employee in accordance with Council's Gifts and Benefits Policy.

5.2 Proposed Councillors' Community Improvement Grants (contd)

Disposal of the Gift was assessed by Council's Gifts and Benefits Co-Ordinator, Lilly Mojsin (Internal Ombudsman) in accordance with the Gifts and Benefits Policy and it was determined that the gift be referred to Council's CCIG program for benefit of the community.

Accordingly each Councillor has been given an additional \$100 to their annual allocation.

The WIOA requested that the employee be given the opportunity to choose the charity that received the funding. The requirements of the policy do not allow staff to direct funding to any person or group and therefore the employee was advised to encourage groups to seek funding via the existing CCIG process. This would ensure that Council adhered to the principles of equity in distributing the funds. Several groups were contacted however the only group that was in the position to make an application was The House With No Steps. This group made an application for \$4,000 for tools and a projector and screen for disability woodworking workshop. Council has so far resolved to allocate \$800 funding toward the application.

The WIOA has also requested that a photo of the employee handing over the cheque to the recipient be provided to be used in its newsletter. Given that the money is being granted as part of the CCIG program the recipient will be invited to receive the cheque from the Mayor, on behalf of Council and the employee will be invited to be in attendance.

The table has been amended to include the additional \$100 to each Councillor.

STRATEGIC LINKS

Annual Plan

<i>Principal Activity</i>	<i>Strategy or Program</i>	<i>Financial Line Item No and Description</i>
A More Sustainable Community	Enhance the quality of life of the Shire's residents	1.1.11 – Community Financial Support

Contribution of Proposal to the Principal Activity

The Councillors' Community Improvement Grants were developed to help charitable community groups and in doing so helping the broader community.

Link to Shire Strategic Vision

<i>Priority Objective</i>	<i>How the proposal contributes or links to the Priority Objectives in Shire Strategic Vision and Annual Plan</i>
Communities - Communities will be vibrant, caring and connected with a sense of belonging and pride in their local neighbourhood.	Funding is available to projects not specifically nominated in Council's Annual Plan that contribute to the priority objective.
Facilities and Services - Communities will have access to a diverse range of affordable and coordinated facilities, programs and services.	Funding is available to projects not specifically nominated in Council's Annual Plan that contribute to the priority objective.

Principles of Sustainability

The CCIG program is aligned with the principles of sustainability in that it would:

- Improve and maintain safety, wellbeing and sense of community
- Use locally available resources to increase our self-reliance
- Support local and regional economic prosperity
- Build and strengthen partnerships and alliances

CONSULTATION

Applications that met the criteria were distributed to Councillors for their consideration.

GOVERNANCE

All expenditure recommended is permissible under Section 24 and 356(1) of the Local Government Act 1993.

Consideration of s.23A guidelines

The Chief Executive of the NSW Office for Local Government has issued guidelines titled "*Council Decision Making during Merger Proposal Periods*" pursuant to s.23A(1) of the *Local Government Act 1993* ("LG Act"). The Council must consider those guidelines when making decisions during the "merger proposal period", which commenced on 6 January 2016 and will conclude on the date on which a proclamation is made to amalgamate the Wyong and Gosford local government areas or the Minister for Local Government determines that he will not proceed with the proposal for that amalgamation: s.23A(3) of the LG Act. Councillors have been provided with a copy of those guidelines and have been given advice concerning those guidelines. The decisions that are proposed as part of this report comply with those guidelines.

CORPORATE RISKS

Nil Impact.

CONCLUSION

The proposed allocations contained in this report are permissible under the Council's policy on Councillors' Community Improvement Grants. The process has been correct and Council may confirm the grants at its option.

ATTACHMENTS

Nil

5.3 Future Operation of Pools and Lake Haven Recreation Centre

TRIM REFERENCE: F2004/06260 - D12257571

MANAGER: Maxine Kenyon, Director

AUTHOR: Brett Sherar; Manager

SUMMARY

This report is to inform Council of the outcome of the additional negotiations with the Young Men's Christian Association (YMCA) in relation to the Resolution of Council on 27 January 2016 for the General Manager and Mayor to have further discussions with YMCA in relation to the management of the Wyong Pool and Lakehaven Recreation Centre. As no agreement was reached the previous recommendations from Council staff are recommended for these sites and The Entrance Baths and Toukley Pool.

RECOMMENDATION

- 1** *That Council decline YMCA's offer for a non-guaranteed cost based contract to manage Lake Haven Recreation Centre and Wyong Pool for the period July 2016 – June 2017 due to a change in their commercial management philosophy.*
- 2** *That Council approve the operation of the Lake Haven Recreation Centre as a community facility until master planning by Council staff of the area is finalised or until a further review can occur after the likely amalgamation of Wyong and Gosford councils.*
- 3** *That Council approve that the temporary management of The Entrance Baths, Wyong Pool and Toukley Pool be undertaken by Council staff until a further review can occur after the likely amalgamation.*
- 4** *That Council temporarily increase fulltime equivalent staffing by seven in the Open Space and Recreation unit to allow for the temporary provision of services at Wyong Pool, The Entrance Baths and Toukley Pool.*

BACKGROUND

Following a report to the Ordinary Meeting of Council on 9 September 2015, recommending the extension of the contract for Wyong Pool and Lake Haven Recreation Centre (LHRC), Council unanimously resolved as follows:

- "964/15 That Council note that significant master planning is occurring in and Wyong where the Recreation Centre and Wyong Pool are located. Due to this, and the possibility of changes to the area, there may be financial impacts on future possible tender outcomes.*

965/15 *That Council determine a satisfactory result would not be achieved by going to Tender due to master planning being undertaken on these sites and the likelihood of changes to the sustainability of the facilities in the next twelve months.*

966/15 *That Council request the General Manager to negotiate a one year extension to the contract with Young Men's Christian Association (YMCA to manage both Lake Haven Recreation Centre and Wyong Pool."*

YMCA currently have contracts to manage and operate Lake Haven Recreation Centre, Wyong Pool, The Entrance Baths and Toukley Pool. Their contract ends on 30 June 2016. For the last year, the operations of all facilities cost Council \$1.2m including the costs of the YMCA contract.

Council then received a further report from staff and resolved on 27 January 2016 the following:

'63/16 *That Council defer this matter pending further discussions between the Acting Chief Executive Officer, the Mayor and the YMCA'.*

CURRENT STATUS

Staff wrote to and met with various YMCA staff to implement this resolution, unfortunately due to their staff changes, delays occurred in the negotiations. Negotiations have now taken place and their offer for extending their contract for Lake Haven Recreation Centre and Wyong Pool until the end of June 2017 is not recommended. Their offer is based around a non-guaranteed pricing agreement with Council holding all the risk. Two reasons were given for this approach, the first being a new management philosophy that diverts financial risk from YMCA to the facility owner and secondly their modelling of the Recreation Centre (LHRS) membership has shown a likely reduction of between 20-40% due to the new health centre opening at Doyalson Returned and Services League (RSL).

Although requested to provide a cost for just Wyong Pool and LHRC, the YMCA included Toukley pool in their proposal. Their estimated loss, and expected Council contribution, for 2016/17 financial year was \$310,000.00 based on LHRC only losing 20% membership. However, the non-guaranteed pricing arrangement means that their proposal would require Council to fund whatever the costs ended up being.

Master planning at both Lake Haven and Wyong Pool sites is still yet to be finalised.

Staff have undertaken an indicative assessment of the costs of running The Entrance Baths, Wyong Pool and Toukley Pool using YMCA figures compared to the costs of using Council staff.

With the YMCA contract ending on 30 June 2016, other arrangements must be made. However with Gosford and Wyong council's likely amalgamation this year, s.23A guidelines need to be considered. Council must consider where any proposed contract exceeds the 1% of rates revenue threshold and will reduce the options available to the new Council. The total cost of providing the four YMCA managed sites for 2014/15 was \$1,161,856. This included YMCA contract cost, utilities, other operating costs and capital works. The 2015/16 projected costs for the same is \$1,362,742. Estimated costs for 2016/17 are similar to 2015/16 but these are uncertain until a new management process is adopted. If Council were to enter into new external contracts for management of these sites, this could be seen as locking the new Council into a particular method and budget allocation for operating pools / recreation centres for a period. If this situation does occur and therefore deviates from the s.23A guidelines, a clear and reliable explanation on the options needs to be provided and considered and show that all other reasonable alternatives have been considered.

Gosford City Council currently manage their pools and recreation centres through day labour, however informal advice from staff has identified that they would also like to review their service model as a result of the amalgamation.

The Acting Chief Executive Officer, the Mayor and staff met with representatives from YMCA on 11 February 2016 and it was agreed that YMCA would review their offer and come back to Council within a week. This feedback has been chased up with YMCA however no further information or revised offer has been received. As a result, the recommendations contained in this report, were staff recommendations from the previous report in January and remain.

THE PROPOSAL

The following proposal includes all three Council pools, being the Entrance Baths, Wyong Pool and Toukley Pool, as well as LHRC. Staff are mindful of the services provided to the community at all sites and have considered the potential impact if this service is changed. The proposed recommendations aim to minimise this impact.

The offer from YMCA for management of the Lake Haven Recreation Centre, Wyong Pool (and Toukley Pool even though not requested by Council) is a non-guaranteed pricing agreement with Council holding all the risk. This is not a feasible option to manage operations and considering s.23A guidelines it would have an impact of an unknown amount into the future of a newly amalgamated council. As a result, it is not recommended to accept the YMCA offer for the one year extension on the two sites.

The options below, also considered the unknown timeframes of the amalgamation process and therefore recommendations are provided that enable the most flexibility to enable a new Council to have the time needed to review the operations and identify the future business model required.

Recreation Centre

Based on the master planning proposed for this site and the shorter time frame for any potential contract, staff investigated a number of options:

- Going out to tender – based on the shorter time frame available and as YMCA note, there are many private providers of gyms emerging and the value from a short term contract would unlikely attract contracts that would provide a positive financial return to Council.

- Council staff run the facility as it currently operates – We do not have Council staff on board with the required skills, it will require additional staff and would also require purchase of relevant equipment (ie gym equipment) if the gym were to continue to operate.
- Council run the facility as a community facility – we have existing procedures for managing community buildings. This could be an additional facility allowing individuals to book the spaces. Fees and charges would be required in the 2016/17 strategic plan. It would mean that the space would not include a gym as this would require extensive purchase or lease of equipment (there are many privately provided gyms located in the area). This would also enable ease of management if there are changes required as a result of master planning and provide some income to Council for use of the space, rather than it being closed. This would not require additional FTE. With the departure of YMCA, they would need to communicate and manage their membership base.

Wyong Pool

Based on the master planning proposed for this site and the shorter time frame for any potential contract, staff investigated a number of options:

- Going out to tender –based on the shorter time frame available the value from a short term contract would unlikely attract contracts that would provide a positive financial return to Council.
- Council staff run the facility – This site would need a Centre Manager to oversee the site operations. The facility would require an additional 2.2 FTE and operate for seven months of the year. Council lifeguards could be utilised, however this would also require additional FTE to ensure existing lifeguard services are maintained. This would be a relatively easy service to transition to Council and maintain services to the community.

The Entrance Baths

The Entrance Baths is a relatively simple operation and it is free, so the only income is through the kiosk.

- Council staff run the facility - Council undertook a cost benefit analysis in relation to the most efficient way to provide the current level of service to The Entrance Baths. The analysis identified that if the lifeguard service reverted to being provided by the lifeguards day labour staff with toilet cleaning being undertaken by current staffing, the estimated savings to Council are \$84,000.00 per annum. This would require an additional temporary 1 FTE. The building facilities onsite, including the kiosk, could be leased for a commercial return where possible. However, if not possible, Council staff could operate the kiosk.

Toukley Pool

Toukley Pool is a busy facility and seems to function well.

- Go out to Expression of Interest – to operate the facility on behalf of Council. Given the s.23A guidelines the time period offered would be shorter than 5-10 years which would be ideal and provide a contractor an opportunity to develop and invest in a service and the facility. It is envisaged that a lesser time frame may not provide incentive to appropriate offers.
- Council staff run the facility – Council does not have appropriate staffing to manage this facility, this would require additional temporary FTE of 3.8.

Recommendations:

For Wyong Pool, The Entrance Baths and Toukley Pool, it is recommended that:

- all sites be temporarily managed by Council staff at the conclusion of the YMCA contract
- additional temporary Full Time Equivalent (FTE) staff of 7 is required to be recruited on a temporary basis to undertake this work
- due to the likely amalgamation that this be a temporary arrangement until it can be reviewed by the new Council and the best model is determined.

For Lake Haven Recreation Centre it is recommended that:

- the site be temporarily managed by existing Council staff as a community facility at the conclusion of the YMCA contract
- due to the likely amalgamation that this be a temporary arrangement until it can be reviewed by the new Council and the best model is determined.

Depending on the approach taken by Council, communication with current users of all facilities will be required, noting that YMCA will need to directly engage with their members.

OPTIONS

All of the recommendations are based on trying to get the most appropriate return for Council given the following:

- The YMCA offer received to extend the contract for Lake Haven and Wyong was not financially viable
- The short time frame available to implement options until the YMCA contract ends on 30 June 2016
- To consider other planning being undertaken on key sites and future potential impact
- To maintain the service or part of the service where possible
- To minimise the cost to Council
- To consider the s.23A guidelines as a result of the likely amalgamation and therefore undertake these arrangements on a temporary basis until a new Council is in place and can determine their business model for pools and recreation centres.

Council may choose either of the following options for any of the services / facilities:

- a. Close the services
- b. Go out to external contract / call for expressions of interests
- c. Undertake the services using Council staff.

STRATEGIC LINKS**Wyong Shire Council Strategic/ Annual Plan**

<i>Principal Activity</i>	<i>Service</i>	<i>Key Action and Objectives</i>	<i>Funding Source and Description</i>	<i>Impact on Key Performance Indicators/ Service Performance Indicators</i>
Community Recreation	Recreational Planning and Development	Facilities and Services	General Fund	Community Recreation

Contribution of Proposal to the Principal Activity

These facilities provide a service to the community which is used by individuals, sporting and recreation groups.

Long Term Financial Strategy

Costs of managing all centres are included in the Long Term Planning Strategy.

Asset Management Strategy

No change as assets will not change based on change of management strategy.

Workforce Management Strategy

With the recommendation for all pools to be managed using day labour, there will need to be a temporary increase in FTE of 7. These FTE will sit within the Open Space and Recreation unit. This is not currently identified in the Workforce Management Strategy.

Link to Community Strategic Plan (2030)

Communities will have access to a diverse range of affordable and coordinated facilities, programs and services.

Budget Impact

Currently the cost of managing these facilities is approximately \$1.4m per annum which includes YMCA overheads. It is envisaged that the above options will reduce this financial burden on Council. However until a determination is made we will not be able to fully understand the detailed operations of each facility and the potential savings we could make, likely until the YMCA exit the facilities and we operate them.

Other than staffing costs which will likely be higher due to different industrial awards, most other cost will be maintained. These include utilities, being water, electricity and gas, capital expenditure and depreciation. Savings will be made in contract management cost and YMCA corporate overheads, likely offsetting any extra staffing costs. Some of these staff will need to commence in 2016/17 to ensure appropriate handover from YMCA is undertaken, this may require consideration at a quarterly review.

