



A Civic Reception was held on May 16 for local rural fire service volunteers and others involved in the October 2013 bushfires. Pictured: Rural Fire Service volunteers - Stephen Raymond, Scott Pollard, and Shane Geerin.

Wyong Shire Council

Business Paper

ORDINARY COUNCIL MEETING

28 May 2014

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MEETING NOTICE

The **ORDINARY COUNCIL MEETING**
of **Wyong Shire Council**
will be held in the **Council Chamber,**
Wyong Civic Centre, Hely Street, Wyong on
WEDNESDAY 28 MAY 2014 at 5.00 pm,
for the transaction of the business listed below:

OPENING PRAYER

ACKNOWLEDGEMENT OF COUNTRY

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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.

Michael Whittaker
GENERAL MANAGER

1.1 Disclosures of Interest

TRIM REFERENCE: F2013/02042 - D07480896

MANAGER: Lesley Crawley, Manager

AUTHOR: Jade Maskiewicz; 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.

1.2 Proposed Inspections and Briefings

TRIM REFERENCE: F2013/02042 - D07480968
MANAGER: Lesley Crawley, Manager
AUTHOR: Jade Maskiewicz; Councillor Services Officer

SUMMARY

Briefings proposed for this meeting and future meetings to be held in the Wilfred Barrett and Tim Farrell Committee Rooms:

Date	Briefing	Directorate
28 May 2014	Consider submissions, Q3 report, Make rates, fees and charges, Adopt Strategic Plan	GM Unit
28 May 2014	Public and Private Tree Process	Community and Recreation Services
28 May 2014	CCRDC Update - Graeme Inchley & Greg South (External)	GM Unit
28 May 2014	Airport Land Negotiations	Property and Economic Development
28 May 2014	Memorial Park redesign	Property and Economic Development

RECOMMENDATION

That Council receive the report on Proposed Inspections and Briefings.

ATTACHMENTS

- 1 Councillor Proposed Briefings - Ordinary Meeting 28 May 2014 D08058505

Proposed Briefings List to date

Briefing Title:	Directorate:	Proposed Month:	Proposed Date:
Consider submissions, Q3 report, Make rates, fees and charges, Adopt Strategic Plan	GM Unit		28/05/2014
Public and Private Tree Process	Community and Recreation Services		28/05/2014
CCRDC Update - Graeme Inchley & Greg South (External)	GM Unit		28/05/2014
Airport Land Negotiations	Property and Economic Development		28/05/2014
Memorial Park redesign	Property and Economic Development		28/05/2014
INSPECTION: DA/1034/2014 - 101 Unit SEPP Affordable Housing - 2-6 Glen Road, Ourimbah	Development and Building		04/06/2014
INSPECTION: DA/887/2013 & DA/939/2013 - 40 Self-Care Dwellings - 25 Jaegar Road, Tumbi Umbi	Development and Building		04/06/2014
INSPECTION: DA/713/2014 - Alterations & Additions to Lakes Anglican Grammar School - 126 Sparks Road, Warnervale	Development and Building		04/06/2014
Branding (External Consultant)	Community and Recreation Services	May 28/ 25 June (consultant's only available dates)	
Magenta Shared Path	Community and Recreation Services		11/06/2014
Customer Service	Community and Recreation Services		11/06/2014
IPART Determination Review	Infrastructure Management		11/06/2014
Colongra/Halekulani land swap	Property and Economic Development		11/06/2014
Koala Park	Community and Recreation Services		11/06/2014
Engagement Frameworks Status & First Ward Forums Evaluation	Community and Recreation Services	June	11/06/2014
Ourimbah Masterplan objectives of project	Property and Economic Development		25/06/2014
Pioneer Dairy	Community and Recreation Services		25/06/2014
Skate Strategy	Community and Recreation Services		25/06/2014
Wyong CBD Drainage Study	Infrastructure Management		25/06/2014
Library Future - Overview	Community and Recreation Services		25/06/2014
Social Return on Investment	Community and Recreation Services		09/07/2014
Education and Business Precinct - Masterplan	Property and Economic Development		09/07/2014
Natural Resources Management Strategy and Biodiversity Management Plan	Property and Economic Development		13/08/2014
Bushfire works plan	Property and Economic Development		27/08/2014
CCRDC Update - Graeme Inchley & Greg South	GM Unit		27/08/2014
CCRDC Update - Graeme Inchley & Greg South	GM Unit		26/11/2014

1.3 Address By Invited Speakers

TRIM REFERENCE: F2013/02042 - D07480979

MANAGER: Lesley Crawley, Manager

AUTHOR: Jade Maskiewicz; Councillor Services Officer

SUMMARY

There have been no requests to address the Ordinary Meeting at the time of printing the Business Paper.

RECOMMENDATION

That Council receive the amended report on Invited Speakers.

ATTACHMENTS

Nil.

1.4 Confirmation of Minutes of Previous Meeting

TRIM REFERENCE: F2013/02042 - D07481069

MANAGER: Lesley Crawley, Manager

AUTHOR: Jade Maskiewicz; Councillor Services Officer

SUMMARY

Confirmation of minutes of the previous Ordinary Meeting of Council held on Wednesday 14 May 2014.

RECOMMENDATION

That Council confirm the minutes of the previous Ordinary Meeting of Council held on Wednesday 14 May 2014.

ATTACHMENTS

- | | | |
|---|--|-----------|
| 1 | Minutes - Ordinary Meeting 14 May 2014 | D07974766 |
| 2 | Minutes - Confidential Session of the Ordinary Meeting 14 May 2014 - | D07855975 |

WYONG SHIRE COUNCIL

**MINUTES OF THE
ORDINARY COUNCIL MEETING OF COUNCIL
HELD IN THE COUNCIL CHAMBER
WYONG CIVIC CENTRE, HELY STREET, WYONG
ON 14 MAY 2014
COMMENCING AT 5.00PM**

PRESENT

Councillors D J Eaton (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

General Manager, Director Development and Building, Director Infrastructure and Operations, Director Property and Economic Development, Director Community and Recreation Services, General Counsel, Manager Communications, Manager Corporate Governance, Manager IT and Operations, and two administration staff.

The Mayor, Councillor Eaton, declared the meeting open at 5.03 pm and advised in accordance with the Code of Meeting Practice that the meeting is being recorded.

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

Colby Crane, Coordinator Engagement and Danielle Hargreaves, Team Leader Community Education presented Council with the 2014 Award for Excellence for the Government Communications Awards Australia.

APOLOGY

An apology for the inability to attend the meeting was received on behalf of Councillor Nayna due to work commitments.

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

455/14 That Council grant leave of absence from the meeting.

At the commencement of the ordinary meeting report nos 1.1, 1.5, 2.2, 3.3, 3.4, 3.6, 4.1, 4.2, 5.1 and 6.1, 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 Disclosures of Interest

2.1 DA 905/2013 - Proposed Place of Public Worship at Tumbi Umbi

Councillor Webster declared a pecuniary conflict of interest in the matter for the reason that the proposed development is in her neighbourhood, left the chamber at 5.13 pm, took no part in discussion, did not vote and returned to the chamber at 5.43 pm.

Councillor Graham declared a pecuniary conflict of interest in the matter for the reason that he has family friends living opposite the proposed development.

Councillor Best declared a non-pecuniary significant conflict of interest in the matter for the reason that he has family living in the area of the proposal.

Councillor Eaton declared a non-pecuniary significant conflict of interest in the matter for the reason that an objector has lodged a complaint against him in regards to this matter.

Councillor Taylor declared a non-pecuniary significant conflict of interest in the matter for the reason that his wife is employed by the Seventh Day Adventist Church.

3.3 Community Subsidy Program, Sport & Cultural Sponsorship Program, Community Benefit Grants and Community Matching Fund Applications

Councillor Eaton declared a non-pecuniary insignificant conflict of interest in the matter for the reason that one of the recipients is his next door neighbour's daughter and stated that:

"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 as Councillor."

3.4 Proposed Councillors' Community Improvement Grants

Councillor Best declared a non-pecuniary significant conflict of interest in the matter for the reason that he is General Manager of Central Coast Group Training who is seeking funding under this item, left the chamber at 6.09 pm, took no part in discussion, did not vote and returned to the chamber at 6.13 pm.

Councillor Eaton declared a non-pecuniary insignificant conflict of interest in the matter for the reason that he is the Council delegate for Central Coast Group Training left the chamber at 6.09 pm, took no part in discussion, did not vote and returned to the chamber at 6.10 pm.

Councillor Vincent declared a non-pecuniary insignificant conflict of interest in the matter for the reason that he is a member of Scouts NSW and stated that:

"I choose to remain in the Chamber and participate in discussion and voting, as I am not a member of the Berkeley Vale Scout Group."

6.1 Mayoral Minute – General Manager's Performance Appraisal End of Financial Year 2014

General Manager, Mr Michael Whittaker, declared a pecuniary conflict of interest in the matter for the reason that the report related to his employment contract, left the chamber at 6.59pm, took no part in discussion and returned to the chamber at 7.06pm.

Councillor Webster left the meeting at 5.13pm and returned to the meeting at 5.43pm and as a result took no part in voting.

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

456/14 That Council receive the report on Disclosure of Interest and note advice of disclosures.

PROCEDURAL MOTION IN RELATION TO ITEM 2.1

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

457/14 That Council delegate to the General Manager the functions of considering and determining development application DA/905/2013 (Proposed Place of Public Worship at 7 Kyte Place, Tumbi Umbi).

458/14 That Council note that:

a Councillors Eaton, Best, Graham and Taylor have each declared significant non-pecuniary conflicts of interest in respect to development application DA/905/2013;

b cl. 4.19 of Council's adopted Code of Conduct permits Councillors Eaton, Best, Graham and Taylor to participate in a decision to delegate Council's decision making role in respect to development application DA/905/2013 to the General Manager.

459/14 That Council request the General Manager obtain independent expert consultant planning advice to assist in determining the application.

At this stage of the meeting being 5.38pm, the Mayor adjourned the meeting for a period of 5 minutes to allow the public gallery to clear.

The Mayor resumed the meeting at 5.43pm.

PROCEDURAL MOTION

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

460/14 That Council allow meeting practice to be varied.

461/14 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 VINCENT:

462/14 That with the exception of report numbers 1.5, 2.2, 3.3, 3.4, 3.6, 4.1, 4.2, 5.1, and 6.1 and Council adopt there commendations contained in the remaining reports.

1.2 Proposed Inspections and Briefings

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

463/14 That Council receive the report on Proposed Inspections and Briefings.

1.3 Address By Invited Speakers

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

464/14 That Council receive the report on Invited Speakers.

465/14 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 TAYLOR and seconded by Councillor TROY:

466/14 That Council confirm the minutes of the previous Ordinary Meeting of Council held on Wednesday 23 April 2014.

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 TROY:

467/14 That Council consider the following matters in Confidential Session, pursuant to Sections 10A(2a) if the Local Government Act 1993:

6.1 Mayoral Minute - General Manager's Performance Appraisal End of Year 2013-2014

468/14 That Council note its reason for considering Report No 6.1 Mayoral Minute - General Manager's Performance Appraisal End of Year 2013-2014 as it contains personnel matters concerning particular individuals (other than Councillors).

469/14 That Council request the Mayor to report on this matter in open session of Council.

Note: Explanation - Section 10A of the Local Government Act 1993 states:

- “2(a) personnel matters concerning particular individuals (other than Councillors),*
- 2(b) the personal hardship of any resident or ratepayer,*
- 2(c) information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business,*
- 2(d) commercial information of a confidential nature that would, if disclosed:*
- (i) prejudice the commercial position of the person who supplied it, or*
 - (ii) confer a commercial advantage on a competitor of the Council, or*
 - (iii) reveal a trade secret,*
- 2(e) information that would, if disclosed, prejudice the maintenance of law,*
- 2(f) matters affecting the security of the Council, Councillors, Council staff or Council property,*
- 2(g) advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege,*
- 2(h) information concerning the nature and location of a place or an item of Aboriginal significance on community land.”*

2.1 DA 905/2013 - Proposed Place of Public Worship at Tumbi Umbi

2.1 DA 905/2013 - Proposed Place of Public Worship at Tumbi Umbi

Councillor Webster declared a pecuniary conflict of interest in the matter for the reason that the proposed development is in her neighbourhood, left the chamber at 5.13 pm, took no part in discussion, did not vote and returned to the chamber at 5.43 pm.

Councillor Graham declared a pecuniary conflict of interest in the matter for the reason that he has family friends living opposite the proposed development.

Councillor Best declared a non-pecuniary significant conflict of interest in the matter for the reason that he has family living in the area of the proposal.,

Councillor Eaton declared a non-pecuniary significant conflict of interest in the matter for the reason that an objector has lodged a complaint against him in regards to this matter.

Councillor Taylor declared a non-pecuniary significant conflict of interest in the matter for the reason that his wife is employed by the Seventh Day Adventist Church.

This item was dealt with by a procedural item earlier in the meeting

2.2 Planning Proposal - Wyong LEP 2013 Flood Mapping - Request for revised Gateway Determination

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

470/14 That Council submit a revised Planning Proposal to the Minister for Planning (or her delegate) seeking to amend the Wyong Local Environmental Plan 2013 so as to delete the Flood Planning Maps and introduce other amendments to flood controls consistent with the flood control provisions in the Gosford Local Environmental Plan 2014, pursuant to section 56(6) of the Environmental Planning and Assessment Act 1979

471/14 That Council request that the Minister for Planning (or her delegate) issue a revised Gateway Determination, pursuant to s. 56(7) of the Environmental Planning and Assessment Act 1979, in accordance with the above revised Planning Proposal.

472/14 That Council note that resolutions 1 and 2 operate to modify resolutions 1367/13 and 1368/13 of 13 November 2013.

FOR: COUNCILLORS BEST, EATON, GRAHAM, GREENWALD, MATTHEWS, NAYNA, TAYLOR, TROY, VINCENT AND WEBSTER

AGAINST: NIL

3.1 Repeal of Policy for Fact Finding Tours by Elected Members and Staff

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

473/14 That Council repeal the Policy for Fact Finding Tours by Elected Members and Staff.

3.2 Conference Attendance - Sustainable Economic growth for Regional Australia (SEGRA) 2014

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

474/14 That Council authorise those interested Councillor/s to attend the Sustainable Economic Growth for Regional Australia (SEGRA) 2014 conference.

475/14 That Council meet reasonable expenses incurred by Councillors attending the above conference in accordance with Council's Facilities and Expenses Policy for Councillors.

3.3 Community Subsidy Program, Sport & Cultural Sponsorship Program, Community Benefit Grants and Community Matching Fund Applications

Councillor Eaton declared a non-pecuniary insignificant conflict of interest in the matter for the reason that one of the recipients is his next door neighbour's daughter and stated that:

"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 as Councillor."

Councillor Troy left the meeting at 6.04pm and returned to the meeting at 6.05pm during consideration of this item.

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

476/14 That Council receive the draft minutes of the Wyong Shire Grants Advisory Group held on 1 April 2014.

477/14 That Council allocate \$6,959.60 from the 2013-14 Community Subsidy Program as follows:

Applicant	Project Name and Summary	Committee Funding Recommended
Wyongah Progress Association Incorporated	Rate subsidy allowance.	\$977.60
Warnervale Family and Community Centre	Venue Hire - Hamlyn Terrace Community Centre - To improve women's access and participation in Vocational and Educational Training.	\$423.00
Ocean and Coastal Care Initiatives (OCCI)	Digital colour printing, road closure and waste and recycling services - Whale Dreamers Festival.	\$2,000.00
The Central Coast Collective, Inc	Venue hire - The Entrance Art Gallery and Community Centre -To facilitate arts development in the Wyong Shire.	\$1,559.00
The Fathers Table Outreach	Venue hire - Wyong Neighbourhood Centre - Supporting people in need and those less fortunate in our local Wyong Shire.	\$2,000.00

478/14 That Council decline applications for the reasons indicated in the table below and the applicants be advised and where relevant, directed to alternate funding programs:

Applicant	Project Name and Summary	Committee Assessment
Woongarra Wildcats Football Club	Digital Colour Printing - Event to open football season	Applicant has an outstanding acquittal for previous Council grant.

479/14 That Council allocate \$4,750.00 from the 2013-14 Sport and Cultural Sponsorship Program as follows:

Applicant	Project Name and Summary	Committee Funding Recommended
Stephanie Biviano	Representing Central Coast in the NSW State Girls' Hockey Championship - Narrellan NSW.	\$250.00
Rosie Stimson	Representing NSW in the Combined High School Under 15 team, 2014 Annual Pan Pacific Youth Waterpolo Festival - Auckland New Zealand.	\$500.00
Corey Allan	Representing NSW in the Combined High School Under 15 team, 2014 Annual Pan Pacific Youth Waterpolo Festival - Auckland New Zealand.	\$500.00
Central Coast Dragon Boat Club Inc	Representing Australia in the International Dragon Boat Federation 9th Club Crew World Championships - Ravenna Italy.	\$2,500.00
Annabelle Lee	Representing NSW in the Australian Gymnastics Championships - Melbourne Victoria.	\$500.00
Skye Bailey	Representing NSW in the National AFL U/18 Championship – Canberra.	\$500.00

480/14 That Council decline applications for the reasons indicated in the table below and the applicants be advised and where relevant, directed to alternate funding programs:

Applicant	Project Name and Summary	Committee Assessment
Patrick Martin	Representing Central Coast in the Under 15's Australian Rugby Union Gold Cup Pathways Competition - Three NSW venues.	Application not received 30 days prior to event.

481/14 That Council allocate \$114,201.50 from the 2013-14 Community Benefit Grants Program as follows:

Applicant	Project Name and Summary	Committee Recommended Funding excl. GST	Notes/ Conditions
Central Coast Bombers - (Killarney Vale AFC Inc.)	National AFL Auskick Program, Junior, Youth and Senior Football Team establishment in inaugural women's and girl's competitions offered by Hunter/Coast AFL Under 12's through to Under 18's women only teams and competitions.	\$2740.00	Recommend part funding (in-kind) for use of Council ovals to a maximum of \$2740.00 conditional on applicant meeting other program costs.
Global Care Australia	Purchase of upright glass door freezer and packaging materials/machine to assist with food distribution to the disadvantaged.	\$3,580.00	Project has merit, meets an identified community need and will enhance service provision of the organisation.
Wyong Family History Group Inc.	To purchase a specialised printer station that would enable production of a myriad of historical documents, maps, books, graphs, charts, and more.	\$5,335.00	Project has merit, will assist applicant to become more financially sustainable plus expand services provided to the community.

Applicant	Project Name and Summary	Committee Recommended Funding excl. GST	Notes/ Conditions
Bateau Bay Police Citizens Youth Club	PCYC Junior Basketball aims to assist four teenagers to develop a basketball program and help them increase their knowledge, qualifications and skills.	\$2,000.00	Recommend part funding, \$2000.00 for training of young leaders.
Uniting Care NSW.ACT	Community Connect Sport and Cultural Activity Days to be held in the Northern Wyong Shire in school holiday times.	\$7,040.00	Project has merit and meets an identified community need. Applicant encouraged to seek sustainable sponsorship for future events.
Wyong Creek Literary Institute Inc	To develop a website with booking information and historical stories to celebrate 100 years of Wyong Creek Hall.	\$2,900.00	Project has merit and will assist with sustainability of the hall. Council's funding support to be acknowledged on relevant website.
Gwandalan and Summerland Point Community Garden Inc	Garden beds for final stages of fruit tree garden.	\$1,967.00	Project has merit and completes a valued community project.
North Entrance Surf Life Saving Club	The purchase of additional equipment for effective training of Nippers and Senior Life Savers.	\$2,000.00	Project has merit, meets an identified community need and will enhance service provision of the organisation.

Applicant	Project Name and Summary	Committee Recommended Funding excl. GST	Notes/ Conditions
Sculpture on the Greens Inc.	Sculpture on the Greens is an annual community event with an exhibition and related activities.	\$4,350.00	Recommend part fund primary and high school skill development components plus entertainment and publicity for the event.
Uniting Care NSW ACT	Dad's Day Out is a one day event held in Northern Wyong that celebrates dads, granddads, uncles, and male care givers.	\$2,400.00	Project has merit and meets a need in the local area.
Anglican Parish of Gorokan	Lakes Anglican Artsfest 2014.	\$2,100.00	Project has merit - WSC to be acknowledged as sponsors of prizes.
Metro Screen	Wyong On Screen A series of digital production workshops to create on-screen stories about the local area and local people.	\$20,000.00	Project has merit and meets an identified community need.
Central Coast Cross Country INC	Trident Timing Equipment Purchase of electronic timing equipment.	\$13,570.00	Project has merit and meets an identified community need.

Applicant	Project Name and Summary	Committee Recommended Funding excl. GST	Notes/ Conditions
Community Compass Inc.	<p>Free to use - Good Governance and Financial Management Video Project for Not for Profit (NFP) Organisations</p> <p>The production of 15 video snapshots outlining governance and financial management requirements for local NFP's.</p>	\$6,000.00	Recommend part funding for 5 videos. Subjects and content to be decided in partnership with relevant Council staff. Council's support to be acknowledged within content and videos to be available from Council's website.
Northlakes United Rugby Union Club	Purchase of junior training equipment.	\$4027.00	Project has merit and meets an identified community need.
Budgewoi Sailing Club Inc.	Purchase of an inflatable rescue boat.	\$4,432.00	Project has merit and meets an identified community need.
Central Dance Company (Aus) Inc.	<p>Sleeping Beauty Ballet</p> <p>A performance for aspiring dancers on the Central Coast.</p>	\$4,180.00	Project has merit and meets an identified community need.
Wyong Creek Literary Institute Inc.	<p>Upgrade Stage 4 to Wyong Creek Hall</p> <p>Improvements and upgrade to Wyong Creek Hall.</p>	\$25,580.50	Project has merit and completes a long term facility upgrade.
Total		\$114,201.50	

482/14 That Council decline the following Community Benefit Grant applications for the reasons indicated in the table below, the applicants be advised and where relevant, directed to alternate funding programs:

Applicant	Project Name and Summary	Committee Assessment
Wyong Neighbourhood Centre Inc	TrashArt An opportunity for the local community to explore the artistic possibilities with the mountain of discarded materials available as a result of our throwaway society.	Not recommended as currently proposed. Recommend applicant to liaise with WSC Cultural Planner and scope a trial program and exhibition for later in the year.
St Vincent de Paul Society NSW	Vinnies Wyong NILS Scheme This project will oversee the provision of “No Interest Loans” to people on low incomes to purchase essential household items or services to people from disadvantaged backgrounds.	Not recommended as currently proposed. Applicant has received funding for program previously.
Budgewoi Beach Dunecare Incorporated	Budgewoi Holiday Park Wetland Raised Boardwalk Construction of a wide raised boardwalk linking the Coastal wetland with the proposed Lake Munmorah foreshore shared pathway.	Project has merit. Recommend the applicant reapply in the next round and the relevant environmental assessments be undertaken in the interim to determine all related costs and actions.
Toukley and District Senior Citizens Club Inc.	Replace Entry doors to the Club.	Not recommended as currently proposed. Proposal represents a building upgrade linked to a current WSC lease agreement.
The Rotary Club of The Entrance	Central Coast Rotary Youth Driver Awareness Program The RYDA Program is a one day program delivering practical road safety information targeting attitude and awareness of young drivers and their passengers.	Not recommended as currently proposed. Insufficient information provided to make an accurate assessment.

Applicant	Project Name and Summary	Committee Assessment
Mingaletta Aboriginal and Torres Strait Islander Corporation	Keeping Us All Connected A series of educational, cultural and social events that will bring both the Aboriginal and broader community together.	Not recommended as currently proposed. Applicant and project based in Gosford LGA.
Berkeley Vale Neighbourhood Centre Incorporated	Caring for Kids First Aid Caring for Kids is a first aid course designed to teach first aid to parents, grandparents and carers.	Not recommended as currently proposed. Project concept has merit, and applicant advised to resubmit when further information is available.
CultureFix	The Creative Skills Workshop A pilot project to demonstrate the benefits of The Creative Workshop business model.	Not recommended as currently proposed. Applicant to liaise with WSC Cultural Planner to progress proposal.
Lakes Wyong Netball Club	Promotion of Netball within Wyong Shire Schools.	Not recommended as currently proposed. Insufficient information provided to make an accurate assessment.
YMCA of Sydney - Lake Haven Recreation Centre	Learn to Play – Basketball Learn to Play (LTP) is an after school program promoted to children aged 5-12 years, based at YMCA Lake Haven.	Not recommended as currently proposed. Recommend applicant seek other funding sources available for projects of this nature.
Take 3 Inc.	Wyong Shire Take 3 Early Childhood Educators Project By beginning education on the impacts of marine debris in early childhood, Take 3 can ensure that a consistent message is delivered to children as they age and good habits are formed.	Not recommended as currently proposed. Recommend applicant resubmit after consultation WSC Community Education Team Leader.
ET Australia	Data Projector and Screen for Community Conference Room Located within the Better Futures Hub at North Wyong.	Not recommended. Applicant advised to seek alternate funding sources.

483/14 That Council allocate \$157,480.00 from the 2013-14 Community Matching Fund as follows:

Applicant	Project Name and Summary	Committee Funding Recommended excl. GST	Notes/ Conditions
San Remo Neighbourhood Centre Inc.	Blue Haven Community Playground A community playground to be established next to the Blue Haven Community Centre.	\$17,405.00	Project has merit with strong financial and community match.
CASAR Park Supporters Inc.	CASAR Park Community Motor Sport facility Development Application To assist with the development of a motor sport facility with positive recreation and tourism outcomes.	\$75,000.00	Project has merit with strong match and multiple stakeholder contributions.
St Vincent de Paul Society NSW	Vinnie's Wyong Financial Advice and Support Program.	\$15,075.00	Project has merit with strong community match.
Manno Men's Shed	Manno Men's Shed site preparation and building fit-out. Provision of a Men's Shed for the Mannering Park community.	\$50,000.00	Recommend part fund conditional on funds being released upon relevant construction certificates being obtained. Section 306 contributions and construction fees to be provided in kind. <u>Please note:</u> The amount recommended includes \$21,586.00 granted by Council previously.
Total		\$157,480.00	

484/14 That Council **decline** the following Community Matching Fund applications for the reasons indicated in the table below, the applicants be advised and where relevant, directed to alternate funding programs:

Applicant	Project Name and Summary	Committee Assessment
Central Coast Mariners Foundation Limited (CCMA)	<p>Commencement of CCMA managed and operated by Mariners staff, as a separate entity to the professional football club.</p> <p>A new sports development initiative designed to give local players and coaches opportunities to develop their skills and experiences.</p>	<p>Not recommended as currently proposed.</p> <p>Applicant advised to work with relevant WSC staff and reapply next round upon clarification of key project components.</p>
Youthconnections.com.au	<p>Better Futures Hub</p> <p>Install a lift in the Better Futures Hub at 2 Amy Close North Wyong</p>	<p>Project not recommended.</p> <p>The proposal relates to a building upgrade to property (although leased by a local community organisation) owned by a private individual or company.</p>
Toowoona Bay Surf Life Saving Club	<p>Cool-room for Toowoona Bay Surf Life Saving Club (SLSC)</p> <p>Purchase and Install a cool-room in Toowoona Bay SLSC.</p>	<p>Not recommended in current round.</p> <p>Recommend applicant reapply when current financial discussions with Council are complete.</p>
CultureFix	<p>Two Day Intensive Creative Skills Workshop</p> <p>Pilot project to demonstrate the benefits of The Creative Workshop business model</p>	<p>Not recommended as currently proposed.</p> <p>Applicant to liaise with WSC Cultural Planner to progress proposal.</p>
Meals on Wheels Central Coast Ltd	<p>Meals On Wheels Supporting the Neighbourhood – Freezer Room</p> <p>Additional freezer space will allow for additional fresh produce to be supplied to the community.</p>	<p>Recommended reapply next round.</p> <p>Application has merit but not recommended in category.</p>

Applicant	Project Name and Summary	Committee Assessment
The Entrance and District Cricket Club Inc.	Taylor Park Clubhouse Improvements.	Recommended reapply next round. Project has merit however insufficient information supplied within application. Recommend applicant liaise with WSC Grants Administration officer to strengthen application.
Northlakes Public School P and C Association	Northlakes community improvement project. Construction of a shared environmentally sustainable sensory garden and play space within Northlakes School.	Not recommended as currently proposed. Recommend applicant seek more suitable funding stream or investigate relocation of project within neighbouring community centre precinct.
Wyongah Progress Association Incorporated	Woongarrah Community Habitat Garden Mary MacKillop Landcare.	Project not recommended in current round. Recommend applicant liaise with WSC Grants Administration officer to strengthen application and reapply in next round.

3.4 Proposed Councillors' Community Improvement Grants

Councillor Best declared a non-pecuniary significant conflict of interest in the matter for the reason that he is General Manager of Central Coast Group Training who is seeking funding under this item, left the chamber at 6.09 pm, took no part in discussion, did not vote and returned to the chamber at 6.13 pm.

Councillor Eaton declared a non-pecuniary insignificant conflict of interest in the matter for the reason that he is the Council delegate for Central Coast Group Training left the chamber at 6.09 pm, took no part in discussion, did not vote and returned to the chamber at 6.10 pm.

Councillor Vincent declared a non-pecuniary insignificant conflict of interest in the matter for the reason that he is a member of Scouts NSW and stated that:

"I choose to remain in the Chamber and participate in discussion and voting, as I am not a member of the Berkeley Vale Scout Group."

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

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

485/14 That Council allocate an amount of \$13,200 from the 2013-14 Councillors' Community Improvement Grants as follows:

14 May 2014		
<i>1st Berkeley Vale Scout Group (\$2758)</i>	<i>Provide sunhat and polo shirt to all members.</i>	<i>2,200</i>
<i>All Saints Anglican Church - The Entrance (\$4000)</i>	<i>Purchase and installation of an air conditioner</i>	<i>1,500</i>
<i>Central Coast Group Training (\$4000)</i>	<i>Launch event of the opening of the Central Coast Youth Skills and Employment Centre in June 2014</i>	<i>4,000</i>
<i>Gwandalan Outside of School Hours Care Inc. (\$2000)</i>	<i>Purchase and laying on new lino, to paint the staff office, new flyscreens for windows and storage shelves for equipment in garage.</i>	<i>400</i>
<i>Halekulani Library (\$500)</i>	<i>Purchase new books.</i>	<i>300</i>
<i>San Remo Neighbourhood Centre (\$2000)</i>	<i>Assist in costs for accommodation and catering for volunteers at a Communications Training Weekend.</i>	<i>2,000</i>
<i>The Australian Air League Toukley Squadron (\$4000)</i>	<i>Attend the Federal Review in Canberra</i>	<i>1,800</i>
<i>The Central Coast Bridge Club (\$4000)</i>	<i>Construction of a ramp for wheelchair/ambulance access</i>	<i>700</i>
<i>The Rotary Club of The Entrance (\$4000) (\$900 already allocated)</i>	<i>The Rotary Youth Driver Awareness Program (RYDA) is a one day out of school program delivering practical road safety information targeting attitude and awareness of young drivers and their passengers.</i>	<i>300</i>

Councillor Eaton resumed the chair.

3.5 Conference Attendance - Parks and Leisure Australia National Conference 2014

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

486/14 That Council authorise those interested Councillor/s to attend the Parks and Leisure Australia 2014 National Conference.

487/14 That Council meet reasonable expenses incurred by Councillors and accompanying persons attending the above conference in accordance with Council's Facilities and Expenses Policy for Councillors.

3.6 Property Strategy

Councillor Taylor left the meeting at 6.12pm and returned to the meeting at 6.13pm during consideration of this item.

Councillor Matthews left the meeting at 6.19pm and returned to the meeting at 6.20pm during consideration of this item.

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

488/14 That Council endorse the Property Strategy for immediate implementation.

3.7 Policy for Property Transactions - Sales and Acquisitions

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

489/14 That Council adopt the Policy for Property Transactions – Sales and Acquisitions.

3.8 Memorandum of Understanding between Community Telco Australia and Wyong Shire Council

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

490/14 That Council delegate to the General Manager and Mayor the authority to develop and enter into a Memorandum of Understanding with Community Telco Australia.

4.1 Whale Dreamers Festival

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

491/14 That Council receive the report on Whale Dreamers Festival.

492/14 That Council request the General Manager to investigate the recent Federal Government funding for the National Whale trail.

4.2 Road Capital Works Program

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

493/14 That Council receive the report on the status of the Council's Road Capital Rolling Works Program.

4.3 Development Application 493/2012 - Darkinjung Aboriginal Land Council Amended Application Halekulani

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

494/14 That Council receive the report on Development Application 493/2012 - Darkinjung Aboriginal Land Council Amended Application Halekulani.

FOR: COUNCILLORS BEST, EATON, GRAHAM, GREENWALD, MATTHEWS, NAYNA, TAYLOR, TROY, VINCENT AND WEBSTER

AGAINST: NIL

4.4 Disclosure of Interest Returns - 1 January to 31 March 2014

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

495/14 That Council receive the report on Disclosure of Interest Returns 1 January to 31 March 2014.

4.5 Outstanding Questions on Notice and Notices of Motion

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

496/14 That Council receive the report on Outstanding Questions on Notice and Notices of Motion.

5.1 Notice of Motion - Council Policy Results in Vandalism

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

497/14 That Council note further reports of large scale public tree poisoning at Mazlin Reserve Norah Head.

498/14 That Council investigate the complaints and report on this and other similar recent vandalism events.

499/14 That Council recognise that policing this type of vandalism is often unproductive and that the catalyst for such acts may well be a consequence of past Council Policy.

500/14 That Council note its previous resolution to undertake a common sense review of its Tree Policy for private land.

501/14 That Council undertake a review of its Tree Policy for Public Lands with a view to developing a more balanced approach to future planting and species choice, particularly around the issue of 'View Sharing' and how that is legislated for in the area of construction and building .

QUESTIONS ON NOTICE**Q64/14 Central Coast Regional Development Corporation Funding
Councillor Ken Greenwald**

F2004/07126

“As jobs are so important to our region and we have seen the recent announcements of closures of Blue Tongue Brewery and Kellogg’s in the Shire.

Can the General Manager inform Council the funding supplied to the Central Coast Regional Development Corporation or predecessors from the two Councils, Wyong Shire and Gosford City, and the NSW State Government, from 2010 to the present and please advise?”

**Q65/14 Standard of Parks and Gardens in Wyong Shire
Councillor Greg Best**

M2014/00690

“Mr General Manager, I noted over the Mother’s Day weekend thousands of residents enjoying the many hundreds of local parks and reserves in our Shire and I also received very encouraging feedback from locals and visitors alike applauding the high standard and quality of the various Council facilities. Would you please, on behalf of Council, pass on our sincere appreciation to the Manager of Open Space and Recreation, Brett Sherar and his team for the excellent efforts?”

**Q66/14 Chelmsford Road, Charmhaven
Councillor Greg Best**

P2011/02073

“I have received a number of enquiries from members of the public concerning the operations concerning the Flip Out business at Unit 1/132 Chelmsford Road, Charmhaven, and assertions as Council’s role in regulating that business. I ask the following questions:

- 1 Which public authorities have roles in the regulation of the activities of the Flip Out business?*
- 2 If Council has a role in the regulation of the activities of the Flip Out , what steps has Council undertaken to fulfil that role?”*

**Q67/14 Tuggerawong Hall Update
Councillor Adam Troy**

P2013/00709

“Could Council be given an update on the status of Tuggerawong Hall?”

CONFIDENTIAL SESSION

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

That Council move into Confidential Session.

At this stage of the meeting being 6.59 pm council moved into Confidential Session with the members of the press and public excluded from the meeting of the closed session and access to the correspondence and reports relating to the items considered during the course of the closed session being withheld. This action is taken in accordance with Section 10a of The Local Government Act, 1993.

OPEN SESSION

Council resumed in open session at 7.07 pm and the Mayor reported on proceedings of the confidential session of the ordinary meeting of council as follows:

6.1 Mayoral Minute - General Manager's Performance Appraisal End of Financial Year 2014

- 502/14** *That Council approve the General Manager's end of year performance appraisal content for 2014 as attached.*
- 503/14** *That Council approve the agreed total remuneration package of Level 7 of the current Senior Executive Services (SES) determined by the appointed NSW Remuneration Tribunal (inclusive of SOORT) as per Clause 8.3 of the General Manager's contract and variation to schedule A of the General Managers contract (as attached).*
- 504/14** *That Council approve the General Manager to purchase his current Council allocated vehicle at an independent determined fair market value at the replacement time of the vehicle.*
- 505/14** *That Council approve attendance at the AICD conference in 2015 as part of his personal development.*
- 506/14** *That Council determine the General Manager's objectives for 2014/15 at a Councillor briefing 23 July.*

THE MEETING closed at 7.09pm.

2.1 DA 646/2013 - Proposed Residential Flat Development comprising 60 Dwellings (townhouses) and a 2 Lot Subdivision (boundary adjustment) at Woongarra

TRIM REFERENCE: DA/646/2013 - D07111316
MANAGER: Scott Cox, Director
AUTHOR: Jenny Webb; Senior Development Planner

SUMMARY

A development application has been received for a 2 lot subdivision and the construction of 60 dwellings (townhouses) at No 147-169 Mataram Road, Woongarra. The application has been examined having regard to the matters for consideration detailed in section 79C of the Environmental Planning and Assessment Act (EP&A Act) and other statutory requirements with the issues requiring attention and consideration being addressed in the report.

Applicant	Thrum Architects
Owner	Zerin Baldock and Ayten Lloyd
Application No	DA/646/2013
Description of Land	Lot 62 and 63 DP 456250, No 147-169 Mataram Road, Woongarra
Proposed Development	Residential flat development comprising 60 dwellings and a 2 lot subdivision (Boundary Adjustment)
Site Area	62,520 m ²
Zoning	2(e) Urban Release Area and 10(a) Investigation Precinct
Existing Use	Dwelling House
Employment Generation	No
Estimated Value	\$14,227,400

RECOMMENDATION

- 1 ***That Council grant consent subject to the conditions detailed in the schedule attached to the report and having regard to the matters for consideration detailed in Section 79C of the Environmental Planning and Assessment Act and other relevant issues.***
- 2 ***That Council advise those who made written submissions of its decision.***

PRECIS

- The Development Application seeks consent for the construction of 60 dwellings (townhouses) and a 2 lot subdivision (boundary adjustment)
- Proposed Lot 1 would be the development lot, with Proposed Lot 2 to retain an existing dwelling house on the site.
- The proposed development of residential flat buildings and subdivision is permissible with consent under Wyong Local Environmental Plan 1991 (WLEP 1991).

2.1 DA 646/2013 - Proposed Residential Flat Development comprising 60 Dwellings (townhouses) and a 2 Lot Subdivision (boundary adjustment) at Woongarrah (contd)

- Multi dwelling housing is prohibited under Wyong Local Environmental Plan 2013 (WLEP 2013)
- 37 submissions were received, plus a petition containing 181 signatures. Three of the submissions were in support of the development.

INTRODUCTION

The Site

The subject site comprises Lots 62 and 63 DP 456250, No 147 - 169 Mataram Road, Woongarrah. Lots 62 and 63 have a combined area of 6.252 hectares, with a frontage of approximately 241 metres to Mataram Road and a depth of approximately 259 metres.

There is an existing dwelling house and ancillary outbuildings located on cleared land toward the centre of the site, with the southern and western areas of the site remaining vegetated.

Only the southern portion of the site is zoned for residential development and it is proposed to realign the boundaries of the two sites to create proposed Lot 1 which would be the development lot for the new dwellings and proposed Lot 2, which would retain the existing dwelling house. The proposed lot layout is shown on page 3.

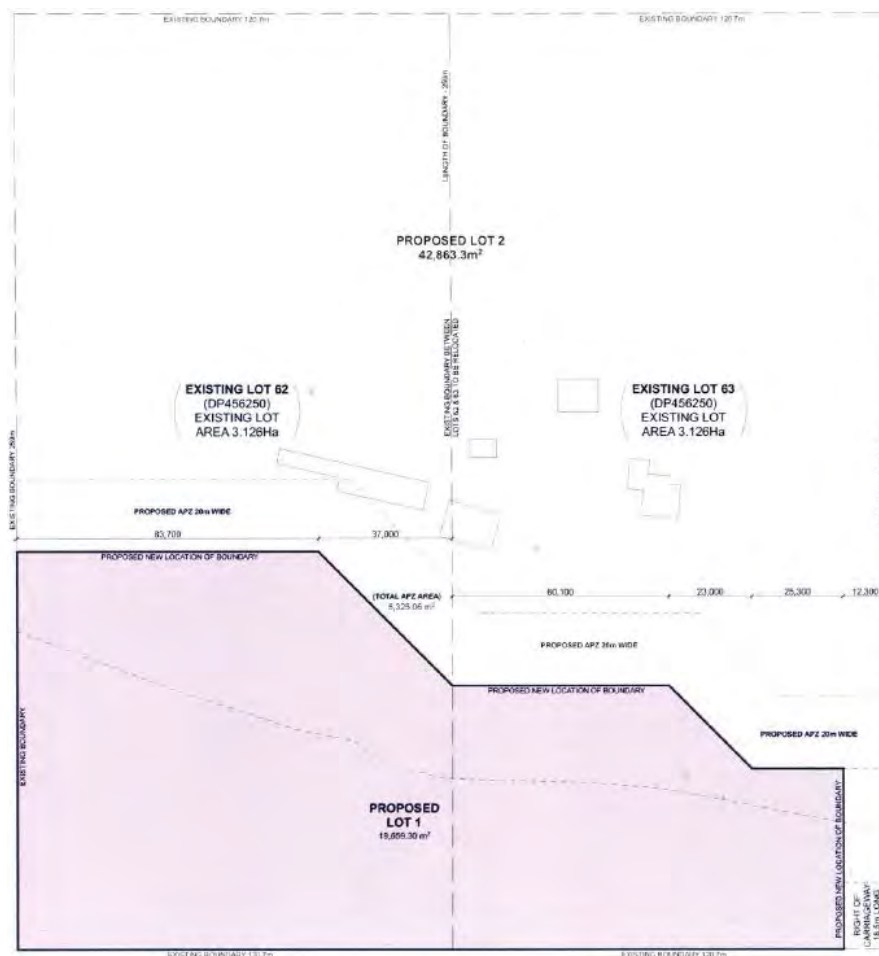


Figure 1: Proposed 2 lot subdivision (boundary adjustment)

2.1 DA 646/2013 - Proposed Residential Flat Development comprising 60 Dwellings (townhouses) and a 2 Lot Subdivision (boundary adjustment) at Woongarrah (contd)

Proposed Lot 1 has a frontage to Mataram Road of approximately 241 metres, a western side boundary of 110m and an eastern side boundary of 50m. The area of the proposed development has a south facing slope, having a fall of 14.48m from its highest point of RL 42.5m AHD at the rear boundary and lowest point of RL 28.02m AHD at its south-western boundary fronting Mataram Road.