New fees and charges will need to be developed and adopted through the 2016/17 strategic planning process for all sites.

CONSULTATION

No external consultation was undertaken other than requesting an offer from YMCA.

GOVERNANCE AND POLICY IMPLICATIONS

It is considered that all recommendations in this report meet procurement guidelines.

Consideration of s.23A guidelines

The Chief Executive of the NSW Office for Local Government has issued guidelines titled "*Council Decision Making during Merger Proposal Periods*" pursuant to s.23A(1) of the *Local Government Act 1993* ("LG Act"). The Council must consider those guidelines when making decisions during the "merger proposal period", which commenced on 6 January 2016 and will conclude on the date on which a proclamation is made to amalgamate the Wyong and Gosford local government areas or the Minister for Local Government determines that he will not proceed with the proposal for that amalgamation: s.23A(3) of the LG Act. Councillors have been provided with a copy of those guidelines and have been given advice concerning those guidelines. The decisions that are proposed as part of this report comply with those guidelines.

Increases in staff will be managed within the s.23A Guidelines ensuring no increase in permanent staffing to provide the alternate management of the facilities. It is recommended that staff be engaged on a temporary basis to enable the service to operate and for the newly amalgamated Council to determine the future approach to these services.

MATERIAL RISKS AND ISSUES

Reputation management of these services and facilities will require an appropriate handover from YMCA to the new operations and for staff to be brought on prior to the end of contract to enable handover to occur.

CONCLUSION

Due to YMCA's offer being dependant on a non-guaranteed financial agreement with Council carrying all financial risk, it has become necessary to undertake a different approach to the management of Council's pools and recreation centre. In addition, with the likely imminent merger of Gosford and Wyong councils it is recommended that these solutions are temporary until such time a review can be undertaken with all Central Coast Council pool and recreation facilities, therefore meeting s.23A guidelines.

The recommended options are considered the most financially beneficial to Council considering the current master planning and the likely amalgamation of Wyong and Gosford councils, while still providing essential services to the community.

ATTACHMENTS

Nil

6.1 Initiatives to Improve Safety on Rock Platforms in Munmorah State Conservation Area

TRIM REFERENCE: F2004/06257 - D12205879

MANAGER: Maxine Kenyon, Director

AUTHOR: Brett Sherar, Manager

SUMMARY

This report provides a response to Council's resolution to call on National Parks to support suitable multicultural shock "signage". The response received from the Office of Environment and Heritage on their initiatives and programs to address recreational fishing concerns in this area is attached to this report.

RECOMMENDATION

That Council receive and note the report on Initiatives to Improve Safety on Rock Platforms in Munmorah State Conservation Area.

BACKGROUND

At the Ordinary Meeting on 9 December 2015, Council unanimously Resolved as follows:

- "1344/15 That Council recognise rock fishing is one of Australia's most dangerous recreational pursuits accounting for 16 deaths alone on the Central Coast in the past 8 years (no victims were wearing life jackets).*
- 1345/15 That, as a consequence of these deaths, the emotional trauma and the huge cost of recovery, Council calls on National Parks to support suitable multicultural "shock signage" in a desperate effort to curb the rising death toll.*
- 1346/15 That, further to the coroner's recommended initiative of shock signage, Council also investigate and report on the possibility of formalising the unofficial name of "Drowning Rocks" platform located on the south eastern side of Wybung Head.*
- 1347/15 That Council, in consultation with Roads and Maritime Services (RMS), Central Coast Surf Life Saving and key user groups, investigate the feasibility of installing a trial "ocean life buoy" in suitable proximity to the shelf to provide floatation and day/night EPIRB (distress beacon) facility.*
- 1348/15 That Council again lend its support to Central Coast Surf Life Saving for their continuing campaign to make buoyancy vests mandatory when rock fishing."*

6.1 Initiatives to Improve Safety on Rock Platforms in Munmorah State Conservation Area (contd)

As a result of this resolution of Council, staff provided written correspondence to the Roads and Maritime Services, the Office of Environment and Heritage and Surf Life Saving Central Coast.

Each of the letters provided are attached to this report.

Responses to each item within the Resolution are as follows:

1344/15: This is recognized and noted.

1345/15: The Office of Environment and Heritage has stated in their response that they have agreed to trial shock signage in the Munnorah State Recreation Area. As there is no Australian standard for such signs they will adopt the one used by Randwick City Council for trial at Wybung Head.

1346/15: This item will be responded to separately by the Governance and Councillor Services Section.

1347/15: The response from the Office of Environment and Heritage advised they have trailed angel rings at Wybung Head and other sites in this area over the past two years. These are often thrown into the ocean (not in rescues) or stolen. In addition, they advise they have placed safety signage at a number of sites in this area advising of the potential dangers at each location. Maps are attached to their response identifying the sites where angel rings and signs are located. They do however, offer in-principal support to a feasibility study into the installation of an ocean life buoy at Wybung Head and suggested involvement from NSW Police Force – Marine Area Command who are the statutory authority for search and rescue within NSW.

Copies of all responses are attached to this report.

1348/15: Council staff will support any initiatives of Central Coast Surf Life Saving to make buoyancy vests mandatory at sites within Wyong Shire identified as hazardous. A response to Council's letter of 21 December 2015 to Surf Life Saving Central Coast has not yet been received.

In early February 2016, the State Government announced rock fishers at high-risk locations will be required to wear life jackets as part of new laws aimed at increasing safety on the State's coast. A working group has been established by the State Government to determine where the high-risk locations will be, using information such as the number of fatalities and near drownings at a site, wave dynamics, usage and accessibility.

The locations will form part of legislation to be introduced into NSW Parliament this year however rock fishers will be given a one-year grace period before the new law is enforced.

ATTACHMENTS

1	Response - Signs Wybung Head - Office Environment Heritage - NSW National Parks - Summerland Point	D12202848
2	Letters of support to Roads and Maritime Service, Surf Life Saving Central Coast and Office of Environment and Heritage	D12185430
3	Response from RMS - In-principle Support Installation Ocean Buoy Wybung Head	D12218519



Office of
Environment
& Heritage

Mr Brett Sherar
Manager Open Space and Recreation
Wyong Shire Council
PO Box 20
Wyong NSW 2259

Dear Mr Sherar

Signs – Wybung Head

Thank you for the information from the Council meeting in December 2015 and Council's suggestions arising from the recent inquest into rock fisher drownings in NSW.

As we discussed in late 2015, NPWS has implemented a number of initiatives to improve safety on the rock platforms in Munmorah State Conservation Area (MSCA).

We have placed angel rings on the rock platforms along the coast in MSCA, including Wybung Head, Snapper Point, Red Ochre Point and Flat Island (see locations on attached maps). We have also trialled angel rings fitted with GPS trackers and luminescent rings for night time visibility, over the past two years. We work closely with the Recreational Fishing Alliance (RFA), who provide us with replacement rings as necessary, as they are often thrown into the ocean (not in rescues) or stolen.

Australian standard safety signs are located at all of the coastal car parks and main walking track entrances providing access to rock platforms and beaches in the park, at locations also marked on the enclosed maps. These signs provide information via symbols, to advise of potential hazards, and emergency response information for each individual location.

LED programmable signs have been installed on the entry stations at the two main vehicle access roads into MSCA. They remind visitors of basic fisher safety (eg to have a life vest) and are altered to advise of dangerous surf conditions when applicable.

There are interpretive panels at the main vehicle entries to the park which provide advice, in text and symbols, about ocean hazards, and give safe fishing advice. This information is similar to that provided in the park brochure, a copy of which is also enclosed for your information.

NPWS also funds a peak-season life guard patrol service at Frazer Beach between Snapper Point and Wybung Head.

Our discovery programs provide personal floatation devices for participants in activities in coastal areas and these are of course cancelled when there are dangerous surf warnings.

PO Box 8068 Summerland Point NSW 2259
Tel: (02) 49729000 Fax: (02) 49729055
ABN 30 841 387 271
www.environment.nsw.gov.au

In the Lakes Area office, at the northern entry to MSCA, information about ocean safety and fishing is provided through stickers, brochures and the multi lingual DVD provided by the RFA and Fishing Trust.

NPWS works closely with Surf Life Saving Australia (SLS), who provide the lifeguard service at Frazer Beach. We have participated in the pilot of Project Blueprint which considered the risk ratings of the rock platforms and headlands in MSCA and will be participating in the forthcoming assessment in Lake Macquarie LGA. We provide SLS with space on our Snapper Point repeater for their ocean condition monitoring camera and will provide a site to trial an early warning / ocean safety facility if they obtain funding for its development.

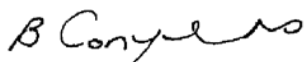
As you are aware NPWS was a witness at the coronial hearing into rock fishing deaths in June 2015. The coroner's findings of 2 July 2015 included the conclusion that Munmorah SCA is now "one of the most heavily signed rock fishing areas in Australia". NPWS's submission to the coroner also raised concerns that signs and information alone have been proving insufficient to prevent fisher drownings.

In December 2015 NPWS completed a review of ocean safety signs, primarily in relation to Kamay Botany Bay National Park. We have agreed to trial the so called "shock signs" there and in MSCA. There is no Australian standard for such signs and we will adopt the one used by Randwick City Council and trial it at Wybung Head.

The main finding of the Coroner's report was that life vests should be made mandatory for rock fishers. The agencies who made submissions to the court supported this recommendation. NPWS is of the view that this is the main initiative with potential to reduce the number of drownings and we look forward to participating in education campaigns for their introduction in the near future.

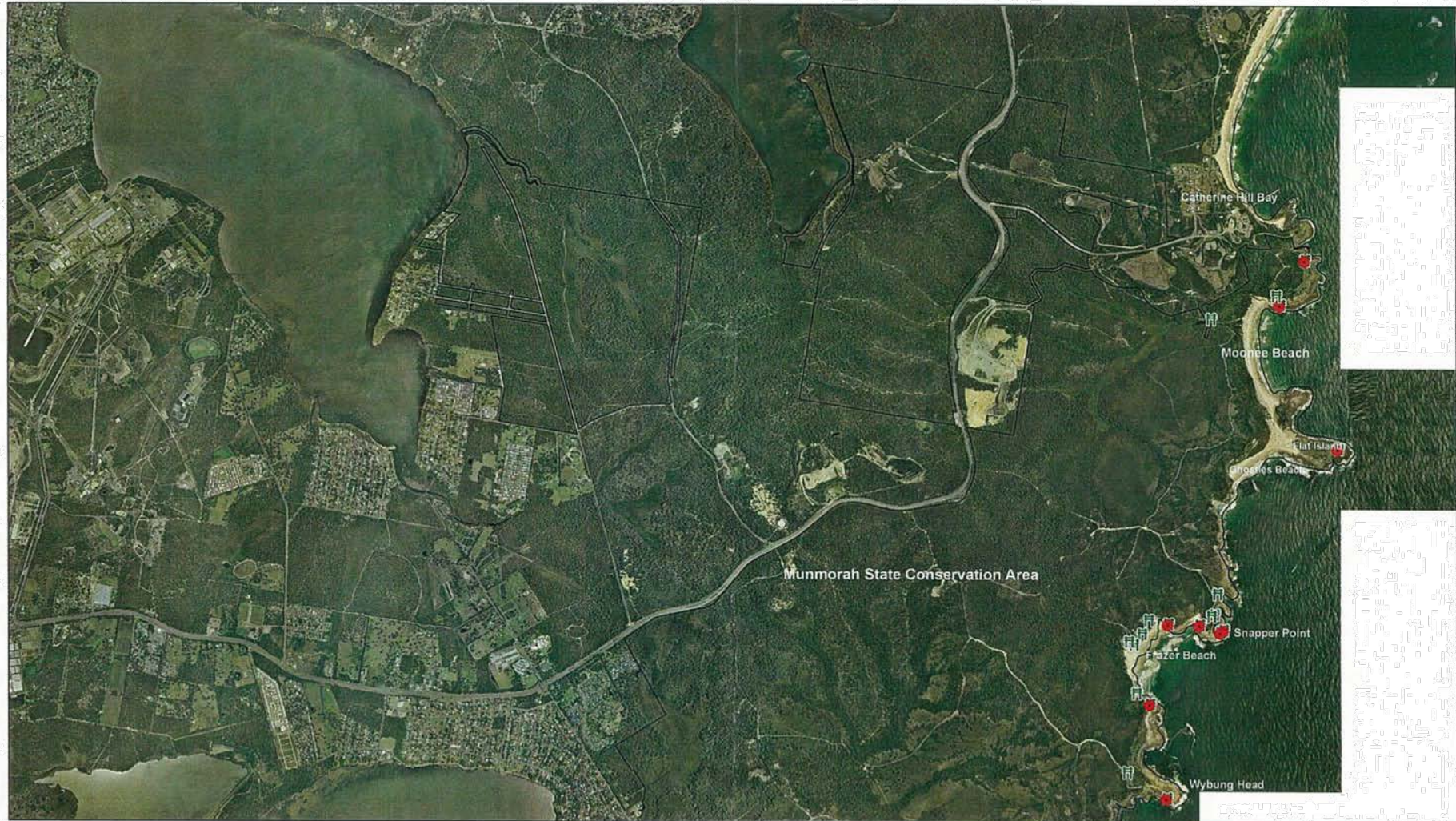
If you have any questions about this information you could contact Ranger Glenn Gifford on 49729008 or at glenn.gifford@environment.nsw.gov.au.

Yours sincerely



BRONWYN CONYERS
A/Regional Manager
Central Coast Hunter Region
NPWS

11.1.16




Legend

-  Ocean Warning signs
-  Angel Rescue Ring


Angel Rings & Signs

Munmorah SCA North Precinct


Copyright Department of Environment, Climate Change & Water (DECCW) November, 2011
 This map is not guaranteed to be free from error or omission.
 The Department of Environment, Climate Change & Water (DECCW) and its employees
 disclaim liability for any and all consequences of such acts or omissions.



Datum/Projection: GDA 1994 MGA Zone 56



**Office of
Environment
& Heritage**



Printed By:
Glenn Gifford
26 November 2011

Project/PRG/CLW/Env/ClimateChange/Her/Sign/Summerland/2011.mxd



Legend

-  Ocean Warning signs
-  Angel Rescue Ring

Angel Rings & Signs Munmorah SCA South Precinct

Copyright Department of Environment, Climate Change & Water (NSW) November, 2011.
This map is not guaranteed to be free from error or omission.
The Department of Environment, Climate Change & Water (NSW) and its employees
disclaim liability for any act done on the information in the
map and any consequences of such acts or omissions.



Datum/Projection: GDA 1994 MGA Zone 56



**Office of
Environment
& Heritage**

Printed By:
Glenn Gifford
26 November 2011

Project: PWC_20100305_Coastal_Engineering_Study_MSCA_Sc. 2011.mxd



Munmorah State Conservation Area



nswnationalparks.com.au

ABOUT MUNMORAH SCA

Munmorah State Conservation Area has a rugged coastline with sandy beaches and coastal heath. The park offers opportunities for surfing, fishing, bushwalking and camping, and is also home to a variety of wildlife.

Munmorah SCA is the perfect place to view a magnificent display of wildflowers from late winter to early spring, particularly in the heath areas of the park.

Opening hours: Munmorah SCA is open between 5.30 am and 9.00 pm (daylight saving time), and 5.30 am to 6.00pm (other times). Access outside these times is via a security firm and is subject to payment of a fee. Emergency services have keys to the gates in the event of any incidents.

Visitor fees apply at Munmorah State Conservation Area. These fees help to maintain the visitor facilities in the park. Annual or day passes for park entry are available at the local NPWS office – phone (02) 4972 9000.

CAMPING AREAS

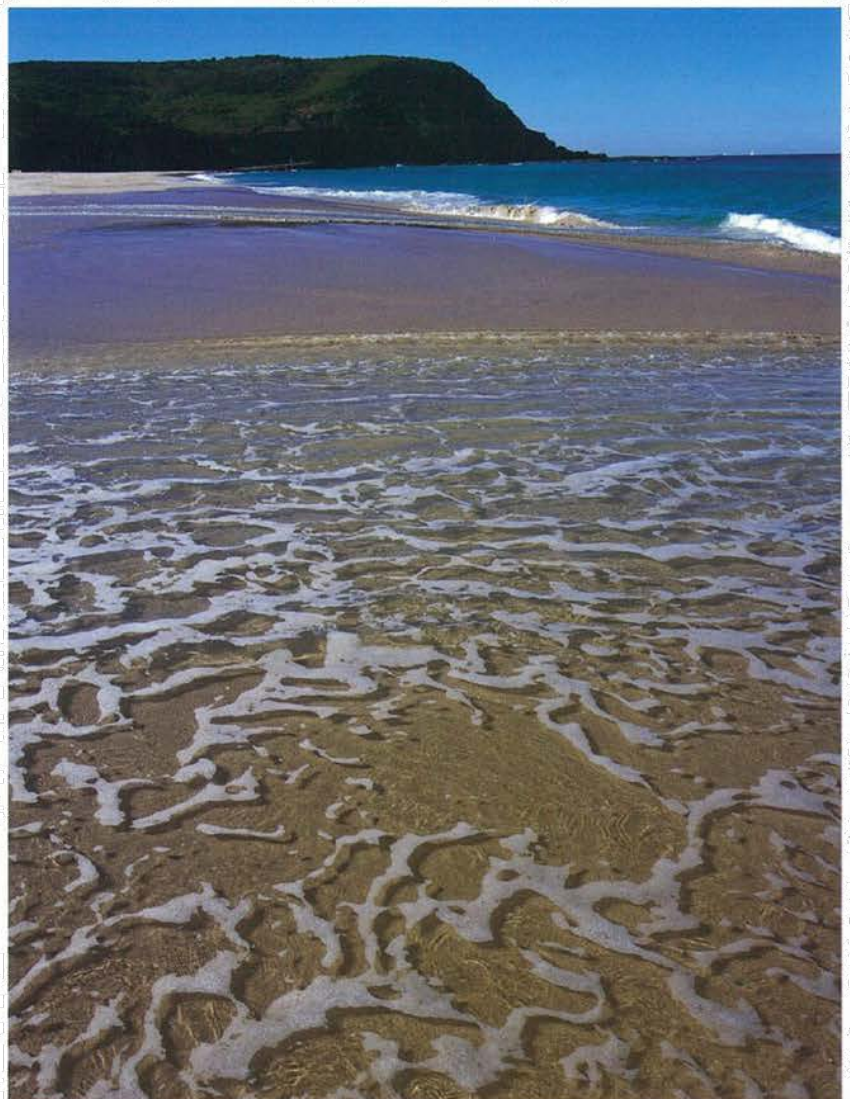
FREEMANS CAMPING AREA

Freemans Camping Area has 28 tent sites and 8 caravan or van sites in a landscaped area a short walk from beautiful Birdie Beach. This is a popular camp site, especially in summer. It has toilets, free gas barbecues and picnic tables.

FRAZER BEACH CAMPING AREA

This small camp site overlooks Frazer Beach, famous for its surf. Toilets, picnic tables and free gas barbecues are provided.

Bookings for camp sites are essential – book on-line www.nationalparks.nsw.gov.au/bookings.



IMAGES: MIAN: View over Birdie Beach to Bird Island Nature Reserve. Photo: Susan Davis / OEH. BOTTOM: Munmorah State Conservation Area. Photo: David Bertson / OEH.

NPWS VISITOR GUIDE: Munmorah State Conservation Area

PICNIC AREAS**TEA TREE PICNIC AREA**

A short walk from this picnic area is a viewing platform which provides spectacular views over the length of Birdie Beach north, to Norah Head lighthouse in the south and out to Bird Island.

PALMS PICNIC AREA

Located beneath a canopy of cabbage tree palms, this quite, shady picnic area is an ideal location to rest for a while.

BICYCLE RIDING

Pushbike riding can be enjoyed on fire management trails throughout Munmorah SCA. Pushbikes are not permitted on walking tracks.

UNPATROLLED BEACHES

Care must be taken when swimming at beaches in national parks, as they are not patrolled. Only Frazer Beach in Munmorah SCA is patrolled and then only during the summer school holidays and at Easter.

IMAGES

RIGHT: Munmorah State Conservation Area. Photo: David Benson / OEH.
BELOW: Fishing at Birdie Beach. Photo: David Benson / OEH.

BUSHWALKING**MOONEE BEACH TRAIL**

(3 km return – medium)

From Snapper Point Rd, this popular walking trail takes you through coastal heath and provides spectacular views above Timber Beach, Ghosties Beach and Moonee Beach. Descend from the trail to pristine Moonee Beach near Flat Rock Island.

PALMS CIRCUIT TRACK

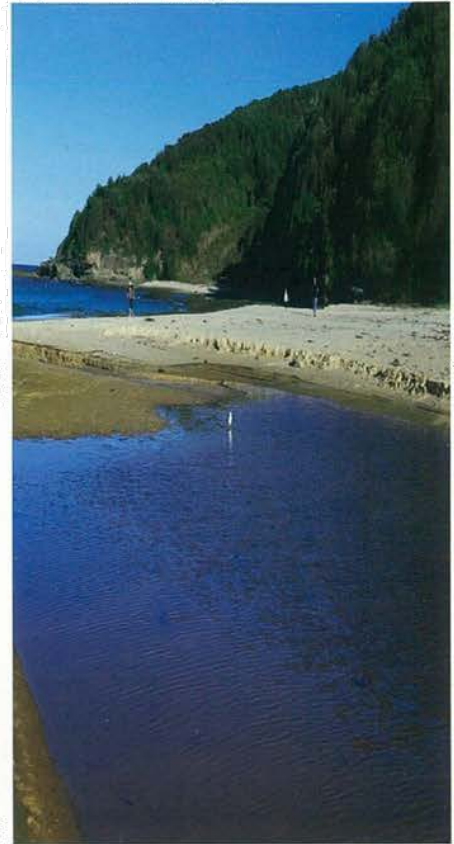
(1.5 km return – medium)

A circuit track starting and finishing at the Palms Picnic Area, this walk is an excellent place to escape the heat. Wander below a canopy of cabbage tree palms and enjoy the cool light filtering past their leaves.

MELALEUCA TRACK / BIRDIE CREEK AND COAST TRACKS

(7.2 km one-way – medium)

This walk can be completed in several sections. Commencing at the southern park entrance on Birdie Beach Drive, this track travels through a swamp / sedgeland paperbark forest, on to a dry ridge scribbly gum community and out onto a spectacular coastal heath. Take in views of Norah Head and Bird Island before a short walk to conclude at Frazer Beach.



NPWS VISITOR GUIDE: Munmorah State Conservation Area

MUNMORAH STATE CONSERVATION AREA





F2010/00500
Related: D12181128

21 December 2015

Ms R Gandhi
Acting CEO
Roads and Maritime Services
Head Office
Locked Bag 928
NORTH SYDNEY NSW 2059

Dear Ms Gandhi

Installation of ocean life buoy at Wybung Head

At the Ordinary Meeting of Council on 9 December 2015, a unanimous Resolution was passed requesting the following action be taken in relation to the Wybung Head fishing and recreation area:

"1347/15 That Council, in consultation with Roads and Maritime Services (RMS), Central Coast Surf Life Saving and key user groups, investigate the feasibility of installing a trial "ocean life buoy" in suitable proximity to the shelf to provide floatation and day/night EPIRB (distress beacon) facility."

In line with the above Resolution I would request that consideration be given by RMS in consultation with Surf Life Saving Central Coast with a view to installing an ocean life buoy and day/night distress beacon at the most suitable site at Wybung Head.

I look forward to receiving your response at your earliest convenience.

Yours sincerely

Brett Sherar
Manager
Open Space and Recreation



F2010/00500

Related: D12181128

21 December 2015

Area Manager
Ms Bronwyn Conyers
Office of Environment & Heritage
Munmorah Conservation Area
PO Box 8068
SUMMERLAND POINT NSW 2259

Dear Ms Conyers

Signage – Wybung Head

At the Ordinary Meeting of Council on 9 December 2015, a unanimous Resolution was passed requesting the following action be taken in relation to the Wybung Head fishing and recreation area:

"1344/15 That Council recognise rock fishing is one of Australia's most dangerous recreational pursuits accounting for 16 deaths alone on the Central Coast in the past 8 years (no victims were wearing life jackets).

1345/15 That, as a consequence of these deaths, the emotional trauma and the huge cost of recovery, Council calls on National Parks to support suitable multicultural "shock signage" in a desperate effort to curb the rising death toll."

In relation to item 1345/15, I request consideration be given by National Parks and Wildlife Service to the installation of signage providing information on the number of deaths at this site.

I look forward to receiving your response at your earliest convenience.

Yours sincerely

Brett Sherar
Manager
Open Space and Recreation



F2010/00500
Related: D12181128

21 December 2015

Mr Chris Parker
CEO
Surf Life Saving Central Coast
4 Teamster Close
TUGGERAH NSW 2259

Dear Mr Parker

Installation of ocean life buoy at Wybung Head

At the Ordinary Meeting of Council on 9 December 2015, a unanimous Resolution was passed requesting the following action be taken in relation to the Wybung Head fishing and recreation area:

"1347/15 That Council, in consultation with Roads and Maritime Services (RMS), Central Coast Surf Life Saving and key user groups, investigate the feasibility of installing a trial "ocean life buoy" in suitable proximity to the shelf to provide floatation and day/night EPIRB (distress beacon) facility."

In line with the above Resolution I would request that consideration be given by SLSCC in consultation with Roads and Maritime Services (Office of Environment and Heritage) with a view to installing an ocean life buoy and day/night distress beacon at the most suitable site at Wybung Head.

I look forward to receiving your response at your earliest convenience.

Yours sincerely

Brett Sherar
Manager
Open Space and Recreation



CE16/0072

Mr Brett Sherar
Manager
Open Space and Recreation
Wyong Shire Council
PO Box 20
WYONG NSW 2259

Dear Mr Sherar

Thank you for your letter to the Chief Executive, Roads and Maritime Services, about the installation of an ocean life buoy at Wybung Head. The Chief Executive has asked me to respond to you.

Roads and Maritime offer in-principle support to a feasibility study into this proposal however require further information prior to any commitment to supporting the installation of the device.

In addition to Surf Life Saving, Roads and Maritime suggest the involvement of the New South Wales Police Force – Marine Area Command who is the statutory authority for search and rescue within NSW.

I hope this has been of assistance. For more information please contact Mr Stephen Brown, Manager Operations Hawkesbury/ Broken Bay, at Roads and Maritime on (02) 43235161.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Angus Mitchell', written over a light blue horizontal line.

Angus Mitchell
Director
NSW Maritime

Roads & Maritime Services

33 James Craig Road, Rozelle NSW 2039 | Locked Bag 5100 Camperdown NSW 1450

www.rms.nsw.gov.au | 13 12 56

6.2 Response from Department of Planning & Environment to Request to Dissolve the Central Coast Joint Regional Planning Panel

TRIM REFERENCE: F2011/02277 - D12238208

MANAGER: Scott Cox, Director

AUTHOR: Neryl Little; Executive Support Officer

SUMMARY

The purpose of this report is to inform Councillors of the response received on behalf of the Hon. Rob Stokes MP, Minister for Planning in relation to the dissolution of the Central Coast Joint Regional Planning Panel.

RECOMMENDATION

That Council receive and note the response from Marcus Ray, Deputy Secretary, Planning Services, in relation to the dissolution of the Central Coast Joint Regional Planning Panel.

BACKGROUND

At its meeting held on 28 October 2015, Council resolved on the motion of Councillor Eaton and seconded by Councillor Webster:

"1149/15 That the Council resolve to request the NSW Minister for Planning that the Central Coast JRPP be dissolved and the proposed Greater Central Coast Council be given expanded planning powers."

A response has now been received from Marcus Ray, Deputy Secretary, Planning Services on behalf of the Hon Rob Stokes MP.

A copy of the response is attached.

ATTACHMENTS

- | | | |
|---|---|-----------|
| 1 | Response - Rob Stokes MP - minister - seek dissolution Hunter Central Coast Joint Regional Planning Panel | D12237961 |
|---|---|-----------|



Mr Rob Noble
Acting CEO
Wyong Shire Council
PO Box 20
Wyong NSW 2259

16/01553

Dear Mr Noble

Thank you for writing to the Hon Rob Stokes MP, Minister for Planning about Wyong Shire Council's resolution seeking the dissolution of the Hunter and Central Coast Joint Regional Planning Panel (Planning Panel). The Minister has asked me to reply on his behalf.

I note your Council's view that once it is deemed 'Fit for the Future' that the Planning Panel should be dissolved and the proposed Central Coast Council be given expanded planning powers.

When established, the Planning Panels were intended to provide for independent, merit-based decision making by a mix of experts and local representatives, without direction from government.

While the Department acknowledges that a Central Coast Council may like to take greater responsibility for development and planning decisions, this would be a matter for any new Central Coast Council to raise with the Government.

I encourage the Council to continue to work with the Panel to ensure timely, effective and robust assessment processes continue.

Should you have any further enquiries, please contact Mr Stephen Murray, Acting Executive Director Regions on (02) 9228 6249.

Yours sincerely

A handwritten signature in black ink that reads 'Marcus Ray'.

Marcus Ray
Deputy Secretary
Planning Services

11/02/2016

6.3 Road Capital Works Program

TRIM REFERENCE: F2011/00879 - D12230703
MANAGER: Greg McDonald, Director
AUTHOR: Stuart Baverstock; Construction Manager

SUMMARY

Council's 2015/16 Strategic Plan commits Council to a road pavement renewal, upgrade and resealing rolling works program with the objective of improving the overall pavement network condition and corresponding levels of service. The following report summarises the timing of projects planned for the following 12 month period.

RECOMMENDATION

That Council receive the report on the status of the Council's Road Capital Rolling Works Program.

BACKGROUND

Council's 2015/16 Strategic Plan has committed \$26.06M for the renewal, upgrading and expansion of its road and drainage assets. The majority of these funds (\$16.6M) are committed to road pavement upgrade/renewals and road stormwater drainage works (\$7.6M). The remaining \$1.86M is allocated to shared pathways, footpath, kerb & gutter, bridges and road safety improvement projects.