The area proposed for residential development is covered by native vegetation comprising Spotted Gum - Open Forest and Smooth-Barked Apple/Brown Stringybark - Open Forest and is identified as being bushfire prone land. The site is also within a mine subsidence district.

Adjoining the site to the west is an existing residential care facility operated by Anglicare. Land immediately to the east is largely vacant, although does contain a dwelling house. On the southern side of Mataram Road, development comprises residential housing in newly developed residential subdivision estates. This development is characterised by single dwelling houses erected on standard sized residential lots.



Figure 2: Aerial photograph of subject site and surrounds

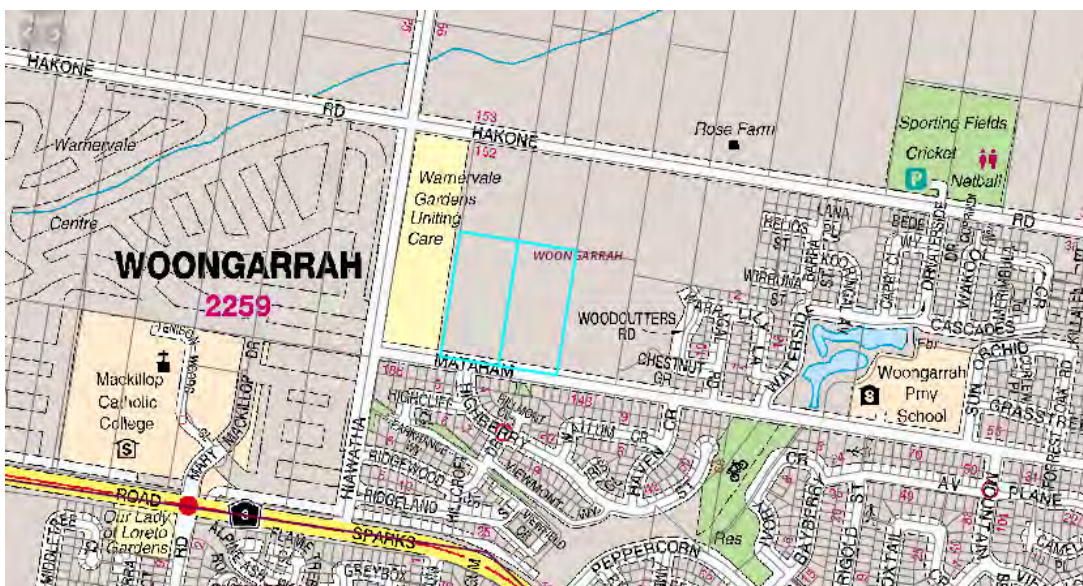


Figure 3: Subject site and locality

2.1 DA 646/2013 - Proposed Residential Flat Development comprising 60 Dwellings (townhouses) and a 2 Lot Subdivision (boundary adjustment) at Woongarra (contd)

The Proposed Development

The development application seeks consent for the following:

- Boundary adjustment between Lots 62 and 63 DP 456250 so as to create proposed Lots 1 and 2, with proposed Lot 1 forming the subject development site;
- Construction of 60 one and two storey dwellings (townhouses) on proposed Lot 1;
- Construction of a new concrete driveway at the eastern end of the development to provide access to proposed Lot 2; and
- A 20m wide Asset Protection Zone along the northern boundary of the development site including construction of a fire trail.

Proposed Lot 1 would have an area of 1.96 ha and would be primarily zoned 2(e) Urban Release Area with a smaller area of land zoned 10(a) Investigation Precinct. Proposed Lot 2 would have an area of 4.28 ha and would be primarily zoned 10(a) Investigation Precinct. Proposed Lot 2 would also incorporate a small area of land zoned 2(e) Urban Release Area, which would provide vehicular access to the existing dwelling.

The proposed dwellings range in size from one to four bedrooms, each with either a single or double garage and a private courtyard at ground level. The dwellings are to be brick veneer, with lightweight cladding on the upper levels and roof tiles. The dwellings are arranged in clusters of up to 6, with 28 different floor plans proposed. Visitor parking and communal open space are also proposed throughout the site.



Figure 4: Artist's impression of proposed development

2.1 DA 646/2013 - Proposed Residential Flat Development comprising 60 Dwellings (townhouses) and a 2 Lot Subdivision (boundary adjustment) at Woongarra (contd)

CONSULTATION

The application has been referred to the following:

Senior Health and Building Surveyor – No objections raised, subject to the imposition of conditions of consent.

Senior Development Engineer – Conditions of consent have been provided to address external road works, internal vehicle access and parking, the design of a stormwater system and the relocation of services.

In terms of stormwater management, an on-site detention and drainage system is required to control the rate of runoff leaving the site which falls to Mataram Road. Rainwater storage is also proposed for each dwelling in accordance with BASIX.

Development Ecologist – A flora and fauna assessment was submitted with the application, including additional surveys for threatened species. Conditions have been provided to address vegetation management and fauna handling, including the provision of nest boxes.

Arborist and Landscape Assessment Officer – Conditions have been provided regarding the design and implementation of the landscape plan and the protection of trees to be retained.

Water and Sewer Planning – The site can be serviced by Council's water and sewer systems. No objection raised subject to the developer designing and constructing an appropriate internal reticulation network, including an internal booster pump system to ensure adequate water flow and pressure to each of the proposed dwellings.

Waste Officer – Individual 'wheelie' bins are proposed for each dwelling, which would be collected at the kerb, both from Mataram Road and from within the site. Eight of the dwellings are unable to be accessed by the waste collection vehicle and therefore a dedicated bin collection area for these dwellings has been located to the north of dwelling No 39. However, to ensure that there is sufficient space for general waste and recycling bins, it is recommended that the collection area be extended to cater for 16 bins (2 per dwelling) and to ensure that adequate area is available for the collection of bins and the maneuvering of collection vehicles.

Section 94 Contributions Officer – The applicant has applied to utilise Council's Temporary Economic Stimulus Plan. No objections are raised subject to conditions of consent being imposed.

Mine Subsidence Board – General terms of approval have been granted for both the subdivision and the proposed dwellings.

Rural Fire Service – A Bushfire Safety Authority has been granted for the development, subject to conditions

2.1 DA 646/2013 - Proposed Residential Flat Development comprising 60 Dwellings (townhouses) and a 2 Lot Subdivision (boundary adjustment) at Woongarra (contd)

VARIATIONS TO POLICIES

The proposed development seeks to vary Development Control Plan 2005 Chapter 64 – Multiple Dwelling Residential Development as follows:

Clause	5.3.2
Standard	Front Setback (Category B road) – 6 metre setback required
LEP/DCP	DCP 2005 Chapter 64
Departure basis	Front setback of 5.5 metres (8.3% variation) to buildings. Garages comply at 6 m.

Clause	9.1.2
Standard	Private Open Space – 45 m ² required
LEP/DCP	DCP 2005 Chapter 64
Departure basis	Private open space varies from 40 m ² to 71 m ² (0.5% to 11% variation)

Clause	9.3.1
Standard	Solar Access – 3 hours unobstructed sunlight to each dwelling
LEP/DCP	DCP 2005 Chapter 64
Departure basis	15 dwellings do not receive 3 hours unobstructed sunlight to dedicated areas of private open space (25% variation)

Clause	13.1.3
Standard	Carparking – Additional parking requirements for Warnervale East Release Area (180 spaces required)
LEP/DCP	DCP 2005 Chapter 64
Departure basis	133 spaces provided (26% variation)

Clause	13.1.5
Standard	Courtyards - Additional courtyard requirements for Warnervale East Release Area (75 m ² required)
LEP/DCP	DCP 2005 Chapter 64
Departure basis	Courtyards designed to 45 m ² rather than 75 m ² (40% variation)

2.1 DA 646/2013 - Proposed Residential Flat Development comprising 60 Dwellings (townhouses) and a 2 Lot Subdivision (boundary adjustment) at Woongarra (contd)

HISTORY

- The site was rezoned in November 2003 to be partially 2(e) Urban Release Area and partially 10(a) Investigation Precinct.
- A Pre-lodgement meeting was held with Council in September 2012 to discuss subdivision and future development of No 135-169 Mataram Road, Woongarra.
- The subject Development Application was lodged on 30 August 2013.

SUBMISSIONS

Any submission from the public

The proposed development was initially notified for a period of 14 days between 11 September 2013 and 25 September 2013 with 32 submissions being received from 27 authors (multiple submissions from 4 authors) plus a petition containing 181 signatures. Three of the submissions were in support of the development application.

Following the receipt of additional information from the applicant, the application was re-notified for a period of 14 days between 25 October 2013 and 8 November 2013. During this time a further four submissions objecting to the proposal were received, including 2 submissions from people who had not previously put in a submission. A further one objection was received following the notification period.

A table outlining the issues raised in each of the submissions is attached to this report. The most common issues that were raised included:

- Loss of vegetation and impact on wildlife

Comment:

The development site is predominantly zoned 2(e) Urban Release Area and therefore has been identified for residential development. The site is not identified for conservation purposes and does not form part of a green corridor or wildlife corridor. A Flora and Fauna Assessment was submitted with the development application and reviewed by Council's Ecologist, having particular regard for the potential for threatened species to occupy the site. The Flora and Fauna Assessment was found to be satisfactory and it was concluded that there would be no significant impact on any threatened species. As part of the subject development application, some vegetated areas within the 10(a) zoned land would be retained.

- Out of character with existing development

Comment:

Existing development in Woongarra, including the southern side of Mataram Road, opposite the subject site, is predominantly low density brick veneer dwelling houses of one or two storeys. Other development in the locality includes child care centres, a residential aged care facility and a public primary school. While the proposed development maintains the single and two storey height of the existing neighbourhood, there are currently no other townhouse developments in the immediate vicinity despite being permitted under WLEP

2.1 DA 646/2013 - Proposed Residential Flat Development comprising 60 Dwellings (townhouses) and a 2 Lot Subdivision (boundary adjustment) at Woongarra (contd)

1991. Under WLEP 2013, multi dwelling housing is not permitted, although dual occupancies, semi-detached dwellings and small lot housing is permissible with consent.

The issue of the compatibility of the proposed development with existing development has been considered having regard for the Planning Principle set down in *Project Venture Developments v Pittwater Council [2005] NSWLEC 191*.

Under the Planning Principle, the most suitable meaning of compatibility in an urban design context is “*capable of existing together in harmony*”. Compatibility is thus different from sameness. It is generally accepted that buildings can exist together in harmony without having the same density, scale or appearance, though as the difference in these attributes increases, harmony is harder to achieve.

Where compatibility between a building and its surroundings is desirable, two key aspects are physical impact and visual impact. In order to test whether a proposal is compatible with its context, two questions require consideration.

- *Are the proposal’s physical impacts on surrounding development acceptable? The physical impacts include constraints on the development potential of surrounding sites.*
- *Is the proposal’s appearance in harmony with the buildings around it and the character of the street?*

In terms of the physical impacts of the proposed development, the adjoining property to the west is a two storey residential aged care facility and land adjoining the property to the east is a large holding of approximately 3 hectares, which remains undeveloped (with the exception of a single dwelling and associated outbuildings). Both sites are zoned the same as the subject site, being partially zoned for residential development and partially within a transition zone. The proposed development would not constrain the future development of the adjoining sites and the proposed development would also have minimal impact on the adjoining residential care facility due to internal roads and carparking being located adjacent to the property boundary, rather than residential accommodation.

Land on the southern side of Mataram Road has already been developed for dwelling houses and the proposed development would impose negligible constraints on that land. General impacts of the development that may affect surrounding residents would be increased traffic, increased pedestrian activity and increased noise associated with the ongoing use of dwellings. However, these impacts are not expected to be significant and are consistent with any new residential development in a release area.

Under the Planning Principle, the second matter for consideration is the proposals harmony with the buildings around it and the character of the street. In this regard, the character of Mataram Road in the vicinity of the site differs between the northern and southern side of the road. The southern side of Mataram Road has been developed with single dwelling houses, one and two storeys high, on standard sized residential blocks. However, the northern side of Mataram road contains a two storey residential aged care facility, undeveloped land which remains vegetated and further to the east of the site, new dwelling-houses. The height, bulk, scale, front setback and external finishes of the proposed dwellings are consistent with that of existing buildings and whilst the proposed townhouses are not the same as existing development, they are not incompatible. Photos illustrating the existing streetscape are provided below.



Figure 5: Existing Aged Care Facility (Northern side of Mataram Road)



Figure 6: Existing Streetscape (Southern side of Mataram Road)

- Increased traffic

Comment:

A number of the public submissions raised concern over the increased traffic that would be generated by the development, stating that the existing road network is already too busy and congested. In this regard, Council's Development Engineer has reviewed the Traffic Impact Assessment submitted with the application. The assessment demonstrates that the surrounding road network can safely and adequately accommodate the traffic generation likely to result from the development, which has been projected to generate approximately 39 peak hour vehicle trips to and from the site.

The existing surveyed traffic demands within Mataram Road provide capacity to accommodate this additional traffic in an efficient manner. Modest vehicle delays have been observed at the Mataram Road connection to Pacific Highway and Hiawatha Road connection to Sparks Road. However, the limited level of additional traffic projected to be generated by the subject development is not anticipated to have any unreasonable impacts on the operation of these existing access junctions.

2.1 DA 646/2013 - Proposed Residential Flat Development comprising 60 Dwellings (townhouses) and a 2 Lot Subdivision (boundary adjustment) at Woongarra (contd)

A Vehicular Sight Distance Requirement analysis was also submitted in accordance with the relevant standards and guidelines demonstrating that adequate sight distance along Mataram Road is available for the development.

- Insufficient infrastructure

Comment:

A number of submissions raised concerns over the lack of infrastructure including roads, footpaths, water pressure, capacity of the existing schools and the current lack of services due to the delay in the development of the Warnervale Town Centre. This region of Wyong Shire has been identified by the State Government for population growth over the coming years and this will result in new housing, employment lands and additional infrastructure in the locality. During the transition phase, existing roads are sufficient for the proposed development and footpaving along the street frontage would be required if consent is granted.

An extension of Council's water and sewer infrastructure would be required to service the proposed development. The existing dwelling on Proposed Lot 2 would also be required to connect to the existing sewer system as this residence is currently serviced by an On Site Sewage Management system.

In terms of water supply, Council's Water and Sewer Planning Section has stated that there is adequate flow and residual pressure to the connection point (Mataram Road) of the proposed development. However, the developer would be required to design and construct an appropriate internal reticulation network, including an internal booster pump system to ensure adequate water flow and pressure to each of the proposed dwellings within the development.

- Safety of school children with increased traffic and incomplete footpaths.

Comment:

Concerns raised by residents related to the lack of footpaths for school children and the risk to children created by an increase in traffic using the local roads. A public primary school is located on Mataram Road, approximately 730 metres to the east of the subject site and MacKillop Catholic College, which is a primary and secondary school is located further to the west of the site, off Sparks Road. There are also childcare centres located on Mataram Road and Hiawatha Road. Vehicles accessing the proposed development would pass either the school and childcare facilities on Mataram Road or the childcare centre on Hiawatha Road.

Traffic flow within Mataram Road is governed by a sign posted speed limit of 50km/h, however a 40km/h school zone speed limit applies adjacent to Woongarra Primary School during the prescribed start and finish times. There is a good pedestrian footpath located along the southern side of Mataram Road (informal path at the wetland culvert crossing), with a pedestrian refuge located in front of the subject site and a school pedestrian crossing located in front of the primary school, which is also in close proximity to the child care centres. From Mataram Road, there is also a footpath connecting to the childcare centre on Hiawatha Road. Given the existing pedestrian facilities, the increased traffic generated by the proposed development is not expected to have a significant impact on pedestrian/child safety in the vicinity of Woongarra Primary School or the childcare centres.

2.1 DA 646/2013 - Proposed Residential Flat Development comprising 60 Dwellings (townhouses) and a 2 Lot Subdivision (boundary adjustment) at Woongarra (contd)

The MacKillop Catholic College is accessed off Sparks Road, which is a classified road under the control of the Roads and Maritime Service. The land surrounding MacKillop Catholic College is part of the proposed Warnervale Town Centre and is yet to be developed. Consequently, pedestrian facilities to the College are limited at present. Students walking to the College from Woongarra would need to cross Hiawatha Road, which does not have any specific pedestrian facilities. However, given the distance of the site from Hiawatha Road and Sparks Road and the relatively small number of vehicle trips generated by the proposed development compared to the remainder of Woongarra, it is not considered reasonable to require pedestrian facilities on Hiawatha Road as part of the subject development.

- Current zoning does not permit multi dwelling housing and concerns over future development of northern portion of the site.

Comment:

At the time the development application was lodged, residential flat buildings were permissible with consent in the 2(e) Urban Release Area Zone and clause 30 of WLEP 1991 enabled development to extend up to 20 metres within the adjoining zone. While the proposed development is not permissible under WLEP 2013, the application was lodged prior to the commencement of WLEP 2013 and clause 1.8A of WLEP 2013 states:

“If a development application has been made before the commencement of this Plan in relation to land to which this Plan applies and the application has not been finally determined before that commencement, the application must be determined as if this Plan had not commenced.”

The effect of Cl. 1.8A of WLEP 2013 has been the subject of specific consideration by the Courts including *Maygood Australia Pty Ltd v Willoughby City Council* [2013] NSWLEC 142; *Maygood Australia Pty Ltd v Willoughby City Council (No 2)* [2013] NSWLEC 1205; *Terrace Tower Holdings Pty Limited v Sutherland Shire Council* 2003 NSWCA 289; *Lin v Council of the City of Sydney* [2014] NSWLEC 1029; and *Blackmore Design Group Pty Ltd v North Sydney Council* [2001] NSWLEC 279.

In the context of the subject development application, Cl. 1.8A of WLEP 2013 requires WLEP 1991 to be given determinative weight (that is the proposed development is permissible only with consent), with the relevant provisions of WLEP 2013 given appropriate weight. The WLEP 2013 is not determinative of the development application and therefore the proposed development is permissible with consent. The compatibility of the proposed development with existing and future development has been discussed previously in the report.

The northern portion of the site is not currently zoned for residential development, although it is identified in the North Wyong Structure Plan as a proposed residential area, and is likely to be rezoned to permit residential development in the future. Any future development applications would be assessed having regard for the planning controls applicable at the time.

Any submission from public authorities

The application was referred to the Mine Subsidence Board and the NSW Rural Fire Service, who have both issued General Terms of Approval (GTA's) to be included as conditions of consent, should the application be approved.

ECOLOGICALLY SUSTAINABLE PRINCIPLES

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

The proposed development is considered to incorporate satisfactory stormwater, drainage and erosion control and the retention of vegetation where possible and is unlikely to have any significant adverse impacts on the environment and will not decrease environmental quality for future generations.

ASSESSMENT

Having regard for the matters for consideration detailed in Section 79C of the Environmental Planning and Assessment Act 1979 and other statutory requirements, Council's policies and Section 149 Certificate details, the assessment has identified the following key issues, which are elaborated upon for Council's information.

THE PROVISIONS OF RELEVANT INSTRUMENTS/PLANS/ POLICIES (s79C(1)(a)(i-iv):

The application is required to be assessed under WLEP 1991 as WLEP 2013 includes a savings provision under Clause 1.8A which states that:

"If a development application has been made before the commencement of this Plan in relation to land to which this Plan applies and the application has not been finally determined before that commencement, the application must be determined as if this Plan had not commenced."

The development application was lodged on 30 August 2013, prior to the gazettal of WLEP 2013 on 23 December 2013.

Wyong Local Environmental Plan 1991

Zoning and Permissibility

Under WLEP 1991, the site is split zoned 2(e) Urban Release Area and 10(a) Investigation Precinct. The proposed development is defined as residential flat buildings and subdivision.

Residential Flat Buildings

Residential flat buildings are permissible with consent in the 2(e) Urban Release Area zone, although not within the 10(a) Investigation Precinct zone.

The proposed development is considered to be compatible with the objectives of the 2(e) Urban Release Area zone in that a range of housing types are proposed, which do not exceed 2 storeys in height.

2.1 DA 646/2013 - Proposed Residential Flat Development comprising 60 Dwellings (townhouses) and a 2 Lot Subdivision (boundary adjustment) at Woongarra (contd)

As the residential buildings are permissible in the 2(e) zone, the applicant is seeking to extend the development up to 20 metres into the 10(a) zone by utilising clause 30 of WLEP 1991. Clause 30 states:

“30 Development near boundary of adjacent zones

- (1) Subject to subclause (2), development which is permitted within a zone may, with the consent of the Council, be carried out on land in an adjacent zone other than Zone No 6 (b), 7 (d) or 7 (e) within 20 metres of the boundary between the zones.*
- (2) The Council may grant consent under the Act to the carrying out of development pursuant to subclause (1) only where the carrying out of the development is necessary, in the opinion of the Council, due to planning, design, servicing or similar requirements relating to the optimum development of land to which this plan applies.”*

The Statement of Environmental Effects submitted with the application states that the use of clause 30 is required for the efficient and economic development of the land and for the implementation of bushfire hazard mitigation. The zone boundary has been superimposed on the proposed site plan, which confirms that the residential flat buildings do not extend beyond the 20 metres.

A portion of the Asset Protection Zone does extend further than 20 metres into the 10(a) zone, although ‘bushfire hazard reduction’ is permissible with consent in that zone.

Subdivision

Subdivision is permitted with consent subject to clause 13 of WLEP 1991 as follows:

“13 Subdivision of land—generally

- (1) A person shall not subdivide land to which this plan applies except with development consent.*
- (2) A reference in this plan to the subdivision of land includes a reference to any severance of land by the opening of a public road.*
- (3) Notwithstanding any other provisions of this plan, including the provisions of clause 14, the Council may consent to a subdivision of land for the purposes of a minor adjustment of the boundary between two lots provided that:
 - (a) the configuration of the allotments remains substantially the same, and*
 - (b) the area of each allotment proposed is varied by no more than 10 per cent, and*
 - (c) the Council is satisfied that the boundary adjustment is necessary in the circumstances of the case.**
- (4) A subdivision under subclause (3) may include land which is partly within one zone and partly within another zone.*
- (5) Subdivision of land within Zone No 10 (a) to create additional lots is prohibited.”*

2.1 DA 646/2013 - Proposed Residential Flat Development comprising 60 Dwellings (townhouses) and a 2 Lot Subdivision (boundary adjustment) at Woongarra (contd)

Clause 13(3) permits minor boundary adjustments between two lots, despite any other provisions of WLEP, although given the extent of the boundary adjustment proposed, it is not considered to meet the requirements for a minor boundary adjustment. It is therefore to be assessed as a subdivision under clause 13(1) and must comply with the provisions of WLEP 1991. In this regard, Clause 13(5) prohibits the subdivision of land zoned 10(a) to create additional lots and clause 42D sets a minimum lot size of 450 m² for land zoned 2(e).

As the proposed subdivision does not create any additional lots (i.e. two lots existing and two lots proposed), the prohibition under clause 13(5) is not applicable to the subject application. There are also no minimum lot sizes under WLEP 1991 for the 10(a) zone. In terms of lot sizes, proposed Lot 1 has an area of 1.96 ha and proposed Lot 2 has an area of 4.28 ha and therefore both lots comply with the minimum lot size for 2(e) zoned land.

Clause 15 - Development on land containing acid sulphate soils

The site is not mapped on the Acid Sulphate Soils land Map and is unlikely to contain any acid sulphate soils. No further consideration is required under this clause.

Clause 28 – Tree Management

Clause 28 of WLEP 1991 requires development consent for the removal of trees and states that Council shall not grant such consent unless:

- (a) *such works are ancillary to or necessary to undertake a use permitted on the land, and*
- (b) *the Council has made an assessment of the importance of the vegetation in relation to:*
 - (i) *soil stability and prevention of land degradation, and*
 - (ii) *water quality and associated ecosystems, such as streams, estuaries and wetlands, and*
 - (iii) *scenic or environmental amenity, and*
 - (iv) *vegetation systems and natural wildlife habitats.*

The vegetation proposed to be removed is not deemed significant in regards to soil stability and prevention of land degradation or water quality and associated ecosystems, such as streams, estuaries and wetlands, scenic or environmental amenity or vegetation systems and natural wildlife habitats. The removal of the vegetation would be ancillary to the development of the site for the purpose of residential flat development and bushfire hazard reduction.

Clause 29 – Services

This clause requires all new development to have an adequate water supply and facilities for the removal or disposal of sewage and drainage. Water, sewer and stormwater connections are all available from services in Mataram Road.

Wyong Local Environmental Plan 2013

Under WLEP 2013, the site is zoned R2 – Low Density Residential and RU6 - Transition and the proposed development, defined as ‘multi dwelling housing’ is prohibited in both these zones. However, in accordance with the savings and transitional provisions included in Clause 1.8A of WLEP 2013, the development application is required to be assessed and determined under WLEP 1991, with WLEP 2013 being given appropriate consideration as if it were certain and imminent.

The objectives of the R2 zone in the WLEP 2013 are:

- *To provide for the housing needs of the community within a low density residential environment.*
- *To enable other land uses that provide facilities or services to meet the day to day needs of residents.*
- *To maintain and enhance the residential amenity and character of the surrounding area.*
- *To provide a residential character commensurate with a low density residential environment.*

While the R2 zone does not permit multi unit housing, residential development in the R2 zone is not restricted to dwelling houses as a range of housing types including dual occupancies, secondary dwellings, semi-detached dwellings and shop top housing are permissible with consent. In addition, clause 4.1B of WLEP 2013 specifically permits small lot housing in the R2 zone, which enables the subdivision of land having a minimum lot area of 200 m² with a minimum width of 7.5m at the building line, in certain situations. The specific objectives for permitting the small lot sizes are to provide opportunities for affordable housing in appropriate locations and to encourage housing diversity without adversely impacting on residential amenity. While the proposed development is not permissible under WLEP 2013, it is compatible the range of housing types that are permissible in the zone and the development may be granted consent under WLEP 1991.

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

A BASIX Certificate has been provided for the development.

State Environmental Planning Policy No 44 – Koala Habitat Protection

The site is larger than 1 hectare so SEPP 44 must be considered. No Schedule 2 Koala feed tree species were observed on site during the field survey and therefore the site does not constitute Potential Koala Habitat under SEPP 44. Further, no signs of Koalas were identified on the site.

State Environmental Planning Policy No 55 – Remediation of Land

Under the provisions of clause 7 of SEPP 55 the consent authority must not consent to the carrying out of development on land unless it has considered whether the land is contaminated. In relation to the subject land, the area to be developed is currently vacant, retains its cover of native vegetation; and has not been previously used for a purpose referred to in Table 1 of the "Contaminated Land Planning Guidelines". It is not considered that a detailed investigation (as referred to in the contaminated land planning guidelines) is required for the proposed development.

Wyong Development Control Plan 2005

The application is required to be assessed under Wyong Development Control Plan (DCP) 2005 as Wyong DCP 2013 includes a savings provision under Clause 1.4 which states the following:

“Consistent with the provisions of Clause 1.8A of Wyong LEP 2013 if a development application has been made before the commencement of this DCP in relation to land to which this Plan applies and the application has not been finally determined before that commencement, the application must be determined as if this DCP had not commenced.”

Chapter 14 – Tree Management

The subject site does support a number of Keystone species as listed in Section 7.2.3 of DCP Chapter 14: *Angophora costata*, *Corymbia maculata*, *C. gummifera*, *Eucalyptus siderophloia*, various *Acacia* spp, various *Melaleuca* spp and *Xanthorrhoea latifolia* subsp. *Latifolia*, the majority of which would be removed as a result of the development. However, some tree retention is proposed and conditions are recommended in relation to the protection of those trees during the construction phase of the development.

Chapter 61 – Parking and Access

For Multi Dwelling Housing and Residential Flat Buildings, DCP 2005 Chapter 61 sets the following parking requirements:

- 1 space per 1 bedroom dwelling
- 1.2 spaces per 2 bedroom dwelling
- 1.5 spaces per 3 (or more) bedroom dwelling
- 1 space per 5 units for visitor parking with a minimum of 1 visitor space per development.

Based on the above criteria, 98 parking spaces would be required for the development, as follows:

- 5 x 1 bedroom dwellings @ 1/dwelling = 5 spaces
- 5 x 2 bedroom dwellings @ 1.2 per dwelling = 6 spaces
- 45 x 3 bedroom dwellings @1.5 per dwelling = 67.5 spaces
- 5 x 4 bedroom dwellings @1.5 per dwelling =7.5 spaces

60 units@ 1 visitor space/5 dwellings = 12 visitor spaces

2.1 DA 646/2013 - Proposed Residential Flat Development comprising 60 Dwellings (townhouses) and a 2 Lot Subdivision (boundary adjustment) at Woongarra (contd)

The development proposes in excess of 98 parking spaces and therefore complies with DCP 2005 Chapter 61. However, DCP 2005 Chapter 64 includes specific parking requirements for the Warnervale East and Wadalba Northwest Urban Release Areas, which set much higher parking rates. This is discussed further in the report.

Chapter 64 – Multiple Dwelling Residential Development

The proposed development has been assessed against the provisions of DCP 2005 Chapter 64, including the specific provisions for the Warnervale East and Wadalba North West precinct as included in Section 13 of the DCP. A summary of the proposal as assessed against the provisions of DCP 2005 Chapter 64 is included as an attachment. The development proposes a number of variations to DCP 2005 Chapter 64 in relation to carparking, private open space and solar access.

Carparking

The specific provisions for residential flat buildings in the Warnervale East and Wadalba Northwest precinct include carparking rates above that applied elsewhere in the Shire, as follows:

- 1 garage space per 1 bedroom dwelling;
- 2 garage spaces per 2 or 3 bedroom dwelling;
- 1 additional garage space per bedroom above 3 bedrooms; and
- 1 visitor space per dwelling

Based on the above rates, the proposed development would require 180 spaces, including 120 garage spaces (including 5 sets of triple garages) and 60 visitor spaces. The proposed development incorporates 133 spaces including 80 garage spaces, 41 spaces in a stacked arrangement in front of the garages, and 12 visitor spaces. In terms of total numbers, the development is deficient 47 spaces (26% variation), although exceeds the requirements under DCP 2005 Chapter 61 – Parking and Access.

The DCP does not provide any specific objectives for the increased carparking rates for the Warnervale East and Wadalba Northwest precincts and the proposed variations are supported on the basis that adequate carparking is provided for the development, which exceeds parking rates for both dwelling houses and multi unit housing elsewhere in the Shire. It is also noted that bus stops are located approximately 60 metres to the west of the subject site. In the absence of any qualitative objectives for the increased number of carparking spaces required, it is considered reasonable to adopt the carparking numbers required under DCP 2005 Chapter 61 – Parking and Access.

Private Open Space

For townhouse and villa development, the DCP requires a minimum of 45 m² private open space with a minimum dimension of 4.5 metres, which can be provided in up to two locations. However, for the Warnervale East and Wadalba Northwest precincts, the DCP requires 75 m² of private open space per dwelling. The proposed development has not been designed to achieve 75 m² (courtyards vary from 71m² down to 40 m²), with the majority of units meeting the 45 m² requirement. The applicant has requested that the development is considered against the general provisions for townhouses and villas rather than the controls specific to Warnervale East.

2.1 DA 646/2013 - Proposed Residential Flat Development comprising 60 Dwellings (townhouses) and a 2 Lot Subdivision (boundary adjustment) at Woongarra (contd)

Of the 60 proposed dwellings, 13 do not meet an area of 45 m², with the smallest courtyards being a minimum of 40 m² (variations ranging from 0.5% to 11 % based on a required area of 45 m²). With the initial design, all but 3 dwellings were provided with a minimum of 45 m² private open space, however, due to a 1.5 m road widening requirement along the Mataram Road frontage, an additional 10 units now fall below 45 m². Each of these units are provided with additional open space in their front yard, although the DCP states that private open space is only to be provided in the front setback on Category B road, where it optimises solar access. Details of the dwellings not meeting 45 m² are listed in the table below. In addition, to private open space, the proposed development incorporates in excess of 2,000 m² of communal open space throughout the site, which would provide for a shelter with table and chairs, communal footpath and cleared open areas.

Table 1: Summary of Private Open Space Variations

Dwelling No	Bedrooms	Private Open Space	Variation (based on 45m²)	Additional open space in front setback
2	3	40.89 m ²	9.1%	24 m ²
3	3	40.04 m ²	11.0	24 m ²
4	3	40.46 m ²	10.1%	24m ²
6	3	42.2 m ²	6.2%	33 m ²
7	3	41.12 m ²	8.6%	42 m ²
21	1	40.08 m ²	10.9%	-
22	3	40.05 m ²	11%%	-
38	3	42.21 m ²	6.2%	26 m ²
40	3	44.76 m ²	0.5%	35 m ²
41	2	43.69 m ² + balcony	2.9%	24 m ²
42	2	42.57 m ² + balcony	5.4%	26 m ²
43	3	42.82 m ²	4.8%	36 m ²
47	3	42.65 m ²	5.2%	-

Solar Access

The DCP requires at least 75% of each required private open space area to receive at least three hours unobstructed sunlight between the hours of 9 am and 3 pm on June 21 (winter solstice).

All units within Blocks A, B, C, I, J and N receive adequate direct sunlight to their areas of private open space between the hours of 9 and 3 pm on June 21, with varying levels of compliance within the remainder of the Blocks. Overall, 15 dwellings (25% variation) do not receive sunlight between the hours of 9 am and 3 pm on June 21 (winter solstice). Of these dwellings, many of them have front yards which would receive good solar access and extensive areas of communal open space are also proposed which receive good solar access, ensuring adequate amenity for future residents.

2.1 DA 646/2013 - Proposed Residential Flat Development comprising 60 Dwellings (townhouses) and a 2 Lot Subdivision (boundary adjustment) at Woongarra (contd)

The planning principle set down in *The Benevolent Society v Waverley Council* [2010] NSWLEC 1082 considers the issue of access to sunlight and the assessment of adequacy of solar access should be undertaken with the following principles in mind, where relevant:

Table 2: Planning Principle for Access to Sunlight

Principle	Comment
The ease with which sunlight access can be protected is inversely proportional to the density of development. At low densities, there is a reasonable expectation that a dwelling and some of its open space will retain its existing sunlight. (However, even at low densities there are sites and buildings that are highly vulnerable to being overshadowed.) At higher densities sunlight is harder to protect and the claim to retain it is not as strong.	The proposed development would not impact on the solar access of any existing development. The extent of overshadowing within a development of this nature is reasonably greater than that of a low density development comprising single dwelling houses.
The amount of sunlight lost should be taken into account, as well as the amount of sunlight retained.	The development would not result in the loss of sunlight to any existing dwellings. Within the development, although a number of dwellings do not comply with the DCP requirements for solar access to private open space, many of the non-compliant units benefit from good solar access to their living rooms and front yards, which provide amenity without being a specific requirement of the DCP.
Overshadowing arising out of poor design is not acceptable, even if it satisfies numerical guidelines. The poor quality of a proposal's design may be demonstrated by a more sensitive design that achieves the same amenity without substantial additional cost, while reducing the impact on neighbours.	The majority of dwellings comply with the DCP requirements and have been designed with north facing courtyards.
For a window, door or glass wall to be assessed as being in sunlight, regard should be had not only to the proportion of the glazed area in sunlight but also to the size of the glazed area itself. Strict mathematical formulae are not always an appropriate measure of solar amenity. For larger glazed areas, adequate solar amenity in the built space behind may be achieved by the sun falling on comparatively modest portions of the glazed area.	Not applicable. Council's DCP control relates to private open space rather than internal areas.
For private open space to be assessed as receiving adequate sunlight, regard should be had of the size of the open space and the amount of it receiving sunlight. Self-evidently, the smaller the open space, the greater the proportion of it requiring sunlight for it to have adequate solar amenity. A useable strip adjoining the living area in sunlight usually provides better solar amenity, depending on the size of the space. The amount of sunlight on private open space should ordinarily be measured at ground level but regard should be had to the size of the space as, in a smaller private open space, sunlight falling on seated residents may be adequate.	Solar access to private open space has been measured at ground level for areas of open space which are directly accessible from the living areas of the dwelling, in which 75% of dwellings receive direct sunlight. A greater level of compliance would be achieved if solar access was considered for areas which do not directly adjoin the living areas (e.g front yards). While these areas are not specifically considered under the DCP, they would contribute to the amenity of the dwelling.

2.1 DA 646/2013 - Proposed Residential Flat Development comprising 60 Dwellings (townhouses) and a 2 Lot Subdivision (boundary adjustment) at Woongarra (contd)

Principle	Comment
Overshadowing by fences, roof overhangs and changes in level should be taken into consideration. Overshadowing by vegetation should be ignored, except that vegetation may be taken into account in a qualitative way, in particular dense hedges that appear like a solid fence.	Overshadowing by roof overhangs and changes in level have been taken into consideration when assessing solar access. No existing residential dwellings would be impacted by the development.
In areas undergoing change, the impact on what is likely to be built on adjoining sites should be considered as well as the existing development.	Overshadowing from the proposed development would not constrain the development of the adjoining site.

Chapter 49 – Warnervale East and Wadalba North West

Many of the provisions of DCP 2005 Chapter 49 relate to residential subdivision of the urban release areas and therefore are not applicable to the subject development application, which does not seek consent for the subdivision of the individual dwellings. However, the following provisions of the DCP are relevant to the site:

Roads

The DCP identifies road widening of 1.5 metres along the northern side of Mataram Road and the applicant has modified the proposed development plans to accommodate this. A Condition requiring the developer to dedicate the land required for the road widening has been included together with a requirement for the developer to complete half road construction.

Open Space

The Development Concept Plan referred to in the DCP identifies a portion of the subject site as forming part of a large park for public open space purposes. However, the park is not specifically listed within the DCP and it has been confirmed that the park is no longer in the Section 94 Plan to be acquired, due to the close proximity to the proposed Warnervale Town Centre and associated public open space.

Utility Services

Section 4.12 of the DCP states that with the exception of existing or proposed 33kV or greater electricity services, underground services (existing and proposed) shall be required in all developments or subdivisions. The existing dwelling on the site is currently serviced by overhead power lines and therefore conditions of consent have been included, which require all new and relocated services to be underground.

THE LIKELY IMPACTS OF THE DEVELOPMENT (s79C(1)(b)):

a) Built Environment

Context and Setting

Existing development in Woongarra, including the southern side of Mataram road is predominantly low density brick veneer dwelling houses of one or two storeys. Other development in the locality includes a child care centre, a residential aged care facility and a public primary school. There are currently no other townhouse developments in the immediate vicinity.

The site is located approximately 150 metres to the east of the land zoned for the Warnervale Town Centre, which encourages a variety of housing types and densities and permits multi dwelling housing and residential flat buildings.

The compatibility of the proposed development and its impact on surrounding properties has been addressed previously in the report.

Access, Transport and Traffic

External Works

The proposal seeks to construct 60 dwellings, with 17 having direct frontage to Mataram Road. The development will necessitate the completion of road infrastructure in accordance with the relevant provisions of Council's DCP 2005, including the provision of 19 new driveway crossings (including the primary access and upgraded crossing for the existing dwelling), half road construction, footway formation, pedestrian footpath, relocation of pedestrian pram ramps, power pole relocation and road drainage. Road widening of 1.5 metres along the northern side of Mataram Road has also been allowed for in accordance with DCP 2005 Chapter 49 - Warnervale East and Wadalba Northwest.

The submitted plans detail the primary vehicle access from Mataram Road as a public road. However, this arrangement is not supported, and conditions are recommended requiring the separated entry/exit driveways to be constructed as a standard vehicle access crossing and not as public road.

Internal Works

An internal roadway is proposed to service 39 dwellings via a separate entry/exit driveway crossing. Proposed Lot 2 is to be accessed via a new driveway which would also serve as a Right of Carriageway for 4 dwellings (No 45-48).

The car space dimensions for the proposed garage, carport and dedicated stacked parking arrangements within the development would need to comply with AS/NZS 2890.1 (2004) – "Off-street car parking", which may require some of the proposed internal driveway grades to be slightly reduced. Conditions in relation to compliance with the Australian standards are recommended. In addition, it is recommended that the parking spaces fronting dwellings 45 and 46 are deleted due to impractical vehicle maneuverability requirements.

2.1 DA 646/2013 - Proposed Residential Flat Development comprising 60 Dwellings (townhouses) and a 2 Lot Subdivision (boundary adjustment) at Woongarra (contd)

A suitable driveway guardrail would need to be provided to cater for the differing garage levels between dwelling 8 and 9, 14 and 15, 19 and 21, 38 and 39 and 58 and 59 as a minimum.

Safety, Security and Crime Prevention

The development application was not required to be referred to the NSW Police under Council's Crime Risk Assessment Protocol as the proposal does not incorporate 75 or more dwellings. However, the development has been considered against the principles of Crime Prevention Through Environmental Design (CPTED) and incorporates the following:

- The variety of building designs and floor plans proposed provides for natural surveillance over areas of open space and the road network.
- Individual dwelling entries are well defined to encourage territorial reinforcement between public and private spaces.
- Private open space and communal open space have been defined through the use of landscape treatments and changes in levels.
- The communal open space incorporates seating and footpaths to encourage resident use. Visitor carparking spaces also link up to the communal open space.

In addition, it is recommended that street lighting be provided throughout the development in accordance with AS/NZS 1158.

A thorough assessment of the impacts of the proposed development on the built environment has been undertaken in terms of statutory and DCP compliance, the submissions received and other relevant impacts. As a result, the proposed development is considered to be satisfactory in terms of the built environment.

b) Natural Environment

Flora and Fauna

A Flora and Fauna Assessment report prepared by Conacher Environmental Group was submitted with the development application. Two vegetation communities have been identified on the site, including Narrabeen Dooralong Spotted Gum-Ironbark Forest and Narrabeen Buttondery Foothlopes Forest. As no *Eucalyptus fibrosa* was recorded on the site, the vegetation communities are not considered to qualify as the Lower-Hunter Spotted Gum-Ironbark Forest EEC. Similarly, no threatened flora species or populations were observed during the field surveys.

One species of threatened fauna was recorded during the field survey, being the Little Bentwing-bat, listed on the *Threatened Species Conservation Act, 1995* as Vulnerable. The Assessments of Significance were prepared for each species found on the site, or likely to have suitable habitat on the site, which concluded that the proposed development would not have a significant impact on threatened species.

2.1 DA 646/2013 - Proposed Residential Flat Development comprising 60 Dwellings (townhouses) and a 2 Lot Subdivision (boundary adjustment) at Woongarra (contd)

Although no Squirrel gliders were recorded on the site, the subject site falls within a “small” habitat fragment (i.e. fragment is less than 20 ha) as identified in the Wyong Shire Squirrel Glider Conservation Management Plan. According to the Squirrel Glider Conservation Management Plan, the proposal may be considered as a Class 3 impact. Generally, Class 3 impacts are considered as unlikely to result in a significant impact on the Squirrel Glider however, conditions can be imposed on developments to compensate for habitat loss and it is recommended that nest boxes are installed on the site within areas of retained vegetation on Proposed Lot 2. Nest boxes would also need to be installed for microbats.

It has been concluded that the proposed development is not likely to have a significant impact on any threatened species, populations or ecological communities and therefore a Species Impact Statement is not necessary.

Native Vegetation Act 2003

The area of proposed vegetation removal is zoned 2(e) Urban Release Area and 10(a) Investigation Precinct under WLEP 1991. Separate approval for the clearing of native vegetation associated with the proposal on land zoned 10(a) may be required under the *Native Vegetation Act 2003* due to its non-urban zoning. This is a separate approval process and the applicant would need to consult with the Greater Sydney Local Land Services. A condition has been recommended in relation to this aspect of the development.

All relevant issues regarding the likely impacts on the natural environment have been considered and determined to be reasonable for the proposed development.

THE SUITABILITY OF THE SITE FOR THE DEVELOPMENT (s79C(1)(c)):

A review of Council’s Land Information mapping identifies the following constraints:

- Mine Subsidence
- Bushfire Prone

The application has been referred to the Mine Subsidence Board and the Rural Fire Service, who have both granted conditional approval to the development.

The Mine Subsidence Board has granted approval subject to a number of conditions including the certification of the dwelling designs by a suitably qualified structural engineer having regard for mine subsidence parameters, the design of drainage and sewer services to take into account mine subsidence effects and the construction of roads and driveways in bitumen or flexible pavement. .

The RFS have issued a Bushfire Safety Authority, subject to a number of conditions relating to asset protection zones, water and utilities, access, design and construction and landscaping.

The conditions of both the Mine Subsidence Board and the Rural Fire Service are to be included on any consent issued.

2.1 DA 646/2013 - Proposed Residential Flat Development comprising 60 Dwellings (townhouses) and a 2 Lot Subdivision (boundary adjustment) at Woongarra (contd)

In addition to these constraints, the site is sloping and contains native vegetation. These constraints have been assessed through the submission of a flora and fauna assessment and through the design of the dwellings, which are stepped to follow the slope of the land.

Due to the slope of the land, the development would require substantial earthworks for the construction of the dwellings and roads. All spoil removed from the site would need to be lawfully disposed of. It is recommended that a construction waste management plan be prepared prior to the commencement of works to detail how spoil from the site would be dealt with.

Subject to conditions, the site is considered suitable for the development and the proposed development is consistent with the zoning of the site when the application was lodged, being a residential 2(e) Urban Release Area zone.

ANY SUBMISSION MADE IN ACCORDANCE WITH THIS ACT OR REGULATIONS (s79C(1)(d)):

A summary of each submission received is included as an attachment.

THE PUBLIC INTEREST (s79C(1)(e)):

The proposed development would not impact on Federal, State or local government interests. Concerns raised by local residents have been documented previously in the report. The proposed development would provide for a range of housing types and contribute toward achieving the housing targets identified by the State government for the north of the Shire as well as providing employment opportunities for the construction sector.

OTHER MATTERS FOR CONSIDERATION

S94 Contributions

The Shire Wide and Wadalba, Woongarra and Hamlyn Terrace Development Contributions Plans apply to the site. However, the applicant has applied to pay the section 94 contributions under the Council's adopted Temporary Economic Stimulus Plan (adopted by Council on 13 November 2013), which is a reduced payment that is deferred until prior to the issue of an Occupation Certificate. Council's Senior Contributions Officer has confirmed that the proposal is eligible to be considered under the Temporary Economic Stimulus Plan and appropriate conditions have been recommended regarding the payment of contributions for the development as endorsed at the Meeting of Council on 9 April 2014.

CONCLUSION

The proposal has been assessed using the heads of consideration in S79C of the Environmental Planning and Assessment Act 1979. The development is permissible with consent under WLEP 1991 and is compatible with the bulk, scale and character of the area. The proposed development is considered suitable for approval subject to conditions.

2.1 DA 646/2013 - Proposed Residential Flat Development comprising 60 Dwellings (townhouses) and a 2 Lot Subdivision (boundary adjustment) at Woongarra (contd)

ATTACHMENTS

1	Summary of Submissions	D07112426
2	Draft Conditions	D07112421
3	DCP 2005 Chapter 64 Assessment Table	D07349476
4	Development Plans Set 1 (Colour)	D07349916
5	Development Plans (Set 2)	D07349917

Attachment 1 - Public Submissions DA 646/2013

Doc No	Issues
D03738512	<ul style="list-style-type: none"> This part of Mataram Road is a wildlife corridor with families of wallabies kangaroos and a huge amount of wildlife including falcons, eagles, owls, wood ducks, kookaburra's and galahs.
D03740073	<ul style="list-style-type: none"> This part of Mataram Road Woongarra, is a wildlife corridor. I often sit out the front of my house and watch the Wallabies and kangaroos and their young feeding, not to mention the bird life that lives and depends upon this wildlife corridor. Mataram road is already becoming an overcrowded road and adding another 60 plus cars on to it will only make it even more dangerous for the local school children and families.
D03740144	<ul style="list-style-type: none"> There is so much wildlife and we need to keep this greenery in our area. Townhouses are not appropriate for this area. The roads are not suitable to cope with all the additional traffic this would cause as well.
D03784503	<ul style="list-style-type: none"> Although the application reads as though it meets current Council Zone requirements and Development Control Plan for Multiple Dwellings, I am lead to believe the Current Zoning requirements may change. Concerned that the added traffic and congestion has not been addressed adequately. There is not enough safe pedestrian infrastructure already in place taking into consideration, lack of footpaths and crossings considering the Child Care Centre the Aged Care Centre and the Local School where student and children already have to navigate a Mataram Road and Hiawatha road with incomplete pathways, no curbing or drainage etc. The already congested intersection from Hiawatha to Sparks Road is already at capacity and any large influx of traffic will mark all 3 roads as a death trap. My other concerns is the Zoning line on the boarder of the development site waiting for a change in zoning to match that of the current status indicates further Townhouses and multiple dwellings could also be under consideration and our with that, our local primary school is at capacity and we do not have another High School in the area to cope with current developments already.
D03802981	<ul style="list-style-type: none"> I oppose this development. Townhouses are not appropriate for this area, it is wildlife corridor and roads in this area are not meeting needs now
D03809989	<ul style="list-style-type: none"> We bought in this area due to the quiet location and the lack of extreme traffic. This development will increase traffic flow and impact on residents for years to come, not to mention noise and dust and heavy vehicles while these eyesores are being built. I feel this development will have undue impact on the native wildlife in the surrounding area etc. Woongarra public school, plus a preschool are also on Mataram Road and I feel this type of high density development and increase in traffic will pose a danger to children at these facilities. This type of development will definitely look out of place with the surrounding homes. It will also devalue the homes that rates payers have already built in the area. Mataram Road feeds traffic from the Pacific Highway to Lake Haven Shopping Centre and also on to Sparks Road, at certain times in the mornings and afternoon there is already congestion of traffic trying to enter and exit the area
D03813385	<ul style="list-style-type: none"> Townhouses are totally out of character for this area, being predominantly 2(a) zoning comprising family homes. The infrastructure particularly roads and schools is not able to cope with a population increase expected with development of density this size. There are limited wildlife corridors left in Woongarra and this would completely obliterate the abundant Kangaroos wallabies and natural bush land; lost forever.

	<ul style="list-style-type: none"> • Mataram Rd is already a busy link road used not only by residents but heavy vehicles utilising a short cut from the Charmhaven (Arizona Rd) to Spark Rd. This poses additional threat to the expected child population increase who will be forced to play onto the road due to lack of back yards like the rest of the area
D03819584	<ul style="list-style-type: none"> • Scale of development would not fit in with the area, being predominantly single level dwelling houses. • Traffic would be increased enormously. Mataram road is not kerb and guttered in a number of places and is quite narrow in places. • With the large number of townhouses proposed, cars will park on the street as there is never enough parking in strata developments. • Extreme difficulty in accessing Sparks Road now, let alone with additional traffic.
D03826359	<ul style="list-style-type: none"> • This application is riddled with loop holes and grey areas. It looks very similar to Public Housing under private commission. It is way too big and way too many people being crammed into a small area that it is just not suited. • It is too close to the Nursing home and the adjacent land is owned by the Government which was originally tagged for our High School. No High School, No Warnervale Town Centre, No proper roads or Pathways, or other infrastructure to accommodate this monstrosity.
D03826391	<ul style="list-style-type: none"> • Infrastructure particularly roads and schools will not be able to cope with a population increase expected with development of density this size. • Mataram Rd is already a busy link road used not only by residents but heavy vehicles utilising a short cut from Charmhaven (Arizona Rd) to Sparks Rd. This poses additional threat to the expected child population increase as they access the local school, preschools, parks and ovals.
D03828657	<ul style="list-style-type: none"> • Lack of infrastructure, roads are falling apart with the traffic we have now. More traffic increases the risk of accidents. • We love our walks in the quiet and fresh air. Has a home been found for all the fauna? What is the for high rise, as we moved from Blacktown where that is all that's going up.
D03855930	<ul style="list-style-type: none"> • Why is the council considering this type of housing in our suburb ? I accept town houses around the Town Centre but around a quiet suburb like ours ? • Not only is this a money making decision with a blatant disregard for the beliefs of the people in the area, it will destroy a living environment for our native bird species. • After receiving a letter stating that an increase in rates is on the agenda due to all of these expensive repairs and up keeping of council roads etc, your now going to spend more on the things we as rate payers can't afford. • People move to the area due to its locality, quietness and the perfect location to bring up our children and not to look at townhouses.
D03855948	<ul style="list-style-type: none"> • We have taken enough land away from the native animals and the rural aspect of the area is the reason we brought our home here to begin with. • We have enough congestion in the morning from Hiawatha to Sparks Rd and I am one who definitely does not want more. • Woongarra is such a beautiful suburb to live in and I wouldn't want it to change.
D03863960	<ul style="list-style-type: none"> • I oppose the development DA 646/2013 of the 60 townhouses along Mataram road, is it not enough the council approved the new town centre and houses to be built off Hiawatha road, traffic is ridiculous getting onto sparks road as it is, with the schools day car and age care facilities roads are becoming like Sydney, pot holes everywhere and aren't getting fixed as it is. • what about the wildlife it's beautiful hearing the kookaburras in the morning, I don't want to listen to cars flying down the roads. • Wyong council is becoming money hungry
D03864002	<ul style="list-style-type: none"> • We would object to this type of development in Woongarra based on the following: You need to look at the areas from Hornsby to Chatswood where homes have been demolished to build multi pack "strata units". Sold by

	<p>developers for lots of money and sold with the slogan of smart living with all the mod cons and close to all amenities. You now have 20 klms of multi homes where the actual suburb character has disappeared replaced by a ghetto type atmosphere. Rubbish and junk left lying around including old cars. Possible turnover of tenants who really don't give a dam for the area or the residents. Streets close by will become parking areas. Possibility of gang types roaming our streets. Woongarra and the existing infrastructure did not cater for this type of development originally so trying to introduce this development in now simply does not and will not work. This area has been developed with quality homes where waterways have created a wonderful place to just walk around even late at night. Even the wild life put on a display for you as they know nobody is going to hurt them. People are happy to say hello to each other in the street when passing and not worried by some person who may have had a bad day. The news each night reports somebody has been shot or stabbed in the suburbs where you do find this type of development. We also have the same concerns for the new Woongarra Town Centre and hope we have a friendly village when this development is finally up and going. We do not object to development within Woongarra but believe Council should be looking at the type of development proposed, we need to ensure that we do not start a problem that can not be fixed. Council with the Land and Environment Courts should have specific guidelines for Woongarra so that future developers are aware of what is allowed before applications or purchase of land is made.</p>
D03864035	<ul style="list-style-type: none"> • This application is not in keeping with the past or approved developments in Woongarra. Within this established suburb, the proposed development will materially affect the values of properties in Woongarra, as it does not compliment or improve the neighbourhood and it is totally out of character with the locality. • The application does not respect zoning boundaries and it fails to adhere to the planning objectives of DCP 49 "Warnervale East and Wadalba North West Urban Release Area" planning documents. Part of this development will be built upon an area that has been set aside as open space within this document. The development will also close off access to this open space and place an Asset Protection Zone on any remaining, thereby denying this valuable community asset to anyone but the current owners or developers of the land. • It is a high density development placed far away from current shopping facilities, with it being over 3.6km by footpath from the nearest shopping centre. It is not within the Warnervale Town Centre Release Area, an area which is designed to house and support this very type of high density development. • In short the development is not suitable to the current area and should be opposed by the council. • According to the 2011 census the suburb of Woongarra is made up <ul style="list-style-type: none"> 1271 Separate houses 0 Semi detached or terrace or townhouses 0 Flat, units or apartments With all developments post census being separate houses. • If approved, the development application will be the only townhouse/flat development within Woongarra. This fact directly contradicts the development's supporting "Statement of Environmental Effects" that states "it adds to the variety of house types currently existing within the locality". The locality of Woongarra does not have a variety of housing types. They are all separate houses of Torrens title. They are contained within medium to low density estates and rural acreages. • The development is Strata Title high density, which will not compliment or improve the area and is not compatible with the existing housing density. It is totally out of place. • This will materially effect the property values, both of the surrounding residences in Woongarra and future residences of this development if approved.

	<ul style="list-style-type: none"> • Fails to adhere to Zoning Boundaries. The Development will be building upon land set aside as open space. • A large proportion of the development will be built on land that is not zoned for development. • The northern boundaries of this development will extend up to 50 metres into an area that has been identified within the Development Control Plan 49 as an area of open space. • An asset protection zone will then extend a further 15-20 metres from the northern boundaries, thereby robbing the community of any future benefit of this planned open space. • One can only wonder why the developers have chosen to ignore the Development Control Plan 49. By getting rid of any open space requirements, they can open up the remaining land to future development. Could it be that they have already planned a further set of high density housing on the remaining land on which they own? Open space will be replaced by a large number of flats? • All other developments with the Warnervale East area have complied with the open space requirements. Why should this application be the exception? • High Density Housing without appropriate community facilities. The development is located at the western end of Woongarra. It is over 3.6kms by footpath to the nearest set of shops. It is not located with the Warnervale Town Centre Zone that has been design to house this kind of development. Warnervale Town Centre is a planned and tiered community that is designed with higher density developments within an easy walk to the commercial centre. By not having appropriate community facilities within easy access, it will make this development incompatible with its stated aims of high quality. A future ghetto for those that are unfortunate enough to become one of its residents.
D03864071	<ul style="list-style-type: none"> • I oppose this development. Mataram Road has a rural aspect and is a corridor for native wildlife. • The infrastructure can't cater for the current locals yet along 60 townhouses to be built. This suburb is quiet and family orientated and to add 60 townhouses is just ridiculous. • Does a Council member live in this area? Who is making money from this? I'm sure the rate payers will be paying more for this! This development is just as thoughtless, selfish and ridiculous like the Chinese Theme Park.
D03864296	<ul style="list-style-type: none"> • Oppose the development based on the following: <ul style="list-style-type: none"> ○ Woongarra is already a dense residential area of single dwellings ○ The extra traffic accessing Sparks Road and surrounding streets ○ Increase in population impact on current infrastructure ○ Negative impact on native animals • There is no value or need for this application until Warnervale Town Centre is developed to provide facilities and services. • The Hakone/Sparks Rd intersection is chaotic and increased traffic is unwanted particularly for school children. • Project would change the aesthetic appeal of the suburb and have a negative impact on wildlife. • There is still so much land in the Wyong Shire that may benefit from this type of development, but not in Woongarra.
D03864537	<ul style="list-style-type: none"> • I oppose this development for numerous reasons, being: the infrastructure particularly roads and schools will choke with a population increase expected with this proposed development; the native flora and fauna will be destroyed; Townhouses are totally out of character for this area, being predominantly 2A zoning comprising family homes.
D03864557	<ul style="list-style-type: none"> • I strongly oppose this development application. This is a wildlife corridor and any development would have significant impact to the animals. Aside from the ecological and environmental impact this would have, Townhouses are not appropriate for this area. The roads are not suitable to cope with all the additional traffic this would cause. All of our beautiful family homes will have their value reduced by such an unnecessary and unwanted development.

D03870774	<ul style="list-style-type: none"> • Townhouses, with such a high development density and size, are totally out of character for this area, being predominantly 2A zoning comprising family homes. • The immediate surrounding infrastructure, particularly roads, is currently sub-standard. For example, Hakone Road is a link road plus generates substantial traffic to the sporting fields, yet the developed eastern end is intermittently kerbed and guttered on the southern side with just mud on the other. Such a development would further add to the traffic congestion in the morning for vehicles accessing Sparks Road from Hiawatha. • The immediate area would experience some decline in property values and saleability as has happened around a smaller townhouse development in Hamlyn Terrace. Might as well just move back to Sydney!!
D03870903	<ul style="list-style-type: none"> • I fully support this development and hope that council approves it. The development is very complimentary to the developments council has foreshadowed it would like to see in the area in years to come, including the Town Centre, a theme park, an airport and an educative institution.
D03870953	<ul style="list-style-type: none"> • I wish to say NO to this development. We can not cope with this many more homes in this area at this stage. Trying to walk my children to school at Mackillop is already a nightmare with the traffic on Hiawatha road and this would be make so much worst and more dangerous trying to cross this road and walk along it. • This area has a lovely spread of family homes and is not overrun by packed in townhouses which would ruin the appeal of the area and reduce the value of properties here. • There is very little bushland in the area and this would get rid of even more with crowded townhouses. • Parking will be an issue as it already is around here with narrow streets. I am sure this develop will not account for the amount of vehicles each home will have as usual.
D03870982	<ul style="list-style-type: none"> • I strongly support this development because: - it is far more aesthetically appealing than the two previous very large institutional type developments that Council have already DA approved along this side of Mataram Road on neighbouring Lots 61 & 65. • This proposal better than that oppressive looking 'seniors living' development that Council has already DA approved to occur on the neighbouring land immediately on my east side. That complex has DA approval but is so obviously large, ugly, and gaol like in appearance. • By contrast, this current DA for the land on my west side appears to be relatively low density in comparison. • The townhouses they are proposing appear to have much more open space around them in comparison to other medium density townhouse developments. • From the site plan received, it is obvious that this town house estate is of relatively low density for this category of development, because of the large landscaped and open space areas proposed in it. • The development of this type of townhouses fronting onto this side of Mataram Road, will also solve the current security problem being experienced along this side of the street, which is caused by the mess children and vagrants are creating by dragging debris into the bush beside the road to form humpies and the like. The rubbish they leave which even includes discarded shopping trolleys etc is an eyesore. • the proposed development will also not negatively affect our property. Also, considering that across the road has been developed in a similar fashion I see no issue with this areas ongoing development, as both these properties have been flagged for this type of development for over 10 years. I am disappointed at the other residents reaction to this development as it has been zoned to allow medium density residential development for such an extensive period of time. Considering that the expanse of homes opposite our site on the south side of Mataram Rd dramatically impeded our rural outlook when their homes were developed and we did not complain as we viewed this as a necessary

	<p>progression for the development of the area.</p> <ul style="list-style-type: none"> The impact on flora and fauna in this area due to this development will be no greater than the impact their homes had on these aspects, and the development has met the council requirements for these issues.
<p>D03878395 Petition with 181 signatures</p>	<p>Following comments to Thrum Architects, Statement of Environmental Effects submitted to council on 30 August 2013.</p> <p>2.0 Site Description page 4 first paragraph Vegetation on the site varies, but is mainly comprised of low to medium density scattered trees with open grass being the main ground cover.</p> <p>This description of the property is false. The complete land 147-169 Mataram Road is high density trees, comprising native trees and bushes. The description scattered trees is completely misleading and false. I've attached photos of the site. Council could see the site by using google maps to see how misleading Thrum Architects have described the area. The trees are massive and are a highlight of Mataram Road and for surrounding residents living in Woongarra.</p> <p>3.0 The Surrounding Locality Paragraph 6 page 4 last sentence</p> <p>There is also a small number of multiunit developments in the area.</p> <p>Again, this is a completely false statement. There are 2 dwellings in Wallum Crescent, 1 being a semi housing 2 families, the other is a 2 storey semi housing 4 families. These blend in with the rest of the individual 1 family dwellings in the area. There are no units or townhouses in Woongarra.</p> <p>This development for 60 townhouses in zone 1 on the plans submitted to Council is totally out of character for this area and will be an eye-sore to anyone living or travelling through the area. In addition, there is the likely hood of 60 more townhouses being built in zone 2 which equates to 120 homes in the space of 10-12 individual dwellings opposite the proposed site.</p> <p>This shall mean potentially there will be an additional 240+ cars gaining access to Mataram Road which is currently a busy thoroughfare from Pacific Highway, to Hiawatha and then onto Sparks Rad. Residents are already having to wait up to 10-15 minutes to get onto Sparks Road in the peak hours.</p> <p>Residents of Woongarra are totally appalled and oppose this dense development.</p> <p>5.0 Zoning and Development Control</p> <p>14A Subdivision of dual occupancies within Zone No 2 (e) prohibited</p> <p>(1) The Council must not grant consent for a subdivision (by a strata plan or otherwise) that creates separate titles for the two dwellings comprising a dual occupancy building or a detached dual occupancy on land within Zone No 2 (e).</p> <p>(2) The separate occupation of the proposed lots illustrated by a proposed strata plan is prohibited if the proposed plan relates to a dual occupancy building or a detached dual occupancy within Zone No 2 (e).</p> <p>The property at the proposed development site is not part of the Warnervale Centre plan so the dense residential plan in zone 2e is prohibited under section 14A.</p> <p>5.1.1 b) (i) Totally disagree with statement made by applicant, this residential development is not compatible with the environment and current services will be stretched if this proposed plan goes forward.</p>

	<p>5.1.1 b) (ii) The area has seen years of water restrictions, low water pressure, traffic congestion. Increased pollution due to the growth over the 11 years I've resided here.</p> <p>5.1.1 (c) (ii) Totally disagree with statement the development will have a detrimental impact on residents with potentially another 240 cars on Mataram Road which is congested currently in peak hours. Loss of natural bushland and native animals, a massive drain on water resources and water pressure, Current local shopping centre hard to find a car park in peak periods</p> <p>5.2.1 Chapter 14 Tree Management The application's description of low to medium density scattered trees is completely false and I have attached photos of the site.</p> <p>5.2.2 Chapter 49 This site has been private land and is not part of Chapter 49.</p> <p>5.2.4.2 The application is completely misleading as to the types of homes in the area. The estate has 2 multi dwelling developments 1 a single storey semi housing 2 families and the other a double storey semi housing 4 families. This site will have 60 townhouses with 60 families, 238 people opposite 10 individual family dwellings. If zone 2 has the same number of dwellings it will be close to 470 people opposite 10 individual family dwellings. Totally out of character for the whole Woongarra area.</p> <p>5.2.4.20 – Acoustic Privacy, There will be no privacy for Mataram Road residents, there will be constant car movement, parties, it will be hell trying to get a park on Mataram Road. This whole development will make Mataram Road's residence opposite this site worthless.</p> <p>6.3 Flora & Fauna No report has been received or loaded onto the Council's website under the application. I'm very interested to review this as the time spent studying the environment was minimal.</p> <p>I have lived in Mataram Road for over 11 years after moving from a unit in Artarmon Sydney. I am a single mum and I will not feel safe in my own home if this project is approved by Council.</p> <p>In conclusion the Mataram Road residents as well as the current residents in the area are strongly opposed to the development . We are pleading council please do not approve this development as it will have</p> <ul style="list-style-type: none"> • a disastrous impact on the environment • wipe out natural bushland and native wildlife • Current Mataram Road residents opposite – homes will grossly devalue and unsellable • Townhouses are not suited to this part of Woongarra, multi dwellings are included in the already approved town centre plans. • No safety for our children walking/riding to and from school • congestion on Mataram and Hiawatha roads, • more pressure on the stretched water resources currently in the area. • Mataram Road residents feeling unsafe in their own homes. <p>Please consider the residents of Woongarra's health, safety and sanity.</p>
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D3878652	<ul style="list-style-type: none"> I have children at Woongarra Public School and am also a resident of Woongarra. I'm in favour of the proposed development at 147-169 Mataram Rd Woongarra because of the infrastructure like improved roads, services etc that developments like these bring to the local area. I don't think this development is out of place with the surroundings at all when you consider what has been built right next door. In fact, I put it to you that this development is much more aesthetically pleasing than that.
D03880618	<ul style="list-style-type: none"> I strongly oppose this development application. This is a wildlife corridor and any development would have significant impact to the animals. Aside from the ecological and environmental impact this would have, Townhouses are not appropriate for this area. The roads are not suitable to cope with all the additional traffic this would cause. All of our beautiful family homes will have their value reduced by such an unnecessary and unwanted development
D03887511	<ul style="list-style-type: none"> I strongly oppose this development. I sincerely hope council send someone to actually see where they intend to build such a development and not just rely on the application. The application that has been lodged with council is misleading and full of lies. WOONGARRAH was never part of the planned WARNERVALE Town centre, which is 1km away on Sparks Road. The land they describe in the application as long grass and scattered trees is in fact natural woodlands supporting an abundance of native wildlife. They state in the application the townhouses will fit in with the current apartments and units in the area. I have been living in the area for over 10 years and I do not know of any apartments or units anywhere near this proposed development. Please listen to the community and STOP this development now!
D03908071	<ul style="list-style-type: none"> I am opposed to this development due to the lack of infrastructure, out of character design, and devaluation of surrounding properties.
D03908601	<ul style="list-style-type: none"> I strongly oppose this application to develop 60 townhouses, as the application is for lot 1 only and it's applied for a subdivision, lot 2 will hold another 60 townhouses totalling 120 townhouses opposite 8 individual dwellings which will be extensively devalued immediately. Destruction of this beautiful piece of native bushland and wildlife is a travesty. Mataram Road residents opposite the site will have 470 strangers living across from them, 240+ cars accessing Mataram Road, 138 visitors car parks which no doubt will spill onto Mataram Road, road congestion, noise, pollution, severe water restrictions, reduction in water pressure, is to name just a few problems. Wyong Councillors would you like to have 470 strangers living across the road from your home? Please reject this ridiculous application.
D3911574	<ul style="list-style-type: none"> Anglican Care has no objection to the DA but would ask that consideration be given to the retention of the maximum number of trees along our boundary. If this is not possible, Anglican Care requests that the developer be responsible for the planting of mature species of trees along our shared boundary.
D03911587	<ul style="list-style-type: none"> I strongly oppose this development application. This is a wildlife corridor and any development would have significant impact to the animals. Aside from the ecological and environmental impact this would have, Townhouses are not appropriate for this area. The roads are not suitable to cope with all the additional traffic this would cause. All of our beautiful family homes will have their value reduced by such an unnecessary and unwanted development.
D04180187	<ul style="list-style-type: none"> I live in Haven Crescent, Woongarra which is directly off Mataram, Rd. This development would directly affect my family. We currently live in a quiet suburb and it is my belief that if this application is approved this will no longer be the a quiet area. If 60 townhouses were to be built this would lead to a major increase in traffic and noise. We moved the central coast 5 years ago to have a family. We choose to live in Woongarra as it is a relatively quiet neighbourhood . This would be ruined if 60 townhouses were built on our doorstep!! But it is not only the extra traffic that concerns me. It is a proven fact that when high density housing is introduced to a suburb the existing houses property value decreases immensely!! If this application goes ahead is council going to

	<p>compensate us?? What about the current infrastructure?? The local public school is certainly not equipped to take on a huge increase in students plus our roads in and out of Woongarra are already congested at peak times!!</p> <ul style="list-style-type: none"> • When we originally were looking to built on our property, I believe we had to follow council regulations and were required to bulid a house of a certain size so as not to depreciate the land value in the area. Has this now changed??I am extremely concerned about this application
D04184643	<ul style="list-style-type: none"> • I wish to voice my concerns to the additional development application already in council for this site. Already local residence are against the application for more than enough worthy reasonable issues and yet you have increased the application. There is a very realistic fear that this application although currently privately owned, once complete could and most likely be sold back to Government for PUBLIC HOUSING ESTATE. • Before this application can even be presented further work needs to be completed to the surrounding roads and pedestrian access. The current Infrastructure in place are not coping with the already increasing population and any and more increase will be devastating to the current situation and dangerous. • There is already enough developments underway to produce the Warnervale Town centre that has been in Council for many years and we do not need any further increase to an already dense populated area. • This application cannot go ahead, Property Value will drop, Increase in Crime will Rise, Our local school, already increasing, will be bursting at the seams and we do not have in place a High School for these potential residence to go.
D04184812	<ul style="list-style-type: none"> • I am writing to express my objection to the proposed townhouse development for initially 60 Townhouses – Lot 1 , followed by a further 60 Townhouses in Lot 2 at 147 -169 Mataram Road Woongarra. • I purchased my home in Woongarra for our impending retirement, on the genuine understanding, that no high rise or town house development would be undertaken outside of the proclaimed Warnervale Town Centre. • This Townhouse development with it high density living lifestyle will ruin the ambience, culture and potentially hinder the safety aspects of living in a safe neighbourhood . • Within the Woongarra there is a real understanding that vandalism and acts inappropriate behaviour of will not be tolerated. • I have witnessed were quieter and safer suburbs have placed high density town houses into the area with devastating results. • Once these dramatic cultures changes occur, as they will with high density living the safety, quality and pride of the neighbourhood cannot be reclaimed and is lost forever. • I am available to further discuss this issue with any person involved in Wyong Council or the Developer.
D04245207	<ul style="list-style-type: none"> • Like most residents in the area, we bought our house for its peaceful and the quite setting. We are yet to have a house behind our property, so we enjoy the view to the trees/bush • My major concerns haven't changed from my first objection. • Traffic at the intersection at Hiawatha and Sparks Road. I have • lost count of the near misses I have seen and been in myself. The last one being with a workforce vehicle this week :(Better traffic control is needed now! • The appeal of our community and what was promised all those 10+ • years ago when we moved to the area - WHERE IS THE TOWN CENTRE? Get this going, get people on side. Build the residential area up as proposed then look at surrounding areas and justify their existence. • Safety for the school children who don't have proper paths as it is • or a safe crossing area when approaching Sparks Road. What is being done about this now? This is a current problem to those of us with children. • High density of the area. Do we need this? How will this improve • and contribute to the area? Yes there is an aged care facility, however this has no significant impact on traffic or value etc.

	<ul style="list-style-type: none">• What sort of people are we attracting to the area? Do we want a majority of rentals where people come and go or a community where we can grow and develop. This is achievable with single dwellings not townhouses.• Let's get the work done to provide us rate payers with the infrastructure we need before approving these type of projects.
D05474461	<ul style="list-style-type: none">• I am a resident of Mataram Rd, Woongarra and I would like to object to this submission. I am all for development in areas and welcome new families to the area. However 60 townhouses and now another submission late last year for another subdivision in the same street is ludicrous. There are way too many proposed townhouses for this street and I strongly oppose this development and the other one planned for Mataram Rd.

Date: 23 April 2014
Responsible Officer: Jenny Webb
Location: 147-169 Mataram Road, WOONGARRAH NSW 2259
 Lot 63 DP 456250, Lot 62 DP 456250
Owner: Miss Z Baldock and Mrs A P Lloyd
Applicant: Thrum Architects Pty Ltd
Date Of Application: 30 August 2013
Application No: DA/646/2013
Proposed Development: 2 lot subdivision and residential flat building comprising 60 townhouses on proposed Lot 1
Land Area: 6252.00

Approved Plans

- 1 The development is to be undertaken in accordance with the approved development plans and specifications listed below and documentation submitted with the development application except as modified by any conditions of consent and any amendments in red made to the approved plans:

Title	Drawing No.	Revision	Date	Drawn By
Cover Sheet	DA-00	B	16/10/13	Thrum Architects
Overall Site Plan	DA-01	C	19/12/13	Thrum Architects
Precinct Plan	DA-02	C	16/10/13	Thrum Architects
Ground Floor General Arrangement – West Zone	DA-05	E	14/4/14	Thrum Architects
Ground Floor General Arrangement – East Zone	DA-06	D	16/10/13	Thrum Architects
Level 1 General Arrangement – West Zone	DA-07	B	16/10/13	Thrum Architects
Level 1 General Arrangement – East Zone	DA-08	B	16/10/13	Thrum Architects
Building Block A – Floor Plans	DA-100	B	16/10/13	Thrum Architects
Building Block A – Elevations and Sections	DA-101	B	16/10/13	Thrum Architects
Building Block B – Floor Plans	DA-105	B	16/10/13	Thrum Architects

Building Block B – Elevations and Sections	DA-106	B	16/10/13	Thrum Architects
Building Block C – Floor Plans	DA-110	B	16/10/13	Thrum Architects
Building Block C – Elevations and Sections	DA-111	B	16/10/13	Thrum Architects
Building Block D – Floor Plans	DA-115	B	16/10/13	Thrum Architects
Building Block D – Elevations and Sections	DA-116	B	16/10/13	Thrum Architects
Building Block E – Floor Plans	DA-120	B	16/10/13	Thrum Architects
Building Block E – Elevations and Sections	DA-121	B	16/10/13	Thrum Architects
Building Block F – Floor Plans	DA-125	B	16/10/13	Thrum Architects
Building Block F – Elevations and Sections	DA-126	B	16/10/13	Thrum Architects
Building Block G – Floor Plans	DA-130	B	16/10/13	Thrum Architects
Building Block G – Elevations and Sections	DA-131	B	16/10/13	Thrum Architects
Building Block H – Floor Plans/Elevations & Sections	DA-135	B	16/10/13	Thrum Architects
Building Block I & J – Floor Plans	DA-140	B	16/10/13	Thrum Architects
Building Block I & J – Elevations and Sections	DA-141	B	16/10/13	Thrum Architects
Building Block K – Floor Plans/Elevations & Sections	DA-145	B	16/10/13	Thrum Architects
Building Block L – Floor Plans	DA-150	B	16/10/13	Thrum Architects
Building Block L – Elevations and Sections	DA-151	B	16/10/13	Thrum Architects
Building Block M – Floor Plans/Elevations & Sections	DA-155	B	16/10/13	Thrum Architects
Building Block N – Floor Plans/Elevations & Sections	DA-160	B	16/10/13	Thrum Architects
Building Block O – Floor Plans/Elevations & Sections	DA-165	B	16/10/13	Thrum Architects

Building Block P – Floor Plans	DA-170	B	16/10/13	Thrum Architects
Building Block P– Elevations and Sections	DA-171	B	16/10/13	Thrum Architects
Building Block Q – Floor Plans	DA-175	B	16/10/13	Thrum Architects
Building Block Q – Elevations and Sections	DA-176	B	16/10/13	Thrum Architects
Street Elevation	DA-201	A	16/10/13	Thrum Architects
Site Sections	DA-210	A	16/10/13	Thrum Architects

Certificates – Application and Approval

- 2 A Construction Certificate is to be issued by the Principal Certifying Authority prior to commencement of any construction works. The application for this Certificate is to satisfy all of the requirements of the Environmental Planning and Assessment Regulation 2000.
- 3 Prior to the occupation or use of the building/structure, an application for an Occupation Certificate for the development must be submitted to and approved by the Principal Certifying Authority.
- 4 An application for a Subdivision Certificate must be submitted to and approved by the Council/Certifying Authority prior to endorsement of the plan of subdivision.
- 5 Where conditions of this consent require approval from Council under the Roads Act 1993 or Local Government Act 1993, a completed Subdivision Construction Certificate application form must be lodged with Council and be accompanied by detailed design drawings and supporting information. Upon submission to Council, fees and charges will be calculated in accordance with Council's Management Plan. The fees and charges must be paid prior to Council commencing the design assessment.

Other Authorities – Compliance Requirements

- 6 Compliance with the general terms of approval of the Mine Subsidence Board as outlined in its correspondence dated 15 October 2013 for Stage 1 of the development
- 7 Compliance with the general terms of approval of the Mine Subsidence Board as outlined in its correspondence dated 7 April 2014 for Stage 2 of the development.
- 8 Compliance with the general terms of approval of the NSW Rural Fire Service as outlined in its correspondence dated 19 December 2013.

Staging

9 The development is to be staged as follows:

Stage 1 – Subdivision, driveway construction to service the existing dwelling, 'temporary' eastern vehicle access crossing (to be formalised with Stage 2), relocation of services and associated vegetation removal.

Stage 2 – Construction of the townhouse development and associated works, civil works/infrastructure in Mataram Road and upgraded water and sewer servicing the site.

Prior to Release of Construction Certificate

Stage 1:

The following conditions must be satisfied prior to the release of the Construction Certificate. Conditions may require the submission of additional information with the Construction Certificate Application. Applicants should also familiarise themselves with conditions in subsequent sections and provide plans in accordance with any design requirements contained therein.

Ecology/Tree Requirements

- 10 Prior to release of any Construction Certificate/Commencement of Works (whichever occurs first), a suitably qualified and experienced Ecologist must prepare and submit to Council for approval a Wildlife Management Strategy (WMS) to show how mitigation against native animal welfare issues will be achieved. Works must be conducted in accordance with the approved WMS. The WMS is to include the following:
- Identification of fauna likely to occur on site and advise on management actions to minimise and mitigate any native animal welfare issues;
 - The engaged Ecologist is to clearly mark each potential habitat tree required to be removed;
 - Clearing of native vegetation or trees is to be carried out in accordance with the clearing protocol outlined in the Squirrel Glider Conservation Management Plan (Smith, 2002);
 - The Ecologist is to inspect all potential habitat trees prior to removal and identify evidence of fauna use. All clearing of habitat trees is to be done under the direct supervision of an Ecologist. When fauna are present, the animals are to be removed and relocated to the adjacent bushland/nest boxes prior to felling or the tree shall be sectionally dismantled under the supervision of the Ecologist before relocating animals to the adjacent bushland/nest boxes;
 - Clearing will commence with the most distant vegetation from secure habitat and progressively work toward the retained bushland in order to allow fauna to disperse;

- Potential habitat trees should be slowly lowered or sectionally dismantled using an excavator, crane or similar technique;
- Any natural hollows removed by the development are to be placed wherever possible as ground hollows within retained bushland under the supervision of the Ecologist;
- Nest boxes are to be provided on a one for one basis for any natural hollow removed by the development. Nest boxes are to be constructed of appropriate durable materials (eg. painted marine ply, native hardwood or similar) and fixed to recipient trees with stainless steel screws, wire or similar. The WMS shall specify the type and quantity of nest boxes required to compensate for the hollows that are proposed to be removed. All nest boxes are to be erected prior to any clearing occurring on the development site. The WMS must identify suitable locations to erect nest boxes that minimise the risk of vandalism and maximise the likelihood of occupation by native fauna; and
- Nest boxes are to be monitored by the Ecologist to determine their usage and to carry out repairs or replacement (as required) every six (6) months for a minimum period of three (3) years following erection. Monitoring reports are to be prepared by the Ecologist and forwarded to Council after each monitoring event.

Stormwater Drainage - Design Requirements

- 11 The submission to the Accredited Certifier of a detailed stormwater management plan featuring:
- Stormwater disposal from the new sections of the vehicle access driveway directed to the street drainage system.
 - Suitably sized galvanised box section across the footpath area to connect to the existing kerb and guttering.
 - Drainage pit at the boundary line.

The plans must be prepared in accordance with *AS/NZS3500.3:2004* and Council's Development Control Plan 2005, Chapter 67 - *Engineering Requirements for Development*, and be approved by the Accredited Certifier prior to issue of the Construction Certificate.

Utilities

- 12 Prior to the issue of a Construction Certificate, relocation of existing services including electricity and telephone supply to the existing rear dwelling entirely within the proposed rear allotment. All new electricity services are to be located underground and details of the new lines shall be submitted for approval by the accredited certifier.

Vehicle Access and Parking - Design Requirements

- 13 The submission to the Accredited Certifier of a detailed vehicle access design. The design shall include:
- Upgraded relocated driveway (partly right-of-carriageway and entirely within Proposed Lot 2) to adequately provide full concrete vehicular access from Mataram Road to the existing dwelling. The width of the driveway shall be in accordance with Planning for Bushfire Protection 2006 (refer Sections 4.1.3 (2) & 4.2.7).
 - Pavement design able to withstand anticipated vehicle loading (at least the RFS vehicle).

The design drawings shall be prepared in accordance with the requirements of AS/NZS 2890 – Parts 1, 2 and 6 and Planning for Bushfire Protection 2006, and be approved by the Accredited Certifier prior to the issue of a Construction Certificate.

Water and Sewer Services - Design Requirements

- 14 All water and sewer works or works impacting on water and sewer assets must be designed and constructed to the requirements of Council as the Water Supply Authority. The requirements are detailed in the Section 306 Notice of Requirements letter attached to this consent. **Note:** The Section 306 Notice contains requirements associated with the development that must be completed prior to the issue of the Construction Certificate.

Prior to Release of Construction Certificate

Stage 2:

The following conditions must be satisfied prior to the release of the Construction Certificate. Conditions may require the submission of additional information with the Construction Certificate Application. Applicants should also familiarise themselves with conditions in subsequent sections and provide plans in accordance with any design requirements contained therein.

Bush Fire Requirements

- 15 The proposed development has been assessed against the provisions of *Planning for Bushfire Protection 2006 (NSW)* and has been determined as having a Bushfire Attack Level (BAL) of 29 and 12.5 (for dwellings located wholly south of the northern line of dwellings). Prior to the issue of a Construction Certificate, construction details demonstrating compliance with *AS3959-2009 – Construction in Bushfire Prone Areas* and additional measures contained in *Appendix 3 of the PBP Guidelines* for the nominated BAL must be provided for the approval of the Accredited Certifier.

Ecology/Tree Requirements

- 16 Prior to release of any Construction Certificate/Commencement of Works (which ever occurs first), a suitably qualified and experienced Ecologist must prepare and submit to Council for approval a Wildlife Management Strategy (WMS) to show how mitigation against native animal welfare issues will be achieved. Works must be conducted in accordance with the approved WMS. The WMS is to include the following:
- Identification of fauna likely to occur on site and advise on management actions to minimise and mitigate any native animal welfare issues;
 - The engaged Ecologist is to clearly mark each potential habitat tree required to be removed;
 - Clearing of native vegetation or trees is to be carried out in accordance with the clearing protocol outlined in the Squirrel Glider Conservation Management Plan (Smith, 2002);
 - The Ecologist is to inspect all potential habitat trees prior to removal and identify evidence of fauna use. All clearing of habitat trees is to be done under the direct supervision of an Ecologist. When fauna are present, the animals are to be removed and relocated to the adjacent bushland/nest boxes prior to felling or the tree shall be sectionally dismantled under the supervision of the Ecologist before relocating animals to the adjacent bushland/nest boxes;
 - Clearing will commence with the most distant vegetation from secure habitat and progressively work toward the retained bushland in order to allow fauna to disperse;
 - Potential habitat trees should be slowly lowered or sectionally dismantled using an excavator, crane or similar technique;
 - Any natural hollows removed by the development are to be placed wherever possible as ground hollows within retained bushland under the supervision of the Ecologist;
 - Nest boxes are to be provided on a one for one basis for any natural hollow removed by the development. Nest boxes are to be constructed of appropriate durable materials (eg. painted marine ply, native hardwood or similar) and fixed to recipient trees with stainless steel screws, wire or similar. The WMS shall specify the type and quantity of nest boxes required to compensate for the hollows that are proposed to be removed. All nest boxes are to be erected prior to any clearing occurring on the development site. The WMS must identify suitable locations to erect nest boxes that minimise the risk of vandalism and maximise the likelihood of occupation by native fauna; and

- Nest boxes are to be monitored by the Ecologist to determine their usage and to carry out repairs or replacement (as required) every six (6) months for a minimum period of three (3) years following erection. Monitoring reports are to be prepared by the Ecologist and forwarded to Council after each monitoring event.