The target volume outputs for 2015/16 are:

- | | |
|------------------------------------|---------------------------|
| • Pavement resealing = 45 km | 25.2 km achieved to date* |
| • Road upgrade / renewal = 13.5 km | 6.0 km achieved to date* |
| • Footpath = 4.5 km | 4.34 km achieved to date* |
| • Kerb & Gutter = 3.1km | 2.25 km achieved to date* |

*Note that these figures are current up to 26 February 2016.

Council continues to operate an advanced Pavement Management System which is used to measure and model network condition and to develop optimized works programs. The allocation of funding is consistent with this strategic approach that continues to see an overall improvement in network condition towards the 2015/16 target Pavement Condition Index (PCI) of 7.2.

The attached table provides a schedule of all road upgrades, renewals & reseal projects proposed for all Council controlled Local Roads for 2015/16.

In February 2016 the following major achievements in the Road Capital Works program were achieved:

6.3 Road Capital Works Program (contd)

- Following heavy rainfall in January subsidence of the road pavement at the drainage structure along Jilliby Rd was observed. Subsequent investigations determined significant scour around and under the existing drainage culverts requiring the complete replacement of the structure. A design concept was prepared to replace the entire structure, new culverts ordered and a construction crew sourced with Jilliby Rd being closed to through traffic on Tuesday 9th February to allow construction works to commence. The replacement took place over the subsequent three weeks, with one lane of traffic allowed back through the site after one and a half weeks. Detour disruptions were mitigated with the sealing of the Durren Road detour being carried out in the week preceding the closure.
- The new carpark in Hely St Wyong to service the Art House progressed toward completion, however was delayed due to the works crew being diverted to the Jilliby Road culvert project. The completion of the carpark is now being programmed to coincide with the opening of the Art House.
- Works continued on two other major road and drainage projects at Goorama Avenue San Remo and Lakeside Parade, The Entrance.
- Footpaths/shared paths were completed at;
 - Gamban Road Gwandalan,
 - Moala Parade, Charmhaven,
 - Central Coast Highway (Yakalla St), Bateau Bay.
- Road renewal projects were completed at;
 - Ourimbah Creek Rd.
- Road pavement asphalt works were completed on;
 - Burns Rd Ourimbah,
 - Tall Timbers Road Lake Munmorah,
 - Wyong CBD
 - Goorama Ave, San Remo.

ATTACHMENTS

- 1 CAPEX and Resealing Program - March 2016 D12236286

ROAD UPGRADE /RENEWAL / RESEAL PROJECTS - 2015 / 2016 FINANCIAL YEAR															
Capital Responsibility Centre (RC) No.	(Multiple Items)	SRV Projects	Legend												
			Project Phasing			✓	Project Status Project Completed	✗	Project Status Project deferred or removed from Roads 2015/16 programme due to constructability related issues						
Suburb Location	Capital RC Name	Project Description DO NOT CHANGE	July-15	Aug-15	Sept-15	Oct-15	Nov-15	Dec-15	Jan-16	Feb-16	Mar-16	Apr-16	May-16	June-16	Project Status
Bateau Bay	Local Roads Rehab Works/Road Pavement Renewals	Hillcrest Avenue - Block 1 : Pavement Renewal Programme													
		Norah Head Close - Block 1 : Pavement Renewal Programme													
	Reseals Local Roads-General	Adrian Close - Block 1 Reseal Programme													
		Anglers Drive - Block 1 Reseal Programme													
		Augustus Place - Block 1 Reseal Programme													
		Bateau Bay Road - Block 6 Reseal Programme													
		Bateau Bay Road - Block 7 Reseal Programme													
		Elgata Street - Block 1 Reseal Programme													
		Katungal Street - Block 1 Reseal Programme													
		Kipling Drive - Block 1 Reseal Programme													
		Kipling Drive - Block 2 Reseal Programme													
		Masefield Avenue - Block 1 Reseal Programme													
		Peta Close - Block 1 Reseal Programme													
		Reserve Drive - Block 1 Reseal Programme													
		Reserve Drive - Block 2 Reseal Programme													
	Reserve Drive - Block 3 Reseal Programme														
	Reserve Drive - Block 4 Reseal Programme														
	Reserve Drive - Block 5 Reseal Programme														
	Roads To Recovery Program	Debra Anne Drive - Block 1, 2 and 3 : Pavement Renewal Programme													

ROAD UPGRADE /RENEWAL / RESEAL PROJECTS - 2015 / 2016 FINANCIAL YEAR															
Capital Responsibility Centre (RC) No.	(Multiple Items)	SRV Projects	Legend												Project Status
			Project Phasing												
Suburb Location	Capital RC Name	Project Description DO NOT CHANGE	July-15	Aug-15	Sept-15	Oct-15	Nov-15	Dec-15	Jan-16	Feb-16	Mar-16	Apr-16	May-16	June-16	Project Status
Berkeley Vale	Capital Local Roads Rehab - General/Roads Upgrade	Audie Parade, Berkeley Vale : Road Upgrade/Renewal With Stormwater Drainage													✗
		Berkeley Vale - Road Upgrade With Stormwater Drainage Upgrade (Blenheim, Buckingham, St James, Windsor)													✗
	Footpath Construction	Lorraine Avenue, Berkeley Vale : Footpath Programme (New)													
	Reseals Local Roads-General	Clare Crescent - Block 1 Reseal Programme													
		Colleen Street - Block 1 Reseal Programme													
		Jean Avenue - Block 2 Reseal Programme													
		Keren Avenue - Block 1 Reseal Programme													
		Keren Avenue - Block 2 Reseal Programme													
	Lakedge Avenue Shops C/P at Bluebell Avenue Reseal Programme														
Blue Bay	Capital Local Roads Rehab - General/Roads Upgrade	Bay Road, Blue Bay : Road Upgrade Including Stormwater Drainage													
	Reseals Local Roads-General	Boondilla Road - Block 3 Reseal Programme													
		The Crescent - Block 1 Reseal Programme													
		The Crescent - Block 2 Reseal Programme													
		The Crescent - Block 3 Reseal Programme													
Budgewoi	Capital Local Roads Rehab - General/Roads Upgrade	Villa Close, Budgewoi : Road Upgrade With Stormwater Drainage													
		33 Sunrise Avenue													✓
	Local Roads Rehab Works/Road Pavement Renewals	Edward Street - Block 1 : Road Pavement Renewal													
	Reseals Local Roads-General	Natuna Avenue - Block 2 Reseal Programme													

ROAD UPGRADE /RENEWAL / RESEAL PROJECTS - 2015 / 2016 FINANCIAL YEAR																
			Legend													
Capital Responsibility Centre (RC) No.	(Multiple Items)	SRV Projects	Project Phasing			✓	Project Status Project Completed	✗	Project Status Project deferred or removed from Roads 2015/16 programme due to constructability related issues							
Suburb Location	Capital RC Name	Project Description DO NOT CHANGE	July-15	Aug-15	Sept-15	Oct-15	Nov-15	Dec-15	Jan-16	Feb-16	Mar-16	Apr-16	May-16	June-16	Project Status	
Buff Point	Capital Local Roads Rehab - General/Roads Upgrade	Elouera Road, Buff Point ; Road Upgrade With Stormwater Drainage													✗	
Bushells Ridge	Reseals Local Roads-General	Bushells Ridge Road - Block 1 Reseal Programme													✓	
		Bushells Ridge Road - Block 2 Reseal Programme													✓	
		Bushells Ridge Road - Block 3 Reseal Programme													✓	
Cedar Brush Creek	Reseals Local Roads-General	Brush Creek Road - Block 1 Reseal Programme													✓	
		Brush Creek Road - Block 11 Reseal Programme													✓	
		Brush Creek Road - Block 3 Reseal Programme													✓	
		Brush Creek Road - Block 4 Reseal Programme													✓	
		Brush Creek Road - Block 5 Reseal Programme													✓	
		Brush Creek Road - Block 6 Reseal Programme													✓	
		Brush Creek Road - Block 7 Reseal Programme													✓	
		Brush Creek Road - Block 9 Reseal Programme													✓	
Chain Valley Bay	Shared Pathways	Tall Timbers Road, Scaysbrook Avenue : Shared Pathway		■	■							■				
Chain Valley Bay	Reseals Local Roads-General	Scaysbrook Avenue - Block 1 Reseal Programme													✓	
		Scaysbrook Avenue - Block 2 Reseal Programme													✓	
		Tall Timbers Road - Block 2 Reseal Programme													✓	
		Tall Timbers Road - Block 3 Reseal Programme													✓	
		Tall Timbers Road - Block 4 Reseal Programme									■					
		Tall Timbers Road - Block 5 Reseal Programme									■					
		Tall Timbers Road - Block 6 Reseal Programme									■					
		Tall Timbers Road - Block 7 Reseal Programme									■					

ROAD UPGRADE /RENEWAL / RESEAL PROJECTS - 2015 / 2016 FINANCIAL YEAR																
			Legend													
Capital Responsibility Centre (RC) No.	(Multiple Items)	SRV Projects	Project Phasing			✓	Project Status Project Completed	✗	Project Status Project deferred or removed from Roads 2015/16 programme due to constructability related issues							
Suburb Location	Capital RC Name	Project Description DO NOT CHANGE	July-15	Aug-15	Sept-15	Oct-15	Nov-15	Dec-15	Jan-16	Feb-16	Mar-16	Apr-16	May-16	June-16	Project Status	
Charmhaven	Footpath Construction	Pacific Highway Charmhaven : Footpath Programme (New)													✗	
	Reseals Local Roads-General	Dixie Lane - Block 1 Reseal Programme								■						
	Roads To Recovery Program	Chelmsford Road (West), Charmhaven : Roads To Recovery													✗	
	Shared Pathways	Pacific Highway Charmhaven Stage 1: Shared Pathway Programme (New)													✓	
Chittaway Bay	General	Kauai Avenue - Block 1 Reseal Programme													✗	
		Kauai Avenue - Block 2 Reseal Programme													✗	
		Moloki Avenue - Block 1 Reseal Programme													✗	
		Moloki Avenue - Block 2 Reseal Programme													✗	
		Moui Avenue - Block 1 Reseal Programme														✗
Chittaway Point	Local Roads Rehab Works/Road Pavement Renewals	Geoffery Road - Block 9 : Pavement Renewal Programme													✗	
	Reseals Local Roads-General	Geoffrey Road - Block 10 Reseal Programme								■						
		Geoffrey Road - Block 11 Reseal Programme								■						
		Geoffrey Road - Block 12 Reseal Programme								■						
		Geoffrey Road - Block 13 Reseal Programme								■						
		Vesta Close - Block 1 Reseal Programme									■					
Crangan Bay	Roads To Recovery Program	Kanangra Drive - Safer Roads and R2R	■	■	■	■	■	■	■	■	■					
Fountaindale	Reseals Local Roads-General	Old Chittaway Road - Side Road) Reseal Programme								■						

ROAD UPGRADE /RENEWAL / RESEAL PROJECTS - 2015 / 2016 FINANCIAL YEAR																
			Legend													
Capital Responsibility Centre (RC) No.	(Multiple Items)	SRV Projects	Project Phasing			✓	Project Status Project Completed	✗	Project Status Project deferred or removed from Roads 2015/16 programme due to constructability related issues							
Suburb Location	Capital RC Name	Project Description DO NOT CHANGE	July-15	Aug-15	Sept-15	Oct-15	Nov-15	Dec-15	Jan-16	Feb-16	Mar-16	Apr-16	May-16	June-16	Project Status	
Glenning Valley	Reseals Local Roads-General	Glenning Road - Block 1 Reseal Programme														
		Glenning Road - Block 2 Reseal Programme														
		Glenning Road - Block 3 Reseal Programme														
		Glenning Road - Block 4 Reseal Programme														
		Palm Springs Avenue - Block 1 Reseal Programme														
		Palm Springs Avenue - Block 2 Reseal Programme														
		Toona Way - Block 1 Reseal Programme														
Gorokan	Capital Local Roads Rehab - General/Roads Upgrade	Coorabin Street, Gorokan : Road Upgrade/Renewal With Stormwater Drainage													✗	
	Reseals Local Roads-General	Beryl St - Block 1 Reseal Programme													✓	
		Jacqueline Avenue - Block 1 Reseal Programme													✓	
		Jacqueline Avenue - Block 2 Reseal Programme													✓	
		Ocean View Road - Block 1 Reseal Programme													✓	
		Ocean View Road - Block 2 Reseal Programme													✓	
		Odette Avenue - Block 2 Reseal Programme													✓	
		Sadie Avenue - Block 2 Reseal Programme													✓	
		Suncrest Parade - Block 1 Reseal Programme													✗	
		Sylvia Avenue - Block 1 Reseal Programme													✓	
Roads To Recovery Program	Spring Valley Avenue - Block 1 : Roads To Recovery															
Gwandalan	Capital Local Roads Rehab - General/Roads Upgrade	Quinalup Road (Imga Street) Gwandalan : Road Upgrade														
	Footpath Construction	Gamban Road, Gwandalan : Footpath Programme (New)														
	Reseals Local Roads-General	Orana Road - Block 2 Reseal Programme												✓		
Halekulani	Reseals Local Roads-General	Huene Avenue - Block 1 Reseal Programme												✓		
		Huene Avenue - Block 2 Reseal Programme												✓		

ROAD UPGRADE /RENEWAL / RESEAL PROJECTS - 2015 / 2016 FINANCIAL YEAR																
			Legend													
Capital Responsibility Centre (RC) No.	(Multiple Items)	SRV Projects	Project Phasing		✓	Project Status Project Completed		✗	Project Status Project deferred or removed from Roads 2015/16 programme due to constructability related issues							
Suburb Location	Capital RC Name	Project Description DO NOT CHANGE	July-15	Aug-15	Sept-15	Oct-15	Nov-15	Dec-15	Jan-16	Feb-16	Mar-16	Apr-16	May-16	June-16	Project Status	
Kangy Angy	Reseals Local Roads-General	Orchard Road - Block 1 Reseal Programme														
Kanwal	Footpath Construction	Wallarah Road, Kanwal : Footpath Programme (New)														
Killarney Vale	Capital Local Roads Rehab - General/Roads Upgrade	Norton Ave, Killarney Vale : Road Upgrade With Possible Stormwater Drainage													✗	
		Hume Blvd, Killarney Vale : Road Upgrade With Stormwater Drainage														
	Reseals Local Roads-General	HUME BOULEVARD. Road Upgrade														✓
		East St - Block 1 Reseal Programme														
		East St - Block 2 Reseal Programme														
		Oxley Road - Block 1 Reseal Programme														
	Robert Bourke Street - Block1 Reseal Programme															
	Robert Bourke Street - Block2 Reseal Programme															
Kulnura	Reseals Local Roads-General	Forest Road - Block 1 Reseal Programme														✓
		Forest Road - Block 2 Reseal Programme														✓
		Forest Road - Block 3 Reseal Programme														✓
		Forest Road - Block 4 Reseal Programme														✓
		Forest Road - Block 5 Reseal Programme														✓
Lake Haven	Footpath Construction	Lake Haven - Footpath Programme (New)														