Landscaping Design Requirements

- 17 Prior to the issue of a Construction Certificate, landscape design drawings, prepared by an approved consultant, must be provided for the approval of the Accredited Certifier. Such landscape design plans must be prepared in accordance with Council's Landscape Policy L1 for a Category 3 development.

Registration of Subdivision

- 18 Prior to issue of the Construction Certificate, the Applicant shall submit for approval by the appointed Certifying Authority, documentary evidence that the subdivision for Stage 1 has been registered with the Land Titles Office and the 'Proposed Lot 1' development Lot exists.

Roadworks - Design Requirements

- 19 Where conditions of this consent require approval from Council as the Roads Authority, a Civil Works Construction Certificate application must be lodged with Council and be accompanied by detailed design drawings and supporting information. Upon submission to Council, fees and charges will be calculated in accordance with Council's Management Plan. The fees and charges must be paid prior to Council commencing the design assessment.
- 20 The submission to Council of Civil Works design drawings and specifications detailing the following design requirements:
- Kerb and guttering for the full street frontage of the development and consistent with the existing kerb alignment within Mataram Road.
 - Road pavement construction adjoining the proposed kerb and guttering.
 - Street stormwater drainage systems.
 - Concrete footpath 1.2 metres wide for the full street frontage of the development located approximately 3.0 metres from the 'proposed/road widening' property boundary. Sections of existing footpath immediately behind the kerb shall be removed and relocated as per Council's standard profile.
 - Footway formation with a minimum width of 3.1m (from the front of kerb) graded at +4% across the entire site frontage.
 - Street lighting in accordance with AS/NZS 1158.
 - Pavement marking & signage.

- Street trees at a maximum of 15.0 metre spacing.
- Pavement design catering for 2x10⁷ equivalent standard axles.
- Vehicle access crossing(s), including the proposed primary access entry and exit driveways. The crossings for Proposed Townhouses 2, 3, 4 & 5 shall be splayed to the west in order to facilitate vehicle manoeuvrability through the existing pedestrian refuge.
- The restoration of any vehicle access rendered redundant by the development, to standard kerb and footpath formation.
- Any associated works to ensure satisfactory transitions to existing infrastructure
- Existing pram ramps located immediately to the east of the proposed primary vehicle access crossing and corresponding ramp on the southern side of Mataram Road made redundant. New pram ramps are to be constructed in a new location having adequate sight distances and clearance from vehicle access crossings. The redundant pram ramps shall be reinstated to upright kerb and gutter and turfed verge to match surrounding infrastructure.
- Relocation of power poles as required, with relevant correspondence from the utility authority.
- Re-grading/trimming works within the road reserve to provide the calculated sight distance requirements.
- Adjustment of services as required.

Required design drawings are to be prepared in accordance with Council's Development Control Plan 2005, Chapter 67 - *Engineering Requirements for Development* and must be approved by Council as the Roads Authority prior to the issue of a Construction Certificate.

- 21 The submission of a comprehensive road signage and pavement marking design drawings identifying parking restrictions, accesses and traffic management facilities to Council for approval by the Local Traffic Committee prior to issue of the Construction Certificate.
- 22 Prior to the commencement of detailed design works within any public road, contact should be made with the National Community Service "*Dial before you Dig*" on 1100 regarding the location of underground services in order to prevent injury, personal liability and even death. Enquiries should provide the property details and the nearest cross street/road.

Stormwater Drainage - Design Requirements

- 23 The submission to the Accredited Certifier of a detailed stormwater management plan featuring:
 - Stormwater disposal to the street drainage system.

- Suitably sized galvanised box sections across the footpath area to connect to the existing kerb and guttering.
- Drainage pit at the boundary line.
- The provision of an onsite stormwater detention system. The detention system(s) must be designed to attenuate post developed flow rates to predevelopment flow rates for a full range of storm durations for the 5, 20 and 100 year average reoccurrence interval (ARI) design storms. On-site detention and drainage systems shall not be located within private property.
- The provision of stormwater quality control facilities to treat stormwater in accordance with the Engineers Australia publication *Australian Runoff Quality – A Guide to Water Sensitive Urban Design* prior to entering Council's stormwater drainage system.
- An emergency overland flow path catering for the 100 year ARI design flows.
- Interceptor drainage system to convey overland flows around / through Proposed Lot 1 (Townhouse development)
- Water savings measures in accordance with the BASIX commitments.

The plans must be prepared in accordance with *AS/NZS3500.3:2004* and Council's Development Control Plan 2005, Chapter 67 - *Engineering Requirements for Development*, and be approved by the Accredited Certifier prior to issue of the Construction Certificate. The plans shall be generally in accordance (with required amendments) with the submitted concept stormwater drainage plans by Chase Burke Harvey (refer Drawing No. SW13229, Sheet No. 3 dated 15/10/2013), which are to be advanced as necessary for Construction Certificate issue purposes.

Structural Design Requirements

- 24 Any excavation below the adjoining land level requires the retaining of that land and the preservation and protection of any improvements or buildings upon that land including public roads and utilities from damage. If necessary, the improvements or buildings are to be supported in a manner designed by a suitably qualified Registered Structural Engineer. Any design proposals prepared in order to comply with this condition are to include geotechnical investigations and are to be submitted for the approval of the Accredited Certifier and in the case where excavation impacts upon public infrastructure, Council, prior to issue of the Construction Certificate.

Vehicle Access and Parking - Design Requirements

- 25 The submission to the Accredited Certifier of a detailed car parking design. The design shall include:
- Pavement marking, appropriate signage and physical controls detailed for the carpark, access driveway and circulation roads.

- Pavement design able to withstand anticipated vehicle loading (at least the internal garbage truck collection – 23 tonnes).
- Compliant driveway widths including turning bays
- The clear height of the proposed garage / carport dimensions increased to a minimum 2.2m (currently 2.0m).
- Compliant visitor space dimensions (parallel spaces) and grades within the parking module.
- Compliant driveway grades for 'residential' (not 'domestic') properties
- Provision of suitable driveway guardrails
- Appropriate formation of the primary internal intersection to provide a formal t-intersection.

The design drawings shall be prepared in accordance with the requirements of AS/NZS 2890 – Parts 1, 2 and 6, and Planning for Bushfire Protection 2006 be approved by the Accredited Certifier prior to the issue of a Construction Certificate.

Waste Management

- 26 Prior to issue of the Construction Certificate, the Applicant shall submit updated site plans detailing at least the following to ensure the provision of Council's internal Waste Management vehicle:
- complaint loading area(s) with adequate vehicle manoeuvrability provided
 - depending upon the one-way circulation route, bins presented to the left-hand side of the road.
 - sufficient area and clearance height provided for 2 bins for each townhouse during the internal collection period.
 - suitable selection of tree species within the internal road (particularly the "traffic calming" areas) to prevent vehicle obstruction and damage.
 - increase of the designated "wheelie bin" collection area to accommodate 2 bins each for townhouses 49-56.

Water and Sewer Services - Design Requirements

- 27 All water and sewer works or works impacting on water and sewer assets must be designed and constructed to the requirements of Council as the Water Supply Authority. The requirements are detailed in the Section 306 Notice of Requirements letter attached to this consent. **Note:** The Section 306 Notice contains requirements associated with the development that must be completed prior to the issue of the Construction Certificate.

Prior to Commencement of Works:

The following conditions must be satisfied prior to the commencement of site works, including any works relating to demolition, excavation or vegetation removal.

Bush Fire Requirements

- 28 At the commencement of building works and in perpetuity the property to the north of the proposed dwellings to a minimum distance of 20 metres, shall be maintained as an inner protection area (IPA) as outlines within section 4.1.3 and Appendix 5 of Planning for Bushfire Protection 2006 and the NSW Rural Fire Service's document Standards for asset protection zones).

Ecology/Trees Requirements

- 29 Prior to works associated with the development commencing and for the duration of construction works, the following protocols are to be implemented to ensure tree and vegetation protection upon the development site:
- Trees and vegetation to be retained are to be protected by the erection of 1.8 metre-high chain wire interlocking fencing as per the engaged Arborist and/or Ecologist's direction, AS/NZS 4970-2009 - *Protection of Trees on Development Sites* and Council's *Civil Works Design Guidelines*.
 - Erection of tree protection measures is to be confirmed to Council's Development Ecologist in writing by the Arborist and/or Ecologist prior to commencement of works, or alternatively Council must be notified to undertake an inspection of the works.
 - All fenced tree protection areas are to be clearly marked as "No Go Area" on the fencing itself and must be visible from within the development site.
 - No clearing of vegetation, refuelling, mixing of chemicals, wash down or cleaning of equipment, or storage of vehicles or machinery, waste, fill or materials or unauthorised access is to occur within the fenced tree protection areas.
 - The Arborist and/or Ecologist may require other habitat and/or trees to be protected via fencing from time to time. This fencing is to be erected at the appropriate root zone protection limits (as determined by the Arborist and/or Ecologist), prior to works being carried out around that particular habitat or tree.
 - The management protocols and requirements within these conditions relating to tree and vegetation retention, protection and rehabilitation are to be included in all contract documentation, plans and specifications used by each civil contractor and sub-contractors.

- The Ecologist and Arborist are to induct each civil contractor and sub-contractor in relation to the importance of these ecological protocols as part of their site induction program prior to commencement of works. Certification of this induction must be provided to Council prior to commencement of works.

Erosion and Sediment Control Requirements

- 30 Prior to the commencement of construction an initial Erosion and Sediment Control Plan (ESCP) prepared in accordance with the latest edition of the Landcom Publication 'Soils and Constructions- Volume 1' (The Blue Book) shall be provided to the Principal Certifying Authority. This plan shall be modified and updated during construction to reflect any changes due to the on-ground/site conditions. A copy of any modifications or updates to the ESCP shall be provided to the PCA and provided to Council upon request.

Erosion and sediment controls shall be monitored, maintained and adapted in accordance with the most recent ESCP until the site is fully stabilised and landscaped. Failure to comply with this condition may result in fines under the provision of the Protection of the Environment Operations Act

Filling and Haulage Requirements

- 31 Prior to works associated with the development commencing, details for the disposal of any spoil gained from the site and/or details of the source of fill materials to be imported to the site, are to be provided and approved by the Principal Certifying Authority.

Protection of Adjoining Property Requirements

- 32 Prior to works associated with the development commencing, the owner of the adjoining property affected by the proposed excavation and/or structural protective works, must be given written notice of the intention to commence works. The required notice must be accompanied by details of the proposed work at least seven (7) days prior to the commencement of proposed excavation and/or structural protective works.
- 33 Prior to works associated with the development commencing, the applicant must supply the Principal Certifying Authority with a dilapidation report for the adjoining properties, which documents and photographs the condition of buildings and other improvements. The report must be submitted to and approved by the Principal Certifying Authority prior to the commencement of any works. **Note:** The report is to be made available by the Principal Certifying Authority in any private dispute between neighbours regarding damage arising from construction works upon the development site.

Roads - Preconstruction Requirements

- 34 Prior to commencing any works upon public roads the developer and their contractor will be required to:
- Obtain a copy of the Council approved Civil Works plans and pavement design (if applicable).

- Obtain a copy of Development Control Plan 2005, Chapter 67 – *Engineering Requirements for Development*. This is Council’s Specification for Civil Works and is available on Council’s web site.
 - Arrange a meeting on-site with Council’s Principal Development Construction Engineer on (02) 4350 5555.
- 35 Prior to works associated with development commencing, a dilapidation report must be prepared and submitted to Council as the Roads Authority. The required dilapidation report must document and provide photographs that clearly depict any existing damage to the road, kerb, gutter, footpath, driveways, water supply, sewer works, street trees, street signs or any other Council assets in the vicinity of the development. **Note:** The report will be used by Council to determine the extent of damage arising from site and construction works.

Site Requirements

- 36 Prior to works associated with the development commencing, the Principal Contractor (or Owner/Builder) is to erect a suitable sign in a prominent position on the development site (not attached to any tree) identifying the name, address and telephone number of the Principal Certifying Authority (PCA) for the work, the name, address and telephone number (including a number for outside of business hours) of the Principal Contractor for the work (or Owner/Builder) and stating that unauthorised entry to the site is prohibited. The required sign is to be maintained for the duration of works associated with the development. Appropriate signs can be collected from Council’s Customer Service Centre, where Council is the nominated Principal Certifying Authority with respect to the development.
- 37 Prior to works associated with the development commencing, suitable toilet facilities must be available or be provided upon the development site, with the required toilet facility(s) maintained until development works are completed at a ratio of one (1) toilet plus one (1) additional toilet for every twenty (20) persons employed at the site. Each toilet must:
- be a standard flushing toilet connected to a public sewer system; or
 - have an on-site effluent disposal system approved under the Local Government Act 1993, or be a temporary chemical closet approved under the Local Government Act 1993, supplied by a suitably licensed contractor.
- 38 Prior to works associated with the development commencing, a suitable metal waste skip (with self-closing lid or secure covering) or lined mesh steel cage(s) is to be provided upon the development site for the duration of the construction phase of the development. The required waste receptacle is to be suitably emptied at appropriate times during the construction phase of the development.
- 39 A temporary hoarding or temporary construction site fence must be erected between the work site and adjoining lands before the works begin and must be kept in place until after the completion of the works if the works:

- could cause a danger, obstruction or inconvenience to pedestrian or vehicular traffic;
- could cause damage to adjoining lands by falling objects; or
- involve the enclosure of a public place or part of a public place.

These works are specified as exempt development within the SEPP (Exempt & Complying Development Codes) 2008 – subdivision 2.110 for which scaffolding, hoardings and temporary construction site fences have the following applicable standards:

- enclose the work area;
- if it is a temporary construction site fence adjoining, or on, a public place—be covered in chain wire mesh that is designed, appropriately fixed and installed in accordance with AS 2423—2002, *Coated steel wire fencing products for terrestrial, aquatic and general use*; and
- be removed immediately after the work in relation to which it was erected has finished if no safety issue will arise from its removal.

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

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

- 40 Prior to works associated with the development commencing, a Construction and Traffic Management Plan is to be submitted to and approved by the Principal Certifying Authority. The required plan must outline the sequence and construction methodology, and specify mitigating measures to ensure all works are carried out with minimal environmental impact in relation to project staging, waste management, traffic management and environmental management.

During Construction Works:

The following conditions must be satisfied during construction works.

Dust Control Requirements

- 41 Suitable dust suppression measures shall be implemented and maintained by the developer during demolition, excavation and construction works associated with the development. Such measures are required to minimise the emission of dust and other impurities into the surrounding environment.

Ecology/Trees - Construction Requirements

- 42 Any approved excavation or filling within a retained tree's canopy perimeter shall be in accordance with AS/NZS 4970-2009 - *Protection of Trees on Development Sites* and Council's *Civil Works Construction Specification*, as excavation or filling can lead to tree instability or death.
- 43 All services, including water and electricity, must be located, designed and installed to minimise or prevent root damage to retained trees. Methods for the installation of services within the tree's canopy perimeter are contained within AS/NZS 4970-2009 - *Protection of Trees on Development Sites* and Council's *Civil Works Construction Specification* and include under boring and excavation by hand.
- 44 If canopy thinning is required to achieve Bushfire Asset Protection Zone then it shall be conducted selectively. Those trees with poor health shall be removed prior to those of with good health. Selective removal shall also consider maintenance of species diversity. No hollow-bearing trees may be removed to achieve Bushfire Asset Protection Zones. An appropriately qualified Arborist or Ecologist and Bushfire Manager are to be engaged to flag and clearly identify those trees best removed to achieve bushfire asset protection requirements. Trees must be removed in such a manner so as to prevent damage to surrounding trees to be retained.
- 45 All work is to be undertaken in accordance with the approved Wildlife Management Strategy (WMS) for the site.

Potentially Contaminated Land Requirements

- 46 During the construction phase of the development, any new information which comes to light during remediation, demolition or construction works which has the potential to alter previous conclusions about site contamination and required remediation must be notified to Council immediately upon discovery.

Services/Utility Requirements

- 47 The developer is solely responsible for any costs relating to alterations and extensions of existing roads, drainage, water and sewer infrastructure and other utilities for the proposed development.
- 48 Other public authorities may have separate requirements and should be consulted prior to commencement of works in the following respects:
- Australia Post for the positioning and dimensions of mail boxes in new commercial and residential developments;
 - AGL Sydney Limited for any change or alteration to gas line infrastructure;
 - Ausgrid for any change or alteration to electricity infrastructure or encroachment within transmission line easements;

- Telstra, Optus or other telecommunication carriers for access to their telecommunications infrastructure.
- 49 All new services are to be located underground in accordance with Development Control Plan 2005 Chapter 49 – Warnervale East and Wadalba North West.

Site Requirements

- 50 Construction or demolition works involved with the development may only be carried out between the hours of 7.00 am and 5.00 pm Monday to Saturday with no construction or demolition works associated with the development permitted to be carried out at any time on a Sunday or a public holiday.
- 51 During the construction phase of the development, all building materials, plant and equipment must be placed on the site of the development in order to ensure that pedestrian and vehicular access within adjoining public roads, footpaths and reserve areas, is not restricted and to prevent damage to public infrastructure.
- 52 During the construction phase of the development, downpipes and the associated stormwater disposal system is to be suitably connected to the site stormwater connection point immediately after the roof materials are positioned in order to prevent erosion of the site from roof water run off. The Principal Certifying Authority for the development will not issue a compliance certificate for framing unless connection of the site stormwater (or temporary system) has occurred.

Prior to Release of Subdivision Certificate

Stage 1:

The following conditions must be satisfied prior to the release of an Subdivision Certificate.

Ecology/Tree Requirements

- 53 Prior to the issue of the Subdivision Certificate, a final certification report detailing the level of compliance for each stage of the development with all conditions relating to ecology/trees must be prepared by the engaged Ecologist and Arborist and forwarded to Council for review.

Roads – Compliance Requirements

- 54 The provision of a 'temporary' vehicle access crossing for the proposed rear lot (existing dwelling), approved by Council as the Roads Authority prior to issue of the Subdivision Certificate. This frontage civil infrastructure will be formalised as part of Stage 2 works.

Stormwater – Compliance Requirements

- 55 The construction of the stormwater management system in accordance with the approved Stormwater Management Plan and AS/NZS 3500.3-2004. Certification of the construction by a suitably qualified consultant shall be provided to the Principal Certifying Authority prior to issue of the Subdivision Certificate.

Subdivision– Compliance Requirements

- 56 The dedication of 1.5 metres of road widening for the full extent of Mataram Road frontage, as identified in Development Control Plan 2005, Chapter 49 – *Warnervale East and Wadalba North West Urban Release Area*. A credit will be given for this land, which is contained in the Contributions Plan. The road widening must be shown on the final plan of subdivision and approved by Council with the Subdivision Certificate.
- 57 The certification by a Registered Surveyor, prior to issue of a Subdivision Certificate that all construction has been effected within the appropriate property, easement boundaries and rights of carriageway. The certification shall be accompanied by a copy of the final subdivision or easement plan, with the distances from the boundaries to the edges of these structures endorsed in red thereon and signed by the surveyor.
- 58 Prior to issue of a Subdivision Certificate the provision of written confirmation from the relevant service authorities that satisfactory arrangements have been made for the provision of the following services to each lot:
- telecommunications
 - electricity supply
 - gas supply
 - national broadband network
 - water supply
 - sewerage
- 59 The location of services must be shown on a copy of the final subdivision plan, with the distances from the boundaries to each service endorsed in red thereon. All new services are to be located underground in accordance with Development Control Plan 2005 Chapter 49 – *Warnervale East and Wadalba North West*.
- 60 All subdivision works must be approved by Council prior to the issue of a Subdivision Certificate.

61 The plan of subdivision and Section 88B instrument shall establish the following title encumbrances with Council being nominated as the sole authority to release, vary or modify each encumbrance unless specifically noted otherwise. Wherever possible the extent of the land affected shall be defined by bearings and distances shown on the plan of subdivision:

- 'Right of Carriageway' to service Proposed Dwellings 45, 46, 47 and 48 as identified on the approved development plans.
- 'Easement to Drain Water' as required.
- 'Easement to Drain Sewage' as required.
- 'Easement for Services' as required.
- 'Asset Protection Zone and Fire Trail' as required by the NSW Rural Fire Service.

The encumbrances must be shown on the final plan of subdivision and Section 88B instrument, and be approved by Council with the Subdivision Certificate.

62 The construction of the vehicle access driveway for the full length between Mataram Road and existing dwelling prior to issue of the Subdivision Certificate.

63 Legal and physical access to the subdivision is to be provided to Council's satisfaction prior to issue of the Subdivision Certificate.

Water and Sewer Services/Infrastructure – Compliance Requirements

64 Prior to the issue of an Subdivision Certificate, all water and sewer works for the development must be approved by Council as the Water and Sewer Authority.

65 The obtaining of a satisfactory final plumbing & drainage inspection advice or Section 307 Certificate of Compliance under the *Water Management Act 2000* for water and sewer requirements for the development from Wyong Shire Council as the Water Supply Authority, prior to issue of the Subdivision Certificate. All works for the development must be approved by Council prior to the issue of a Certificate of Compliance.

Prior to Release of Occupation Certificate

Stage 2:

The following conditions must be satisfied prior to the release of an Occupation / Subdivision Certificate.

Building Code of Australia – Compliance Requirements

- 66 Prior to the issue of an Occupation Certificate, the building shall be completed in accordance with the relevant provisions and requirements of the Building Code of Australia.

Bush Fire – Compliance Requirements

- 67 Compliance with the general terms of approval of the NSW Rural Fire Service as outlined in its correspondence dated 19 December 2013, including:
- the property to the north of the proposed dwellings to a minimum distance of 20 metres, shall be maintained as an inner protection area (IPA) as outlines within section 4.1.3 and Appendix 5 of Planning for Bushfire Protection 2006 and the NSW Rural Fire Service's document Standards for asset protection zones).
 - Water, electricity and gas are to comply with section 4.1.3 of 'Planning for Bushfire Protection 2006'.
 - Property access roads shall comply with sections 4.1.3(2) and 4.2.7 of 'Planning for bushfire Protection 2006'.
 - New construction adjacent the northern boundary shall comply with Sections 3 and 7 (BAL 29) Australian Standard AS3959-2009 'Construction of buildings in bush fire-prone areas' and section A3.7 Addendum Appendix 3 of 'Planning for Bush Fire Protection'.
 - New dwellings constructed wholly south of the northern line of dwellings shall comply with section 5 (BAL 12.5) Australian Standard AS3959-2009 "Construction of buildings in bush fire-prone areas" and section A3.7 Addendum Appendix 3 of "Planning for Bush Fire Protection" 2006.
 - The development proposal is to comply with the subdivision identified on the drawing prepared by Thrum, project number 13023, drawing number DA-02, Revision c, dated 15/10/2013.
 - Landscaping to the site is to comply with the principles of Appendix 5 of 'Planning for Bush Fire Protection 2006'.

Contribution Payment Requirements

- 68 Prior to the issue of an Occupation Certificate, the payment to Council of contributions (as contained in the attached Schedule) under Section 94 of the Environmental Planning and Assessment Act 1979 and Council's Section 94 and Section 94A Contribution Plan. Council's contributions are adjusted on the first day of February, May, August and November. The amount of the contributions will be adjusted to the amount applicable at the date of payment.
- 69 Notwithstanding the contributions required in the preceding condition (above) to be paid under this Consent (as contained in the attached Schedule) the applicant can choose to pay Section 94 contributions under Council's Temporary Economic Stimulus Plan in accordance with the following table for each unit that has been substantially completed to floor level by 30 June 2015.

Unit Size	Section 94 Contributions per Residential Unit
1 bedroom residential unit	\$10,000 with quarterly indexation
2 bedroom residential unit	\$13,000 with quarterly indexation
3 bedroom residential unit	\$18,000 with quarterly indexation
4 bedroom residential unit	\$22,000 with quarterly indexation
5 bedroom residential unit or residential allotment	\$25,000 with quarterly indexation

Where some, but not all, contributions have been paid under Council's Temporary Economic Stimulus Plan, the contributions for the remaining units/lots shall be paid in accordance with the base rates used to calculate the contributions in the attached Schedule.

Council's contributions are adjusted on the first day of February, May, August and November. The amount of the contributions will be adjusted to the amount applicable at the date of payment.

Dilapidation Rectification Requirements

- 70 Prior to the issue of an Occupation Certificate, any damage not shown in the Dilapidation Report submitted to and approved by the Principal Certifying Authority prior to site works commencing, will be assumed to have been caused as a result of the site works undertaken with respect to the development and must be rectified at the applicant's expense.

Ecology/Tree Requirements

- 71 Prior to the issue of an Occupation Certificate, a final certification report detailing the level of compliance for each stage of the development with all conditions relating to ecology/trees must be prepared by the engaged Ecologist and Arborist and forwarded to Council for review.

- 72 The northern boundary of the Inner Protection Area for the dwellings must be permanently delineated using fencing, posts, bollards or similar to prevent encroachment into retained native vegetation. Evidence of this is to be supplied to Council prior to issue of Occupation Certificate.

Landscaping Requirements

- 73 Prior to the issue of an Occupation Certificate, to ensure landscaping works are properly completed, the landscape designer must provide certification to the Principal Certifying Authority certifying that landscaping has been implemented in accordance with the approved landscape plan (as amended by any conditions of this consent) and that all areas disturbed by construction activities have been revegetated and stabilised so as to prevent erosion occurring. A detailed maintenance schedule for all landscaping areas associated with the development is to be provided to and approved by the Principal Certifying Authority.

Lighting Requirements

- 74 Prior to the issue of an Occupation Certificate, suitable lighting to internal roads and the 'communal spine' shall be provided in accordance with the requirements of AS/NZS 1158 and AS/NZS 2890.1.

Other Authorities – Compliance Requirements

- 75 Prior to the issue of an Occupation Certificate, the developer must comply with the requirements (including financial costs) of any relevant utility provider (for electricity, water, sewer, drainage, gas, telecommunications, roads, etc) in relation to any connections, works, repairs, relocation, replacements and/or adjustments to public infrastructure or services affected by the development.
- 76 All new services are to be located underground in accordance with Development Control Plan 2005 Chapter 49 – Warnervale East and Wadalba North West.

Plumbing and Drainage - Compliance Requirements

- 77 Prior to the issue of an Occupation Certificate, the required rainwater tank is to be provided in the location as detailed within the approved development plans with suitable plumbing connections provided to collect rainwater from the roof area as detailed within the BASIX Certificate applicable to the development. The required rainwater tank is to be installed in accordance with the requirements of the National Plumbing and Drainage Code AS/NZS 3500 and shall be provided with first flow diversion devices fixed to all inflows and a functioning pressure pump plumbed to service all fixtures as detailed within the BASIX Certificate applicable to the development. The required tank must be controlled in order that supplemental flow from domestic mains does not take place until the capacity of the tank has been reduced to 20%.

- 78 Prior to the issue of an Occupation Certificate, the surcharge gully provided with respect to the development, must be located a minimum of 150mm below floor level and 75mm above the surrounding finished ground level.

Roads – Compliance Requirements

- 79 All works within the public road must be completed in accordance with the approved Civil Works design drawings and Development Control Plan 2005, Chapter 67 - *Engineering Requirements for Development* and be approved by Council as the Roads Authority prior to the issue of any Occupation Certificate.
- 80 The submission to the Council as the Roads Authority of certification from an Accredited Service Provider (ASP) that the street lighting installation has been completed in accordance with AS/NZS 1158 and AS 4282-1997, the approved design drawings and will achieve a minimum of twenty (20) year design life. The certification must be received by Council prior to the issue of the Occupation Certificate.

Stormwater – Compliance Requirements

- 81 Prior to the issue of an Occupation Certificate, stormwater generated from roof areas of the building and any overflows from rain water tanks installed in conjunction with the development, is to be disposed to Council's street gutter drainage system. Where provided, the existing kerb stormwater connection is to be utilised.
- 82 Prior to the issue of the final Occupation Certificate, a 'Restriction on the Use of Land' shall be created on the title of the land restricting any alteration to the on-site stormwater detention system. The terms of the Restriction are to be prepared to Council's standard requirements. Wyong Shire Council shall be nominated as the party to release, vary or modify the restriction.
- 83 Prior to the issue of the final Occupation Certificate, a 'Positive Covenant' shall be created on the title of the land requiring the registered proprietor to ensure the continued maintenance and performance of the on-site stormwater detention structure. The terms of the positive covenant are to be prepared to Council's standard requirements. Wyong Shire Council shall be nominated as the party to release, vary or modify the restriction.
- 84 Prior to the issue of the final Occupation Certificate, Easement for Sewage, Easement for Drainage, Easement for Waste Collection and Easement for Services shall be created on the title of the land as required.
- 85 The original completed request forms (Department of Lands' standard forms 13PC and 13RPA) must be submitted to Council for authorisation. A copy of the work-as-executed plan (details overdrawn on a copy of the approved stormwater management plan) and Civil Engineer's certification must accompany the completed request forms. Documentary evidence of the registration of the Positive Covenant and 'Restriction on the Use of Land' shall be provided to the Principal Certifying Authority prior to the issue of the final Occupation Certificate.

Vehicle Access and Parking – Compliance Requirements

- 86 The vehicle access crossing shall be constructed in accordance with the vehicle access crossing Notice of Determination issued by Council prior to the issue of a Final Occupation Certificate.
- 87 The construction of the carpark and accesses in accordance with AS/NZS 2890. Certification of the construction of the carpark and associated accesses by a suitably qualified consultant shall be provided to the Principal Certifying Authority prior to issue of the Occupation Certificate.

Water and Sewer Services/Infrastructure – Compliance Requirements

- 88 Prior to the issue of an Occupation Certificate, all water and sewer works for the development must be approved by Council as the Water and Sewer Authority.
- 89 The obtaining of a satisfactory final plumbing & drainage inspection advice or Section 307 Certificate of Compliance under the *Water Management Act 2000* for water and sewer requirements for the development from Wyong Shire Council as the Water Supply Authority, prior to issue of the Occupation Certificate. All works for the development must be approved by Council prior to the issue of a Certificate of Compliance.

Work as Executed Requirements

- 90 Prior to the issue of an Occupation Certificate, Works as Executed information for the development as identified in Council's *Civil Works Construction Specification* is to be submitted to and approved by Council. The required Works as Executed information is to be submitted in hard copy and in electronic format in accordance with Council's 'CADCHECK' requirements.

Ongoing Operation:

The following conditions must be satisfied during use / occupation of the development.

Bush Fire Compliance Requirements

- 91 The Asset Protection Zone required to be implemented to the perimeter of the development, must be fuel managed so as to maintain fuel loadings as detailed within Planning for Bushfire Protection Guidelines 2006 (NSW), with the required Asset Protection Zone maintained in perpetuity.

Lighting Spill Requirements

- 92 All external lighting is to be of a type that minimises overspill into retained vegetated areas.

SCHEDULE OF CONTRIBUTIONS

Shire Wide Regional Open Space	\$10,162.49
Shire Wide Cycleway Network	\$20,848.20
Shire Wide Performing Arts Centre & Public Art	\$23,523.45
Shire Wide Administration	\$4,515.36
WWAHT Administration	\$32,151.63
WWAHT - Drainage Works - Catchment B4	\$112,465.95
WWAHT - Drainage Land - Catchment B4	\$37,196.89
WWAHT - Open Space Land	\$174,814.00
WWAHT - Community Facilities Land	\$12,220.38
WWAHT - Studies	\$5,063.52
WWAHT - Open Space Works	\$214,123.49
WWAHT - Community Facilities Works	\$218,846.53
WWAHT - Roads	\$460,979.16

Attachment

DCP 2005 Chapter 64 – Multiple Dwelling Residential Assessment Table

	REQUIREMENT	PROPOSED	COMPLIANCE
2.0 APPLICATION REQUIREMENTS			
Required Information	Required information submitted?	Adequate information provided	Yes
Services	Any impact on drainage, water or sewer?	Adequate services available	To be conditioned
	Kerb and guttering existing?	Part of site has kerb and guttering.	To be conditioned
3.0 CONTEXT			
Site and Local Context Analysis	Submit site and contextual analysis	Site and contextual analysis submitted.	Yes
4.0 SCALE			
Residential Development by Zone	Compatible with objectives of the zone 2(e)	2 storey dwellings consistent with zone objectives.	Yes
Building Height	Generally 2 storey and 7metres (to ceiling)	Single and 2 storey dwellings proposed. Heights to ceiling are generally 7 m or less.	Yes
Site Coverage	Minimum 25% site area as 'soft' landscaping. Site area for residential development is 17,384m ² , requiring a soft landscaped area of 4,346m ²	>4,346 m ²	Yes
5.0 BUILT FORM			
Construction and Appearance	Respond sensitively to context in terms of scale, functionality and sustainability.	Single and two storey dwellings of appropriate scale.	Yes
Building Design	High architectural quality	Architect designed development.	Yes
	Facades to be articulated in length and height.	Facades articulated in length and height.	Yes
	Garages not to dominate street elevations.	Range of single and double garages along Mataram Rd frontage to reduce dominance of garages.	Yes
	Suitable architectural features to provide visual relief and to minimise bulk and scale.	Varied designs, heights, roof pitches, colours and materials proposed.	Yes
Roof Design	Relate roof design to desired built form and the size and scale of the building.	Various pitched roof designs are proposed, which is consistent with nearby residential development.	Yes
	Minimise intrusiveness of service elements.	No service elements proposed.	N/A
	Roof terraces to be setback from building edge.	None proposed.	N/A
Cut and Fill	Minimise cut and fill by stepping building.	Dwellings stepped, although cutting still required due to slope of	Yes

		land.	
Building Lines			
Setbacks			
<i>Front</i>	6m		No
<i>Side</i>	0.9m		Yes
<i>Side</i>	0.9m		Yes
<i>Rear</i>	4.5m		Yes
Car Parking			
Resident Parking	As per section 13.0	-	-
Visitor Parking	As per section 13.0	-	-
Vehicular Access Design	Minimum driveway pavement width 3.5m for developments 5+ dwellings.	Suitable driveway proposed.	Yes
	Driveway offset 2m from side boundary at front boundary, may taper back to 0.5m at front building line	Appropriate setback and landscaping proposed.	Yes
	Screening cars from view of street and building	No parking within the front setback.	Yes
Pedestrian Access Design	Clear pedestrian access to development	Separate pedestrian access provided.	Yes
	Consider public through-site access ways in larger developments.	Footpaths provided through site.	Yes
6.0 DENSITY			
Floor Space Ratios	2(e) zone = 0.6:1	0.49:1	Yes
7.0 SUSTAINABILITY			
BASIX	BASIX Certificate.	Submitted	Yes
Waste Management	WMP submitted.	Ongoing waste collection adequately addressed.	Condition requiring WMP for construction stage.
	Location of bins to be accessible and not visually intrusive.	Storage of bins within curtilage of each dwelling.	Yes
	Method of collection.	Individual wheelie bins collected from Mataram Rd and within site.	Yes
Stormwater Management	SWMP submitted	Stormwater Plan submitted.	Yes, subject to conditions.
8.0 LANDSCAPE			
Landscape Design	Category 3 Landscape design.	Landscape Plan submitted by category 2E consultant.	Condition requiring category 3 landscape design.
Deep Soil Zones	50% of required 'soft' landscaped area to be deep soil = 2,173m ² .	>2,173 m ² provided. No basement proposed.	Yes
Street Trees	2 semi advanced trees per 15 m frontage = 16 trees.	16 street trees proposed.	Yes
9.0 AMENITY			
Private Open Space	Grade not to exceed 1:14	Site to be cut to create level courtyards.	Yes
	45m with minimum dimension 4.5m directly accessible from general living areas.	49 units comply with minimum 45 m ² . 11 units range from 40 m ² to 44.7 m	No
Communal Open Space	Not required for villa and townhouse developments.	N/A	N/A

Solar Access	All dev to have 75% of each req o/space to have unobstructed sunlight for minimum 3 hours between 9.00 am and 3.00pm June 21.	15 dwellings do not receive sufficient sunlight to dedicated private open space	No
	Shadow diagrams to be submitted for 2+ storeys. Development not to unreasonably impact adjoining properties.	Adjoining properties not unreasonably impacted.	Yes
Privacy	Building layout (windows, balconies, screening & l/scaping) to min direct o/looking of internal living areas & private o/space.	Window layout has had regard for privacy between dwellings. No upper level balconies are proposed.	Yes
Acoustic Privacy	Site layout should separate active rec areas, parking areas, vehicle access ways etc from bedrooms.	Site and floor layout acceptable.	Yes
Views	Minimise loss of views.	No unreasonable loss of views.	Yes
	Public views and vistas retained.	No public views or vistas affected.	N/A
10.0 SAFETY AND SECURITY			
Crime Prevention	Crime Risk Assessment (CPTED)	Crime prevention measures incorporated into design and through conditions of consent.	Subject to conditions.
11.0 SOCIAL DIMENSIONS			
Housing Choice	Mix of 1, 2 and 3 bedroom units	A mix of 1, 2, 3 and 4 bedroom units are proposed.	Yes
	10% of units to be suitable for adaptation for disabled/elderly persons.	6 dwellings are adaptable.	Yes
Facilities and Amenities	Each dwelling to have individual laundry.	Each dwelling has a laundry	Yes
	Car wash facility 5m x 2.7m, drain to grassed common area, may be a visitor space	Car washing can be incorporated into visitor spaces.	Yes
	Mailboxes	Subject to Australia Post requirements.	To be conditioned.
	Storage: 1-2 beds - 3m ² 3+ beds - 6m ²	Built in wardrobes and linen cupboards proposed.	Yes
12.0 AESTHETICS			
Fencing	Details to be provided. Max 1.2 m along front boundary.	No front fencing proposed.	N/A
	1.8 around courtyards	Courtyard fencing proposed.	Yes
	Courtyard fencing only in front setback (cat B road) to optimise solar access. Must be no closer than 1.5m from front boundary and 1.5m must be landscaped	N/A	N/A
Streetscape	Development is to enhance streetscape	Acceptable streetscape.	Yes

	character.		
	Provide separate entry from street for pedestrians and cars	Separate footpaths are provided throughout the development.	Yes
13.0 ADDITIONAL PROVISIONS FOR SPECIFIC AREAS			
Warnervale East / Wadalba Northwest			
13.1.1 Site Requirements	Design to optimise solar access and lot orientation; be consistent with the appearance of the streetscape - the scale, spacing, setbacks and landscaping of buildings; and positively enhance the streetscape.	Orientation acceptable toward street and common areas. Scale is acceptable being 2 storey.	Variation to solar access proposed.
	Minimum site area of 1,000m ² .	Site area >1000 m ²	Yes
	Minimum frontage of 20 metres.	Frontage > 20 m	Yes
13.1.2 Building Height	2 storey height limit to buildings adjacent to boundaries	2 storey dwellings proposed.	Yes
	A building located in the rear 25% area of the site shall not exceed 1 storey in height.	2 storey dwellings are proposed.	No. Considered acceptable given no residential development immediately to rear of site and communal open space, APZ and fire trail are proposed between development and adjoining dwelling.
13.1.3 Car parking	1 garage space per 1 bedroom dwelling; 2 garage spaces per 2 or 3 bedroom dwelling; 1 additional garage space per bedroom above 3 bedrooms; and	120 garages required. 80 garages proposed plus 41 uncovered spaces.	No
	1.0 visitor space per dwelling	60 spaces required. 12 proposed.	No
13.1.4 Siting and Streetscape	a Each private open space shall receive at least 3 hours of unobstructed sunlight between the hours of 9 am and 3 pm on June 21 (winter solstice). Private open spaces should be located on the northern side of buildings to maximise solar access.	15 dwellings do not receive sufficient sunlight to dedicated private open space.	No
	b Council will require submission of shadow diagrams to demonstrate compliance with the requirement above.	Submitted.	Yes

	c Private open spaces may be enclosed by 1.8 metre high solid screen fencing.	Fencing to be provided.	Yes
	d Private open spaces shall only be permitted within the front building setback on Category A roads where it is desirable to provide screening from noise and traffic. Such development may only be permitted on Category B roads where it is Council's opinion that screening is essential to maintain amenity.	N/A	N/A
	e Where courtyards in the front setback are permitted, these shall be located behind a suitably landscaped area with a minimum width of 1.5 metres to the front boundary. Such landscaping shall be maintained at all times to Council's satisfaction: maintenance may include requiring replacement planting from time to time.	N/A	N/A
13.1.5 Courtyards	a Each dwelling in a residential flat development shall have external private open space with a minimum area of 75 m ² and a minimum dimension of 4.5 metres. Wherever a dimension is less than 4.5 metres, it will not be counted as part of the calculation for a courtyard area.	Variation proposed to consider 45 m ² areas of private open space as applicable to other areas within the Shire.	No
13.1.6 Fencing	a Fencing should match the appearance of the dwellings and must be masonry combined with other suitable decorative materials. Fencing details shall be submitted with the development application.	No front fencing proposed.	No front fencing proposed.
	b For corner allotments, no fences, structures or landscaping extending 1 metre in height shall be located within the triangle formed by a sightline 12 metres x 6 metres from the intersection of the two street boundary lines.	Not a corner allotment	N/A

13.1.7 Landscaping	All residential flat development in the Warnervale East and Wadalba West is considered Category 3 development for the purpose of landscaping, and must satisfy the requirements for Category 3 development under Council's Landscape Policy L1.	Category 2E landscape plan submitted.	Condition for Category 3 landscape plan.
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LOCALITY PLAN (NTS)



AERIAL PLAN (NTS)

Rev	Description
A	11.10.12
	10-S146E-100-04

- Notes:**
1. Refer to accompanying site plan, Section 1 and 2 of the Development Application for more details.
 2. All dimensions are in metres unless otherwise stated.
 3. Easement dimensions shall be as shown on the relevant title plan.
 4. Subject to other site specific conditions and requirements of the Council, the site is to be developed in accordance with the relevant zoning and the relevant provisions of the Local Government Act 1993.
 5. All dimensions are to be measured to the centre of the road unless otherwise stated.