ROAD UPGRADE /RENEWAL / RESEAL PROJECTS - 2015 / 2016 FINANCIAL YEAR															
Capital Responsibility Centre (RC) No.	(Multiple Items)	SRV Projects	Legend												Project Status
			Project Phasing			✓	Project Status Project Completed	✗	Project Status Project deferred or removed from Roads 2015/16 programme due to constructability related issues						
Suburb Location	Capital RC Name	Project Description DO NOT CHANGE	July-15	Aug-15	Sept-15	Oct-15	Nov-15	Dec-15	Jan-16	Feb-16	Mar-16	Apr-16	May-16	June-16	Project Status
Lake Munmorah	Footpath Construction	Carters Road, Lake Munmorah													✓
		Anita Avenue - Footpath Programme													✓
	Reseals Local Roads-General	Elizabeth Bay Drive - Block 7 Reseal Programme													✓
		Rosemount Avenue - Block 1 Reseal Programme													✗
		Rosemount Avenue - Block 2 Reseal Programme													✗
	Shared Pathways	Lake Munmorah Cycleway													
		Pacific Highway - Shared Pathway (New Construction)													✓
Long Jetty	Footpath Construction	Implement Long Jetty Master plan - Main St footpath upgrades (Pacific St to Toowoon Bay Rd) To be completed by open space. SB													✗
	Local Roads Rehab Works/Road Pavement Renewals	Tuggerah Parade - Block 2,3,4 and 6 : Pavement Renewal Programme													
	Reseals Local Roads-General	Archbold Road - Block 1 Reseal Programme													
		Archbold Road - Block 2 Reseal Programme													
		Archbold Road - Block 3 Reseal Programme													
		Bonnieview Street - Block 6 Reseal Programme													
		Nirvana Street - Block 1 Reseal Programme													
		Nirvana Street - Block 2 Reseal Programme													
		Nirvana Street - Block 3 Reseal Programme													
		Rhodin Drive - Block 1 Reseal Programme													
		Rhodin Drive - Block 2 Reseal Programme													
		Surf Street - Block 2 Reseal Programme													
		Surf Street - Block 3 Reseal Programme													
		Thompson Street - Block 3 Reseal Programme													
		Toowoon Bay Road - Block 4 Reseal Programme													
		McLachlan Avenue - Block 4 Reseal Programme													✗
		McLachlan Avenue - Block 5 Reseal Programme													✗

ROAD UPGRADE /RENEWAL / RESEAL PROJECTS - 2015 / 2016 FINANCIAL YEAR															
Capital Responsibility Centre (RC) No.	(Multiple Items)	SRV Projects	Legend												
			Project Phasing	✓	Project Status Project Completed	✗	Project Status Project deferred or removed from Roads 2015/16 programme due to constructability related issues								
Suburb Location	Capital RC Name	Project Description DO NOT CHANGE	July-15	Aug-15	Sept-15	Oct-15	Nov-15	Dec-15	Jan-16	Feb-16	Mar-16	Apr-16	May-16	June-16	Project Status
Manning Park	Roads To Recovery Program	Dunvegan Street - Block 1 : Roads To Recovery													
	Shared Pathways	Griffith Street, Manning Park : Shared Pathway Programme (New)													
Norah Head	Capital Local Roads Rehab - General/Roads Upgrade	Bald Street, Norah Head : Road Upgrade With Stormwater Drainage													
		Maitland Street (Bush Street Stage3) Norah Head : Road Upgrade Including Stormwater Drainage													
	Reseals Local Roads-General	Bungary Road - Block 1 Reseal Programme													
		Bungary Road - Block 2 Reseal Programme													
		Bungary Road - Block 4 Reseal Programme													
		Bungary Road - Block 5 Reseal Programme													✓
		Park Street - Block 1 Reseal Programme													✗
		Victoria Street - Block 1 Reseal Programme													✓
	Victoria Street - Block 2 Reseal Programme													✓	
	Victoria Street - Block 3 Reseal Programme													✓	
Noraville	Footpath Construction	Pandora Parade, Noraville : Footpath Programme (New)													✗
Ourimbah	Capital Local Roads Rehab - General/Roads Upgrade	Glen Road, Ourimbah : Road Renewal With Stormwater Drainage And Guard Rail													
	Footpath Construction	Coachwood Drive, Ourimbah : Footpath Programme (New)													
	Reseals Local Roads-General	Alex Close - Block 1 Reseal Programme													
		Ourimbah Road - Block 1 Reseal Programme													
	Roads To Recovery Program	Ourimbah Creek Road - Block 5 : Pavement Renewal Programme													
San Remo	Capital Local Roads Rehab - General/Roads Upgrade	Goorama Avenue, San Remo : Road Upgrade/Renewal Including Stormwater Drainage													
	Reseals Local Roads-General	Barker Avenue - Block 1 Reseal Programme													✓
		Wills Road - Block 1 Reseal Programme													

ROAD UPGRADE /RENEWAL / RESEAL PROJECTS - 2015 / 2016 FINANCIAL YEAR																
Capital Responsibility Centre (RC) No.	(Multiple Items)	SRV Projects	Legend													
			Project Phasing			✓	Project Status Project Completed	✗	Project Status Project deferred or removed from Roads 2015/16 programme due to constructability related issues							
Suburb Location	Capital RC Name	Project Description DO NOT CHANGE	July-15	Aug-15	Sept-15	Oct-15	Nov-15	Dec-15	Jan-16	Feb-16	Mar-16	Apr-16	May-16	June-16	Project Status	
Summerland Point	Reseals Local Roads-General	Bambara Avenue - Block 1 Reseal Programme													✓	
		Government Road - Block 2 Reseal Programme														✓
		Murrumbong Road - Block 1 Reseal Programme														✓
		Yeramba Road - Block 3 Reseal Programme														✓
		Yeramba Road - Block 4 Reseal Programme														✓
		Yeramba Road - Block 5 Reseal Programme														
The Entrance	Reseals Local Roads-General	Boomerang Road - Block 1 Reseal Programme														
		Boomerang Road - Block 2 Reseal Programme														
		Norfolk Street - Block 1 Reseal Programme														
		Norfolk Street - Block 2 Reseal Programme														
	Roads To Recovery Program	Gosford Avenue - Block 1 : Roads To Recovery														
		Lakeside Parade, The Entrance : Road Upgrade With Stormwater Drainage														
Toukley	Footpath Construction	Dunleigh Street, Toukley : Footpath Programme (New)														✓
		Holmes Avenue. Footpath Programme – renewal														✓
	Reseals Local Roads-General	Evans Road - Block 2 Reseal Programme														✓
		Evans Road - Block 3 Reseal Programme														✓
		Evans Road - Block 4 Reseal Programme														✓
	James Road - Block 1 Reseal Programme														✓	
Tuggerah	Roads To Recovery Program	Johnson Road. Road Pavement Renewal (Roads to Recovery)													✓	
	Shared Pathways	Johnson Road, Tuggerah : Shared Programme (New)														

ROAD UPGRADE /RENEWAL / RESEAL PROJECTS - 2015 / 2016 FINANCIAL YEAR															
Capital Responsibility Centre (RC) No.	(Multiple Items)	SRV Projects	Legend												
			Project Phasing			✓	Project Status Project Completed	✗	Project Status Project deferred or removed from Roads 2015/16 programme due to constructability related issues						
Suburb Location	Capital RC Name	Project Description DO NOT CHANGE	July-15	Aug-15	Sept-15	Oct-15	Nov-15	Dec-15	Jan-16	Feb-16	Mar-16	Apr-16	May-16	June-16	Project Status
Tuggerawong	Capital Local Roads Rehab - General/Roads Upgrade	Warner Avenue, Tuggerawong : Road Upgrade With Stormwater Drainage													✗
	Reseals Local Roads-General	Tuggerawong Road - Block 10 Reseal Programme										■			
		Tuggerawong Road - Block 11 Reseal Programme										■			
		Tuggerawong Road - Block 8 Reseal Programme										■			
Tumbi Umbi	Local Roads Rehab Works/Road Pavement Renewals	Scott Bruce Close - Road Renewal									■	■			
	Reseals Local Roads-General	Alimah Close - Block 1 Reseal Programme											■		
		Hansens Road - Block 1 Reseal Programme											■		
		Lees Lane - Block 1 Reseal Programme											■		
		Marilyn Crescent - Block 1 Reseal Programme											■		
Watanobbi	Reseals Local Roads-General	Watanobbi Road - Block 1 Reseal Programme										■			
		Watanobbi Road - Block 2 Reseal Programme										■			
		Watanobbi Road - Block 3 Reseal Programme										■			
Woongarra	Reseals Local Roads-General	Hakone Road - Block 10 Reseal Programme													✓
		Hakone Road - Block 11 Reseal Programme													✓
		Hakone Road - Block 12 Reseal Programme													✓
		Hakone Road - Block 8 Reseal Programme													✓
		Hakone Road - Block 9 Reseal Programme													✓

ROAD UPGRADE /RENEWAL / RESEAL PROJECTS - 2015 / 2016 FINANCIAL YEAR																
		Legend														
Capital Responsibility Centre (RC) No.	(Multiple Items)	SRV Projects	Project Phasing		✓	Project Status Project Completed	✗	Project Status Project deferred or removed from Roads 2015/16 programme due to constructability related issues								
Suburb Location	Capital RC Name	Project Description DO NOT CHANGE	July-15	Aug-15	Sept-15	Oct-15	Nov-15	Dec-15	Jan-16	Feb-16	Mar-16	Apr-16	May-16	June-16	Project Status	
Wyong	Footpath Construction	Alison Road, Wyong : Footpath Programme upgrade (Margaret Street to Hope Street)													✓	
	Local Roads Rehab Works/Road Pavement Renewals	Robleys Lane - Block 1 : Pavement Renewal Programme									■					
		River Road - Road Renewal													✓	
	Reseals Local Roads-General	Byron Street - Block 1 Reseal Programme								■						
		Pollock Avenue - Block 1 Reseal Programme								■						
		Pollock Avenue - Block 2 Reseal Programme								■						
Wyongah	Capital Local Roads Rehab - General/Roads Upgrade	Kilpa Road, Wyongah : Road Upgrade With Stormwater Upgrade													✗	
	Local Roads Rehab Works/Road Pavement Renewals	Murrawal Road, Wyongah : Traffic Calming and Road Upgrade													✗	
Jilliby	Reseals Local Roads-General	Dickson Road - Block 1 Reseal Programme									■					
		Dickson Road - Block 2 Reseal Programme									■					
		Dickson Road - Block 3 Reseal Programme									■					
		Dickson Road - Block 4 Reseal Programme									■					
		Dickson Road - Block 5 Reseal Programme									■					

6.4 Graffiti Trailer

TRIM REFERENCE: C2016/01723 - D12233880

MANAGER: Brian Glendenning, General Counsel

AUTHOR: Lesley Crawley; Manager Corporate Governance

SUMMARY

Information in relation to current status of Graffiti trailer at Toukley.

RECOMMENDATION

That Council receive the report on Graffiti Trailer.

BACKGROUND

At its meeting held on 27 August Council considered a report in relation to a Graffiti Management Strategy 2015. At that meeting Council resolved in part:

"852/15 That Council request the General Manager report on what exactly happened to the rate payer funded graffiti removal trailer."

In 2010 and 2011 the Toukley Chamber of Commerce (now the Northern Lakes Regional Chamber of Commerce) (the Chamber) sought funding from Council to fit-out and purchase chemicals for its 'Graffiti Beater Trailer' (the trailer).

The Chamber advised that the trailer was *"designed, developed and implemented as a result of The Northern Lakes Regional Business Chamber together with the Wyong North Graffiti Forum, local businesses and community groups."* And that the *"trailer is a free resource for Precinct, Church and Scouting and Community groups etc. to combat graffiti vandalism in their area."*

Grant Funding

The following information sets out the grant funding process, from application to finalisation in relation to the Trailer and its fit out:

Date	Grant	Decision	Finalisation
February 2010	Toukley and District Chamber of Commerce submit Councillor Community Improvement Grant (CCIG) application for \$3,000 for a 'Community Graffiti Trailer.' Note: The group advise at grant finalisation stage that the CCIG has been used for fit-out of trailer and associated items (rather than purchase)	\$2255 and \$550 respectively, were allocated towards the CCIG application. Total \$2805.	Chamber advises that actual spend was \$2,000 An amount of \$805 was recently refunded. Note: Refunded amount to be equally divided among the 10 Councillor allocations for 2015/2016 CCIG

6.4 Graffiti Trailer (contd)

Date	Grant	Decision	Finalisation
March 2011	Northern Lakes Chamber of Commerce (formerly Toukley and District Chamber of Commerce) submit a Community Benefit Grant (CBG) application for the purchase of chemicals for the Graffiti Trailer requesting \$12,000.	Part funding of \$10,000 granted under CBG. (WSC decision to part fund made on basis of information submitted by applicant of other funding sources).	Finalisation of CBG the group advise that was \$9,973 spent toward chemicals and returning remaining \$26.23

Modifications to the Trailer

Part of the CCIG funds was spent on modifications to the trailer that was already owned by the Chamber. The modifications were:

- Hose Reel Pope Handy Reel
- Padlock-Combination
- Pressure Clean Attach Expandit 12m Extension Hose (replacement)
- Angle Slotted Galv Rcr
- Rubber Gloves
- Locked-Pad Shackle

Other items purchased were safety glasses, rubber gloves and flyers.

Current Status of the Trailer

The Chamber has advised that the trailer has now been sold "*due to lack of use and no operational water tank included in the trailer.*" The sold price was not provided, however the Chamber advised that the funds were used to purchase a gurney for community use.

The Chamber also confirms that the remainder of the chemicals purchased with the Community Benefit Grant Funding will be available free of charge for community groups to access for graffiti removal until stocks are exhausted and the organisation can commit to maintaining that distribution, as per the original application.

ATTACHMENTS

Nil.

6.5 Draft Minutes of the Audit and Risk Committee Meeting - 16 February 2016 (rescheduled from 14 December 2015)

TRIM REFERENCE: F2004/07245 - D12243616

MANAGER: Lesley Crawley, Manager Corporate Governance

AUTHOR: Jacquie Elvidge; Councillor Services Officer

SUMMARY

The draft minutes of the Audit and Risk Committee meeting of 16 February 2016 (rescheduled from 14 December 2015) are submitted to Council for consideration.

RECOMMENDATION

That Council receive the report on Draft Minutes of the Audit and Risk Committee Meeting - 16 February 2016 (rescheduled from 14 December 2015).

BACKGROUND

A meeting of the Audit and Risk Committee was held on 16 February 2016 (rescheduled from 14 December 2015). The minutes of this meeting are attached to this report.

Council has not delegated its authority to the Committee to make decisions on its behalf nor does the Committee have the authority to direct staff. Accordingly any recommendations of the Committee requiring the authorisation of Council will be reported to Council separately.

ATTACHMENTS

- 1 MINUTES - Audit and Risk Meeting - 16 February 2016 D12235070

WYONG SHIRE COUNCIL

**MINUTES OF THE
AUDIT AND RISK COMMITTEE MEETING OF COUNCIL**

HELD IN THE COUNCIL CHAMBER
WYONG CIVIC CENTRE, HELY STREET, WYONG
ON 16 FEBRUARY 2016
COMMENCING AT 9.30 AM

PRESENT

Cr Doug Eaton, Mayor
Mr Jason Masters, Independent Member – Chairperson
Mr Glen Harris, Independent Member

IN ATTENDANCE

Mr Brian Glendenning, General Counsel
Mr Stephen Naven, Chief Financial Officer – *entered at 9.42 am and left at 10.14 am*
Ms Tina Baker, Chief Internal Auditor
Ms Taneille Clarke, Internal Auditor
Ms Jacque Elvidge, Councillor Services Officer

The Chairperson, Mr Jason Masters, declared the meeting open at 9:36am and advised in accordance with the Code of Meeting Practice that the meeting is being recorded.

APOLOGIES

Ms Lilly Mojsin, Senior Internal Ombudsman
Mr Rob Noble, Acting Chief Executive Officer
Mr Stephen Bignill, Senior Project Executive

All reports were considered in their correct agenda sequence.

Chair's Opening Remarks

The Chair opened the meeting stating that he had a level of disappointment with the quality of the papers, more particularly, items that would appear significant risks (and consequential audit and internal control issues) facing Council at this stage with the impending merger, that were not on the agenda.

1.1 Disclosure of Interest

Disclosure regarding all Agenda items

Mr Jason Masters, Independent Member, disclosed a non-pecuniary interest with insignificant conflict for the reason that he is the Chair for Audit and Risk at Cessnock City Council, an independent member for Woollahra Municipal Council and developed a course for LG (Local Government) for AICD (Australian Institute of Company Directors) funded by state-wide.

COMMITTEE RECOMMENDATION

That the Audit and Risk Committee receive the report on Disclosure of Interest and note advice of disclosures.

2.1 Confirmation of the adopted Minutes of the Wyong Shire Audit and Risk Committee Meeting - 30 September 2015

COMMITTEE RECOMMENDATION

That the Audit and Risk Committee note the minutes of the meeting of the Wyong Shire Audit and Risk Committee held on the 30 September 2015 were adopted by Council at the 28 October 2015 Ordinary Meeting.

BUSINESS ARISING

There was no business arising from these minutes.

3.1 Status Report on Outstanding Actions

COMMITTEE RECOMMENDATION

That the Audit and Risk Committee confirm the Status Report on Outstanding Actions for the previous Wyong Shire Audit and Risk Committee meeting.

3.2 Proposed dates for Audit & Risk Committee meetings 2016

COMMITTEE RECOMMENDATION

That the Audit and Risk Committee receive the report on proposed dates for Audit and Risk Committee meetings 2016 and adopt suitable dates for next year's schedule as follows:

<i>Date</i>	<i>Time</i>	<i>Type</i>
<i>30 Mar 2016</i>	<i>9:30 am – 12.30 pm</i>	<i>Ordinary Meeting</i>
<i>15 June 2016</i>	<i>9:30 am – 12.30 pm</i>	<i>Ordinary Meeting</i>
<i>28 September 2016</i>	<i>9:30 am – 12.30 pm</i>	<i>Extraordinary Meeting (Financial Reports)</i>
<i>21 December 2016 – To be confirmed</i>	<i>9:30 am – 12.30 pm</i>	<i>Ordinary Meeting</i>

3.3 Q1 Business Report 2015-16

COMMITTEE RECOMMENDATION

- 1 *That the Audit and Risk Committee receive the Q1 Business Report of Wyong Shire Council's progress against Year 3 of the 2013-2017 Strategic Plan.*
- 2 *That the Audit and Risk Committee note that Council's Responsible Accounting Officer has declared the financial position of Wyong Shire Council to be satisfactory.*

3.4 New Processes Around IA Reporting and Follow Up

COMMITTEE RECOMMENDATION

- 1 *That the Audit and Risk Committee receive and note the report on new processes around IA reporting and follow up.*
- 2 *That the Audit and Risk Committee request the Acting CEO to prepare a strategy on accountability on matters arising from assurance processes, both internal and external, and a change management plan to achieve that strategy.*

3.5 Balanced Scorecard Report

COMMITTEE RECOMMENDATION

That the Audit and Risk Committee note the Chief Internal Auditor's Balanced Scorecard Report.

CONFIDENTIAL SESSION

COMMITTEE RECOMMENDATION

That the Audit and Risk Committee move into Confidential Session in order to discuss sensitive matters in relation to item 3.6, Chief Internal Auditor's Report.

At this stage of the meeting being 10.37am, the Audit and Risk Committee moved into Confidential Session. This action is taken in accordance with Section 10a of The Local Government Act, 1993.

The Audit and Risk Committee resumed in open session at 10.43am.

3.6 Chief Internal Auditor's Report

COMMITTEE RECOMMENDATION

- 1 That the Audit and Risk Committee receive the Internal Audit report**
- 2 That the Audit and Risk Committee note that Council has appointed the external auditor to review and report on significant variations in sewer pump station contracts.**
- 3 That the Audit and Risk Committee note that it does not believe this will impact their independence as external auditor.**
- 4 That the Audit and Risk Committee request the Acting CEO report on this issue at the next committee meeting in a confidential session.**

CONFIDENTIAL SESSION**COMMITTEE RECOMMENDATION**

That the Audit and Risk Committee move into Confidential Session in order to discuss sensitive matters in relation to item 4.1, Quarterly Risk Management Report.

At this stage of the meeting being 10.54 am, the Audit and Risk Committee moved into Confidential Session. This action is taken in accordance with Section 10a of The Local Government Act, 1993.

The Audit and Risk Committee resumed in open session at 10.56 am.

4.1 Quarterly Risk Management Report

COMMITTEE RECOMMENDATION

- 1 That the Audit and Risk Committee receive the Wyong Shire Council Risk Management Report as at October 2015.**
- 2 That the Audit and Risk Committee seek to no longer have these reports tabled, and request management to present to this committee the top strategic risks (likely to be under 20 items) and how those risks are being managed.**
- 3 That the Audit and Risk Committee request a report on the implementation of enterprise risk management, to be submitted to the next committee meeting.**

CONFIDENTIAL SESSION**COMMITTEE RECOMMENDATION**

That the Audit and Risk Committee move into Confidential Session in order to discuss sensitive matters in relation to item 4.2, Legal Matters.

At this stage of the meeting being 10.58 am, the Audit and Risk Committee moved into Confidential Session. This action is taken in accordance with Section 10a of The Local Government Act, 1993.

The Audit and Risk Committee resumed in open session at 11.01 am.

4.2 Legal matters

COMMITTEE RECOMMENDATION

- 1 That the Audit and Risk Committee receive the report on Legal matters.**
- 2 That the Audit and Risk Committee request the legal matters report include learnings from other legal matters and high risk legal matters.**

4.3 Quarterly Risk Management Report - February 2016

COMMITTEE RECOMMENDATION

That the Audit and Risk Committee receive the Wyong Shire Council Risk Management Report as at December 2015.

4.4 Update of the Status Report on Outstanding Actions

COMMITTEE RECOMMENDATION

- 1 That the Audit and Risk Committee receive the report on Update of the Status Report on Outstanding Actions.**
- 2 That the Audit and Risk Committee request a report on policies and processes in relation to actions 6 and 9.**

4.5 Revised IA Schedule of Audits

COMMITTEE RECOMMENDATION

That the Audit and Risk Committee receive the report on the Revised IA Schedule of Audits.

GENERAL BUSINESS

GB1/16 Audit & Risk Committee Effectiveness F2004/07245

Mr Jason Masters asked Committee members and staff if there is anything the committee should be doing differently in relation to the pending merger?

Members agreed that the committee should now begin to focus on the Council merger and provide more reports, to the committee, on the matter.

GB2/16 Chairman's Contract

F2004/07245

Mayor Eaton advised the Committee that Chairman, Mr Jason Masters', contract with Council is due to expire soon and proposed that this matter should be put to Council in order to extend Jason's tenure until the new merged Council comes into effect.

Members agreed that this matter is to be brought to the attention of the Acting CEO, Mr Rob Noble, for action.

THE MEETING terminated 11.15am.

6.6 2015 National General Assembly Resolutions

TRIM REFERENCE: F2012/00189 - D12250159
MANAGER: Sonia Witt, TL Governance and Councillor Services
AUTHOR: Jacque Elvidge; Councillor Services Officer

SUMMARY

The purpose of this report is to advise Council of replies received regarding the resolutions of Council's investor visa motion, which was submitted to the 2015 National General Assembly (NGA).

RECOMMENDATION

That Council receive the report on 2015 National General Assembly Resolutions.

BACKGROUND

In 2015 Wyong Shire Council submitted the following motion to the NGA regarding the Australian Government's 888 Visa Scheme:

"That the National General Assembly call on the federal government to promote investment in rural and regional Australia by way of incentives introduced into the 888 Significant Investment Visa scheme that favours investment in rural and regional Australia."

After the Resolution had been adopted by the NGA it was referred to the ALGA Board for consideration together with other resolutions adopted at that time.

The Board met in July 2015 to consider the 2015 NGA Resolutions and decided to pursue the 888 Visa Scheme resolution by referring it to the Australian Government, to do this the ALGA President, Mayor Troy Pickard, wrote to Minister's Dutton and Robb seeking their views and policies on the matter.

Attached are response letters from The Hon. Peter Dutton MP and The Hon. Andrew Rob AO MP, regarding the resolution of this motion.

ATTACHMENTS

- | | | |
|----------|--|-----------|
| 1 | 2015 ALGA National General Assembly Motion - 888 Visa Scheme | D11920015 |
| 2 | Letter from Andrew Robb - 2015 NGA Resolution - Received 25 February 2016 | D12250074 |
| 3 | Letter from Peter Dutton - 2015 NGA Resolution - Received 25 February 2016 | D12250075 |

Submitted to NGA Website Friday 17 2015

Reference No M0042

Council: Wyong, NSW

Amendments to 888 Significant Investment Visa Scheme

That the National General Assembly call on the federal government to promote investment in rural and regional Australia by way of incentives introduced into the 888 Significant Investment Visa scheme that favours investment in rural and regional Australia.

Council Note

This visa class requires an investment of \$5million but unlike most other business visas there is no regional version that has lower thresholds. This means the majority of the investment is going into the major metropolitan areas.

A requirement could be introduced to have at least \$1m of the \$5 m invested in the regions.

National Objective

Why is this a national issue and why should this be debated at the NGA? (Maximum 100 words)

Regional areas all over Australia are affected by lack of investment and the flow on effects of higher unemployment. Those that are employed often travel greater distances and outside the region to work which has negative effects on health and social welfare of communities.

Stimulating investment in regional areas is identified as a significant factor in generating employment for regional communities.

Summary of Key Arguments

Background information and supporting arguments (Maximum 300 words)

The Federal Government's Business Innovation and Investment Programme was introduced in July 2012. This new programme operates as a niche category within Australia's Skilled Migration Programme. Part of the program involved the introduction of the Significant Investor visa, which was made available in November 2012. This subclass features reduced visa requirements and targets potential candidates that are willing to invest at least \$5 million into the Australian economy.

(source 'Australia's Migration Trends 2012-13 at a glance' Aust Govt Dept of Immigration and Border Protection)

This visa class requires an investment of \$5million but unlike most other business visas there is no regional version that has lower thresholds. This means the majority of the investment is going into the major metropolitan areas.

A requirement could be introduced to have at least \$1m of the \$5 m invested in the regions.



OFFICE OF THE HON ANDREW ROBB AO MP

MINISTER FOR TRADE AND INVESTMENT

Mayor Troy Pickard
 President
 Australia Local Government Association
 8 Geils Court
 DEAKIN ACT 2600

ALGA MAIL	
ITEM No:	
DATE RECEIVED:	18.2.16
FILE No:	

MC16-000048

12 FEB 2016

Dear Mayor Pickard

Thank you for your letter to the Hon Andrew Robb AO MP, Minister for Trade and Investment, passing on motions of local government councils regarding Australia's Significant Investor Visa (SIV) programme and the Trans-Pacific Partnership (TPP) Agreement. The Minister has asked me to respond on his behalf.

The new complying investment framework for the SIV, which came into effect on 1 July 2015, is intended to attract applicants who want to settle in Australia and invest into innovative Australian businesses, including eligible rural and regional businesses.

In developing the new complying investment framework, Austrade undertook extensive open consultations with any interested stakeholders, including public consideration of complying investment design options through two rounds of public written submissions (receiving approximately 170 submissions). Austrade also engaged with other Commonwealth Government agencies and with state and territory governments throughout the policy design process.

Under the new arrangements, SIV applicants are required to invest at least \$5 million over four years in complying investments, which may include investments into eligible assets in rural and regional areas. Applicants must invest in all of the following:

- At least \$500,000 in eligible Australian venture capital or growth private equity (VCPE) funds investing in start-up and small private companies.
- At least \$1.5 million in an eligible managed fund(s) or Listed Investment Companies (LICs) that invest in emerging companies.
- A 'balancing investment' of up to \$3 million in managed fund(s) or LICs that invest in a combination of eligible assets that include Australian listed securities, eligible corporate bonds or notes, annuities and real property (subject to the 10 per cent limit on residential real estate).

The first visas under the new SIV complying investment framework were granted in late 2015, and funds are now beginning to flow to investee companies, including rural and regional companies. For example, a company based in regional Victoria that provides veterinary services in rural and regional areas, and an aquaculture company operating in northern Queensland, have recently benefited from emerging companies investments made under the enhanced SIV programme.

The SIV complying investment framework does not require that applicants reside or invest in any particular part of Australia, whether rural, regional or urban. In its nomination role, Austrade does not require an applicant to reside or invest in any specific geographic area within Australia. State and territory governments also have a role in nominating SIV applicants and establish their own nomination criteria. Some of these require a nominee to give some indication of an intention to reside or invest in that particular state or territory.

The Government is committed to ensuring that the SIV achieves its objectives and will continue to review the complying investment framework at regular intervals.

Australia's prosperity is built in large part on our open economy and our willingness and ability to compete in global markets. The TPP is a visionary agreement that will further integrate Australia into the fast-growing Asia Pacific region, creating a platform for job-creating growth, higher incomes and increased wealth and prosperity in Australia for decades to come. The attached TPP Outcomes document provides information on how the TPP will benefit Australia.

Throughout the TPP negotiations, the Australian Government took every opportunity to ensure that stakeholders were adequately consulted and able to express their views. There will be an opportunity for full public and Parliamentary discussion prior to the agreement being ratified. In accordance with the Government's treaty-making process, the TPP will be tabled in Parliament for 20 joint sitting days to facilitate public consultations and scrutiny by the Joint Standing Committee on Treaties (JSCOT) before any binding treaty action is taken. The attached TPP Implementation Timeline provides more information on this process.

Detailed information about other outcomes of the TPP can also be found on the Department of Foreign Affairs and Trade website:

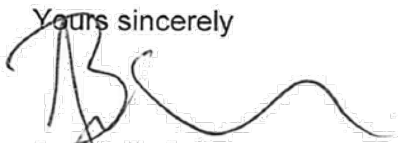
<http://dfat.gov.au/trade/agreements/tpp/>

The Minister also provides regular updates on the TPP, which can be accessed via:

<http://trademinister.gov.au>

Thank you for bringing the councils' interest in the SIV programme and the TPP to the attention of the Minister, I trust this information is of assistance.