North Point and Key Plan:
 C - REFERENCE CASUALTY



Thrum
 LAND SPECIALISTS PTY LTD
 10/110 MATARAM ROAD
 HAWAITHA
 0800 888 888
 www.thrum.co.nz

Client:
LAND SPECIALISTS PTY LTD

Project:
MATARAM HEIGHTS TOWNHOUSES ESTATE
 147-160 MATARAM ROAD
 HAWAITHA 3100, NZ

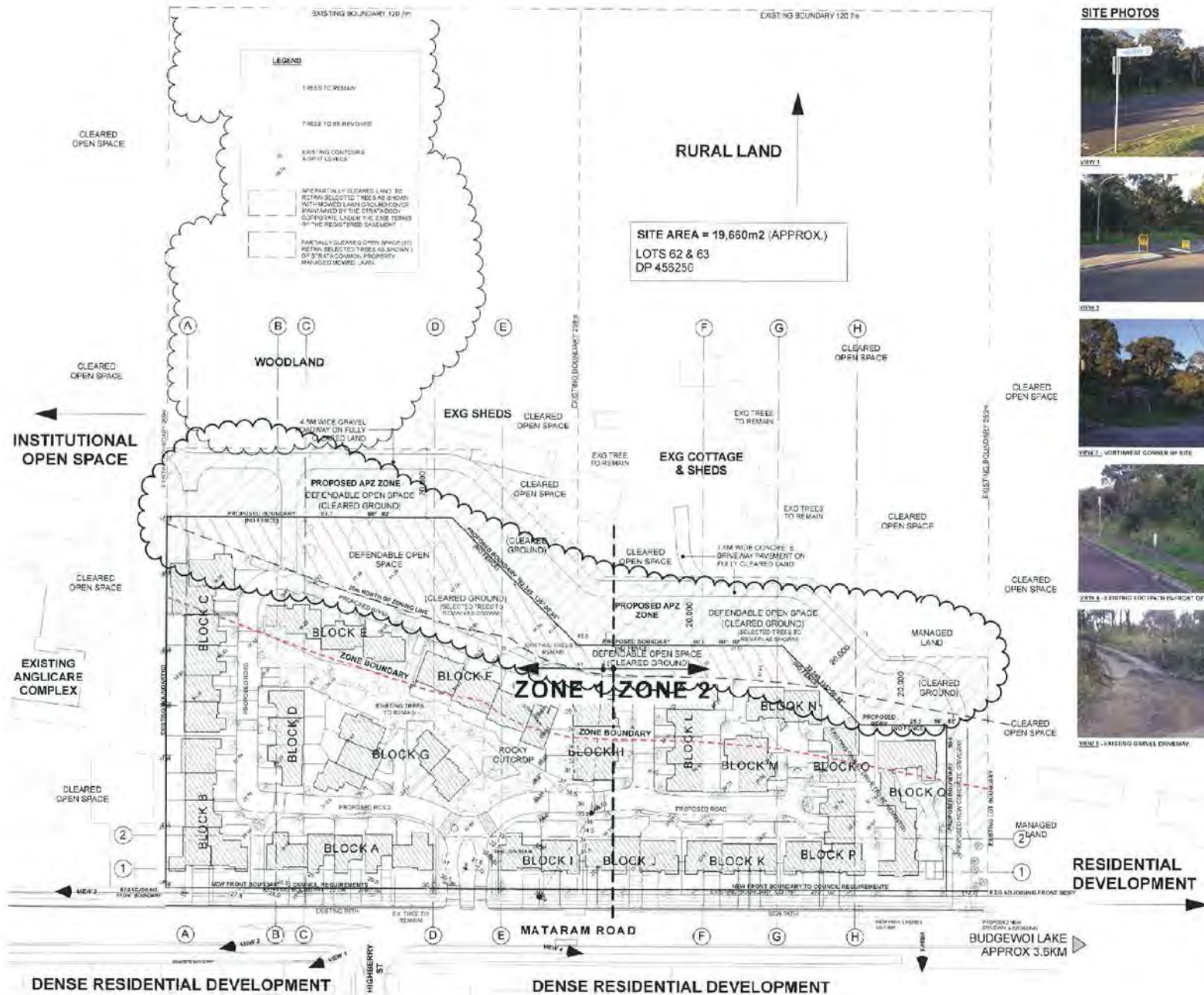
Site Name:
LOCALITY PLAN / AERIAL VIEW

Scale:
 1:1000

Date:
 10/10/12

Project No:
 13023

Page No.:
 DA-09.1A



SITE PHOTOS



Rev	Description
A	ISSUED FOR SA
B	ISSUED FOR APPROVAL
C	FOR REVIEW ONLY. THIS PLAN IS NOT TO BE USED FOR CONSTRUCTION.

- Notes
1. All dimensions are in meters unless otherwise stated.
 2. All dimensions are to the centerline of the road unless otherwise stated.
 3. All dimensions are to the centerline of the road unless otherwise stated.
 4. All dimensions are to the centerline of the road unless otherwise stated.
 5. All dimensions are to the centerline of the road unless otherwise stated.

North Point and Ray Mark:
C - APPROX CARSPACE



thrum
LAND SPECIALISTS PTY LTD

Project: MATARAM HEIGHTS TOWNHOUSES ESTATE
141-143 Mataram Road
MARRAMBLE VIC 3170

Overall Site Plan

Rev	Description
A	ISSUED FOR APPROVAL (FOR APPROVAL)
B	ISSUED FOR APPROVAL (FOR APPROVAL)
C	ISSUED FOR APPROVAL (FOR APPROVAL)



TOWNSCAPE VIEW LOOKING NORTH EAST TOWARD SITE FROM SOUTH END OF HIAWATHA ROAD

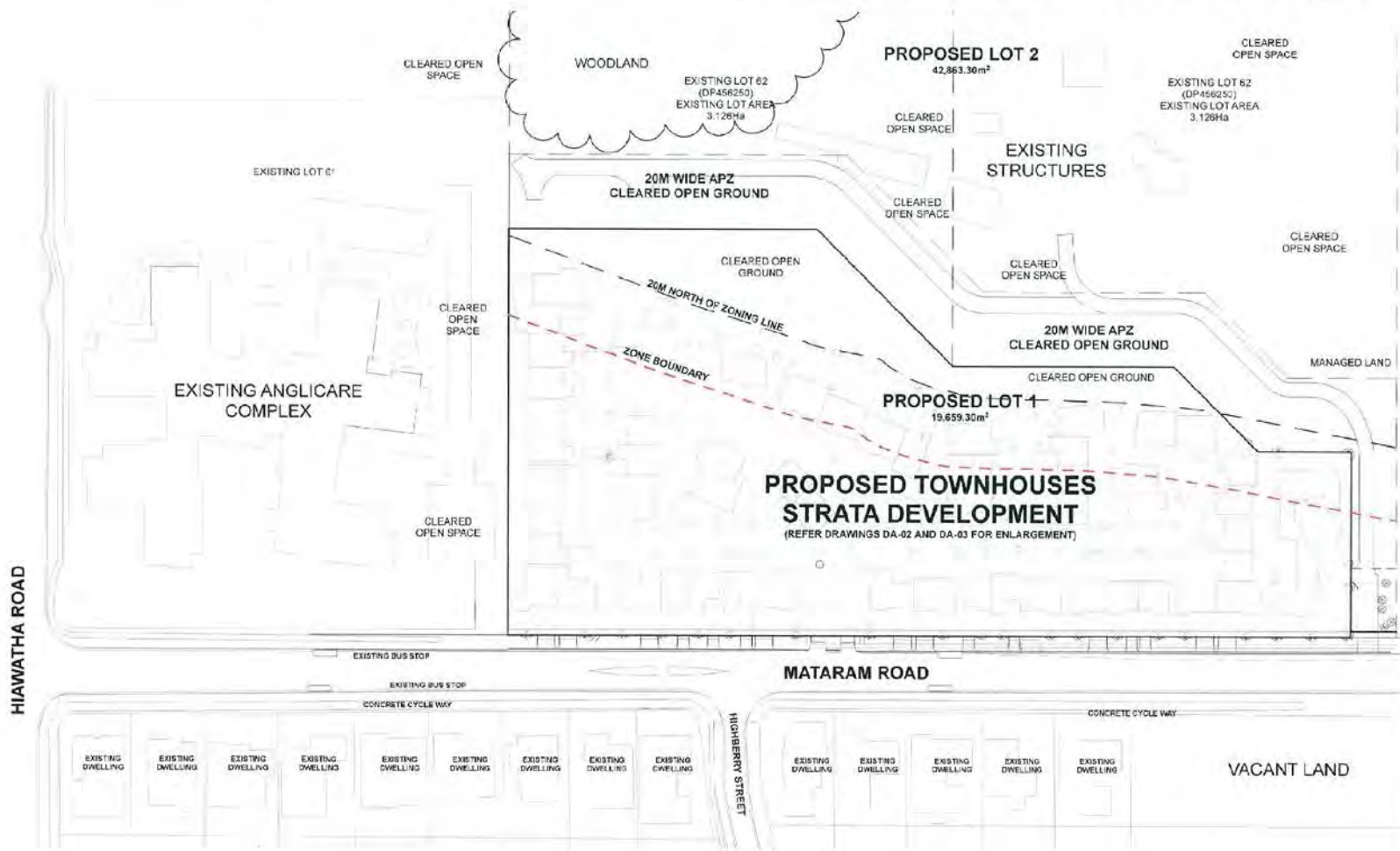


FRONT ENTRANCE OF ANGLICARE NORTH WEST TOWARD FROM SOUTH SIDE OF MATARAM ROAD



LOOKING WEST ALONG MATARAM ROAD, NEAR INTERSECTION OF HIGHBERRY ST

No.	Date	Revised/Amended
A	28/04/15	ISSUED FOR CA
B	08/09/15	REVISED FOR INFORMATION
C	03/11/15	REVISED FOR CA



- Notes:
1. Please understand any work. Engineer/Contractor shall ensure all work complies with the relevant standards.
 2. All work shall be done in accordance with the relevant standards.
 3. All work shall be done in accordance with the relevant standards.
 4. All work shall be done in accordance with the relevant standards.

North Point and Key Plan
 (C) - APPROXIMATE



LAND SPECIALISTS PTY LTD

Project: MATARAM HEIGHTS TOWNHOUSES ESTATE
 147-155 Mataram Road
 Mataram 545, QLD

Plan Name: PRECINCT PLAN

Plan No.	Date
13023	03/11/15
For Approval	DA-02



Ref	Item	Description
A	100410	ISSUED FOR CA
B	100410	ISSUED FOR IMPROVEMENTS
C	101010	ISSUED FOR IMPROVEMENTS - P.L. 2.0 RATED ADAPTIVE
D	101410	ISSUED FOR IMPROVEMENTS - P.L. 2.0 RATED TEN PLANTS ACCESS
E	101510	ISSUED FOR IMPROVEMENTS - P.L. 2.0 RATED TEN PLANTS ACCESS
F	101610	ISSUED FOR IMPROVEMENTS - P.L. 2.0 RATED TEN PLANTS ACCESS

- Notes:
1. Points concerning this plan: Refer to the plan sheet - 100410 - 101610 for any further notes.
 2. Refer to the plan sheet - 100410 - 101610 for any further notes.
 3. Refer to the plan sheet - 100410 - 101610 for any further notes.
 4. All measures and dimensions shall be taken to the face of the building unless otherwise specified.
 5. All measures and dimensions shall be taken to the face of the building unless otherwise specified.



LAND SPECIALISTS PTY LTD

MATARAM HEIGHTS TOWNHOUSES ESTATE
147-153 Mataram Road
Perth, WA 6000

GROUND FLOOR GENERAL ARRANGEMENT - WEST ZONE

Project: MATARAM HEIGHTS TOWNHOUSES ESTATE
147-153 Mataram Road
Perth, WA 6000

Drawn: [Name]
Checked: [Name]
Date: 10/01/2024
Scale: 1:200 (A1)
Sheet: 10 of 10

Project No: 13023
Date: DA-06
Rev: E



No.	Description
A	100% FLOOR PLAN
B	100% FLOOR PLAN
C	100% FLOOR PLAN
D	100% FLOOR PLAN
E	100% FLOOR PLAN

- Notes:**
1. Please refer to the site plan for details of the site boundaries and easements.
 2. Please refer to the site plan for details of the site boundaries and easements.
 3. Please refer to the site plan for details of the site boundaries and easements.
 4. Please refer to the site plan for details of the site boundaries and easements.
 5. Please refer to the site plan for details of the site boundaries and easements.



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LAND SPECIALISTS PTY LTD

MATARAM HEIGHTS TOWNHOUSES ESTATE
 141-143 Mataram Road
 MATARAM, NT

Rev	Date	By	Checked
1	12/08/23	DA-05	D



1 Mitaram Road Elevation



Rev. No. A
Date 11.11.17
Description DEVELOPMENT

- Notes**
1. Plans to be used for engineering work. Builders Contractor shall advise of any changes and the DA will be amended.
 2. Elevation is for planning purposes only. It is not a construction drawing.
 3. Elevation is for planning purposes only. It is not a construction drawing.
 4. All dimensions are in millimetres unless otherwise stated.
 5. All dimensions are in millimetres unless otherwise stated.
 6. All dimensions are in millimetres unless otherwise stated.

North Point and True Pos. ARROW CASEFACE



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1000 Bourke St Melbourne VIC 3000
Tel: 03 9439 1111
www.thrum.com.au

LAND SPECIALISTS PTY LTD

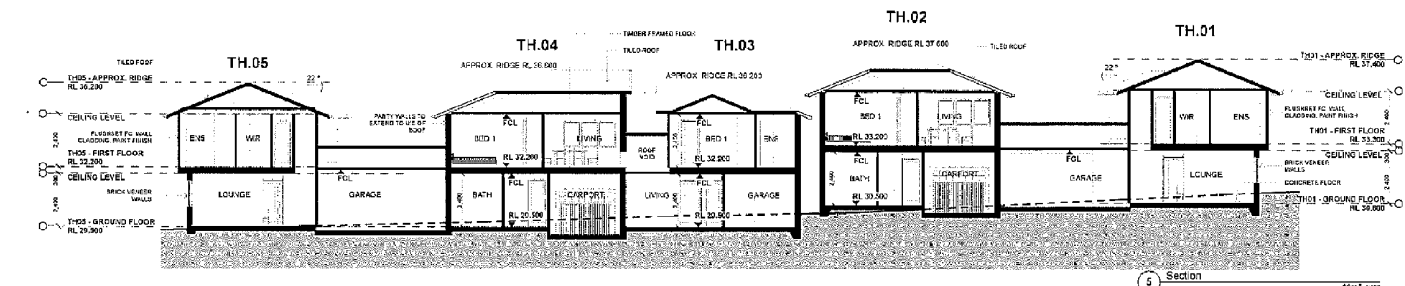
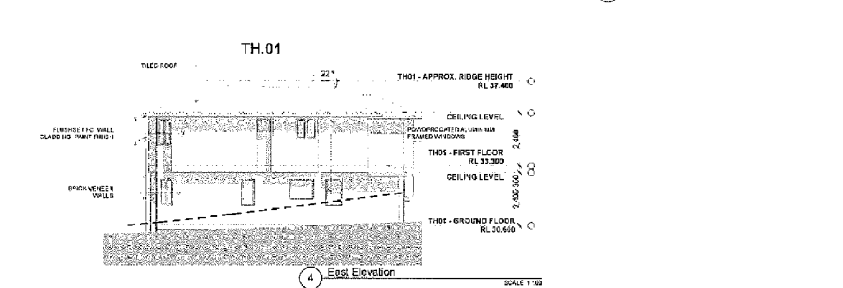
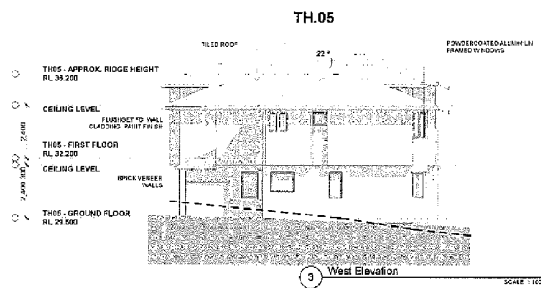
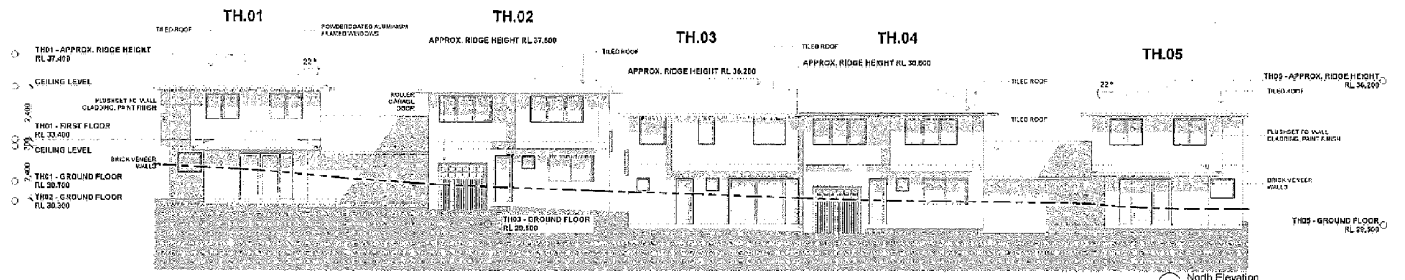
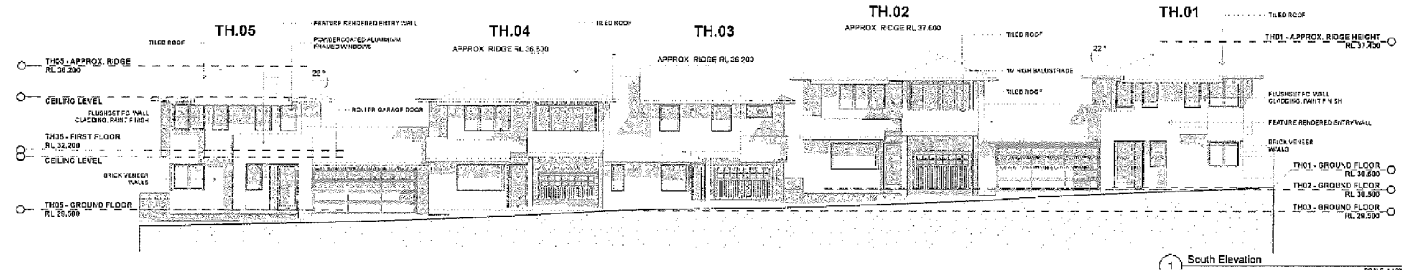
MATARAM HEIGHTS TOWNHOUSES ESTATE
1-41 100 Mitaram Road
Boronia VIC 3162

STREET ELEVATION

Drawn: [Name]	Scale: [Scale]
For: APPROVAL (NOT FOR CONSTRUCTION)	
Date: 10/11/17	Drawn: [Name]
Project No: 15023	Rev: DA-291 A



Coloured Elevation



Rev	Date	Description
A	08.01.11	ISSUED FOR EA
B	16.09.11	RE ISSUED FOR EA

- Notes:
1. Refer to approved site plan, Urban Development plan - SEE SECTION 1000 FOR MORE DETAILS.
 2. Confirm all existing site conditions before construction.
 3. Refer to approved site plan for all details and measures to be taken.
 4. All works to be carried out in accordance with the relevant standards and codes of practice.

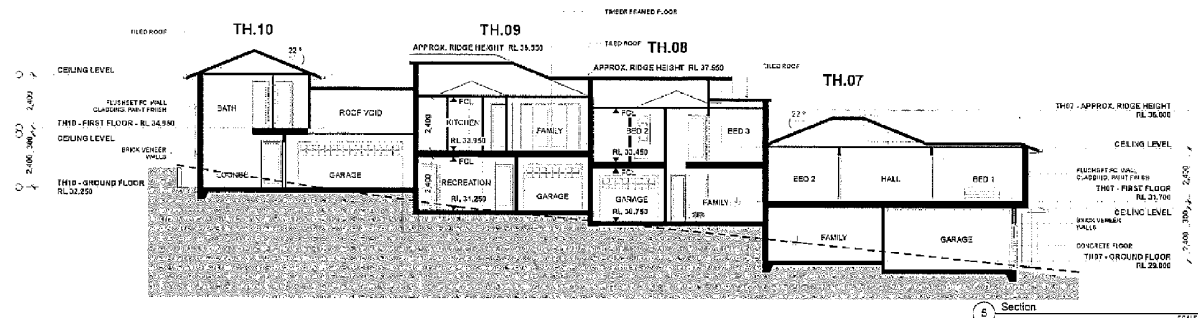
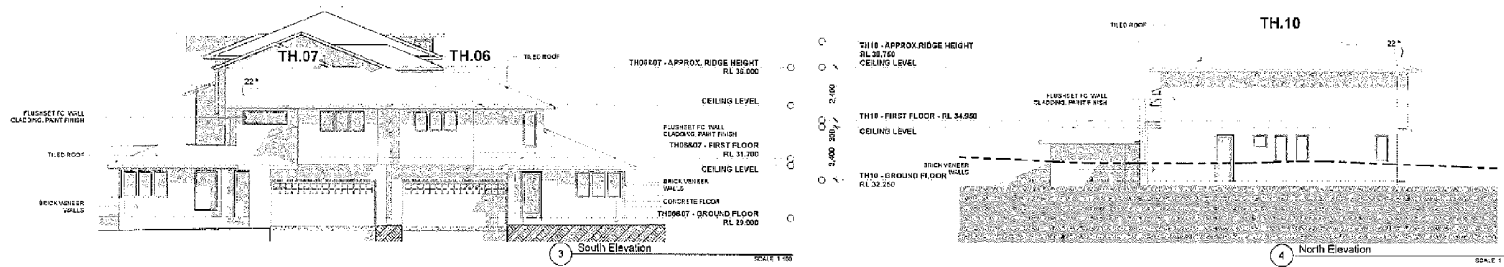
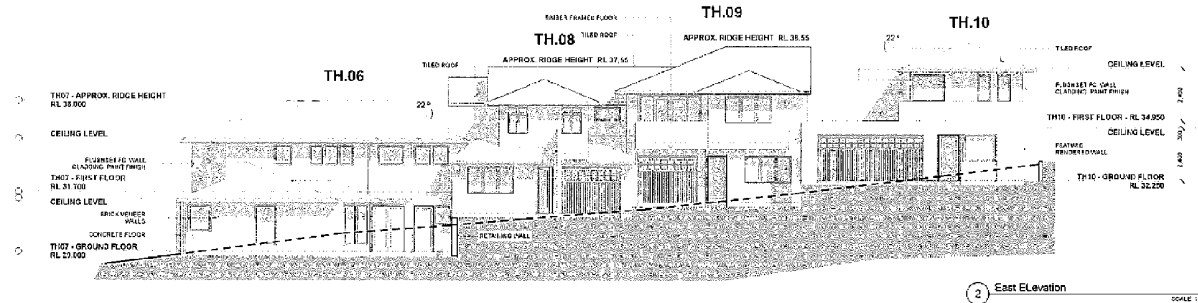
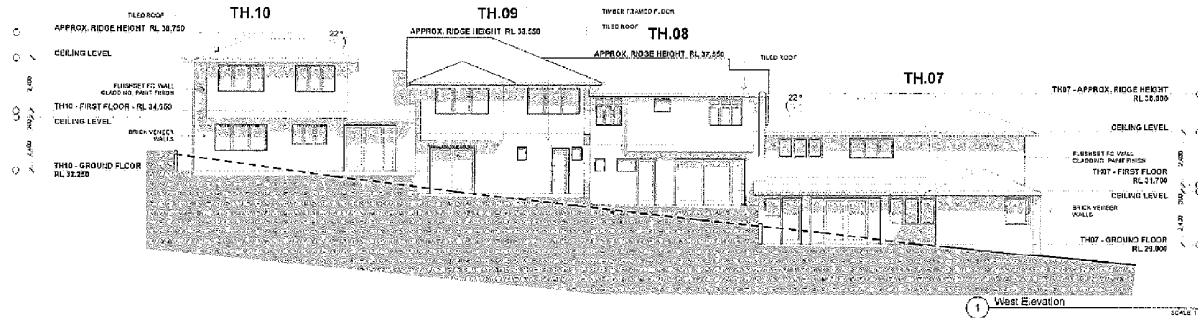
Drawn by: [Name]
Checked by: [Name]
Approved by: [Name]



MATARAM HEIGHTS TOWNHOUSES ESTATE
147-150 Mataram Road

Project Name: Building Block A - Elevations & Sections

Drawn by:	Checked by:	Approved by:
Date:	Scale:	Sheet:
15/10/13	G.A.I.	1 of 1



Proj	13023	Mataram
Drawn	A	13/06/13
Checked	B	18/10/13

- Notes:
1. All areas are to be finished to the satisfaction of the Council. The Council reserves the right to require any alterations to be made to the design of the development.
 2. All areas are to be finished to the satisfaction of the Council. The Council reserves the right to require any alterations to be made to the design of the development.
 3. All areas are to be finished to the satisfaction of the Council. The Council reserves the right to require any alterations to be made to the design of the development.
 4. All areas are to be finished to the satisfaction of the Council. The Council reserves the right to require any alterations to be made to the design of the development.

North Point and Key Plan:



MATARAM HEIGHTS TOWNHOUSES ESTATE

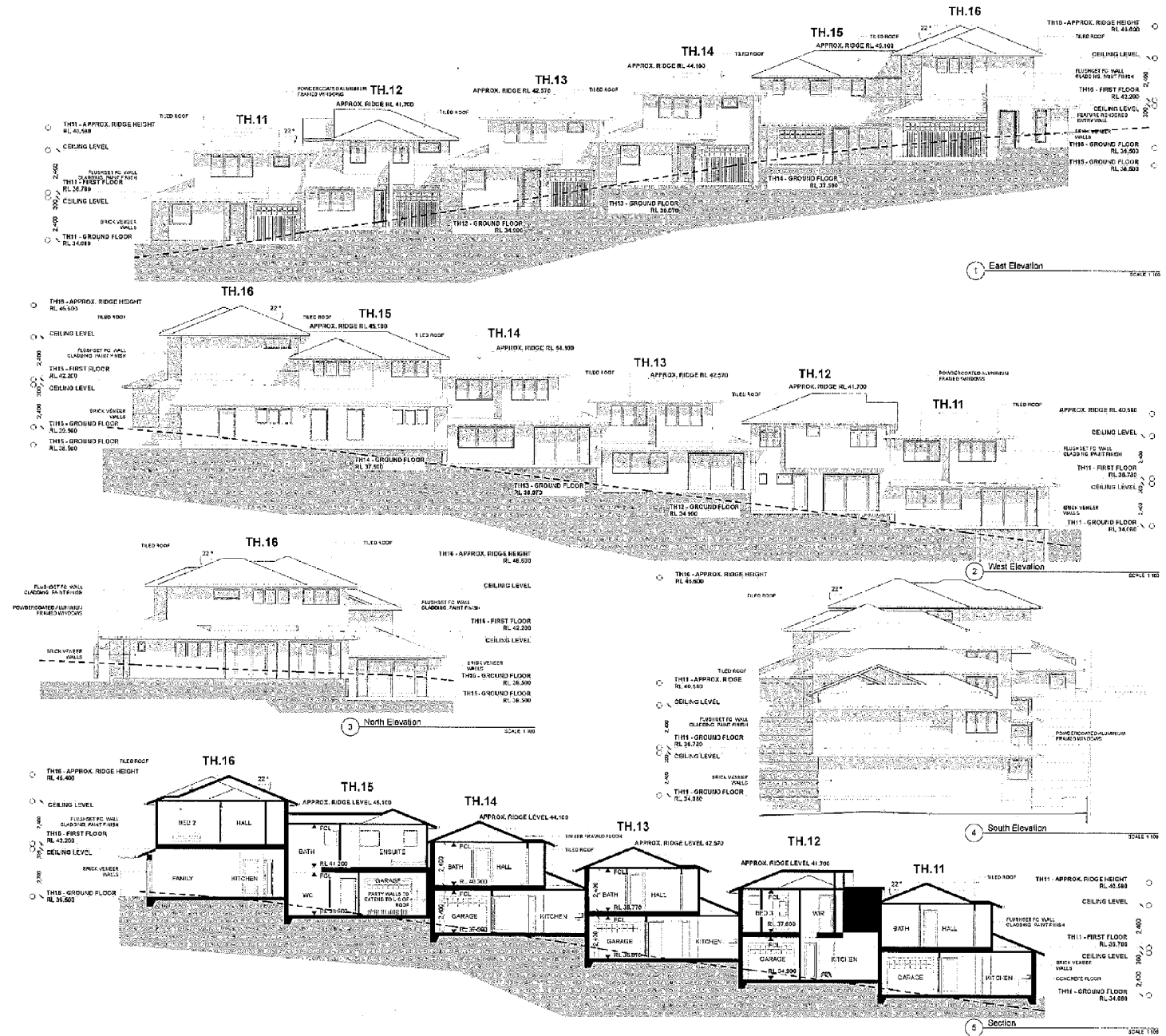
147 MATARAM RD
MOUNTAIN VIEW, TASMANIA

Project Name: **Building Block B - Elevations & Sections**

Project No: **13023**

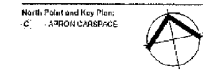
Drawn: **SAI**
Checked: **SAI**
Date: **13/06/13**

Project No: **13023** Draw No: **DA-106 B**



Rev	Date	Rev	Reason
A	19/11/11	1	ISSUED FOR OA
B	15/11/11	0	FOR COMMENTS FROM OA

- Notes:
1. Refer to corresponding section. Building to be constructed in accordance with the Building Code of Australia (BCA) 2011.
 2. Floor joists to be supported by 400mm x 400mm concrete columns.
 3. Quality of construction to be in accordance with the Australian Standard AS/NZS 4576:2001.
 4. All construction to be in accordance with the Australian Standard AS/NZS 4576:2001.



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MATARAM HEIGHTS TOWNHOUSES ESTATE

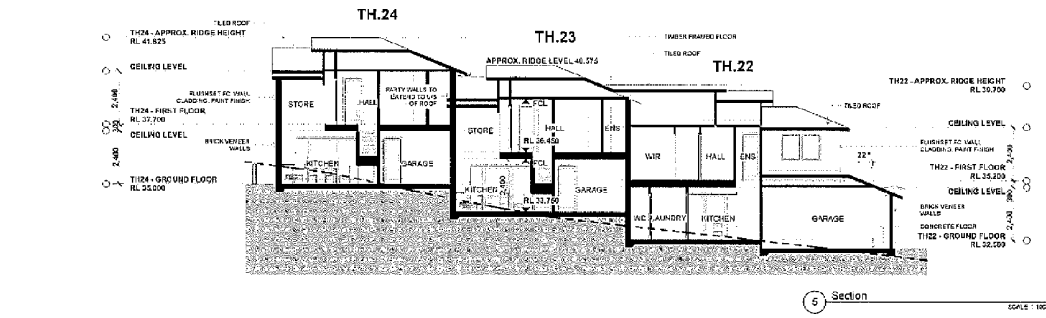
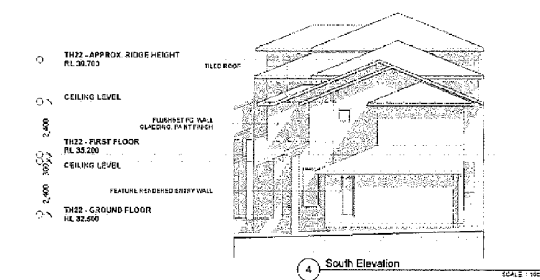
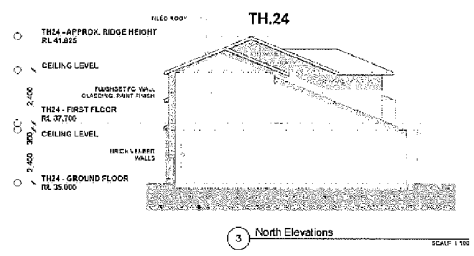
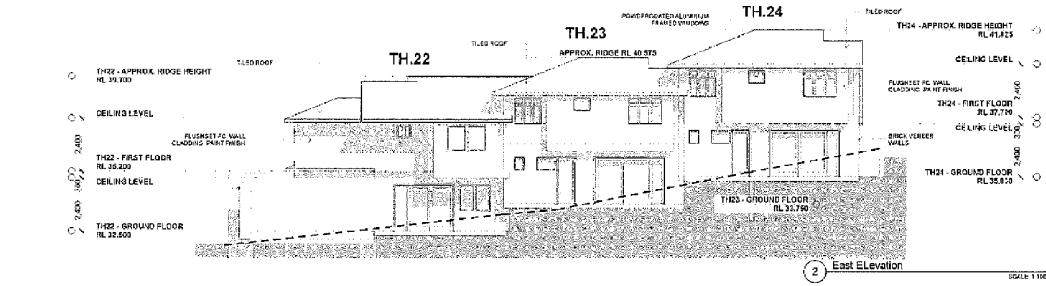
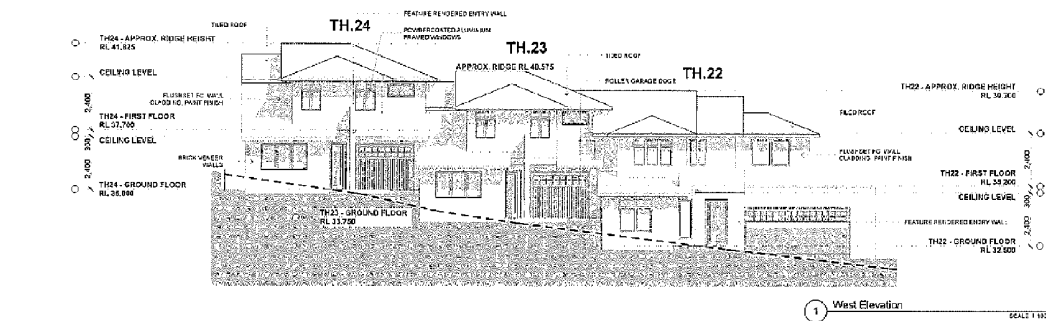
147-169 Mataram Road
 Mataram NSW 2232

Project Name: Building Block C - Elevations & Sections

For Approval (OFFICE CONSULTATION)

Date: 15/11/11
 Rev: 01
 Drawn: T. King
 Checked: S. King

Project No: 13023
 Drawn By: DA-111/B



Rev	Date	Description
A	13/01/15	ISSUED FOR DA
D	15/11/15	REVISED FOR DA

- Notes:
1. Refer to accompanying report. Builders to verify all work is done in accordance with the approved plans.
 2. Confirm all work is done in accordance with the approved plans.
 3. Builders to obtain and verify all work. All work must be done in accordance with the approved plans.
 4. All materials and construction to be done in accordance with current standards and approved specifications and standards.

North Point and Key Plan:
 Ⓢ - NORTH
 Ⓢ - SOUTH
 Ⓢ - EAST
 Ⓢ - WEST

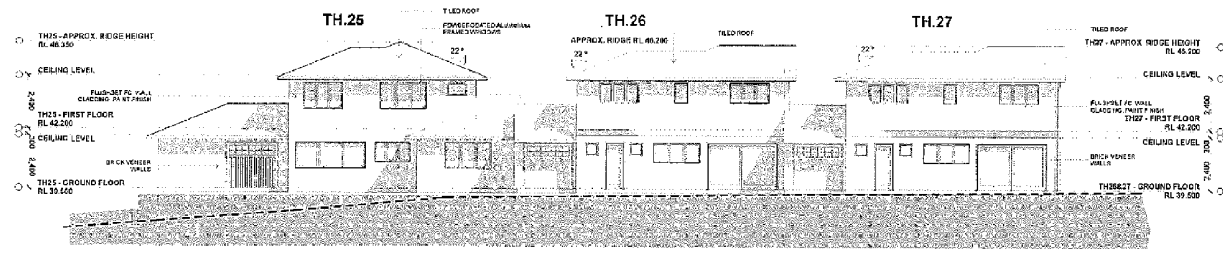


LAND SPECIALISTS PTY LTD

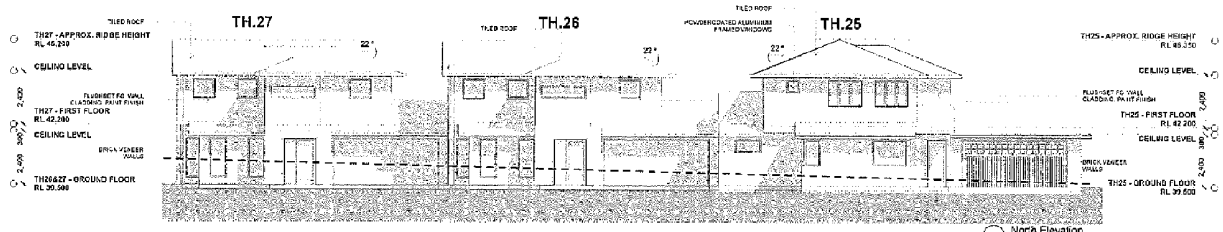
MATARAM HEIGHTS TOWNHOUSES ESTATE
 147-160 Mataram Road
 Mataram, NT 0822

Project: Building Block D - Elevations & Sections

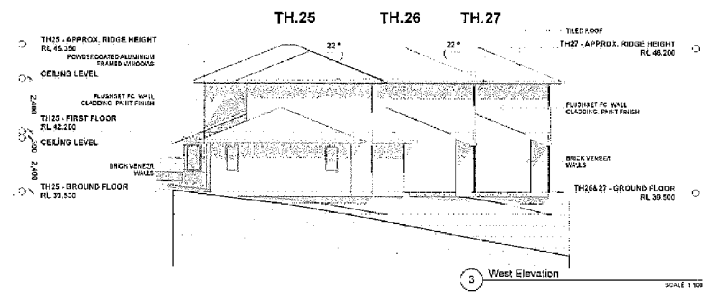
Project:	13023	Rev:	DA-116 B
Date:	15/11/15	Scale:	A4
Author:	G.A.	Client:	THS
Checker:	G.A.	Project:	DA-116 B



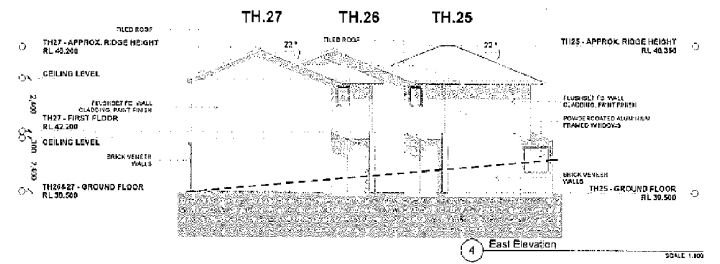
1 South Elevation SCALE 1:50



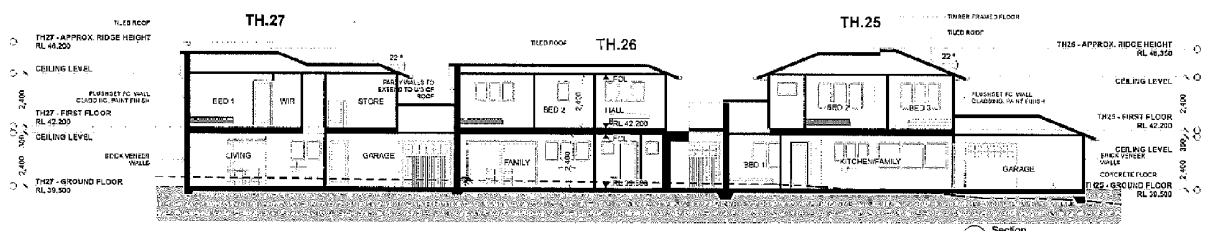
2 North Elevation SCALE 1:50



3 West Elevation SCALE 1:50



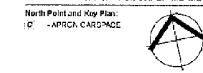
4 East Elevation SCALE 1:50



5 Section SCALE 1:50

Rev	Desc	Drawn
1	24/11/15	AS/DF FOR DA
2	18/10/15	REV. DRAWING FOR DA

- Notes:
1. Floor to ceiling height is shown. Under construction of all work must be done in accordance with the relevant standards.
 2. All work must be done in accordance with the relevant standards.
 3. All work must be done in accordance with the relevant standards.
 4. All work must be done in accordance with the relevant standards.

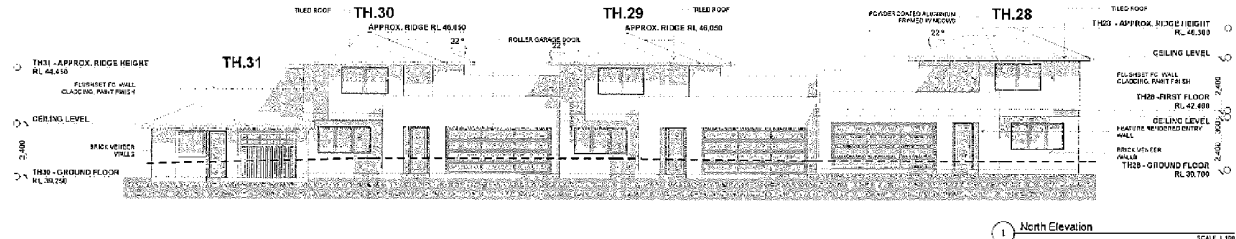


LAND SPECIALISTS PTY LTD

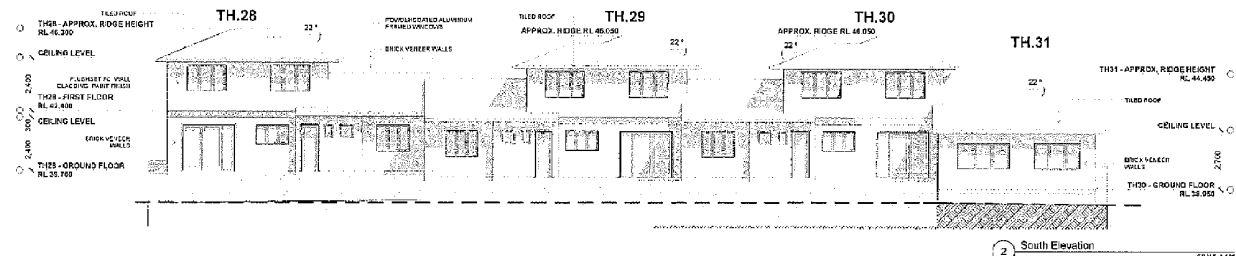
Project: **MATARAM HEIGHTS TOWNHOUSES ESTATE**
 147-169 Mataram Road
 (Maitland) NSW 2323

For Approval: **Building Block E - Elevations & Sections**

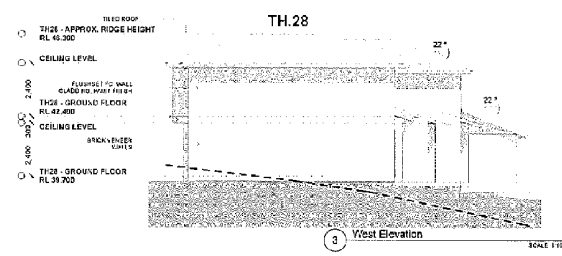
Drawn: [Name] Date: [Date]
 Checked: [Name] Date: [Date]
 Project No: **13023** Drawn: [Name] Date: [Date]



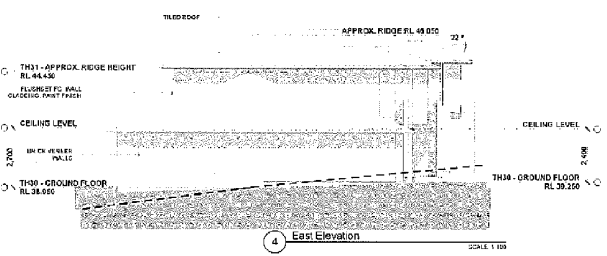
1 North Elevation SCALE 1:100



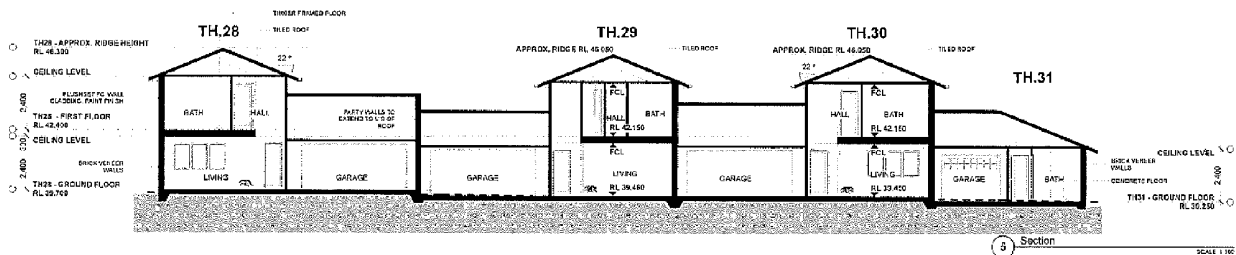
2 South Elevation SCALE 1:100



3 West Elevation SCALE 1:100



4 East Elevation SCALE 1:100



5 Section SCALE 1:100

Ref	Desc	Description
A	100411	ISSUED FOR CA
B	100412	RE-COMPLETED

- NOTES:
1. Please refer to the site plan for the location of the building.
 2. All dimensions are in millimetres unless otherwise stated.
 3. All levels are in RL unless otherwise stated.
 4. All materials to be used in the construction of the building shall be of a standard not less than that specified in the relevant Australian Standards.
 5. The building shall be constructed in accordance with the relevant Australian Standards.
 6. The building shall be constructed in accordance with the relevant Australian Standards.