Yours sincerely



Angus Barker
Senior Adviser

Enclosure: TPP Outcomes at a Glance, TPP Implementation Timeline



**THE HON PETER DUTTON MP
MINISTER FOR IMMIGRATION
AND BORDER PROTECTION**

ALGA MAIL	
ITEM No:	
DATE RECEIVED:	4.2.16
FILE No:	

Ref No: MC16-000067

Mayor Troy Pickard
President
Australian Local Government Association
8 Geils Court
DEAKIN ACT 2600

Dear Mayor

Thank you for your letter of 24 December 2015 concerning the Significant Investor visa (SIV) and attracting investment migration to rural and regional Australia. I appreciate the time you have taken to bring this matter to my attention.

The SIV is part of the Business Innovation and Investment Programme that encourages successful business people to settle in Australia and use their proven skills to develop business activity in Australia.

On 1 July 2015, the Australian Government introduced changes to the SIV, including a new complying investment framework designed to support Australia's long-term economic future by boosting investment in emerging enterprises and promoting local commercialisation of innovative research and development.

The new framework followed extensive stakeholder consultations, including public consideration of complying investment design options, which were conducted by the Australian Trade Commission (Austrade), as the policy settings for the SIV complying investment framework fall within the responsibilities of the Minister for Trade and Investment, the Hon Andrew Robb AO MP. Austrade engaged extensively with the state and territory governments throughout the design process.


While there are currently no specific incentives in the SIV legislation for the investments to be made into rural and regional Australia, state and territory governments have a role in nominating SIV applicants to make sure that the potential investment aligns with the priorities of that state or territory.

2

The Government is committed to ensure that the SIV achieves its objectives and will continue to review the complying investment framework as required.

Thank you for raising this matter.

Yours sincerely



25/01/16

PETER DUTTON

6.8 Proposed Merger Update

TRIM REFERENCE: F2015/01471 - D12257725

AUTHOR: Rob Noble, Chief Executive Officer

SUMMARY

This report provides an update for Councillors regarding planning for and activities being undertaken regarding the proposed merger with Gosford City Council to form a new Central Coast Council

RECOMMENDATION

That Council receive the report on Proposed Merger Update.

BACKGROUND

As Council are aware, the period for lodgement of submissions to the delegate, Mr John Rayner, closed on 28 February 2016. Mr Rayner is the Delegate of the Acting Chief Executive of the NSW Office of Local Government (OLG). At the time of writing this report, it appears that the number of submissions lodged with the delegate may be close to 200. The delegate is now in the process of analysing these submissions on accordance with his criteria and he will provide his report to the Minister for Local Government and the Boundaries Commission by 31 March 2016. The Boundaries Commission members have now been appointed by the Governor as follows:

- Mr Robert Sendt (Chairman)
- Councillor Rick Firman OAM
- Councillor Lesley Furneaux-Cook
- Ms Nataša Mitic

At the same time that the Minister commences considering the report of the Delegate, the Boundaries Commission will be considering the merger proposal and will provide their comments on it to the Minister. The timetable for the provision of their comments is not known but it could perhaps be done by some time in May 2016. This will enable the Minister to take the report of the Delegate and the comments from the Boundaries Commission into account in determining whether to accept the merger proposal in its entirety, to vary it, or to reject it.

If a merger is to proceed, it is expected that the Minister will recommend the merger in the form of a proclamation to be considered and made by the NSW Governor.

The proclamation would contain information and conditions relating to the formation of the new Council to cover the Central Coast Area.

It is expected that there will be a period of administration following the legal commencement date for the new Council and where an administrator or administrators will fulfil the normal decision making roles of Councillors. The Minister has previously indicated a willingness to enable existing Councillors of Councils that are supportive of mergers to be able to continue to fulfil some civic role in the interim, until the next local government elections, currently scheduled to take place during September 2016. This has yet to be further commented on or outlined. Indications from OLG are that the elections may be delayed – possibly until around March 2017.

Councillors have previously been briefed about the Section 23A guidelines setting out some limits on Councils that are subject to merger proposals in regard to their activities and decisions during the merger proposal period. It is not proposed to restate these here.

Our Council considered and decided on its submission at the last Council meeting and Council's official submission was made on Friday 26 February 2016.

General preparations regarding operational matters in anticipation of the merger officially commenced on 5 November 2015 and involve the combined Executive Teams of Gosford and Wyong Councils. This group is called the Project Control Group (PCG). Beyond the PCG there have been numerous meeting and discussions between relevant members of staff from our two councils with the intent of assessing the wide range of services, systems, policies, practices and facilities. These engagements are proving to be very useful and will be an excellent baseline of understanding, information and relationships whether the merger proceeds or not.

Some of the decision made to date by the PCG involve: -

- Development of a combined staff engagement survey to form a baseline for the transition (this will be undertaken over the next month)
- Establishment and running of resilience training sessions within both organisations
- Preparation for the first 90 days of the new organisation so it will be as functional as possible at the organisational level and be as prepared as possible to deliver seamless service to our communities
- Recommending deferral of the IPART water sewage and draining price submission
- Acknowledgment of the need to commence work very soon on the process of undertaking a community strategic plan for the new Central Coast Council area (note that this would be required now in any case by the individual Councils if the merger was not to be proceeded with)

Underneath the PCG, an interim Transition team headed up by Janine MacKenzie, Gosford's Executive Manager Performance and Strategy and Stephen Naven, Wyong's Chief Financial Officer, commenced work on 7 December 2015 to work on due diligence for our priority strategic streams such as HR , Financial, Information Management, Asset Management , Governance and Customer Experience.

Communications have been identified as a critical element in the entire process by both groups of staff and considerable efforts are being made to ensure staff are involved wherever possible and are up to date with what is proposed and what is happening. It is also proposed to increase the regularity and content of merger information to our local community as we move forward, so they are in tune with proposals and developments.

ATTACHMENTS

Nil.

6.8 Outstanding Questions on Notice and Notices of Motion

TRIM REFERENCE: F2016/00012 - D12226882

MANAGER: Sonia Witt, TL Governance and Councillor Services

AUTHOR: Jade Maskiewicz; Councillor Services Officer

SUMMARY

Report on Outstanding Questions on Notice and Notices of Motion.

RECOMMENDATION

That Council receive the report on Outstanding Questions on Notice and Notices of Motion.

Consideration of s.23A guidelines

The Chief Executive of the NSW Office for Local Government has issued guidelines titled "*Council Decision Making during Merger Proposal Periods*" pursuant to s.23A(1) of the *Local Government Act 1993* ("LG Act"). The Council must consider those guidelines when making decisions during the "merger proposal period", which commenced on 6 January 2016 and will conclude on the date on which a proclamation is made to amalgamate the Wyong and Gosford local government areas or the Minister for Local Government determines that he will not proceed with the proposal for that amalgamation: s.23A(3) of the LG Act. Councillors have been provided with a copy of those guidelines and have been given advice concerning those guidelines. The decisions that are proposed as part of this report comply with those guidelines.

ATTACHMENTS

- 1 Table of Outstanding Questions and Notice of Motions - 10 March 2016 D12250502

No	Department	Responsible Officer	Question Asked / Resolution	Meeting Asked/ Councillor	Status
115	Chief Executive Officer's Unit	Stephen Naven	<p>7.2 Notice of Motion - Government Rating Outrage</p> <p>50/15 <i>That Council <u>note</u> with great concern the likely significant escalation of the 2015 rate burden on the local lower to mid-market property sector.</i></p> <p>51/15 <i>That Council <u>note</u> the significant escalation is as a consequence of the recent property market increases and unfair rerating formulas dictated to Council by the State Government Valuer General and Office of Local Government.</i></p> <p>52/15 <i>That Council <u>call</u> on the State Government to conduct a thorough review into the Valuer General's and Office of Local Government's outdated and discriminatory rating methods that will place undue hardship on many in our community.</i></p> <p>53/15 <i>That Council <u>investigate</u> a shire wide, online petition in partnership with the community, to give ratepayers a voice to call upon the State Government to reject this outrageous and out of touch taxing.</i></p> <p>54/15 <i>That Council <u>include</u> in its 2015 Strategic Planning Process a review of all options to assist in reducing the impact of the Government's looming rerating charges.</i></p>	<p>28 January 2015</p> <p>Cr Best</p>	<p>Response to be provided at a future meeting.</p>
150	Development and Building	Jamie Loader	<p>6.1 Notice of Motion - Council's Animal Care Facility</p> <p>539/15 <i>That Council recognise the outstanding work over the past few years by staff and more recently by the current animal care contractor and that this management team has delivered an outcome of near zero euthanising of stray and abandoned pets.</i></p> <p>540/15 <i>That Council recognise that the current Charmhaven Animal Care Facility is approaching end of its asset life.</i></p> <p>541/15 <i>That Council take a more strategic and regional approach through opening dialogue with Gosford City Council and the current animal care contractors both at Charmhaven and Erina, with the view to establishing a regional, Central Coast animal care facility that will service the future needs of the Coast as a whole.</i></p>	<p>Cr Best</p> <p>27 May 2015</p>	<p>Investigations are underway, with a response to be provided at a future meeting of Council.</p> <p>Further NOM on the subject provided in current, 27 January 2016, business paper.</p> <p>Investigations are underway, with a response to be provided at a future meeting of Council.</p>

No	Department	Responsible Officer	Question Asked / Resolution	Meeting Asked/ Councillor	Status
			<p>542/15 That Council consider any such centrally located regional facility in tandem with innovative satellite offices in the region's north and far south to assist residents in outer areas to access these important services.</p> <p>543/15 That Council request the General Manager to provide a report back to Council.</p>		
170	Infrastructure and Operations	Peter Ham	<p>1.6 Mayoral Minute - Vandalism Reward Doubling</p> <p>837/15 That Council <u>double</u> its current reward under its Policy for Reporting Vandalism in respect of the EDSAAC Bateau Bay amenities/clubhouse building destroyed by fire last weekend.</p> <p>838/15 That Council <u>publicise</u> this increased reward extensively through Council's media and communication channels.</p> <p>839/15 That Council <u>publicise</u> the names of those convicted, subject to any prosecution.</p>	Cr Eaton 26 August 2015	WAM staff are consulting with our Comms Business Partner in publicising the reward for information relating to the vandalism that occurred at EDSAAC Bateau Bay amenities/clubhouse building.
180	Property and Economic Development	Mike Dowling	<p>1.6 Mayoral Minute - The Entrance Surf Club Lease</p> <p>984/15 That Council <u>request</u> The Entrance Surf club enter into suitable arrangements with Council for the clearance of the outstanding rates and charges.</p> <p>985/15 That Council <u>request</u> for additional purpose to be added to the Reserve under Section 121A of the Crown Lands Act 1989.</p> <p>986/15 That Council <u>amend</u> the lease to include a sub-lease permitting a café/restaurant to be included in the footprint of The Entrance Surf Club.</p> <p>987/15 That Council <u>share</u> the rental derived from the commercial operation with The Entrance Surf Club.</p> <p>988/15 That Council <u>require</u> The Entrance Surf Club to spend their share of the rental on Surf Life Saving activities and/or equipment, and provide annual financial statements to show how these funds have been distributed.</p>	Cr Eaton 23 September 2015	Response to be provided at a future meeting.

No	Department	Responsible Officer	Question Asked / Resolution	Meeting Asked/ Councillor	Status
181	Community and Recreation Services	Brett Sherar	<p>8.1 Notice of Motion - Shark Summit</p> <p>1037/15 That Council <u>note</u> the increased number of shark attacks in and around our coastal waters due to the rise in shark numbers.</p> <p>1038/15 That Council <u>take</u> proactive and pre-emptive steps to mitigate further local attacks.</p> <p>1039/15 That Council <u>recognise</u> that not only do the current shark attacks highlight the need for better public safety they have the potential to affect summer time tourism and its associated employment.</p> <p>1040/15 That, having regard to the far reaching potential of these events, Council <u>convene</u> in partnership with Surf Life Saving and Professional Life Guards a Shark Summit that includes all key stakeholder groups, rescue organisations, applicable agencies, tourism representatives and specialist marine experts.</p> <p>1041/15 That Council <u>request</u> the Acting Chief Executive Officer to report on the feasibility of auditing our ocean coast line with a view to identifying suitable sites to create shark proof ocean bathing areas/enclosures, however this does not include traditional netting.</p> <p>1042/15 That staff <u>investigate</u> the effectiveness and practicality of making available to bathers, technology such as the shark shield devices on a short term hire basis.</p>	Cr Best 23 September 2015	<p>1037/15: Noted</p> <p>1038/15: Addressed through the undertakings of the Shark Summit with identified outcomes.</p> <p>1039/15: Recognised</p> <p>1040/15: Shark Summit held at Wyong Council on 4 November 2015.</p> <p>1041/15: A report will be provided to Council on outcomes in March 2016.</p>
186	Infrastructure and Operations	Daryl Mann	<p>Q42/15 Kanwal Traffic Calming Devices</p> <p>"Mr Mayor,</p> <p>As the local area Councillor, my question is on behalf of the good folk of Walker Avenue/ Braithwaite, Kanwal. I am hearing of outrageous driving behaviour that is endangering public safety, I appreciate it's a policing matter, however could you</p>	Cr Best 23 September 2015	Response to be provided at 23 March 2016 Ordinary Meeting.

No	Department	Responsible Officer	Question Asked / Resolution	Meeting Asked/ Councillor	Status
			<i>have staff look into the possibility of installing some traffic calming devices in this area, particularly leading from the high pedestrian area, Kanwal shops?"</i>		
195	Infrastructure and Operations	Greg McDonald	<p>7.1 Notice of Motion - Norah Head / Cabbage Tree Bay "Missing Link"</p> <p>1169/15 <i>That Council notes the excellent work carried out by staff in delivering the complex engineering of the Cabbage Tree Bay (CTB) seawall and more recently the CTB ocean ramps, further it is noted both these facilities were severely tested in the April 2015 storms with no reported damage.</i></p> <p>1170/15 <i>That Council notes these much needed multimillion dollar Bay works have now highlighted the extremely poor condition of Mazlin Reserve Cliff Face and in particular the Norah Head Search and Rescue site, this has now become known as the "Missing Link".</i></p> <p>1171/15 <i>That Council recognises that both these sites are the ownership of the State Government and are their full responsibility.</i></p> <p>1172/15 <i>That Council seeks to work with the State Government through convening an initial meeting of all key stakeholder groups with a view to making a whole of community representation seeking upgrade funding in the 2016/17 State Budget.</i></p> <p>1173/15 <i>That Council notes the outstanding support Karen McNamara our Federal Member for Dobell and State Agencies provided in assisting Council and the community in delivering the much needed Cabbage Tree Bay Ocean Ramp and the bay retaining wall.</i></p>	Cr Best 28 October 2015	This is subject to confidential legal proceedings. Refer to General Counsel.
196	Infrastructure and Operations	Daryl Mann	<p>7.2 Notice of Motion - Toukley Speed Bump Shambles</p> <p>1164/15 <i>That Council, on behalf of the community, again</i></p>	Cr Best 28 October 2015	Council is currently drafting a letter to the RMS to respond to the issues raised in items 1164/15 and 1166/15 of the NOM.

No	Department	Responsible Officer	Question Asked / Resolution	Meeting Asked/ Councillor	Status
			<p>1165/15 <i>call on the RMS to rip up the failed and controversial Toukley speed bumps.</i></p> <p>1166/15 <i>That Council notes the reports that these 'safety devices' have actually caused accidents involving both pedestrians and motorists, further there is emerging anecdotal evidence that shop trade is also beginning to be affected.</i></p> <p>1167/15 <i>That Council call on the RMS to release its 'Black Spot' funding submission, including the statistics it relied upon to convince the Federal Government to fund these controversial speed bumps."</i></p> <p>1167/15 <i>That Council further notes that some 50 accidents have been reported in the last 6 years on this road, with only 4 actually occurring in the Toukley CBD. Further, Council notes that there are two other 40km/h speed zones in Main Road Toukley that do not rely on speed bumps for their effective management.</i></p>		
200	Property and Economic Development	Mike Dowling	<p>1.6 Mayoral Minute - Wyong Grove</p> <p>1187/15 <i>That Council <u>authorise</u> the Acting CEO to acquire the School Site and the School Carriageway at fair market value.</i></p> <p>1188/15 <i>That Council <u>authorise</u> the Acting CEO to execute all necessary documentation relevant to the acquisition of the School Site and the School Carriageway.</i></p> <p>1189/15 <i>That Council <u>resolve</u> that the School Site be classified as "Operational" land for the purposes of the Local Government Act 1993, when that land is acquired by the Council.</i></p> <p>1190/15 <i>That the Council <u>resolve</u> to acquire the School Site and the and the School Carriageway by agreement or compulsory process pursuant to the Land Acquisition (Just Terms Compensation) Act 1991.</i></p>	Cr Eaton 11 November 2015	<p>1187/15 - Council attended the auction for this site and was unsuccessful in its attempt to purchase the site.</p> <p>1188/15 - this action is redundant due to unsuccessful bid on school site.</p> <p>1189/15 - this action is redundant due to unsuccessful bid on school site.</p> <p>1190/15 - this action has commenced.</p>

No	Department	Responsible Officer	Question Asked / Resolution	Meeting Asked/ Councillor	Status
			<p>1191/15 That Council <u>note</u> that for the purposes of resolutions 1 – 4 above the following terms have the following meanings:</p> <p>a “School Site” means all right title and interest in the part of the land known as Lot 1 DP 123075, with a street address of 1North Rd, Wyong, that is occupied buildings B , C , D and the COLA and identified and marked in yellow boundaries and hatching in Attachment 1 to this Mayoral Minute; and</p> <p>b “School Carriageway” means a Right of Carriageway, on terms set out in Part 1 of Schedule 4A to the Conveyancing Act 1919, benefitting the School Site and burdening that part of the land known as Lot 1 DP 123075 that is identified and marked with blue boundaries and hatching in Attachment 1 to this Mayoral Minute.</p>		
202	Property and Economic Development	Andrew Pearce	<p>7.1 Notice of Motion - Waste Management Contract</p> <p>1279/15 That Council thank the Transport Workers Union for presenting at the Wyong Council Resident’s Forum held on Wednesday 11 November 2015.</p> <p>1280/15 That Council acknowledge the clause provided by the Transport Workers Union to protect workers’ wages and conditions and public safety;</p> <ul style="list-style-type: none"> • Campbelltown Council’s recent waste contract renewal process included the following clause: <p>“The Contractor must, as a minimum requirement, preserve employee pay rates and pay-related conditions(for all employees of the Contractor) as those provided in either the Remondis Enterprise Agreement 2018 or, Any enterprise agreement approved by Fair Work Australia which applies to employees previously</p>	Cr Eaton 25 November 2015	Response to be provided at a future meeting.

No	Department	Responsible Officer	Question Asked / Resolution	Meeting Asked/ Councillor	Status
			<p><i>subject to the Remondis Australia Enterprise Agreement 2018 and comes into operation prior to the commencement of the Contract"</i></p> <ul style="list-style-type: none"> • <i>The current Sydney Metropolitan Bus Service Contract included the clause:</i> <p><i>"33.8 Successor Operator to Make Offers</i></p> <p><i>(a) TfNSW must procure that any Successor Operator makes offers of employment on equivalent terms and conditions (including all accrued entitlements) to Contract Bus Services Employees (other than the persons named in Schedule 11). Offers made by a Successor Operator must take effect from the expiry or termination of this Contract."</i></p> <p>1281/15 <i>That Council staff advise at what part of the tendering process it would be appropriate for Council to consider the inclusion of the proposed clause in the new Waste Management Contract?</i></p>		
203	Community and Recreation Services	Brett Sherar	<p>7.2 Notice of Motion - Shark Summit Update / Community Forum</p> <p>1282/15 <i>That Council, in partnership with Surf Life Saving and our Professional Life Guards, <u>conduct</u> a Community Forum to update key stakeholder groups and interested parties on the findings and initiatives recommended by the expert scientific panel at Council's recent Shark Summit.</i></p> <p>1283/15 <i>That Council, with the assistance of our community and marine experts, <u>identify</u> suitable trial projects that could be submitted for consideration in the recently announced State Government Shark Management Project.</i></p> <p>1284/15 <i>That Council <u>note</u>, as the Central Coast was the first region to conduct a local Shark Summit since the State Government's announcement of the \$16million Shark Fund, the Coast is now ideally positioned to contribute and access these</i></p>	Cr Best 25 November 2015	The Community Shark Forum has been scheduled for 17 February 2016. A report will be provided to Council following this Forum.

No	Department	Responsible Officer	Question Asked / Resolution	Meeting Asked/ Councillor	Status
			<i>resources subject to developing our submission expeditiously.</i>		
204	Infrastructure and Operations	Greg McDonald	U5/15 Extension of Dredging at The Entrance 1286/15 <i>That Council extend the period of dredging The Entrance channel by one week with the sand pumped onto The Entrance Beach.</i>	Cr Taylor 25 November 2015	Response to be provided at a future meeting.
206	Property and Economic Development	Mike Dowling	7.1 Notice of Motion - Busker Encouragement 1 <i>That Council <u>adopt</u> a new policy on a trial basis, to encourage busking in the Shire.</i> 2 <i>That Council <u>request</u> the Acting Chief Executive Officer to prepare the policy on the basis that the process for approval is simple, cheap and easy for the applicant.</i> 3 <i>That Council <u>request</u> the Acting Chief Executive Officer include the following elements in the trial policy:</i> (a) <i>A 6 month permit on a single page application for a \$10 fee.</i> (b) <i>The busker must produce photo identification, mobile number and address details.</i> (c) <i>Conditions of permit should include no impediment to pedestrians or shopkeepers, use of battery powered amplifiers (ie. no power leads), no risk of harm to the public etc.</i> (d) <i>Council may revoke the permit at any time without notice.</i> (e) <i>There be no requirement for any insurances by Council.</i> 4 <i>That Council <u>request</u> the Acting Chief Executive Officer to prepare the new policy to Council with a view to swift implementation of the trial.</i> 5 <i>That Council <u>request</u> the Acting Chief Executive Officer to report on the results of this trial in August 2016.</i>	Cr's Webster & Eaton 27 January 2016	Response to be provided at a future meeting.
207	Development and Building	Jamie Loader	7.2 Notice of Motion - Central Coasts New and Innovative Regional Animal Cares Facility 1 <i>That Council in partnership with Gosford City Council <u>recognise</u> the urgent need to upgrade current animal care facilities and that such a project to assist 'man's best friend' would be a fitting inaugural community project that clearly highlights the benefits of regionalisation and</i>	Cr's Best & Webster 27 January 2016	Response to be provided at a future meeting.

No	Department	Responsible Officer	Question Asked / Resolution	Meeting Asked/ Councillor	Status
			<p>indeed amalgamation.</p> <p>2 That Council <u>note</u> that both Wyong and Gosford current animal care facility/pounds appear to have reached their asset lives despite these challenging conditions Council recognises the excellent efforts of staff, contractors and our valuable volunteers for their dedication in delivering such outstanding animal welfare outcomes.</p> <p>3 That Council <u>request</u> that this important animal welfare issue be placed on the next Joint Wyong Gosford Regional Meeting (CCROC) with a view to bringing this important issue forward on the regional agenda and to confirm project priority status in the lead up to amalgamation.</p> <p>4 That Council <u>consider</u> a report on the current operational status of the Animal Care Facility at Charmhaven and any interim initiatives that are being considered/deployed to maintain the current facilities, service delivery and the required level of animal welfare.</p>		
208	Community and Recreation Services	Maxine Kenyon	<p>7.1 Notice of Motion - Protecting Neighbourhood Properties</p> <p>133/16 That Council <u>fund</u> an increase to the public tree risk management budget of \$250,000 to reduce the backlog of requests to remove dead, dying or dangerous trees.</p> <p>134/16 That Council <u>request</u> a report on public tree risk management tree procedures in response to the recent significant storms in April and October 2015 and more recently 15 January 2016, as many trees on public land have fallen or been reported as being dangerous.</p> <p>135/16 That Council <u>seek</u> the assistance of the State Government, through the local members, to support Council's initiative to improve public safety through matching Council's initiative dollar for dollar.</p>	Cr's Taylor & Troy 10 February 2016	Response to be provided at 11 May 2016 Ordinary Meeting.
209	Property and Economic Development	Mike Dowling	<p>7.2 Notice of Motion - Chinese Theme Park Confidential</p> <p>136/16 That the Council <u>note</u> recent media reports that the Minister for Local Government, the Hon Paul Toole, has requested an urgent report on proposed \$500 million Chappypie China Theme Park development at Warnervale.</p>	Cr Best 10 February 2016	Response to be provided at a future meeting.

No	Department	Responsible Officer	Question Asked / Resolution	Meeting Asked/ Councillor	Status
			<p>137/16 That the Council <u>further note</u> that the Minister and the NSW Office of Local Government (OLG) have investigative powers under the Local Government Act that may be exercised, and that it is prudent that the Council take no action that might complicate or frustrate any review the Minister or OLG may take.</p> <p>138/16 That Council also <u>confirms</u> that no Ratepayer Funds have been invested in the development of this proposal & that it is not Council's intention to invest any funds into the construction of the proposal.</p> <p>139/16 That Council <u>notes</u> that Council's main roles in respect to the proposed development are:</p> <p>a. As the "relevant planning authority" under Part 3 Division 4 of the Environmental Planning and Assessment Act, which is a statutory function that the Council is required to undertake in respect to the pending Planning Proposal to be determined by the Minister for Planning and the Environment; and</p> <p>b. To assist the Hunter and Central Coast Joint Regional Planning Panel in the determination of pending and future development applications in respect to the development site, that Panel being an independent statutory body to consider and determine such development applications.</p>		
210	Property and Economic Development	Mike Dowling	<p>Q1/16 Purchase of 7 Anzac Avenue, Wyong</p> <p>Can the Acting Chief Executive Officer please provide a report on the purchase of 7 Anzac Avenue, Wyong including cost of purchase and any plans for the dwelling?</p>	Cr Matthews 10 February 2016	Response to be provided at a future meeting.
211	Property and Economic Development	Mike Dowling	<p>Q2/16 Toilets at Frank Balance Park</p> <p>Can staff please provide information as to when toilet/s including an accessible toilet be provided/built on the Frank Balance Park site?</p>	Cr Matthews 10 February 2016	Response to be provided at a future meeting.
212	Community and Recreation Services	Maxine	<p>Q3/16 Cost to Council to Hold/Participate in Events on Australia Day</p>	Cr Greenwald	Response to be provided at 23 March 2016 Ordinary Meeting.

No	Department	Responsible Officer	Question Asked / Resolution	Meeting Asked/ Councillor	Status
		Kenyon	<p><i>Can the Acting Chief Executive Officer of Wyong answer a question asked to me by a ratepayer?</i></p> <p><i>Can you advise how much it cost Council to hold or participate in events held in Wyong Shire on Australia Day?</i></p>	10 February 2016	
213	Community and Recreation Services	Maxine Kenyon	<p>7.1 Notice of Motion - Remote Piloted Vehicles (RPVs) / Drone Ports</p> <p>1 <i>That, due to the escalating popularity of Remote Piloted Vehicles (RPVs), Council <u>recognise</u> the need to better manage, educate and police their usage.</i></p> <p>2 <i>That Council <u>seek</u> to engage local user groups, key stake holders and regulators to best identify how Council can assist in managing this emerging and innovative industry sector.</i></p> <p>3 <i>That Council <u>review</u> options around possible suitable usage locations/ drone ports, with a view to developing a policy to assist safe recreational and professional usage of these devices.</i></p>	24 February 2016	Response to be provided at a future meeting.
214	Property and Economic Development	Mike Dowling	<p>Q4/16 Train Maintenance Facility - Kangy Angy</p> <p><i>"Can staff please provide an update on the proposed train maintenance facility at Kangy Angy?"</i></p>	24 February 2016	Response to be provided at a future meeting.

**QUESTIONS ON NOTICE AND NOTICES OF MOTION REMOVED SINCE
10 FEBRUARY 2016**

No#	Department	Question on Notice / Notice of Motion	Date Asked/ Councillor	Status
205	Community and Recreation Services	6.2 Notice of Motion - Rock Fishing Deaths at "Drowning Rocks", Wybung Head	Cr Best 9 December 2015	A report is included on the agenda for the Ordinary Meeting 10 March 2016.

10 March 2016

To the Ordinary Council Meeting

Councillor

7.1 Notice of Motion - Closure of Wyong Shire RMS Offices

TRIM REFERENCE: F2010/00500 - D12251801

AUTHORS: Ken Greenwald; Councillor

Bob Graham; Councillor

Councillors K Greenwald and B Graham have given notice that at the Ordinary Council Meeting to be held on Thursday 10 March 2016 they will move the following Motion:

- “1 That Council call upon the NSW Government to reverse its decision to close The Entrance Motor Registry.*
- 2 That Council request that the RMS undertake a review of its Service Centre location requirements takes place which considers the demographic and geographic difficulties that exist in Wyong Shire due to the ageing population and the isolation caused by the Shire’s geographic features such as its coastal lakes system.*
- 3 That Council request the RMS to retain the three current RMS Service Centres within Wyong Shire.”*

RESOURCES

This item can be actioned using existing resources.

COUNCILLORS NOTE

Wyong Shire Council notes with concern the decision made by the NSW State Government to close The Entrance Motor Registry on 21 April 2016.

This decision leaves Wyong Shire with only two RMS Motor Registries. This means many residents will have to travel much further to access these services. Many of the residents in Wyong Shire are elderly or if younger, commute long distances to work. To make services to these groups harder to access is unacceptable.

The removal of the Service Centre from The Entrance will also be another blow to its commercial centre which is becoming more and more reliant on tourism for its daily trade.

ATTACHMENTS

Nil.

10 March 2016

To the Ordinary Council Meeting

Councillor

7.2 Notice of Motion - Five Year Development Consent Period

TRIM REFERENCE: F2004/07052 - D12253367

AUTHOR: Greg Best; Councillor

Councillor Best has given notice that at the Ordinary Council Meeting to be held on Thursday 10 March 2016 he will move the following Motion:

- "1 That Council, apply a lapsing period of five years for all development consents in accordance with Section 95 of the Environmental Planning and Assessment Act 1979.*

- 2 That Council recognise that an extended consent period will:*
 - allow developers of all sizes greater time to secure finance and investors make arrangements for builders and contractors,*
 - support the development industry,*
 - promote investment within the shire,*
 - assist in improving the feasibility of developments,*
 - support local employment through supporting development."*

RESOURCES

This can be actioned using existing resources.

ATTACHMENTS

Nil.