Prepared by: **thrum** architects

147-189 Mission Road
Geelong VIC 3220

thrum architects
147-189 Mission Road
Geelong VIC 3220
Phone: 03 5241 1111
www.thrumarchitects.com.au

LAND SPECIALISTS PTY LTD

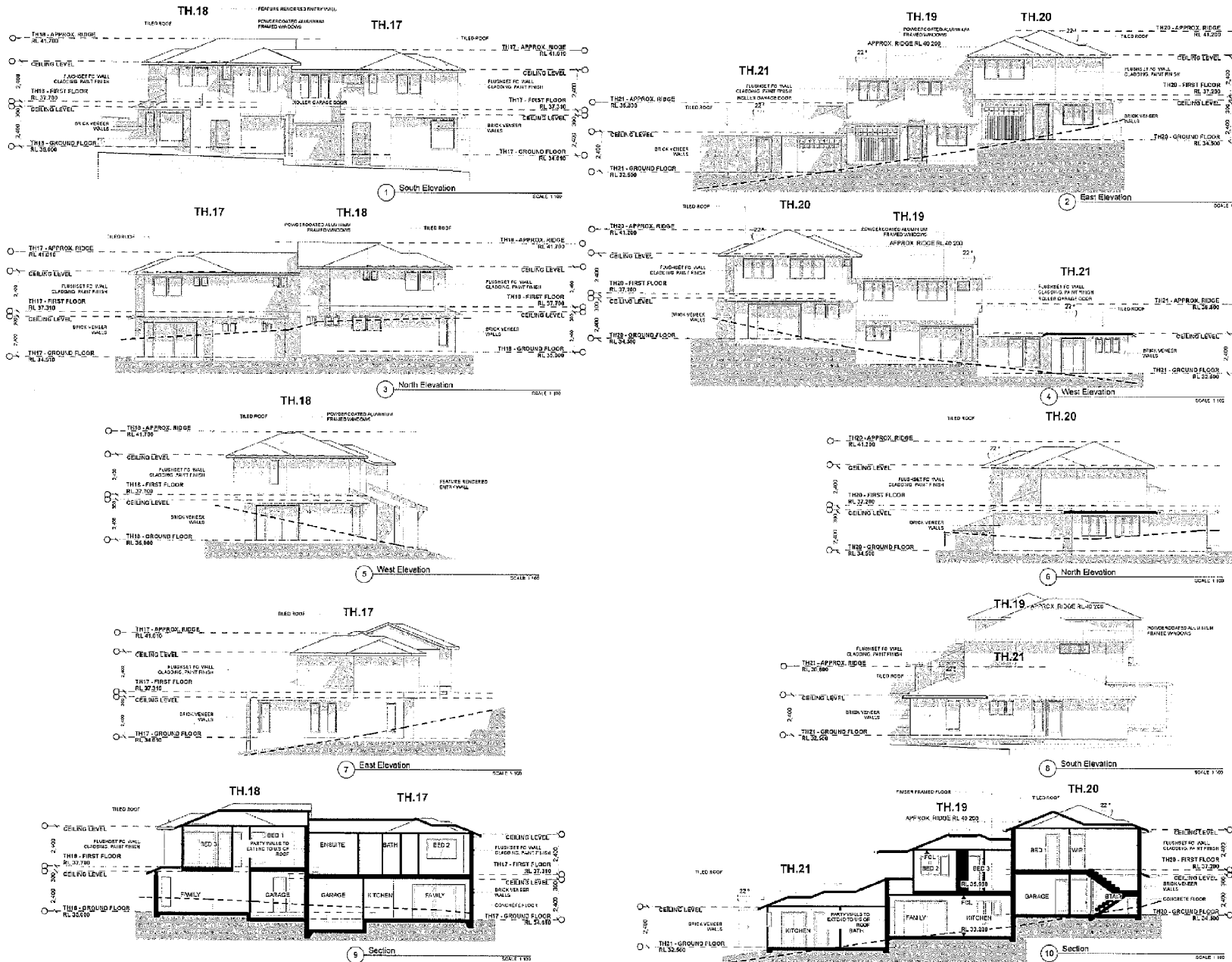
MATARAM HEIGHTS TOWNHOUSES ESTATE

147-189 Mission Road
Geelong VIC 3220

Project: **Building Block F - Elevations & Sections**

Drawn by:	Checked by:
10/10/13	GA1
Scale:	Date:
1:100	10/10/13

Project No: **13023** Draw No: **DA-126 B**



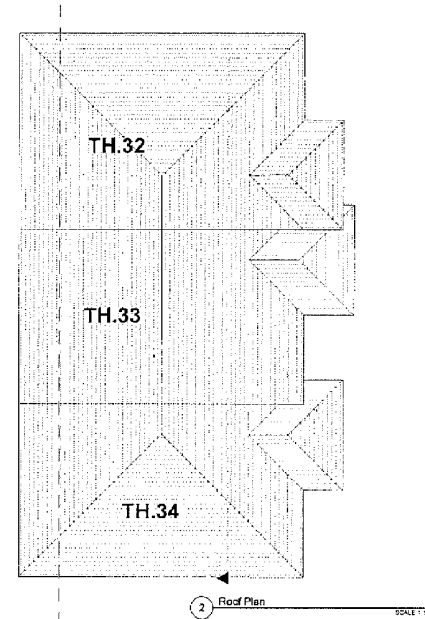
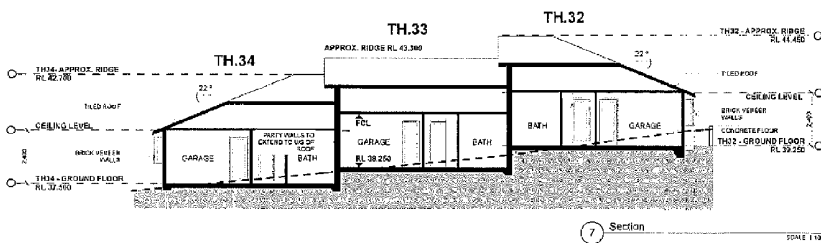
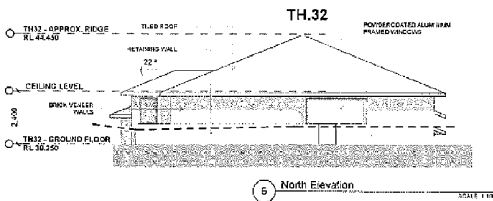
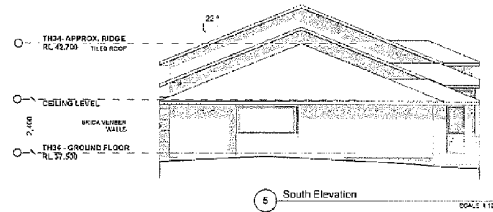
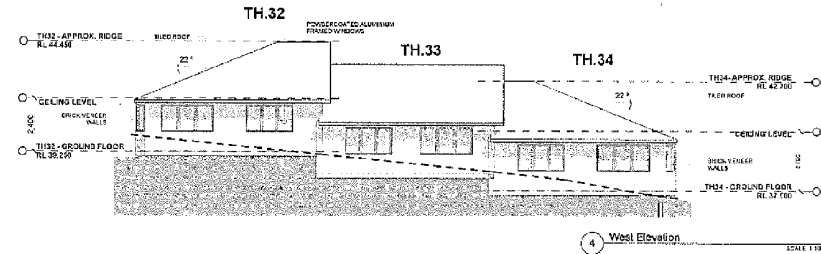
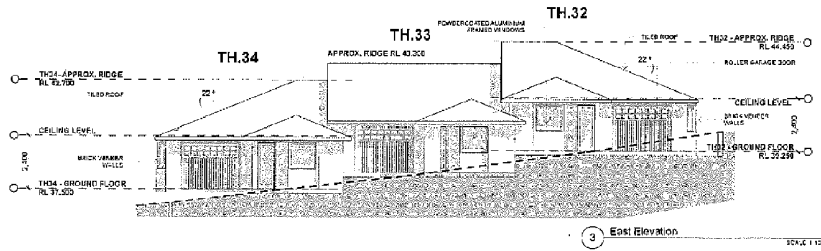
Plan No: A-130113
 Date: 16/10/13
 Approved for DA
 by DA Service for BA

- Notes:
1. Refer to all necessary approvals from the Council and other relevant authorities.
 2. Refer to the site plan for the location of the building on the site.
 3. Refer to the site plan for the location of the building on the site.
 4. All heights are to the top of the roof unless otherwise stated.
 5. All heights are to the top of the roof unless otherwise stated.



thrum
 LAND SPECIALISTS PTY LTD
 147-155 MERRIMAN ROAD
 MERRIMAN VIC 3089
 PH: 03 9450 1234
 WWW.THURM.COM.AU

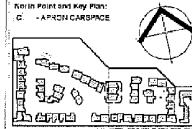
MATARAM HEIGHTS TOWNHOUSES ESTATE
 147-155 MERRIMAN ROAD
 MERRIMAN VIC 3089
Building Block G - Elevations & Sections
 Date: 16/10/13
 Drawn: [Name]
 Checked: [Name]
 Title: DA-1311/B



Rev	Date	Author/Rev
A	15.06.13	ISSUED FOR CA
B	18.10.13	REVISIONS TO CA

- Notes:
1. Floor levels may vary slightly. Surfaces shown are at all times unless specified to the contrary.
 2. Floor elevations are shown to the top of finished floor level.
 3. Elevation levels are shown to the top of finished floor level.
 4. All heights are measured to the top of the roof unless otherwise specified.

Refer to the attached site plan for the location of the buildings on the site. The site plan is shown in the attached site plan. The site plan is shown in the attached site plan.

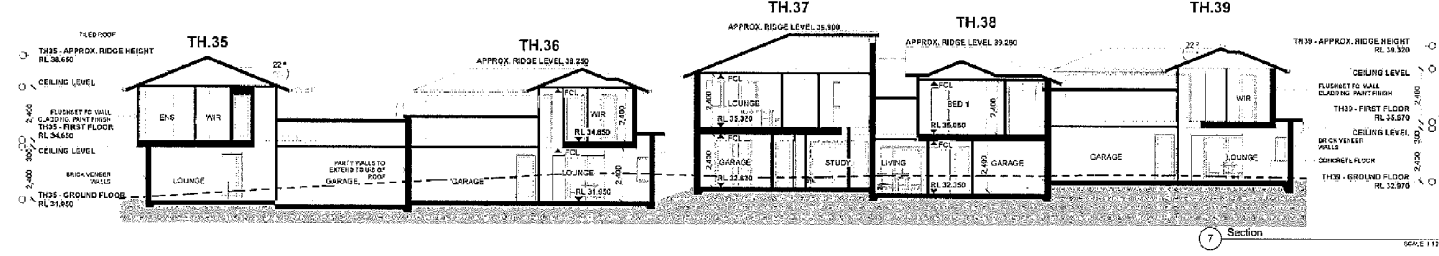
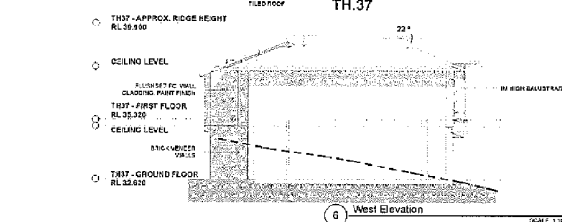
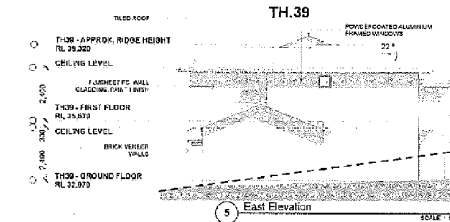
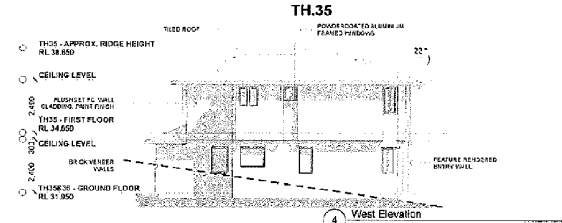
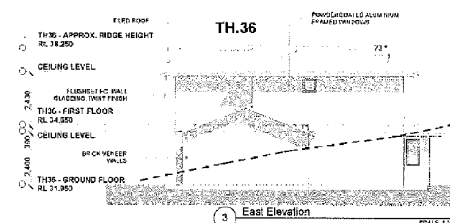
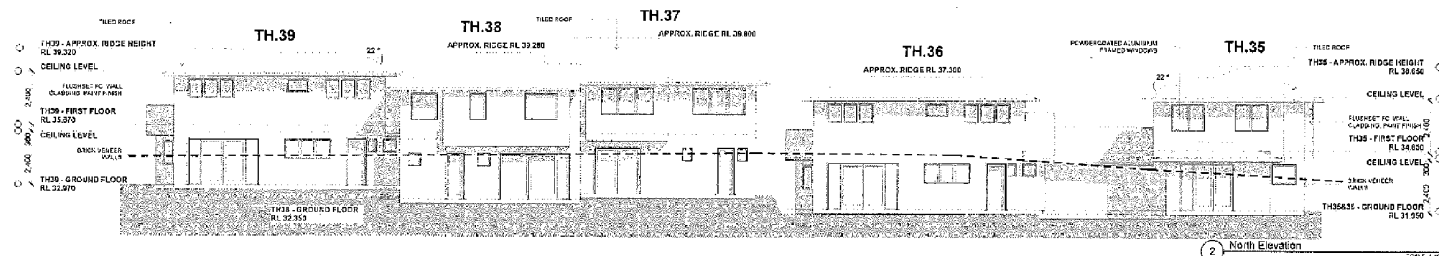
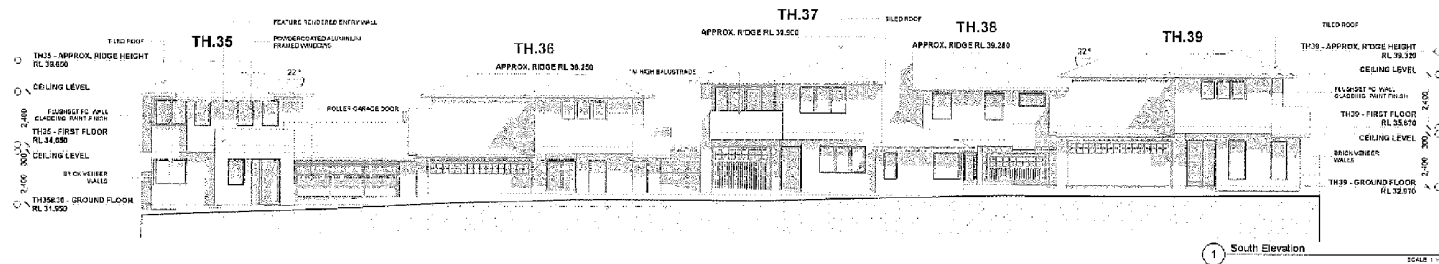


LAND SPECIALISTS PTY LTD

Project: MATARAM HEIGHTS TOWNHOUSES ESTATE
147-159 Marda Ave, Rydalmere NSW 2114

Building Block H - Floor Plans & Elevations

Drawn by	Checked by
15/12/13	GA1
13023	DA-136 B



Rev	Description
A	ISSUED FOR DA
B	ISSUED FOR DA
C	ISSUED FOR DA

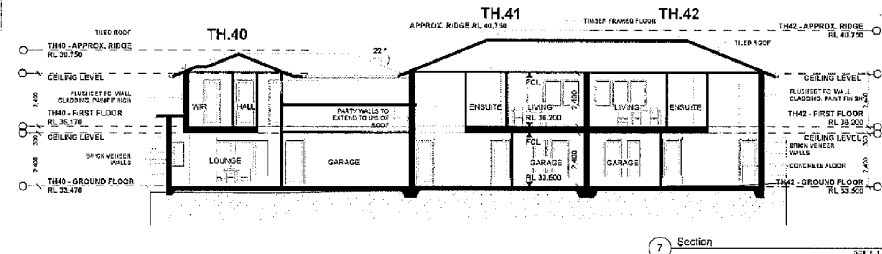
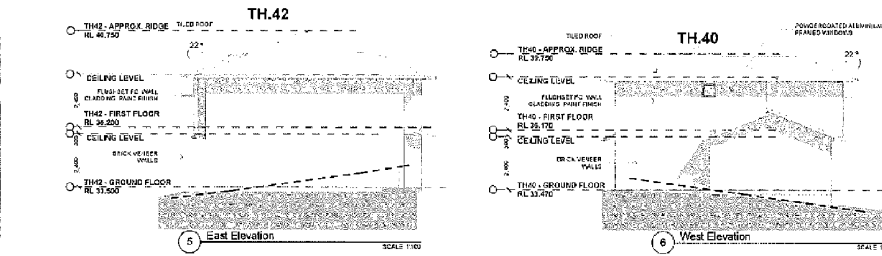
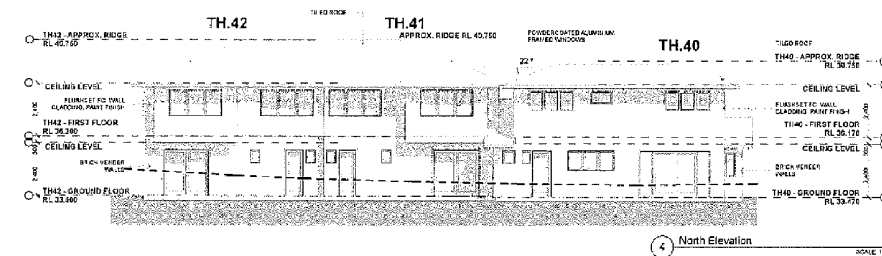
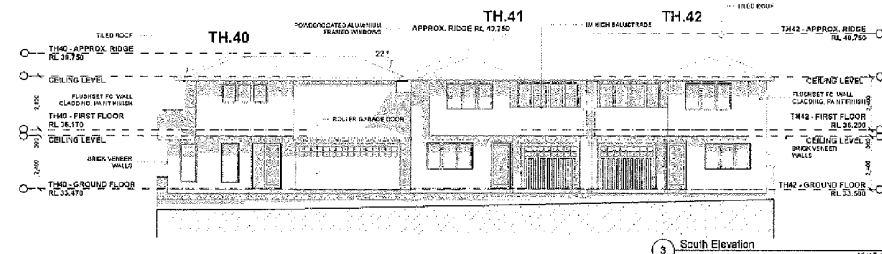
- 1. Detail concerning the work. It is the Client's duty to ensure a suitable level of detail is provided to the Contractor.
- 2. Figures shown are subject to verification and approval by the relevant authorities.
- 3. Builder to check with the relevant authorities for any specific requirements for the proposed work.
- 4. All measurements and dimensions are to be taken to the centre of the wall unless otherwise specified.





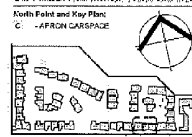
 LAND SPECIALISTS PTY LTD

MATARAM HEIGHTS TOWNHOUSES ESTATE
 14/129 HIGHER ROAD
 (Site Reference 2219)
 Prop Name: **Building Block I & J - Elevations & Sections**
 Prop Name: **15023**
 FOR APPROVAL: **DA-141/B**



Rev	By	A-1 (REVISED)
A	12/15/13	ISSUED FOR CA
B	10/15/13	ISSUED FOR CA

- Notes:
1. FINISH TO CEILING JOISTS BY THE ARCHITECT. CEILING JOISTS SHALL BE 2x4x8 SPACED AT 16" ON CENTER. JOISTS SHALL BE FINISHED WITH 1/2" GYPSUM BOARD. JOISTS SHALL BE FINISHED WITH 1/2" GYPSUM BOARD. JOISTS SHALL BE FINISHED WITH 1/2" GYPSUM BOARD.
 2. FINISH TO WALLS BY THE ARCHITECT. WALLS SHALL BE FINISHED WITH 1/2" GYPSUM BOARD. WALLS SHALL BE FINISHED WITH 1/2" GYPSUM BOARD. WALLS SHALL BE FINISHED WITH 1/2" GYPSUM BOARD.
 3. FINISH TO FLOORS BY THE ARCHITECT. FLOORS SHALL BE FINISHED WITH 1/2" GYPSUM BOARD. FLOORS SHALL BE FINISHED WITH 1/2" GYPSUM BOARD. FLOORS SHALL BE FINISHED WITH 1/2" GYPSUM BOARD.
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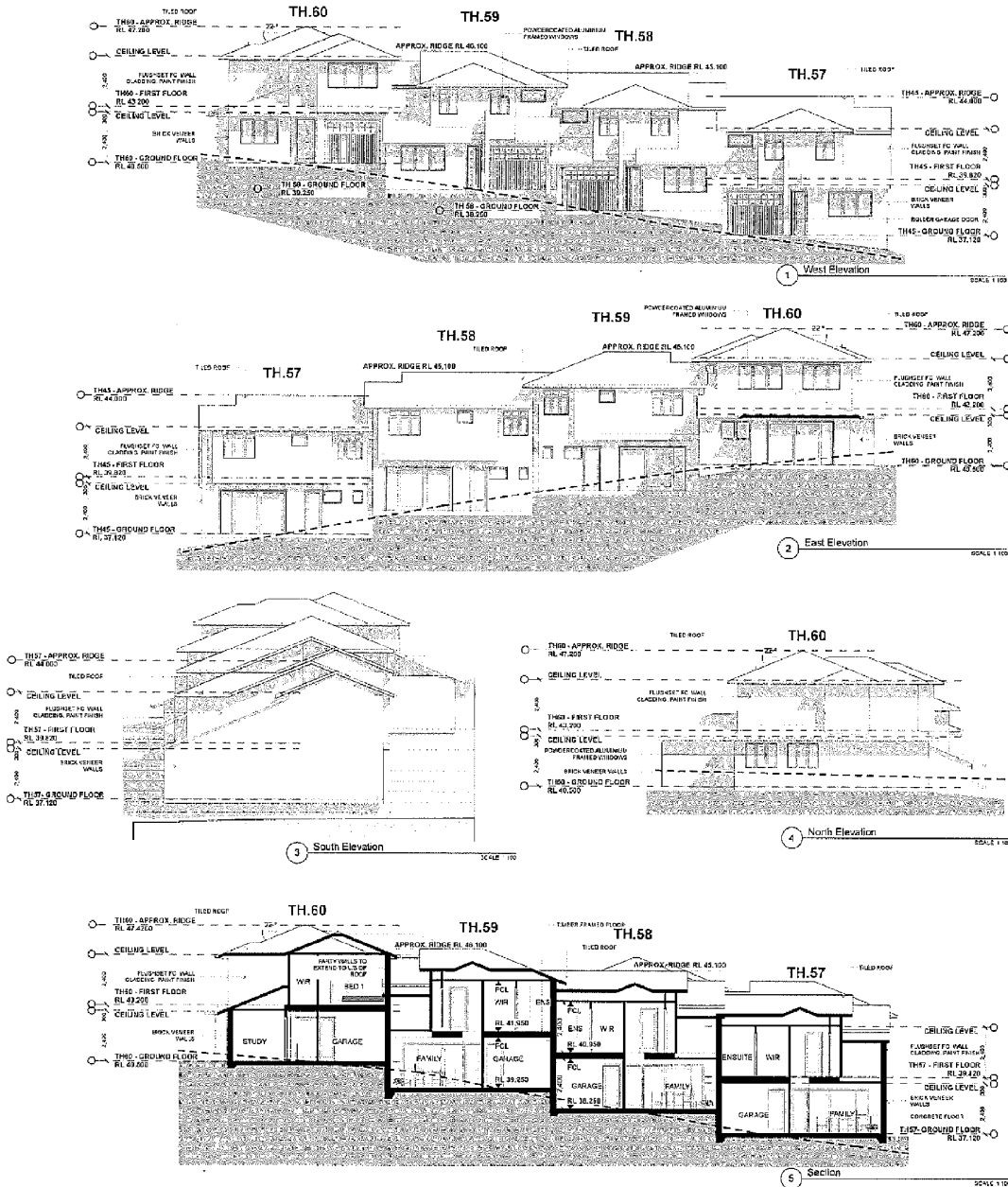
LAND SPECIALISTS PTY LTD

MATARAM HEIGHTS TOWNHOUSES ESTATE
147-168 Madsen Road
MADRAM HEIGHTS

1 Building Block K - Floor Plans & Elevations

Rev	By	Date	Scale	Drawn	Checked
FOR APPROVAL (NOT FOR CONSTRUCTION)		15/10/13	@41		

Project No: 13023
Drawing No: DA-145 B



Rev	Date	Rev. Description
A	13/09/13	ISSUED FOR ICA
B	18/10/13	FOR CONSULTATION

- Notes:
1. Refer to drawings by title and project name for details not shown on this drawing.
 2. Refer to drawings by title and project name for details not shown on this drawing.
 3. Refer to drawings by title and project name for details not shown on this drawing.
 4. Refer to drawings by title and project name for details not shown on this drawing.

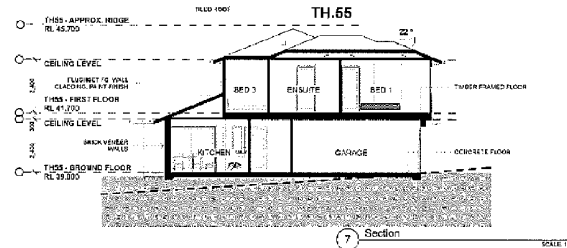
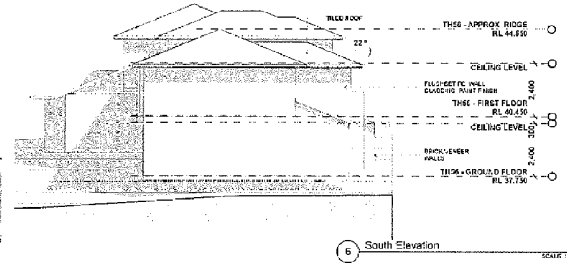
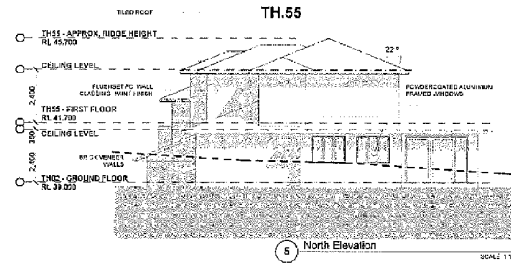
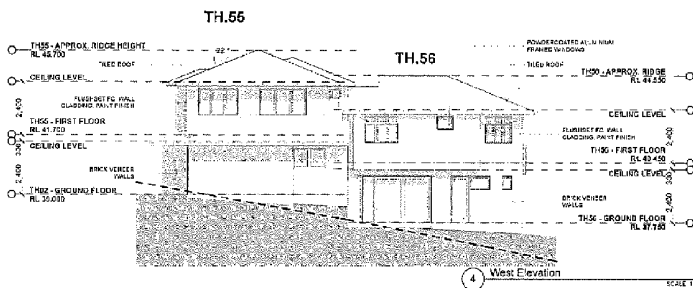
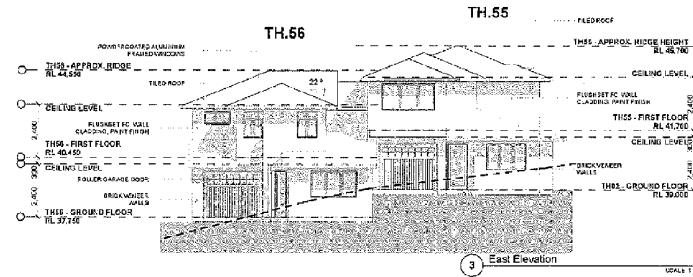


LAND SPECIALISTS PTY LTD

Project: **MATARAM HEIGHTS TOWNHOUSES ESTATE**
 1st-13th Mataram Street
 Parramatta NSW 2150

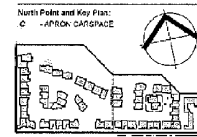
Draw Name: **1 Building Block L - Elevations & Sections**

Draw No: **13023** Rev: **DA-151/B**



Rev	Date	Description
A	10/03/12	ISSUED FOR DA
B	18/12/12	REVISED FOR DA

- Notes:
1. Plans are prepared in accordance with the Building Code of Australia (BCA) and the relevant standards.
 2. The proposed development is subject to the relevant local government planning scheme and any applicable overlays.
 3. The proposed development is subject to the relevant local government planning scheme and any applicable overlays.
 4. All materials and workmanship shall be in accordance with the relevant Australian Standards.

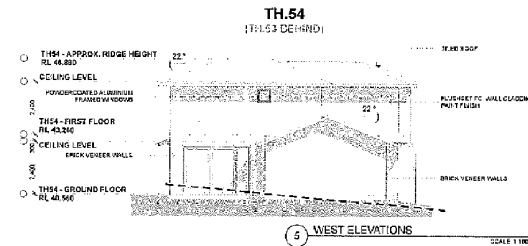
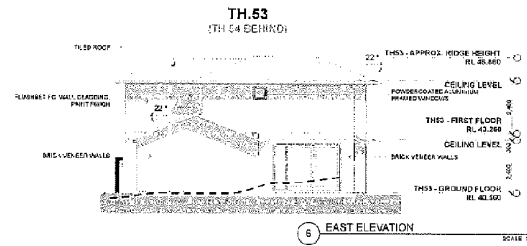


LAND SPECIALISTS PTY LTD

MATARAM HEIGHTS TOWNHOUSES ESTATE
 147-160 Mataram Road
 Warragul VIC 3920

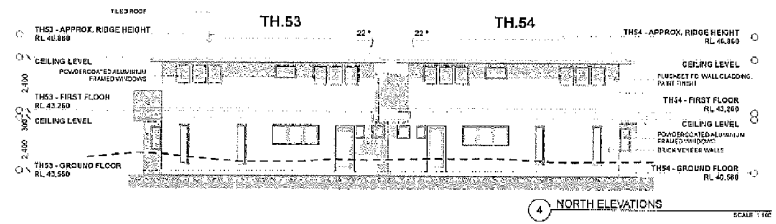
1: Building Block M - Floor Plans & Elevations

Prepared by	18/12/12	Checked by	DA/155 B
Drawn by	DA/155 B	Scale	As shown
Project No.	13023	Drawn by	DA/155 B

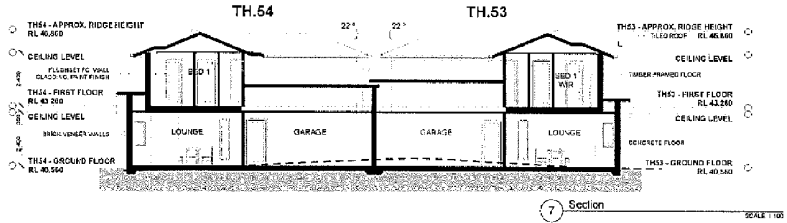


6 EAST ELEVATIONS SCALE 1:100

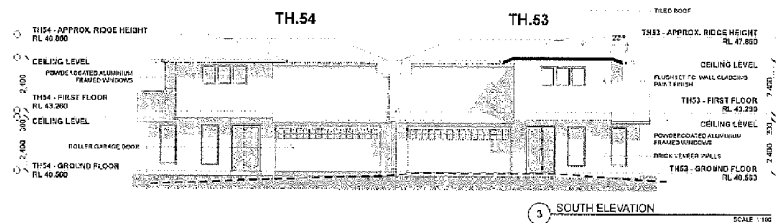
5 WEST ELEVATIONS SCALE 1:100



4 NORTH ELEVATIONS SCALE 1:100



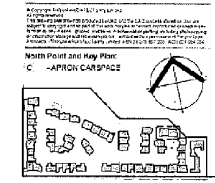
7 Section SCALE 1:100



3 SOUTH ELEVATION SCALE 1:100

Rev	Date	Description
A	23/03/13	ISSUED FOR DA
D	13/10/13	RE ISSUED FOR DA

- NOTES:
1. Full site drainage approval is required for this site.
 2. Full site drainage approval is required for this site.
 3. Full site drainage approval is required for this site.
 4. All materials and finishes to be used in accordance with the specifications in the contract documents.

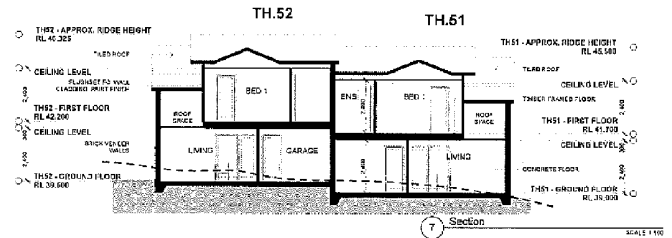
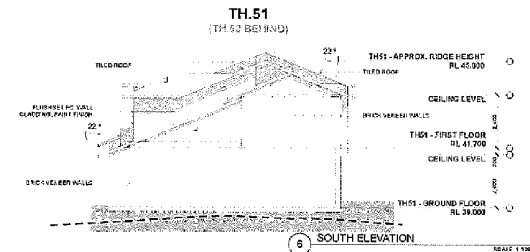
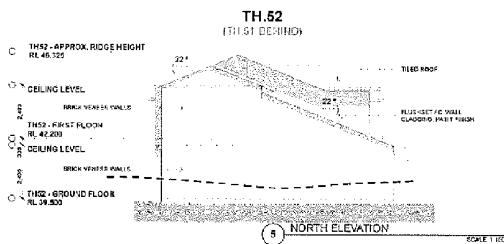
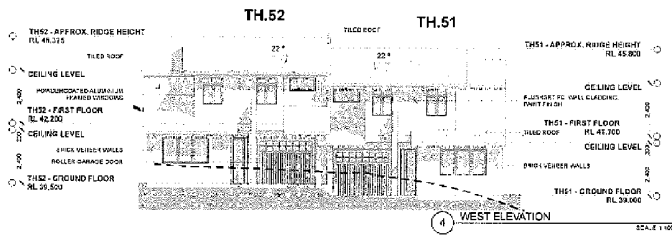
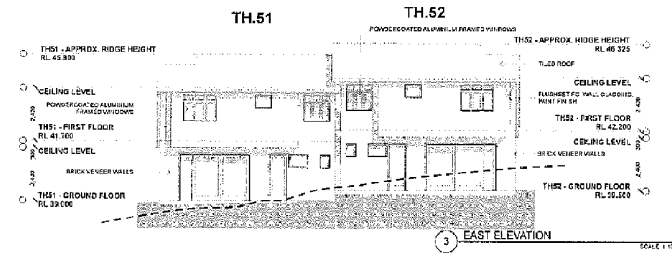


LAND SPECIALISTS PTY LTD

Project: **MATARAM HEIGHTS TOWNHOUSES ESTATE**
 147-155 Mataram Road
 Mataram, NT 1323

Building Name: **1 Building Block N - Floor Plans & Elevations**

Rev	Date	Description
A	23/03/13	ISSUED FOR DA
D	13/10/13	RE ISSUED FOR DA



Rev	Date	Description
1	13/03/13	ISSUED FOR CA
2	16/03/13	ISSUED FOR DA

- Notes:
1. IN SETS SUPPLYING ANY OTHER BUILDING MATERIALS OR EQUIPMENT, APPROVAL FOR ANY VARIATIONS, AND ANY OTHER BUILDING MATERIALS, SHALL BE OBTAINED FROM THE LOCAL COUNCIL.
 2. EQUATED TO NATIONAL BUILDING STANDARDS AND IN ACCORDANCE TO BUILDING STANDARDS.
 3. DESIGN TO CHECK AND VERIFY ALL WORK, CONSTRUCTION METHODS AND FINISHES. CHECKING IS THE RESPONSIBILITY OF THE ARCHITECT AND NOT THE CONTRACTOR. ANY VARIATIONS TO THE ORIGINAL DESIGN SHALL BE APPROVED BY THE ARCHITECT AND NOT THE CONTRACTOR.
 4. ALL WORK SHALL BE COMPLETED IN ACCORDANCE WITH THE BUILDING STANDARDS AND IN ACCORDANCE WITH THE LOCAL COUNCIL REQUIREMENTS.

North Point and Key Plan
 C - APRON CARSPACE



Plan Approved by the Council
 13/03/13
 16/03/13

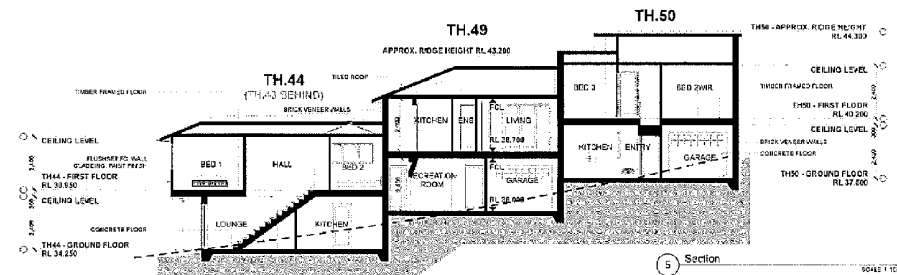
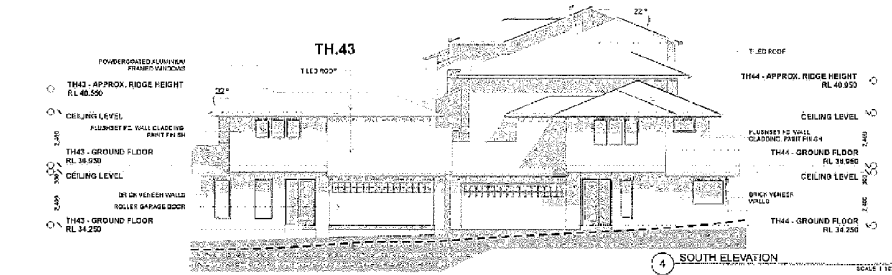
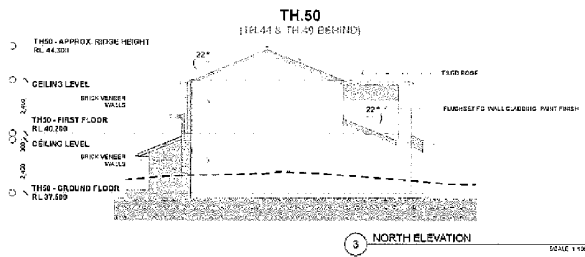
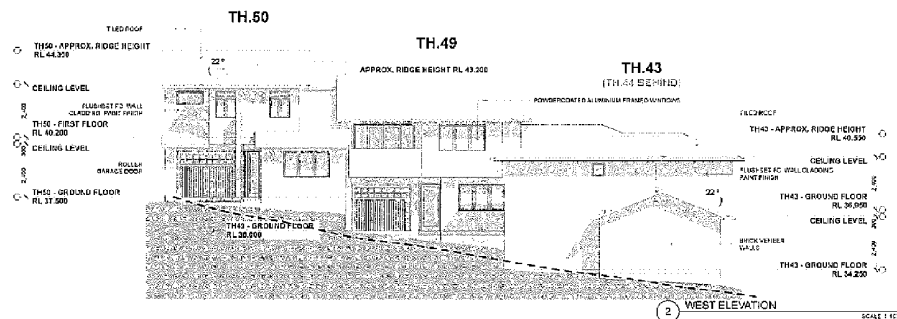
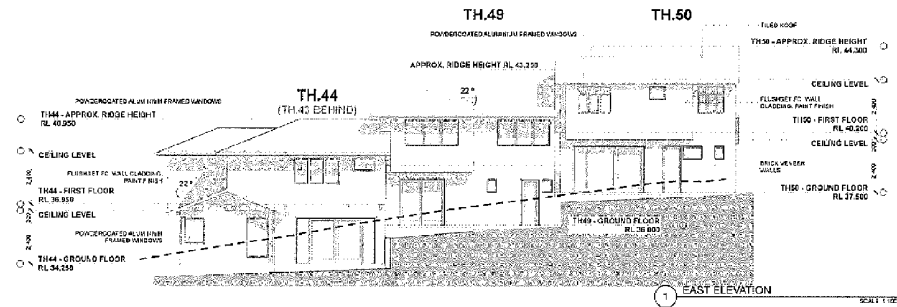
thrum
 ARCHITECTS
 10/10/13

LAND SPECIALISTS PTY LTD

Project:
**MATARAM HEIGHTS
 TOWNHOUSES ESTATE**
 147-150 Mataram Road
 WARRIORHILL NSW 2213

Drawn:
 Building Block C - Floor Plans & Elevations

Rev	Date	Description
1	13/03/13	ISSUED FOR APPROVAL (NOT FOR CONSTRUCTION)
2	15/03/13	ISSUED FOR APPROVAL
3	16/03/13	ISSUED FOR APPROVAL



Rev	Date	Amendment
A	19/04/13	ISSUED FOR EIA
B	19/10/13	RE-DESIGNED FOR EA

- Notes:
1. Plans, elevations and sections were prepared in accordance with the Building Code of Australia (BCA) and the Building Code of Australia (BCA) - Volume 1: Part 3.6.1. This set of plans is for information only and is not to be used for construction purposes.
 2. Figure 1 shows the proposed building footprint and the location of the building on the site. The building footprint is shown in black and the building location is shown in grey.
 3. Details of the building are shown in the sections and elevations. The building is shown in black and the building location is shown in grey.
 4. All dimensions are in millimetres unless otherwise stated. All dimensions are to the face of the building unless otherwise stated.

North Point and Key Plan:
C - AFFRONT CATERFACE

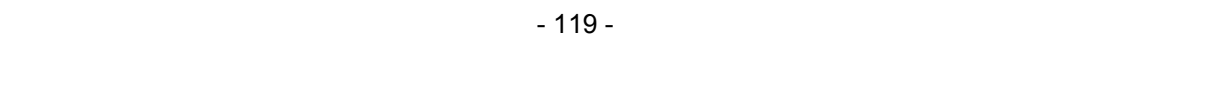
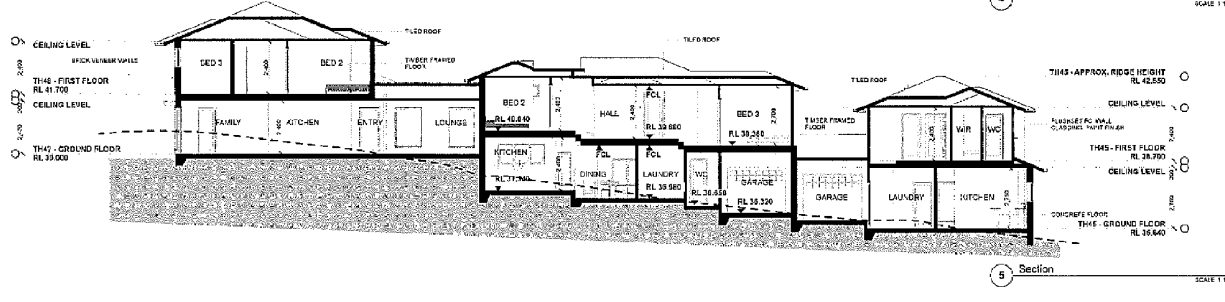
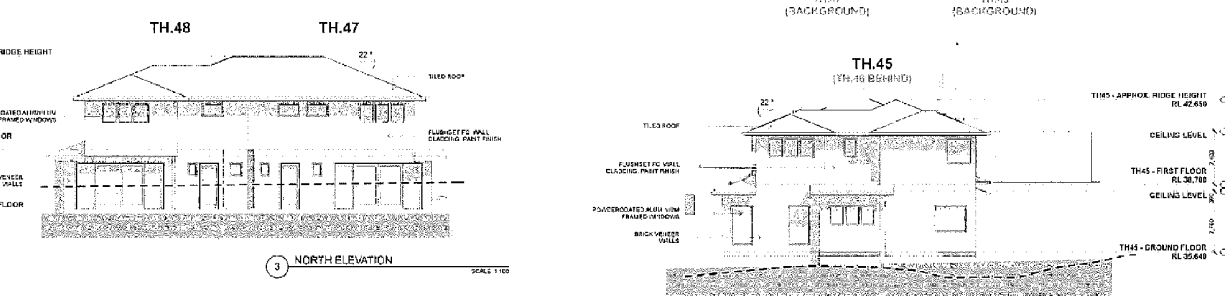
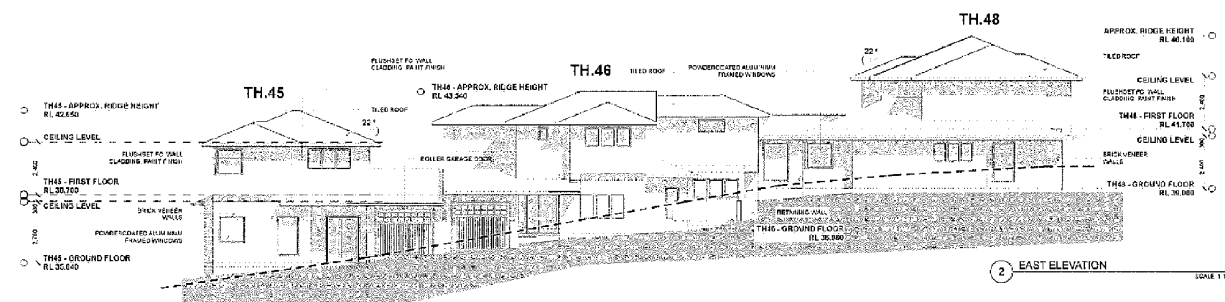
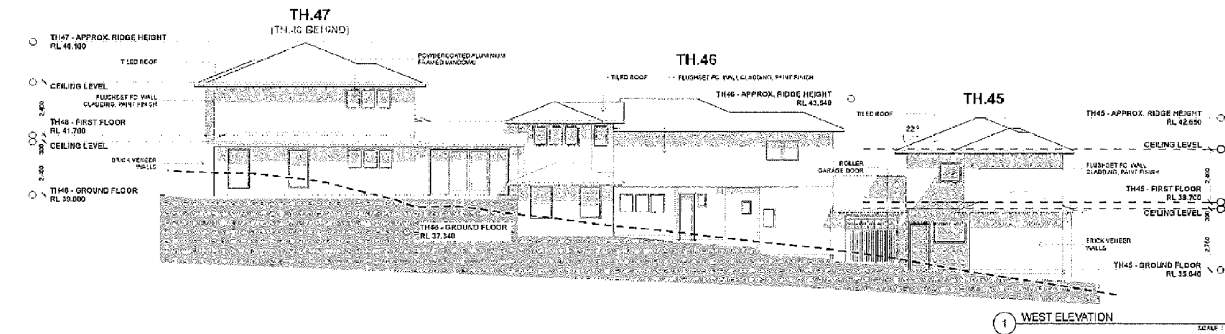


LAND SPECIALISTS PTY LTD

Project: MATARAM HEIGHTS TOWNHOUSES ESTATE
142-145 JOZAMBA ROAD
MORNINGTON PENINSULA VIC 3190

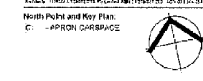
Doc Name: I Building Block P - Elevations & Sections

FOR APPROVAL (NOT FOR CONSTRUCTION)
Date: 19/04/13
Scale: AS 1:100
Drawing No: DA-171/B



No.	Date	Description
A	19/01/15	ISSUED FOR ICA
B	18/01/15	FOR SUBMISSION

- Notes:**
1. In any circumstances, unless otherwise stated, the Contractor shall take primary responsibility for ensuring that all work is completed in accordance with the relevant standards.
 2. Figures & dimensions shall be given to 3 decimal places unless otherwise stated.
 3. Builders to whom any work is referred shall ensure that all materials are clearly identified & marked with the appropriate identification number for the building work.
 4. All dimensions and measurements shall be in accordance with the relevant standards unless otherwise stated.



Prepared by the Engineering & Architecture Division
 100-100 Victoria Road
 Mataram, Northern Territory
 08 8945 1410
 Fax: 08 8945 1200
 www.thrum.com.au
 100-100 Victoria Road
 Mataram, Northern Territory 08 8945 1410

thrum

LAND SPECIALISTS PTY LTD

Project:
MATARAM HEIGHTS TOWNHOUSES ESTATE
 100-100 Victoria Road
 Mataram NT 1327

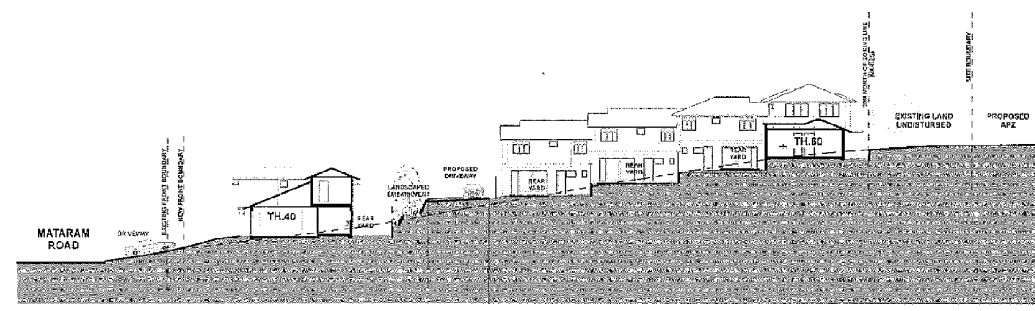
Draw Title:
Building Block Q - Elevations & Sections

For Approval: (NOT FOR CONSTRUCTION)

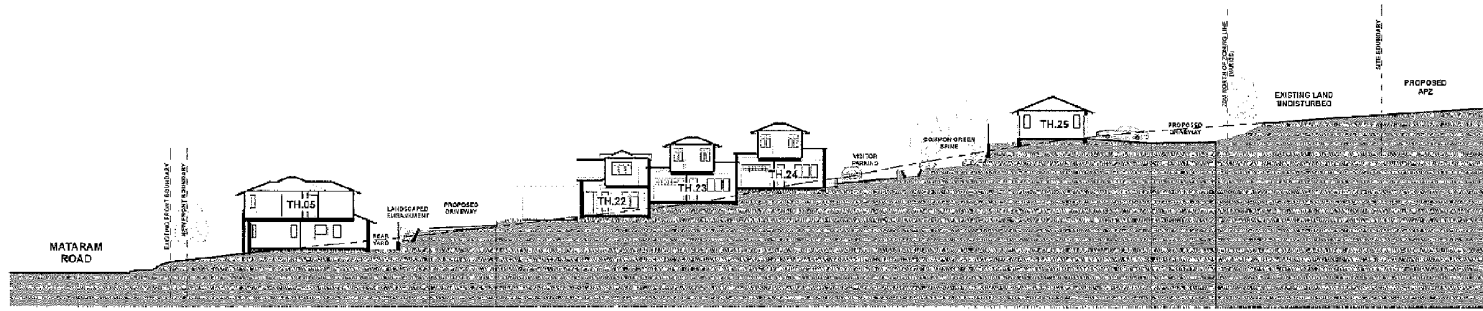
Date: 15/01/15
 Scale: 1:100
 Drawn: G.M.H.
 Checked: T.W.M.
 Project No: 13023
 Draw No: DA-176/B



1 Site Section A SCALE 1:200



2 Site Section B SCALE 1:250



3 Site Section C SCALE 1:250

No.	Date	Revisions
A	15/12/15	ISSUED FOR DA

- Notes:
- Please refer to the site plan for the location of the proposed driveway for any section.
 - Please refer to the site plan for the location of the proposed driveway for any section.
 - Please refer to the site plan for the location of the proposed driveway for any section.
 - Please refer to the site plan for the location of the proposed driveway for any section.
 - Please refer to the site plan for the location of the proposed driveway for any section.

North Point and Key Plan:
 C: ARCH CASE/PC



Client:
 LAND SPECIALISTS PTY LTD

Project:
MATARAM HEIGHTS TOWNHOUSES ESTATE
 1474 KOSMOS RD (off Road)
 WARRAGONG NSW 2232

Site Name:
 SITE SECTIONS

NO.	DATE	BY	CHKD	APP'D
15/12/15				

FOR APPROVAL (NOT FOR CONSTRUCTION)

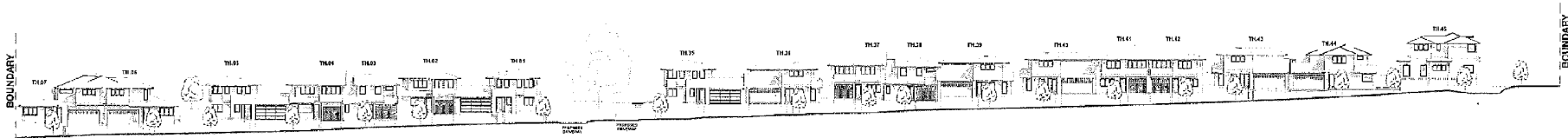
NO.	DATE	BY	CHKD	APP'D
13/02/16				

Project No: 13023
 Drawing No: DA-210/A

DEVELOPMENT APPLICATION

MATARAM HEIGHTS TOWNHOUSES ESTATE

147 MATARAM ROAD, WOONGARRAH



MATARAM ROAD ELEVATION



WEST BOUNDARY ELEVATION



EAST BOUNDARY ELEVATION

3.1 Classification of Land at Grasree Avenue, Woongarra

TRIM REFERENCE: F2014/00605 - D07386999
MANAGER: Jari Ihalainen, Director
AUTHOR: Julie Tattersall; Property Officer

SUMMARY

Authority is sought to classify Lot 300 DP 1195398 at Grasree Avenue, Woongarra as Operational Land.

RECOMMENDATION

- 1** *That Council propose classification of Lot 300 DP 1195398 at Grasree Avenue, Woongarra as Operational Land.*
- 2** *That Council advertise the proposal in accordance with Section 34 of the Local Government Act 1993.*
- 3** *That Council adopt the classification if no adverse submissions are received.*

BACKGROUND

Stannic Securities Pty Limited is the owner of Lot 228 DP 1175020 (Lot 228). As part of the development of a 14 lot subdivision, Subdivision Certificate Approval SC/11/2014 was granted on 2 April 2014 requiring Lot 300 DP 1195398 to be dedicated to Council as drainage reserve pursuant to a condition of development consent. The drainage works have been satisfactorily completed.

CURRENT STATUS

Lot 300 is zoned E2 Environmental Conservation and has an area of approximately 1,395 square meters.

THE PROPOSAL

It is proposed to classify Lot 300 as Operational Land.

In accordance with the Public Land Classification Table adopted by Council at its meeting held on 14 August 1996, land owned by Council for drainage purposes should be classified as Operational Land.

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's proposed land classification will be taken as adopted upon expiration of the notification period.

OPTIONS

Council may resolve to apply either a “community land” or an “operational land” classification. Lot 300 and the adjoining drainage land contain significant drainage works. The land should be classified as Operational Land in accordance with the Public Land Classification Table 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.

MATERIAL RISKS AND ISSUES

Nil impact.

CONCLUSION

Lot 300 has been dedicated to Council and requires classification in accordance with 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 as drainage channel.



ATTACHMENTS

Nil.

4.1 Contract CPA/195382 - for the Supply and Delivery of Stationery and Ancillary Items

TRIM REFERENCE: CPA/195382 - D06886023

MANAGER: Robert Fulcher, Manager Contracts & Project Management

AUTHOR: John McCarthy, Procurement Supervisor

SUMMARY

Evaluation and selection of tenders for Hunter Councils Inc. Contract CPA/195382 – for the Supply and Delivery of Stationery and Ancillary Items.

RECOMMENDATION

- 1 That Council agree to the contract between Hunter Councils Inc. and the tenderer from the company listed as Tenderer '2' in the attached Tender Evaluation Report, for a period of up to 3 years for Contract CPA/195382 – for the Supply and Delivery of Stationery and Ancillary Items.**
- 2 That Council delegate to the Director Infrastructure and Operations the option to extend the contract for 1 year based on satisfactory performance.**
- 3 That Council note the estimated annual expenditure against the contract is \$140,000.00 (excl GST) however actual expenditure may fluctuate depending on demand.**
- 4 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, apart from the name of the selected tenderer.**

BACKGROUND

Council purchases an assortment of stationery products such as photocopy paper, toner cartridges, writing instruments and computer consumables on a re-occurring basis. Expenditure is in the vicinity of \$140K per annum.

The tender that is the subject of this report was conducted by Hunter Councils Inc. on behalf of member Councils. Wyong Shire Council is an associate member for the purposes of participating in joint tendering opportunities.

Hunter Councils Inc. receive a management fee of 1.75% of the total spend made under the contract. Provision for the management fee is included in tendered rates and is payable to Hunter Councils Inc. by the appointed contractor. This management fee is used by Hunter Councils Inc. to underwrite the ongoing costs of providing tendering services to members.

4.1 Contract CPA/195382 - for the Supply and Delivery of Stationery and Ancillary Items (contd)

Eleven member Councils of Hunter Councils Inc. participated in this tender with the combined value of stationery tendered under the contract being in the vicinity of \$1.5 million per annum. The aggregated volume provides Council with the opportunity to achieve cost savings and added benefits that may not have been otherwise achievable under a Council specific tender.

Hunter Councils Inc. previously accepted Corporate Express Pty Ltd (now Staples Australia Pty Ltd) as Council's preferred contractor. Council's experience with the performance of Staples Australia Pty Ltd over the last three years has been satisfactory. Staples Australia Pty Ltd provides a desktop delivery service, next day order fulfilment and an efficient online ordering system.

This tender was called on a panel basis allowing all participating Councils to utilise the stationery company that best suits the requirement of each individual Council. All participating Councils must individually agree to accept one or more of the recommended panel contractors in order for rates to become effective.

CONTRACT PLAN

The Contract Plan for this tender process was approved by the Director Infrastructure and Operations before the Request for Tender was issued.

INVITATION TO TENDER

The tender was advertised in the Sydney Morning Herald on 18 February 2014 and in the Newcastle Herald on 15 February 2014 and closed on the 11 March 2014.

The invitation documents called for a schedule of rates tenders, based on a detailed specification.

TENDER SUBMISSIONS

The following tenders were received by Hunter Councils Inc. and are listed in alphabetical order:

- Australian Graphic and Office Supplies Pty Ltd T/as Stuart and Dunn Office Choice
- Complete Office Supplies Pty Ltd (COS)
- Lyreco Pty Ltd
- Staples Australia Pty Ltd

No late submissions were received.

The tender from Australian Graphic and Office Supplies Pty Ltd T/as Stuart and Dunn Office Choice did not contain an offer for Wyong Shire Council.

TENDER EVALUATION

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

4.1 Contract CPA/195382 - for the Supply and Delivery of Stationery and Ancillary Items (contd)

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

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

- Price
- Referees
- Customer Service
- Quality Assurance
- WH&S

FINANCIAL IMPLICATIONS

The contract is a standing offer arrangement, accordingly purchases will be funded from responsibility centres as transactions are processed rather than from an allocation made to the contract itself. The estimated value of the arrangement is not a budget figure but rather an indication of the likely expenditure under the arrangement. Although the estimated value of the arrangement is \$420,000.00 excluding GST over three years, the actual value will depend on quantities ordered as requirements arise over the life of the arrangement.

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 10 A (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

The contract will commence on 1 July 2014 and operate up to 30 June 2016.

An optional 1 year extension is available to Council based on satisfactory performance.

RISK

This contract has been assessed as a low risk contract.

PROCESS REVIEW

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

4.1 Contract CPA/195382 - for the Supply and Delivery of Stationery and Ancillary Items (contd)

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

No public consultation specific to this contract was necessary and none has occurred.

ATTACHMENTS

- 1 Confidential attachment extract from the Hunter Councils Inc. Stationery Evaluation Report - D07746662

5.1 Ordinary Meeting of 9 July 2014

TRIM REFERENCE: F2004/06496 - D07794127
MANAGER: Lesley Crawley, Manager
AUTHOR: Sonia Witt; TL Governance and Councillor Services

SUMMARY

It is proposed to cancel the Ordinary Meeting scheduled for 9 July 2014 given that several Councillors have indicated they are likely to be unable to attend.

RECOMMENDATION

- 1 That Council amend its meeting schedule to cancel the Ordinary Meeting of 9 July 2014.**
- 2 That Council provide appropriate public notice of the amended Ordinary Meeting schedule.**

BACKGROUND

The Ordinary Meeting of Council scheduled to be held on Wednesday 9 July 2014, it is anticipated that several Councillors will be unable to attend the meeting due to other commitments and therefore it is proposed that the meeting be cancelled.

Council's Code of Meeting Practice provides that:

2.1.4 Section 365 of the Act

Council is required to meet at least 10 times each year, each time in a different month.

2.1.5 Ordinary meetings of Council will be held as follows:

- *on the second and fourth Wednesday of the months February to November inclusive;*
- *on the fourth Wednesday in January*
- *on the second Wednesday of December.*

2.1.6 Where scheduled meetings of Council fall on a Public Holiday, the meeting will be held on the day immediately after the Public Holiday.

2.1.7 Ordinary meetings will commence at 5:00pm.

2.1.8 Council may alter the time and date of a meeting of Council by resolution at a prior ordinary meeting without notice being given provided the requirements of clause 241 of the Regulation are complied with."

5.1 Ordinary Meeting of 9 July 2014 (contd)

Note: Clause 241 of the Local Government (General) Regulation 2005 sets out the requirements of giving notice of business to be transacted at a meeting. The cancellation of the 9 July 2014 Ordinary Meeting will not affect the adherence to the usual business paper notification practices of Wyong Shire Council.

ATTACHMENTS

Nil.

5.2 Determination of Water Supply, Sewerage and Drainage Fees and Charges 2014 - 2015

TRIM REFERENCE: F2004/06782 - D07083795

AUTHOR: Michelle Best; Financial Accountant

MANAGER: Kim Fatcher; Chief Financial Officer

SUMMARY

This report details the proposed Water Supply, Sewerage and Drainage Fees and Charges for 2014-15.

RECOMMENDATION

- 1 That Council approve the water, sewerage and drainage Service Charges set out in Attachment 1.**
- 2 That Council note the amount of revenue to be raised by way of the Service Charges is estimated at \$48,269,932.**
- 3 That Council classify all land for the purpose of levying Services Charges according to the following factors:**
 - a whether the land is residential or non residential;**
 - b where the land is residential, by the intensity of the use of the land; and**
 - c the nature and extent of the water or sewerage services connected to each individual allotment.**
- 4 That Council determine the Service Charges shall be levied in accordance with the Water Management Act 2000.**

BACKGROUND

Council is a water supply authority under the Water Management Act 2000.

Section 315 of the Water Management Act 2000 requires Council to determine water, sewerage and drainage service charges no later than one month before the beginning of each charging year. Council's charging year starts 1 July 2014.

Council's water, sewerage and drainage charges are also subject to approval by the Minister for Primary Industries following determination by the Independent Pricing and Regulatory Tribunal (IPART).

On 14 May 2013 IPART made a four year determination concerning Council's water, sewerage and drainage charges, covering the period 1 July 2013 to 30 June 2017.

The service charges included in this recommendation are calculated in accordance with the determination.

5.2 Determination of Water Supply, Sewerage and Drainage Fees and Charges 2014 - 2015 (contd)

CURRENT STATUS

Council submitted its proposed operational program, capital program and pricing for the four year determination period to IPART on 14 September 2012.

The proposed prices were also placed on public exhibition in the Wyong Shire Council Strategic Plan 2013-2017.

In its determination, IPART made changes to the categories of service charges, to ensure that all residential properties are charged a uniform service charge.

The following table summarises the Fees and Charges for 2014-15 and shows a comparison to those levied in 2013-14 for a typical residential ratepayer who consumes 154kL of water per annum.

Comparison Charges: 2013-14 to 2014-15 based on a typical residential ratepayer

	2013-14 Charges	2014-15 Charges	Increase 2013-14 to 2014-15	% Increase 2013-14 to 2014-15	Draft 2014-15 Strategic Plan
Water Service Charge	\$ 169.50	\$ 172.33	\$ 2.83	1.7%	\$ 171.66
Water Usage (154KL)	\$ 334.18	\$ 343.42	\$ 9.24	2.8%	\$ 341.88
Sewerage Service	\$ 457.62	\$ 470.75	\$ 13.13	2.9%	\$ 468.92
Drainage Service	\$ 98.62	\$ 108.76	\$ 10.14	10.3%	\$ 108.33
TOTAL	\$ 1,059.92	\$ 1,095.26	\$ 35.34	3.3%	\$ 1,090.79

CONCLUSION

The estimated revenue to be raised from Water, Drainage and Sewer Service Charges based on the IPART Determination for 2014-15 is \$48,269,932.

IPART determines the methodology and limits of calculating Service Charges for water, sewerage and drainage.

Council staff has complied with all requirements pertaining to the setting of new Service Charges. Adoption by Council is required to formalise the revenue source.

ATTACHMENTS

- 1 2014-15 Water, Sewerage and Drainage proposed fees and charges - D07143261
Council Report Attachment

Water, Sewerage and Drainage Charges for 2014-15

Wyong Shire Council's water, sewerage and drainage services and a number of its associated ancillary services are declared monopoly services under Section 4 of the *Independent Pricing and Regulatory Act*.

Council's prices must therefore be set in accordance with any IPART determined methodologies and/or maximum prices, and are subject to approval by the relevant Minister.

All prices for water, sewerage, drainage and ancillary services for 2014/15 have been calculated in accordance with IPART's Water Determination May 2013, using the March quarter CPI movement of 2.9%.

1. Water supply service charges

Council levies the water supply service charge on the owners of all properties for which there is an available water supply service. This pays the full cost of supplying water.

For those properties that become chargeable or non-chargeable during the year a proportional charge or fee calculated on a daily basis is applied.

The proposed water supply service charges for 2014/15 are as follows:

Meter type/size	2014/15 Charge
Residential property service charge	172.33
Multi Premises	115.46
Water availability	172.33
Non Res single 20mm	172.33
20mm meter	149.87
25mm meter	234.17
40mm meter	599.47
50mm meter	936.68
80mm meter	2,397.90
100mm meter	3,746.72
150mm meter	8,430.12
200mm meter	14,986.88
Non specified pipe/meter size	$(\text{meter size})^2 / 625$ x \$234.17

The total yield in 2014/15 from this charge is expected to be \$11,574,000.

2. Water usage charges

In addition to the water supply service charge, all potable water consumed will be charged at \$2.23 per kilolitre.

Where water usage relates to multiple financial year periods the usage will be apportioned to each period on a daily average basis and the applicable period's water usage charge will be applied.

The total yield in 2014/15 from this charge is expected to be \$30,405,900.

3. Sewerage supply service charges

Council levies this charge to cover the cost of supplying sewerage services on all properties for which there is a sewerage service either connected or available.

Non Residential properties will be levied a sewerage service charge based on meter size and a sewerage usage charge. Where the sum of these charges is less than the non-residential minimum sewerage charge, the non-residential minimum will be charged instead.

A discharge factor in accordance with Council's Trade Waste Policy is applied to the charge based on the volume of water discharged into Council's sewerage system.

Meter type/size	2014/15 Charge
Residential property service charge	470.75
Multi Premises	308.64
Sewer availability	470.75
Non-residential minimum	470.75
20mm meter	258.62
25mm meter	404.09 x DF
40mm meter	1,034.46 x DF
50mm meter	1,616.34 x DF
80mm meter	4,137.85 x DF
100mm meter	6,465.38 x DF
150mm meter	14,547.11 x DF
200mm meter	25,861.52 x DF
Non specified pipe/meter size	(meter size) ² /625 x \$404.09 x DF

The total yield in 2014/15 from this charge is expected to be \$29,631,900.

4. Sewerage Usage Charges

There is no sewer usage charge payable by residential properties.

For non-residential properties, a discharge factor based on the type of premises is applied to the assessed volume of water purchased from Council to determine the volume discharged to the sewerage system.

Sewage discharged into the sewerage network will be charged at \$0.83 per kilolitre.

The total yield in 2014/15 from this charge is expected to be \$365,870.

5. Drainage Service Charges

This charge is levied by Council for the provision of drainage services, and covers the cost of maintaining the Shire's drainage network.

Meter type/size	2014/15 Charge
Residential property service charge	108.76
Multi premises	81.57
20mm meter	108.76
25mm meter	169.93
40mm meter	435.01
50mm meter	679.71
80mm meter	1,740.04
100mm meter	2,718.81
150mm meter	6,117.34
200mm meter	10,875.27
Non specified pipe/meter size	(meter size) ² /625 x \$169.93

The total yield in 2014/15 from this charge is expected to be \$6,977,000.

Pricing for water, sewerage and drainage service and usage charges for each property type is as follows:

Property Type	Water Service Charges	Water Usage Charges	Sewer Service Charges	Sewer Usage Charges	Drainage service charges
Metered residential properties with individual meters <ul style="list-style-type: none"> • houses & terraces • strata title properties • company title dwellings • community development lots • retirement villages 	The owner of each property, lot or unit is levied the residential property water service charge.	The owner of each property will be levied for water passing through its meter.	The owner of each property, lot or unit is levied the residential property sewer service charge.	No charge.	The owner of each property, lot or unit is levied the residential property drainage service charge.
Metered residential properties with common meters <ul style="list-style-type: none"> • Strata Title Properties • Company Title dwellings • Community development lots 	The owner of each property, lot or dwelling will be levied the residential property water service charge.	Usage through a common meter will be apportioned by unit entitlement and charged to the owner of each property, lot or dwelling at the 2014/15 rate.	The owner of each property, lot or unit is levied the residential property sewer service charge.	No charge.	The owner of each property, lot or unit is levied the multi premises property drainage service charge.
Retirement villages with common meters	Non-residential service charges will apply, and are based on the size of the meter.	Usage through a common meter will be charged at the 2014/15 water usage rate.	Non-residential service charges will apply, and are based on the size of the meter and the applicable discharge factor. Where this is less than the non-residential minimum, this will be charged instead.	Estimated sewage discharged to the sewerage system will be charged at \$0.83 per kilolitre.	The multi premises drainage service charge will apply.
Non-residential properties with single individual 20mm meters	The owner of each property, lot or unit is levied the non-residential single 20mm water service charge.	The owner of each property will be levied for water passing through its meter.	The owner of each property, lot or unit is levied the non-residential sewer service charge based on the size on the meter.	Estimated sewage discharged to the sewerage system will be charged at \$0.83 per kilolitre.	The non-residential drainage service charge will apply and is based on the size of the water meter.

Property Type	Water Service Charges	Water Usage Charges	Sewer Service Charges	Sewer Usage Charges	Drainage service charges
Non-residential properties with meters of 25mm or greater or multiple meters of any size.	The owner of each property, lot or unit is levied the non-residential service charge based on the size on the meter(s).	The owner of each property will be levied for water passing through its meter. Usage through a common meter will be apportioned by unit entitlement and charged to the owner of each property, lot or dwelling.	Non-residential service charges will apply, and are based on the size of the meter. Where this is less than the non-residential minimum, this will be charged instead.	Estimated sewage discharged to the sewerage system will be charged at \$0.83 per kilolitre.	The non-residential drainage service charge will apply and is based on the size of the water meter.
Water fire service	There is no charge for a separate fire service. Where a property has a combined fire and commercial service the property will be charged in accordance with meter size.	No charge	No charge	No charge	No charge
Vacant land	Land that is not connected to the water supply, but can reasonably be connected will be levied the availability charge.	No charge.	Land that is not connected to the water supply, but can reasonably be connected will be levied the availability charge	No charge.	No charge.
Miscellaneous Multi premises	The owner of each property, lot or dwelling will be levied the multi premises property water service charge for each property within the Multi Premises.	The owner of each property will be levied for water passing through its meter.	The owner of each property, lot or dwelling will be levied the multi premises property sewer service charge for each property within the Multi Premises.	No charge	The multi premises drainage service charge will apply.

6. Liquid Trade Waste Charges

Liquid trade waste means all liquid waste other than sewage of domestic nature.

Liquid trade waste charges categories and charging components are as follows:

Liquid trade waste discharge category	Application fee	Annual trade waste fee	Reinspection fee	Liquid trade waste usage charge / KL	Excess mass charges / kg	Non-compliant excess mass charges / kg
Category 1 Dischargers conducting an activity deemed by Council as requiring nil or minimal pre-treatment equipment, whose effluent is well defined and low risk to the sewerage system. Volume of discharge is low. Also included are activities with prescribed pre-treatment but low risk	\$50.81	\$88.87	\$83.33	No charge	No charge	No charge
Category 2 Dischargers conducting an activity deemed by Council to require a prescribed type of pre-treatment equipment and whose effluent is well characterised. Volume of discharge is up to 20 KL per day.	\$64.67 Includes primary treatment device	\$355.49	\$83.33	Compliant \$1.26 / KL Non-compliant \$14.20 / KL	No charge	No charge
Category 3 Dischargers conducting an activity which is of an industrial nature and/or which results in discharge of large volumes (over 20 KL/day) of liquid trade waste to the sewerage system.	\$991.90 Includes two site visits during construction	\$597.14	\$83.33	No charge	Refer attached Schedule of Fees	Refer attached Schedule of Fees
Category S Dischargers conducting an activity of transporting and/or discharging septic tank waste, pan waste and ship to shore pump-outs into the sewerage system. Private pumping stations are included in this category.	Residential \$53.42 Non-residential \$215.98 Includes one inspection	Residential \$47.50 Non-residential \$96.47	\$83.33	No charge	No charge	Charged to private pumping stations only – in accordance with attached Schedule of Fees

In addition to the substances listed above, excess mass charges will apply per kilogram of waste discharged in excess of the Liquid Trade Waste Policy Guideline Acceptance Limits. Non-compliant excess mass charges will apply for trade waste discharged in excess of the Liquid Trade Waste Approval Limit. The nominated charges are applied in accordance with the formulas contained in Council's Liquid Trade Waste Policy.

Excess Mass Charges

Pollutant	2014/15 Charge Per KL
Aluminium (Al)	0.69
Ammonia (as Nitrogen)	0.74
Arsenic (As)	69.63
Barium (Ba)	34.83
Biochemical Oxygen Demand	0.74
Boron (B)	0.69
Bromine (Br ₂)	14.20
Cadmium (Cd)	322.38
Chloride	No charge
Chlorinated Hydrocarbons	34.83
Chlorinated Phenolics	1,418.49
Chlorine (Cl ₂)	1.42
Chromium (Cr)	23.20
Cobalt (Co)	14.20
Copper (Cu)	14.20
Cyanide	69.63
Fluoride (F)	3.47
Formaldehyde	1.42
Grease and Oil	1.33
Herbicides/defoliant	696.37
Iron (Fe)	1.42
Lead (Pb)	34.83
Lithium (Li)	6.98
Methylene Blue Active Substances (MBAS)	0.69
Manganese (Mn)	6.98
Mercaptans	74.99
Mercury (Hg)	2,321.19
Molybdenum (Mo)	0.69
Nickel (Ni)	23.20
Nitrogen (N)	0.17
Organoarsenic compounds	696.37
Pesticides general (excludes organochlorines and organophosphates)	696.37
Petroleum Hydrocarbons (non-flammable)	2.34
pH	0.41
Phenolic compounds (non-chlorinated)	6.98
Phosphorus	1.42
Polynuclear aromatic hydrocarbons (PAH's)	14.20
Selenium (Se)	48.47
Silver (Ag)	1.38
Suphate (SO ₄)	0.13
Sulphide (S)	1.42
Sulphite (SO ₃)	1.42
Suspended solids	0.95
Thiosulphate	0.27
Total dissolved solids	0.04
Tin	6.98
Uranium	7.50
Zinc (Zn)	14.20

The total yield in 2014/15 from trade waste fees and charges is estimated to be \$991,842.

It should be noted that Trade Waste Charges apply in addition to sewer service charges. Where properties discharging Liquid Trade Waste become chargeable or non-chargeable for a part of the financial year a proportional charge calculated on a weekly basis is to apply.

7. Ancillary and Miscellaneous Charges

Item	2014/15 Charge
Conveyancing Certificate Statement of outstanding charges	19.35
Property Sewerage Diagram Diagram showing location of the house-service line, building and sewer for a property	54.85
Service Location Diagram Location of sewer and/or water mains in relation to a property's boundaries	19.35
Special Meter Reading Statement	59.32
Billing Record Statement Up to and including 5 years Further back than 5 years	19.35 19.36 for first 15 mins 12.92 per 15min thereafter
Water Reconnection During business hours Outside business hours	39.99 165.05
Workshop test of water meter If the meter is faulty, no fee is charged Up to 80mm Over 80mm	198.59 By quote
Application for disconnection (all sizes)	33.50
Physical disconnection (all sizes)	130.84
Application for water service connection (all sizes)	32.56
Physical connection Meter only 20mm Short or long service 20mm Short or long service 25mm Short service 40mm Long service 40mm Short service 50mm Long service 50mm Larger services – provision of live main connection only	113.48 688.61 835.63 1,570.67 2,087.78 2,241.21 2,763.48 By quote
Standpipe Hire – Security Bond 25mm 63mm	408.79 786.62
Standpipe Hire – Annual Fee	Water service charge pro-rated for applicable part of the year
Backflow prevention device Application and registration fee	68.35
Major works inspection fee (\$/metre) For the inspection, for the purposes of approval of water and sewer mains, constructed by others, that are longer than 25 meters and/or greater than 2 metres in depth. Water main Gravity sewer main Rising sewer main	5.94 7.92 5.94
Statement of available pressure and flow	131.29

Item	2014/15 Charge
Underground plant locations Council assists in on-site physical location. Customer provides all equipment required to expose asset Council undertakes on-site physical location. Council provides all equipment and labour.	79.31 for first hour 19.33 / 15mins thereafter 132.16 for first hour 32.88 / 15mins thereafter
Plumbing and Drainage inspection fee Residential single dwelling, villas and units Alterations, caravan & mobile homes Commercial and industrial Additional inspections	159.90/unit 80.57/permit 159.90/unit +46.42/water closet 59.31/inspection
Relocate existing stop valve or hydrant Price exclusive of plant hire, material costs and traffic control	132.16 for first hour 32.88/15 min thereafter
Raise/lower/adjust existing services A height adjustment with lateral movement no more than 2 meters from existing location 20mm only – no materials Over 20mm – requires materials	132.83 By quote
Relocate existing services Where the lateral adjustment exceeds those above Short 20mm Long 20mm Larger than 20mm	335.28 522.27 By quote
Water Sample Analysis	80.57
Alteration from dual service to single service 20mm service only	401.06
Sewerage junction cut-in (150mm) No excavation, no concrete encasement removal, no sideline, junction within property.	296.59
Sewerage junction cut-in (150mm) – sideline less than 3m No excavation, no concrete encasement removal, junction outside property	310.66
Sewerage junction cut-in (225mm) No excavation, no concrete encasement removal, no sideline, junction within property.	694.00
Sewerage junction cut-in (225mm) – sideline less than 3m No excavation, no concrete encasement removal, junction outside property	732.68
Sewerage junction cut-in (over 225mm or where excavation or removal of concrete encasement required by Council) Price exclusive of plant hire charges, materials and traffic control.	132.16 first hour 32.88/15 min thereafter
Sewer main encasement with concrete Encasement inspection fee – construction not undertaken by Council Construction by Council	100.16 By quote
Raise and Lower Sewer manholes (over 300mm) There is no charge for adjustments less than 300mm Manhole Inspection fee Actual physical adjustment	110.25 By quote
Septage and Septic effluent discharge charge (per KL) Licensed contractors dispose of septage and effluent wastewater from domestic onsite sewerage systems and sewer pumping stations at Council's sewer treatment sites.	16.67
Development investigation fees Major developments (Category 1) Minor developments (Category 2) Class 1 and 10 developments (Category 3)	633.36 274.86 80.48

5.3 Consideration of Submissions to the Wyong Shire Council Strategic Plan

TRIM REFERENCE: F2013/01660 - D06895179
MANAGER: Stephen Naven, Chief Financial Officer
AUTHOR: Kathleen Morris; Manager

SUMMARY

This report provides for Council's consideration details of submissions made during the public exhibition of the Wyong Shire Council 2013-2017 (Year 2 2014/15) Strategic Plan, to be renamed the Wyong Shire Council 2014-2018 Strategic Plan, prior to finalisation and adoption of the plan.

RECOMMENDATION

- 1** *That Council note that the draft Wyong Shire Council Strategic Plan was publicly exhibited from 14 April 2014 to 12 May 2014.*
- 2** *That Council receive submissions made by the community following that public exhibition, as detailed in this report.*
- 3** *That Council consider those submissions, as required by Chapter 13 Part 2 of the Local Government Act 1993.*
- 3** *That Council note and endorse the amendments recommended by Council staff in this report.*

BACKGROUND

At its meeting held on 9 April 2014 Council unanimously resolved:

"329/14 That Council adopt the Draft Wyong Shire Council Strategic Plan 2013-2017 – Year 2 (the Draft Plan) for public exhibition including the following changes:

Page	Section	Original Wording	Amended Wording
23	2	(SRV table) Gorokan Park, Spotted Gum Reserve Watanobbi, Heritage Drive Kanwal and Sunshine Reserve Chittaway – playground renewal program	Spotted Gum Reserve Watanobbi and Heritage Drive Kanwal - playground renewal program
23	2	Minnesota Road	Minnesota Road
60	3	Remove item 9-034 Implement Council's Property Strategy and Economic Development Strategy (Civic Leadership theme)	Insert item 7-005 Implement Council's Property Strategy and Economic Development Strategy (Our Economy theme) (Page 55) Renumber items 9-035 to 9-056 – now 9-034 to 9-055
55	3	5-001 7-005 to 7-009	Renumber item 7-006 Renumber items 7-007 to 7-011
92	5	Remove option 2 from average residential rates table (negligible difference between the options) in the Long Term Financial Strategy (page 92)	Insert full average residential rates table showing options 1 and 2 into Statement of Revenue (page 176) supported by explanatory text
195	5	Map 14 removed	Map 14 added including legend

330/14 That Council receive submissions from the community and interested groups or stakeholders concerning the Draft Strategic Plan for consideration and possible inclusion in the final plan to be adopted by Council in May 2014.

331/14 That Council authorise the General Manager to make appropriate corrections in the Draft Strategic Plan to eliminate numerical inconsistencies and typing errors.”

The draft Plan was exhibited for a period of 28 days from 14 April to 12 May 2014. Exhibition was undertaken in accordance with the revised Community Engagement Strategy that included:

- A series of advertisements in local print media, including Council's Shirewide ad, Mayoral column and Rural Grapevine
- Media release and series of radio interviews
- Information in Your Shire newsletter – issued to 51,000 ratepayers
- Item in Council E-news (May)
- Exhibition displays at Council's civic centre, depots and libraries
- Letters and copies of a summary Plan sent to community contacts
- Email notice to all staff, local MPs, Chambers of Commerce, Regional Development Australia, Department of Premier and Cabinet, neighbouring local governments and the resident e-Panel
- Electronic exhibition of the document on Councils website (including via Consultation Hub)
- Social media updates through Facebook and Twitter
- Community Ward forums

CURRENT STATUS

A total of 18 submissions were received, as per the summary below.

ID	Plan section	Page no	Submission detail	Staff Recommendation
1	3	28, 39-50	Requesting to include the Precinct's proposed Morisset to Gwandalan shared pathway route in Council's Shared Pathway Strategy; and to have funding allocated in the 2014-15 budget for preliminary environmental and design studies	<i>Recommended no change</i> : the project will be reviewed during 2014/15, subject to the availability of external funding, plus approval of a lease of sufficient length to make investment of this magnitude viable.
2	3	28, 29, 34, 35	Objecting to the Plan until there is genuine debate and scrutiny of all proposed developments of the 28 iconic sites and all Major Projects; calling on a referendum to consider the community's support of all proposed major developments within the Shire	<i>Recommended no change</i> : Council undertakes community engagement with regard to major projects such as the Special Rate Variation, Metro Cinemas, the Arthouse, Central Coast Regional Airport, etc. The iconic sites were included in the The Entrance Town Centre Masterplan after significant consultation and support. The remaining iconic development sites were included in the DLEP 2012/DCP 2012, exhibited for community comment. Council has received support for the iconic development site programme from all sectors of the community and government.
3	5	249	Objecting to increase in library book reservation fee and recommending an overdue book fee be introduced	<i>Recommended no change</i> : the general reservation fee has been reduced and the senior fees raised by \$0.10, an overdue fee has been introduced for 2014/15. Fees will be reviewed during 2014/15.
4	3	28, 39-50	Requesting the Pioneer Dairy Sportsground include provision for a cycle circuit to race on, and eventually extend, for the safety of the increasing number junior members who cannot race on the roads	<i>Recommended no change</i> : the concept design for the Central Coast Regional Sporting Facility includes a 1.8 km criterium circuit.
5			Thanking the Mayor and agreeing to improvements to art and entertainment facilities at Wyong and Tuggerah	<i>Recommended no change</i>
6	3	28-69	Acknowledging partnership between the University and Council with the development of the Ourimbah Town Centre Masterplan and requesting it be directly referenced in the plan	<i>Recommended change</i> : addition of operational plan item 'Adopt a masterplan for the Ourimbah Town Centre by August 2015'.
7 & 9	5	249	Submissions 7 and 9 were from the same community member (with minor variances) <ul style="list-style-type: none"> • Requesting the deletion (or make nominal fee of say 50 cents) library book reservation fee and increasing late fee for overdue books to \$1 per day per item • • Suggesting discarded large print books be made available to Aged Care Facilities to purchase at a nominal rate 	<i>Recommended no change</i> : the general reservation fee has been reduced and the senior fees raised by \$0.10, an overdue fee has been introduced for 2014/15. Fees will be reviewed during 2014/15.

ID	Plan section	Page no	Submission detail	Staff Recommendation
8	5	252	Requesting full review of footway licence terms, conditions and pricing prior to considering fees for outdoor eating areas as they are not fair and equitable for all businesses in Wyong Shire	<i>Recommended no change</i> : the policy and associated fees are due for review in 2014/15.
10	3	44, 45, 53	<ol style="list-style-type: none"> 1. Requesting confirmation that the \$300,000 under item IO.185 (page 53) will be spent exclusively in the Lake Macquarie catchment communities (it is listed as a Shire Wide project); request confirmation on what projects these funds will be allocated; request value of Lake Macquarie Stormwater Levy funds currently collected and unspent 2. Asking if capital projects IO 103, 151, 153 and 160 (page 44 and 45) funded from the Lake Macquarie Stormwater Levy or from General Fund 3. Requesting allocation of funds to shared pathways around Lake Macquarie 	<p><i>Recommended no change</i> : the term 'Shire wide' is used when a project encompasses more than one suburb. The \$300,000 will be spent on works for the Lake Macquarie catchment communities. As at 31 March 2014, \$1.2m is held (in a restricted asset) in unspent Lake Macquarie Stormwater Management Charges.</p> <p><i>Recommended no change</i> : IO.103 is an SRV project, and IO.151, 153 and 160 are funded by Water Fund general revenue.</p> <p><i>Recommended no change</i> : there are four Shared Pathway projects in the Plan: Lakes Beach Renewal, Picnic Point to The Entrance Bridge, Magenta Shared Pathway, Shared Pathway Program. Capital works IO.178 'Shared pathway program' is dependent on grant funding and therefore not fixed. Opportunity for environmental investigation of the Mannering Park to Chain Valley Bay foreshore shared pathway is subject to funding. The un-finished section of foreshore pathway construction works at Mannering Park from Campbell Street to Griffith Street (approx. 300 metres) is dependent on access permission from Delta Electricity.</p>
11	3	6, 34, 55, 56	Objecting to spending money on a cinema at Lake Haven when one is being built at Warnervale	<i>Recommended no change</i> : once constructed the Metro Cinema development at Lake Haven will provide a significant, ongoing financial return to Council and the community. It will also provide employment opportunities for ratepayers and residents along with a much needed attraction for the youth in the area. The proposal to develop a cinema complex at Warnervale is still some years away and there is no guarantee of it proceeding.
12	3	51-53	Requesting something be done about the beaches and lakes to keep them clean	<i>Recommended no change</i> : Council is undertaking significant works to improve the amenity of lakes and beaches.
13	3	57-69	Requesting the installation of backup generators in all pump stations (sewerage)	<i>Recommended no change</i> : back-up generators or dual power supplies are installed at all Sewage Pump Stations that represent a strategic risk to Council's service levels and the environment.

ID	Plan section	Page no	Submission detail	Staff Recommendation
14	3	55	Objecting to the sale of assets for the purpose of economic development, objecting to Community Strategic Plan objective 7 (Economic Development) on the basis that it is not Council's role and rates income should not be spent for this purpose. Objects to rates being used to fund projects such as the Chinese Theme Park, Airport and Cinema Complex.	<i>Recommended no change</i> : Councils do have a role to play in facilitating the economic growth of the region. The development projects that Council is facilitating, such as the Central Coast Regional Airport, will provide employment opportunities for ratepayers and residents and a stimulus to other developments in the surrounding areas. The Cinema complex will also provide a significant financial return to Council. Council is not funding the development of the Australia Chinese Theme Park – it is only selling the land to the developer.
15	5	249	Stating reservation fees (libraries) are too high and overdue fees are untenable. Recognising the importance of libraries as important community hubs	<i>Recommended no change</i> : the general reservation fee has been reduced and the senior fees raised by \$0.10, an overdue fee has been introduced for 2014/15. Fees will be reviewed during 2014/15.
16	3	40-50	Requesting the inclusion of Victoria Street (pavement renewal) in the 2014 works program	<i>Recommended no change</i> : Victoria Street is scheduled for repair and resurface in the first half of 2015.
17	5	208-209	Objecting to the increase in fees to land and park overnight (Warnervale airport)	<i>Recommended no change</i> : fees have been benchmarked against other airport charges and are deemed reasonable when compared to charges at other airports. The increase in fees is not aimed at realising substantial profit, nor reducing airport usage. The main aim of the new fee structure is to recover increased costs arising from increased usage of the airport and the need to maintain and improve facilities.
18	3 & 5	35, 77	Requesting renaming of Warnervale Town Centre to Warnervale Town Centre Community Development Program Requesting addition of Department of Trade and Investment as a Primary Service provider	<i>Recommended no change</i> : the Warnervale Town Centre Major Project encompasses a number of projects, one of which is the Community Development Program. <i>Recommended change</i> : add NSW Department of Trade and Investment to items 7a, 7d and 7e on page 77.

Council may, in its consideration of these submissions determine to note any particular issue as being a consideration for operational staff to take up during the course of normal operational activity.

Recommendations from the above submissions are to:

- Add operational plan item under the Our Economy planning theme - *Adopt a masterplan for the Ourimbah Town Centre by August 2015*
- Add NSW Department of Trade and Investment to items 7a, 7d and 7e on page 77

COUNCIL'S INTERNAL REVIEW OF THE DRAFT PLAN

Council is not required to make submissions to its own plans however it has an obligation to ensure that in its fine tuning of the document, that any material change is avoided otherwise it would be appropriate to consult formally with the Community a second time.

During the exhibition period staff continued to make many minor adjustments to the narrative, formatting and correction of typos as permitted by Council's resolution to place the draft Plan on exhibition.

STRATEGIC LINKS

Wyong Shire Council Strategic/ Annual Plan

The Wyong Shire Council Strategic Plan is aligned to the Community Strategic Plan.

Long term Financial Strategy

The draft Long Term Financial Strategy is aligned to the objectives of the Community Strategic Plan.

Asset Management Strategy

The draft Asset Management Strategy is aligned to the objectives of the Community Strategic Plan.

Workforce Management Strategy

The draft Workforce Management Strategy is aligned to the objectives of the Community Strategic Plan.

Budget Impact

The budget impacts of the Community Strategic Plan are incorporated into Council's Long Term Financial Planning.

CONSULTATION

Community consultation was in accordance with the approved Community Engagement Strategy. This engagement and all submissions received during the public exhibition period are the subject of this report.

In addition to the Community consultation extensive consultation was undertaken with Councillors, senior management, managers and staff for the formation of the draft Plan.

GOVERNANCE AND POLICY IMPLICATIONS

The exhibition of the Wyong Shire Council Strategic Plan is an important step in ensuring good governance based on the integrated planning framework. The integrated planning framework provides an additional avenue for transparency and community input into Council detailed corporate planning. As such, it serves as an essential component of good governance as a basis for corporate management that responds to the needs and vision of our growing community.

MATERIAL RISKS AND ISSUES

The exhibition of the Plan and the community consultation reduces corporate risks arising from business directions not being aligned with the community needs and direction. At the same time, careful review of all submissions is required to ensure that final decisions give preference to the overall community good when weighting up any advantages arising from suggestions made by individual submissions.

CONCLUSION

Council has exhibited the draft Plan in accordance with the Community Engagement Strategy and the requirements of the Act.

Submissions have been analysed and staff recommendations made against them.

Amendment of the draft Plan as outlined in this report is proposed prior to Council considering the final Wyong Shire Council 2014-2018 Strategic Plan for adoption.

ATTACHMENTS

1	WSC SP (2014/15) - Submission 1	D07787014
2	WSC SP (2014/15) - Submission 2	D07787024
3	WSC SP (2014/15) - Submission 3	D07787113
4	WSC SP (2014/15) - Submission 4	D07787116
5	WSC SP (2014/15) - Submission 5	D07787118
6	WSC SP (2014/15) - Submission 6	D07787189
7	WSC SP (2014/15) - Submission 7	D07787212
8	WSC SP (2014/15) - Submission 8	D07787215
9	WSC SP (2014/15) - Submission 9	D07787216
10	WSC SP (2014/15) - Submission 10	D07787305
11	WSC SP (2014/15) - Submission 11	D07787306
12	WSC SP (2014/15) - Submission 12	D07787311
13	WSC SP (2014/15) - Submission 13	D07787315
14	WSC SP (2014/15) - Submission 14	D07787317
15	WSC SP (2014/15) - Submission 15	D07787325
16	WSC SP (2014/15) - Submission 16	D07787414
17	WSC SP (2014/15) - Submission 17	D07787416
18	WSC SP (2014/15) - Submission 18	D07829989

Submission 1

MANNERING PARK PRECINCT COMMITTEE INC.

PO Box 7061
MANNERING PARK NSW 2259
ABN 47054613735

14th April 2014

The General Manager
Mr. Michael Whittaker
Wyong Shire Council
Email: wsc@wyong.nsw.gov.au

MORISSET TO GWANDALAN SHARED PATHWAY

Dear Michael,

Further to the letter our Precinct sent you on the 12th August 2012 we would like to again seek your assistance to have the Precinct's proposed Morisset to Gwandalan shared pathway route included in Council's Shared Pathway Strategy and to also have funding allocated in the 2014-15 budget for preliminary environmental and design studies. To advance our case for funding I have outlined in point form below the works we have undertaken to date.

- We have walked the majority of the route and plotted the route out on GPS software and the resulting map has previously been included in the Precinct email mail-out and placed in the community notice boards.
- These maps were also forwarded to the Munmorah/Chain Valley Bay and Gwandalan/Summerland Point Precincts and Progress Associations for their information and comment.
- Using costing provided by Council the Precinct undertook to put together a budget price for the first stage of the works from the existing shared pathway in Mannerling Park to tall Timbers Road at Chain Valley Bay. We also received a quote for the bridge across the Inlet Canal from Fleetwood Urban Pty Ltd, a company I understand constructed a similar bridge for Council at Long Jetty recently.
- Following Delta Electricity's verbal objection to our proposal on perceived security grounds we approached our local state MP Garry Edwards for assistance.
- We wrote to the relevant State Government Ministers whose portfolios covered Delta and Crown Lands.

MANNERING PARK PRECINCT COMMITTEE INC. meet 3rd Monday of the month.

Page 1 of 2

EMAIL: manneringparkprecinctcommittee@yahoo.com

WEB: www.manneringpark.nsw.au

- Following these letters we met with the Crown Lands Department at Maitland to ascertain the status and ownership of the foreshore land in front of the Vales Point Power Station.
- The Lands Department advised that the foreshore was zoned RE1 Community Use and that Delta had no formal or informal agreement to have their infrastructure (i.e. Inlet Canal, High Voltage Towers, located on Crown Land).
- We then wrote to the State Government via Garry Edwards seeking 50 years of forgone lease payments and to have these funds used for the creation of our shared pathway.
- Following advice from Chris Hartcher M.P. we sought approval for our proposal from all levels of government concerned. We received unreserved support from both our Federal MP Jill Hall, our State MP Garry Edwards and in-principle support from WSC.
- Although we had previously advised Delta verbally of our proposal we undertook to write to Delta and formally advise them of our proposal.
- Unbeknown to us Delta negotiated with council to have the foreshore land re-zoned SP1 Power Station Use in the 2013 LEP.
- Following representations by our Precinct to Garry Edwards and the Lands Department this re-zoning was revised in January 2014, clearing the way for our proposed shared pathway.
- In 2011 our Precinct made a submission to the Department of Planning seeking a Voluntary Planning Agreement from the Chain Valley Colliery's Environmental Assessment to allow the continuation of mining. We sought \$1.00/tonne ROM for infrastructure works (specifically for a shared pathway) in the Mannering Park, Chain Valley Bay, Gwandalan area. We were successful in receiving a VPA of \$0.035/tonne which the colliery has now been contributing for over two years.

Having regard to the points outlined above we would ask that Council formally recognise our Precinct's shared pathway proposal and have it included in their Shared Pathway Strategy and to also commence allocation and/or resourcing of funds to allow this project to proceed.

Recognising the objections continually raised by Delta to frustrate and deny our community's aim to see this project come into fruition, our Precinct would ask that Council persist with a similar level of determination and not allow Delta to place unreasonable or unnecessary limitations on the design and/or construction of a shared pathway from Mannering Park to Chain Valley Bay.

Regards,





Chairman – Mannering Park Precinct Committee

Submission 2

Wyong Shire Council

21 April 2014

2 Hely St.

Wyong NSW 2259

RE: Draft 2013-2017 Strategic Plan (Year 2 2014/2015)

As a relatively new resident to the shire, it has quickly become apparent that Wyong is not much different than the many councils that I have dealt with around NSW and beyond over many years.

Being forewarned by local residents and neighbours about certain elements of council and the obvious bias towards suburbs or a particular ward of Wyong Shire, I needed to see it for myself and now after four years I agree with those sentiments.

I have dealt first hand with the processes of DA's for community & commercial developments and the development of my own property within Wyong's jurisdiction. Neither DA has been dealt with professionally or in favour of the citizens of our region in my opinion.

Addressing council in chamber, community workshops or addressing Regional Planning Committees is purely a process that fulfils all legal requirements by both Council and the N.S.W. Government and very little input by genuine concerned residents is listened to or acted upon, once again in my opinion.

Cl. Doug Eaton and his support crew's vision are much different than those of the community that I mingle and deal with. I do not recall a mandate in any election for the development of a motor sport precinct, a regional airport or other such pipedreams as a Chinese Cultural Theme Park or the purchase of Bluetongue Brewery, therefore I call on council to hold a referendum on such major developments.

The community's major concern before, during and after the last election, as raised by council was an increase in land rates to eliminate the \$30M debt that Council had bestowed upon us, to catch up on the backlog of infrastructure maintenance in the Shire and the proposal to turn Community Land into Operational.

The voting community DID NOT elect this Council to become entrepreneurial developers. In fact none of the candidates that I directly contacted before the previous elections (Local or State) had any idea of the North Wyong Structure Plan or how it would impact on the region. They saw development as purely jobs and progress without understanding the externalities of any major proposal, let alone the cumulative impacts of many.

Issues raised during Regional Planning Panels such as commitments by all levels of government to the second highest aging population in N.S.W. fell on deaf ears. Issues such as access to Wyee Station, the newly appointed Transport Hub for the northern region of the shire for both the aging and disabled (up to 32% of our residents). Unsustainable developments adding pressure to our

already antiquated medical system or devastation of vulnerable species and habitats under the guise of progress, to name just a few.

Pipedream proposals by a select team of councillors to Save Tuggerah Lakes, having no idea that what they were proposing would effectively impact further on the complete Tuggerah Lakes ecological system and be nothing more than window dressing.

The General Manager's mooted that Council is delivering over 90 services for some \$240 million. Most if not all being services that have been neglected for many years and are being propped up by increased costs to the community.

The GM's quote of "making the focus for the year being firmly set on the customer the centre of our business processes" has fallen on deaf councillors ears. I have major concerns that the customers may be seen by council or those within as gullible, as overseas investors will most probably purchase most of the proposed infrastructure within the so called 28 identified Iconic development sites, way outside of Council's mandate.

I also do not believe that any short term Strategic Plan that ignores previous legal requirements on council to maintain the community's existing assets and having it subsequently intending either to spend part of or all of the increased rate payer's money on entrepreneurial enterprises is a Strategic Plan that I DO NOT support.

Key operational activities are those that are legal requirements under the Local Government Act.

Major Projects should have further scrutiny by the community before any approval, as it is their lives and way of living that are most impacted upon.

Capital Works are obligatory.

Resource Management is up to all levels within council, not just the whim of a few.

Income and expenditure is a responsibility of the GM and Councillors and previous history shows our ratepayers that it has not been up to scratch. Balancing the books is a speciality for professionals and I can only hope that we have enough of them within our council ranks.

58% of council's major income is generated by the ratepayer with a further 23% from user charges and fees, also most probably the ratepayer. With the balance being generated by other grant process or investment revenues, if successful. This giving council general income from residents at approximately \$208.6m or 81%+ of their annual income.

In reflection having the majority of ratepayer's costs at \$83m or 34% paying for Employee benefits added to On-Costs and Other Expenses at \$35.2m or 15%, this meaning that approximately half of generated funds are being used for Employee costs and other expenses, before any further infrastructure can be contemplated, improved or updated. This is not including a further \$53.3 m or 22% for contractors and materials.

With approximately \$171.5m being spent from the \$208.6m income, we have approximately \$37.1m left in the kitty, not much to pay off the dept council had got us into as well as keeping up with the shires general maintenance that has been neglected.

Grabs to take advantage of valued community lands within council boundaries such as the mooted Eco Village and a myriad of unsustainable developments of housing or desalination plants have the community losing faith in Council's ability to responsibly manage our finances or assets without destroying our natural and unique environment.

The mooted 28 Iconic Development sites have the general community very nervous, as history shows that individuals within council have intentions to make the Central Coast, especially the Wyong shire the next Surfers Paradise without a mandate to do so.

It is my belief that many within council have lost sight, putting gullible expectations of what we have to gain over and ahead of what we have to lose. Wyong's major asset is its natural beauty, beaches, lakes and wonderful bushlands and what comes with them. There is a balance that is needed before all is lost.

Future ongoing major housing proposals and Manufactured Home Estates are seriously jeopardising the health of our unique waterways. This in turn has culminated in many marine bird deaths due to Fecal coliforms and with the massive reductions of agriculture over the past decades within the catchment, these deaths can only be attributed to a catchment being put under extreme stress by unsustainable human development.

Wyong Council is well aware of the changes to the lake system and has done its best to stifle genuine debate by those within the community who genuinely understand the impacts. Those being the majority of the community component of the Estuaries Management Committee. Council has also disbanded their support of local precinct committees for the establishment of quarterly community forums, which will effectively, minimise or stifle further topics being raised by concerned residents.

This has already culminated in the closure of the Budgewoi/ Buff Point/ Halekulani Community Precinct Committee with several more committees contemplating the same. If this was Council's intention, it has worked perfectly, yet it goes against the GM's quote of "making the focus firmly on the customer" fade into insignificance.

Council's support for Disability Tourism in Wyong best amounts to tokenism at its best. Unanimously supported and resolved in chamber at the Ordinary Meeting of Council on the 11th August 2010, very little contact from council staff or councillors has transpired. In fact it is my belief and understanding that directions from a senior member of Council has been unofficially announced, not to make Disability Tourism a priority for the region and that this person, through its professional understanding of Disability Tourism which is none, believes that Lakes Beach is not the appropriate beach for this project. This being nothing more than another example of stifling genuine community support for the project and regional progress for 32% of local residents with a disability or mobility issue, not including tourism. The project will go ahead with or without Wyong Council's support.

Figures for the use of the three beach wheelchairs owned and maintained by the Northern Lakes Disability Tourism Precinct Committee Inc. at Lakes Beach, show that 62% of visitors to this beach using the chairs come from the Western Suburbs of Sydney and beyond. Yet council are not willing

to classify the chairs as a Council asset, thus putting the burden of insurance on the community groups, but happy to use them for Public Relations purposes.

As a resident, ratepayer and active community advocate, I am opposed to Wyong Council's Draft Strategic Plan (Year 2 2014/15), until there is genuine debate and scrutiny of all proposed developments of the 28 iconic sites and all Major Projects.

I call on Council to hold a referendum to consider the community's support of all proposed major developments within the shire.

Yours sincerely

[Redacted signature block]

Cc: Pru Goward MP Minister for Planning.

Mike Gallacher MP Minister for the Central Coast.

Kevin Humphries MP Minister for Natural Resources Land and Water.

Editor, Central Coast Express Advocate.

Editor, Wyong Regional Chronicle.

Submission 3

26/4/14

To Whom it May Concern

I was very disappointed to read the notice recently posted on the Notice Board at the Lake Haven branch of the Wyong Library. I patronise the Lake Haven Branch at least three times a week, to borrow books & DVD's & recently released books, that have just arrived in the library.

I am a Pensioner of 83 years of age, & I do believe the recent price increases are quite extortionate, especially for the Reservation of a book. Therefore, after the 1st of July, 2014, I will not be using the Reservation service.

I believe the Wyong Shire is "Cutting off their nose to spite their face".

I also believe that most "pensioners" of the Wyong Library Service (of which there are many), will be of the same opinion!

Yours truly,

A Reporter of the
Wyong Shire

P.S. I do believe that the Shire would derive more revenue if a fee were charged for overdue books etc.

Thank you for
reading this letter.

What is your name? - Name	What is your email address? - Email	What is your address? - Address	Please provide your comments. You can upload documents if you need more room. - Comments	Please provide your comments. You can upload documents if you need more room. - File upload
[REDACTED]	[REDACTED]	[REDACTED]	<p>I am secretary of the Central Coast Cycling Club and was wondering if the Pioneer Dairy Sportsground had provision for a cycle circuit to race on and eventually extend a few kms so there is no need to race on the roads.</p> <p>We are also having an increase in junior members who are too young to race on the roads hope to hear from someone soon</p>	<p>Not Answered</p>

What is your name? - Name	What is your email address? - Email	What is your address? - Address	Please provide your comments. You can upload documents if you need more room. - Comments	Please provide your comments. You can upload documents if you need more room. - File upload
[REDACTED]	[REDACTED]	[REDACTED]	<p>We agree with the way The Mayor is spending the residents new rate charges he is improving the standards of every avenue of the Arts and entertainment facilities for everyone to be able to have the same enjoyment as WYONG Centre and TUGGERAH I think Doug Eaton is the most visionary MAYOR this Community has had for a very long time I hope people will keep him for many more terms. thank you for the opportune to tell the Council how I think as I am on Dialysis 3 times a week and also in a wheelchair [REDACTED]</p>	Not Answered

Submission 6



1 May 2014

Mr Michael Whittaker
General Manager
Wyong Shire Council
PO Box 20
WYONG NSW 2259

Via email, attention The General Manager: wsc@wyong.nsw.gov.au

Dear Mr Whittaker,

RE: Draft Wyong Shire Council Strategic Plan

Thank you for the opportunity to provide comment on the Draft Wyong Shire Council Strategic Plan 2013 -2017 (Year 2 2014/2015).

As with the recently exhibited Wyong Shire Draft Economic Development Strategy, we are pleased to note the common objectives between the University of Newcastle and the Council in growing access and opportunity in higher education in Wyong Shire and on the Central Coast more generally in the Strategic Plan. The acknowledgement of a partnership between the University and Council in the draft Plan provides a strengthened basis for collaboration between our two organisations as we seek to grow the partnership between the University of Newcastle and Council.

The commitment of the Council to development of a Masterplan for Ourimbah Town Centre in the Draft Economic Development Strategy, as communicated on Council's website and in the media is particularly welcome. However, I could identify no express reference to this Masterplan development project in the Draft Strategic Plan as published on the Council's website. This may reflect a difficulty in searching the PDF document, but if not, an express reference to such an important regional project would reinforce the priority Council has given the Masterplan in other documents and in its public statements.

The significant study undertaken by the UON recently with Hunter Institute and Wyong Shire Council as partners, which reviewed the role and future development potential of the Ourimbah campus and surrounds in the regional context, provides a substantial reference point for development of the Masterplan.

My recent correspondence to you in response to the Draft Wyong Shire Economic Development Strategy (17 April 2014) also provides some general comment that would usefully inform Council's Strategic Plan.

Thank you for the opportunity to provide this response to Council's draft Strategic Plan. The University looks forward to working with Council to review and enhance the Ourimbah Precinct Masterplan and welcomes Council's commitment to consultation on this and to working to meet the needs and expectations of the local community.

For further information on the University's plans and discussion in the first instance, please contact [REDACTED]

Yours sincerely

[REDACTED]

[REDACTED]
Deputy Vice-Chancellor (Academic)

May 1st 2014

Submission 7

Suggestion

Please delete the library fee to reserve a book which discourages reading AND greatly increase the late fee to \$1 per day per item from the first day it is late.

The council should be encouraging reading and discouraging late return of books when others are waiting.



Submission 8

What is your name? - Name	What is your email address? - Email	What is your address? - Address	Please provide your comments. You can upload documents if you need more room. - Comments	Please provide your comments. You can upload documents if you need more room. - File upload
[REDACTED]	[REDACTED]	[REDACTED]	<p>[REDACTED]</p> <p>My Comments are with respect to WSC 2013-2017 Strategic Plan on public exhibition until 12th May, specifically regarding Page 252 of proposed 2014-2015 Schedule of Fees and Charges, Item Number 17.10073 Outdoor Eating Areas.</p> <p>On the 9th April 2014 I met with [REDACTED] and [REDACTED] to discuss numerous issues, anomalies and various areas of concern with respect to the current policies of and fees being charged by Wyong Shire Council for Outdoor Eating Areas, which I believe are grossly excessive, discriminatory and unfair. I believe that it is necessary to request a total review of the current Footway Licence terms, conditions and pricing all together before ever considering adopting any of the revised Fees and charges being proposed in this public exhibition, so that we have an outdoor dining policy which is fair and equitable for all businesses in the Wyong Shire and which is more in line with all other councils in NSW.</p> <p>Please find attached Files containing details of the issues raised and subsequent actions requested in this meeting and copies of tabled summary attachments also referred to. These files are hereby provided as inclusions in my official comments and feedback for the public exhibition detailed above.</p> <p>Kindest Regards,</p>	<p>http://consultation.wyong.nsw.gov.au/integrated-planning/draft-strategic-plan-2013-2017-year-2-2014-2015/consultation/download_file?squid=question.2014-04-15.3422867917-filesubquestion&user=ANON-NWYS-3SPQ-T</p>

Meeting RE: Outdoor Dining/Footway Licences - Wednesday 9th April 2014

Present: [REDACTED] - WSC, [REDACTED] – TCM, [REDACTED]

Meeting Purpose:

To address a number of issues, anomalies and various areas of concern with respect to the policies of and fees being charged by, Wyong Shire Council (WSC) for Outdoor Dining/Footway Licences.

Attachments:

1/ Tabled summary of competing eateries in The Entrance/Long Jetty/Blue Bay/Toowoona Bay area indicating those with outdoor dining areas & the number of outdoor chairs in each of these respective businesses.

2/Tabled summary of most recent Fees & Charges for Outdoor dining areas as found on the WSC website.

3/ Tabled summary of latest ABS Population Statistics for the local areas being addressed in this meeting.

Points to note from Tabled attachments and Issues, anomalies & concerns to be addressed:

- There are 96 eateries in this area, serving a population of just 12,637 people. (Here-in lies a and key problem in that the number of WSC approved eateries in this area, far exceeds what is sustainable by such a small population)
- Eight (8) of the eateries tabled have Outdoor Dining Deck Structures, which according to WSC tabled fees & charges, should be paying, and justifiably so, a higher rate per chair than those eateries without structures. This fact has been overlooked for some time and continues to be overlooked.
- Administration and collection of Outdoor dining licence fees is managed closely by Town Centre Management (TCM) in The Entrance, however there appears to be little or no such management & controls for outdoor dining licences in the other WSC areas tabled.
- No Outdoor Dining fees are being charged for the 58 chairs located in the public waterfront access boardwalk council area [REDACTED]. Subsequently I can only assume that the required Footway licence or public liability insurance required by these eateries has also been overlooked.
- No Outdoor Dining fees are being charged for the 100 chairs located in the council outdoor dining deck structures [REDACTED]. I have been advised that this is because of some arrangement made [REDACTED] some time ago.
- It has been brought to my attention that a number of other eateries tabled with outdoor dining areas on council property are also not being charged the required fees and subsequently also do not hold required footway licences and public liability insurance.
- I believe that WSC Outdoor Dining Policy in its present format is discriminatory, unfair & unjust in that it allows some businesses to have their own outdoor dining furniture, whilst others are forced to pay a premium price for old, dated furniture compulsorily issued by WSC, which is in most part over 10 years old and thus of nil true commercial value in councils books.
- No other council charges GST on their outdoor dining licence fees, yet WSC does. This is a concerning issue which needs to be investigated and clarified immediately.

- The dynamics of The Entrance has begun to change with new commercial developments over the past 5 to 10 years. Areas within The Entrance which were once considered prime retail areas have already begun to shift and with additional Key Site developments in the near future, will see new prime retail areas develop further and the older ones becoming less valuable, attracting less customer traffic flow. These changes need to be progressively reflected in the fees being charged for Outdoor Dining Areas.

Action requested of WSC and TCM:

Unfortunately, the only way to determine with any certainty, that all businesses tabled are in fact paying for their Outdoor dining facilities and doing so at the correct price rates is by hereby requesting the following documents from The Public Officer WSC & TCM, available to me under the informal request provisions of the Government Information Public Access Act 2009.

A/ Documented proof of the arrangement made between [REDACTED], showing all the terms of the agreement and a copy of the minutes of the council meeting in which this agreement was approved.

B/ Copies of approved footway licences for each of the businesses tabled on the attachment as having Outdoor dining areas, together with copies of current public liability insurance required as a condition of footway licences and access to copies of no less than 2 non consecutive receipts for monthly payments of footway licences for each of these businesses.

Closing Notes:

As a business, under current Footway Licence fee pricing, I will be required to pay \$21,840 per year (\$1,820 per month) for my outdoor dining facilities and have already paid over \$130,000 in the past 7 years. I strongly believe this amount is grossly excessive and particularly unfair and unreasonable given that other competing businesses have paid nothing at all for the very same outdoor dining facilities.

In light of the issues and anomalies detailed above, I believe that it is necessary to request from WSC and TCM, a total review of the current footway licence terms, conditions and pricing so that we have an Outdoor dining policy which is fair and equitable for all businesses in the Wyong Shire.

I trust that we can reach a timely and acceptable resolution to this matter for all parties concerned.

Without Prejudice,

[REDACTED]

[REDACTED]

Submission 9

From: [REDACTED]
To: [WSC - Default e-mail recipient](#)
Subject: Submission - Library - Proposed fees and charges
Date: Tuesday, 6 May 2014 5:22:32 PM

To Wyong Council

I wish to make the following comments regarding the proposed fees and charges for the library service:

1. The reservation fee should be deleted as it discourages reading. It can also be a very unfair charge. For example I recently wished to borrow a book which was more than a week overdue. As there were no late fees, there was also no incentive for the borrower to return the item on time so eventually I paid the fee to reserve the book in the hope that the borrower would return the item. I should not have had to pay to reserve a book which should have been available and the borrower who was so late, should have had to pay for their tardiness which cost me a fee. Charging for reserving items disadvantages the poorer members of the community and serves no purpose other than to discourage people from reserving popular items. If you must have a reservation fee, make it a nominal amount of 50c to avoid denying ratepayers access to popular items.
2. The proposed late fees are completely ineffective and too low. If you intend to allow 7 day period of grace for overdue items, borrowers will still be forced to wait unreasonable amounts of time for items to become available. The late fees should apply from the first day the item is late and should be high enough to act as a disincentive for borrowers to hold on to items when they are overdue. Borrowers are able to renew their loans twice once an item is borrowed, which should be sufficient time. I would suggest that \$1 per item per day would act as a disincentive. Why would you propose to be so lenient with overdue charges when there is no leniency evident in any other area of the fees?
3. I have no objections to other proposed charges but I would like to suggest that council make discarded Large Print books available for purchase by Aged Care facilities at a nominal rate as these books are of great interest to older, less able members of our community.

Regards

[REDACTED]
[REDACTED]

Submission 10

MANNERING PARK COMMUNITY PRECINCT COMMITTEE



PO Box 7061
MANNERING PARK NSW 2259
ABN 47054613735

2nd May 2014

Michael Whittaker
General Manager
Wyong Shire Council
Email: wsc@wyong.nsw.gov.au

RE: Draft 2014-17 Strategic Plan

Dear Michael,

In reference to the Draft 2014-17 Strategic Plan Yearly Update we would make the following comments.

1. I.O.185 Page 53 allocates \$300,000 to Stormwater Drainage Works from the Lake Macquarie Stormwater Levy and the location is listed as shire wide. As these funds have been specifically collected from those residents in the Lake Macquarie catchment then these funds are to be spent in the Lake Macquarie communities not "shire wide" as described. Please confirm that the \$300,000 under this item will be expended exclusively in the Lake Macquarie catchment communities. Also confirm to what projects these funds will be allocated. What is the value of the Lake Macquarie Stormwater Levy funds currently collected at this stage and unspent?
2. I.O.103, 151, 153, 160. Are these works funded from the Lake Macquarie Stormwater Levy or from council general revenue?
3. Numerous new and upgraded shared pathways have been included in the 2014-15 budget. As requested on a number of occasions and over several years we have been trying to have council recognise the work our Precinct Committee has done in documenting and planning for a shared pathway between Morisset and Gwandalan. Once again there is no allocation of funds to shared pathways around Lake Macquarie. We would ask that even if construction funding is not allocated in this year's budget that at least this project be recognised and that funding be allocated to allow preliminary environmental studies to be commenced.

Regards



Chairman – Mannering Park Precinct Committee

MANNERING PARK COMMUNITY PRECINCT COMMITTEE meet 3rd Monday of the month.

Page 1 of 1

EMAIL: manningparkprecinctcommittee@yahoo.com

WEB: www.manningpark.nsw.au

What is your name? - Name	What is your email address? - Email	What is your address? - Address	Please provide your comments. You can upload documents if you need more room. - Comments	Please provide your comments. You can upload documents if you need more room. - File upload
[REDACTED]		[REDACTED]	<p>WHY are you spending money on a cinema at lake Haven when there is one being built at Warnervale. This is a perfect example of council WASTING tax payers money. Your constituents are saying we DONT want you to spend on this when there will be one up the road. WHY DON'T YOU LISTEN?</p> <p>This Council is the most inept Council on the face of the planet. How about you prove us wrong and actually listen to the community for a change?</p>	Not Answered

What is your name? - Name	What is your email address? - Email	What is your address? - Address	Please provide your comments. You can upload documents if you need more room. - Comments	Please provide your comments. You can upload documents if you need more room. - File upload
[REDACTED]		[REDACTED]	<p>This area brings holiday makers from far and wide,,vwhat attracts them is the water,,the beaches and lakes,, look at long jetty,, the stagnant water,,the filthy water that you wouldnt let your dog walk in,, I used to swim there 35 years ago and it was amazingly beautiful. , Whatever happened?? Being realistic.. the council has to do something quickly,, dont let it go..I agree with what you are improving to improve the coast,,but its growing faster than ever before,, our waters are our greatest asset,, keep them clean and prestige . Its important.</p>	Not Answered

What is your name? - Name	What is your email address? - Email	What is your address? - Address	Please provide your comments. You can upload documents if you need more room. - Comments	Please provide your comments. You can upload documents if you need more room. - File upload
[REDACTED]	[REDACTED]	[REDACTED]	Recently we had a power out age (blackout) and the sewer mains overflowed into the lakes system. Please install backup generators in all our pumping stations so our lake system is not poisoned again. Please consider.	Not Answered

Submission 14

What is your name? - Name	What is your email address? - Email	What is your address? - Address	Please provide your comments. You can upload documents if you need more room. - Comments	Please provide your comments. You can upload documents if you need more room. - File upload
[REDACTED]	[REDACTED]	[REDACTED]	I object to options proposed in the Strategic Plan to sell Council assets. I believe it is not Council's role to enter into economic opportunities such as Chinese Theme Parks, airports or Cinema Complexes.....(Refer to attached for full submission)	http://consultation.wyong.nsw.gov.au/integrated-planning/draft-strategic-plan-2013-2017-year-2-2014-2015/consultation/download_file?squid=question.2014-04-15.3422867917-filesubquestion&user=ANON-NWYS-3SPS-V

Submission regarding the Wyong Strategic Plan 2013-2017 by [REDACTED].

I object to options proposed in the Strategic Plan to sell Council assets. I believe it is not Council's role to enter into economic opportunities such as Chinese Theme Parks, airports or Cinema Complexes. I as a Wyong Council rate payer, have had to endure significant rate rises, which were presented to me as a dire emergency to keep funding basic services such as maintenance of roads, rubbish, infrastructure, environmental and social projects could not be maintained. Now, two years later, Wyong Council seems to have enough funds to risk rate payers funds with risky ventures such as Chinese Theme Parks, cinema complexes and airports.

Specifically, I do not agree that it is Council's role to drive economic & property development in the Shire. It is not Council's role to create, identify or develop economic opportunities.

I believe it is the role of private enterprise to develop economic opportunities, which they are much better placed to do with their own funds. Council would do this work using rate payers funds, which are limited, and which are for the essential services which benefit a larger proportion of residents. By supporting a handful of supposed economic developments, Council could be unfairly influencing economic survival of other businesses; imagine for example that by assisting the development of a cinema complex in Lake Haven, this meant the loss of the cinema complex at Tuggerah or other such location where private enterprise has been operating for a number of years.

I believe Council should be primarily focused on providing high quality, efficient and effective essential services including regulatory, administrative, water, sewer, infrastructure (drainage etc), roads, waste, environmental land, and community services such as child care, libraries etc. Not commercial enterprises that would compete with private enterprises, that could easily favour a few individuals (owners of the land in questions, developers, real estate agents) , and which if the ventures fail, would prove to be a loss to rate payers.

Council should be providing administrative and regulatory role for development approvals. It is Council's role to be the consent authority for development approvals, it would be very difficult, and most likely a conflict of interest, for Council to be both the consent authority and the proponent.

I do not agree that Council should participate in a Government Intervention to provide more than 45,000 jobs in the next 25 years.

I do not understand what is Wyong Shire -wide Settlement Strategy and these documents were not available on the website on 12 May 2014.

I do not believe it is Council's role to provide access to a variety of housing types, this is the role of State Government and private enterprise.

I do not believe it is Council's role to improve the M1 link to Sydney to three lanes, again this is the role of State and Federal governments.

I strongly object to Council supporting the development of an airport

I strongly object to all of Community Strategic Plan Priority **Objective 7**. I do not believe this is Council's role and I am opposed to the rates I pay being used for these purposes. I do not wish my rates to be used in Wyong Council as dividends for a stock Market. I don't want my rates to be gambled with on developments. Furthermore, I am furious, that my rates are being used to fund projects I don't agree with, such as the Chinese Theme Park, Airport and Cinema Complex.

What is your name? - Name	What is your email address? - Email	What is your address? - Address	Please provide your comments. You can upload documents if you need more room. - Comments	Please provide your comments. You can upload documents if you need more
[REDACTED]	[REDACTED]	[REDACTED]	<p>Whilst I applaud the Council in general for their Strategic Plan I am concerned about the Proposed Fees and Charges to the Library Service.</p> <p>I believe that the reservation fees are too high and that overdue fees are untenable.</p> <p>As a recently retired senior I find that the libraries are a valuable asset.</p> <p>This also creates extra work and angst for an already overworked library staff.</p> <p>The library service and their dedicated staff are a blessing to patrons within our community but lately the trend seems to be to make the libraries financially self sufficient. This should never be the intent for a worthwhile public service like this.</p> <p>The staffing levels in your libraries have decreased to the point that they are basically operating on a skeleton crew. They are now supposed to operate with less staff and provide greater service but still you expect more from them.</p> <p>It's time that someone realised the importance of these community hubs and provided them with the human and physical resources to optimise their role within our community.</p>	Not Answered

Submission 16

**Norah Head Ratepayers, Residents & Coastcare Association Inc.**

PO Box 166
Toukley. 2263

Tel: (02) 4397 5119
Email: garyandgae@bigpond.com

President. Ralph Peters
Secretary. Gary Dean
Treasurer. Annette Ireson

The General Manager
Wyong Shire Council
PO Box 20
WYONG NSW 2259

9th May 2014

Dear Sir

Draft Strategic/Management Plan 2014

Thank you for the opportunity to comment on Council's draft Plan which the Association must congratulate Council on the comprehensive nature of the exhibited documents. The documents are clear and allow ease for the contemporary reader and one not generally familiar with local government literature.

What an ambitious program Council has set itself, one which the Association believes is overdue and is warranted for a community the size of Wyong. The Association is confident Council has the 'can-do' attitude and professionalism to achieve its planned program, particularly the extensive list of capital works.

Service Delivery

This is an item which the Association raises each year. Whilst it is not completely clear to us we would urge Council to continue the same level of service delivery that it has done so in the past. The Council's assurances of that would be appreciated. Providing a high standard of amenity in the local parks, supporting local community initiatives (e.g. Coastcare) and continual renewal and maintenance of the public domain are most important to our local community.

Capital Works

Norah Head has not been overlooked with a number of new capital projects. We welcome the news, particularly noting Council's intention to undertake pavement renewal in Denison Street. This item has been raised previously by the Association as well as Victoria Street, both of those streets being regular bus routes. Victoria Street has the same level of pavement failure as that of Denison Street.

The Association requests Council's support to include Victoria Street (pavement renewal) in the 2014 works program.

General

Several of our Executive attended the recent Ward A Community Forum at Wyong Leagues Club. Most impressive – the Council Officers that were involved that night are to be congratulated on the format of the Forum, the presentations content and the overall ‘management’ of the night. Well done!

I can be contacted on [REDACTED] should you require further information or wish to discuss these matters in more detail.

Yours faithfully

[REDACTED]

President

Submission 17



3rd May 2014

The Manager
Wyong Shire Council
PO Box 20
Wyong NSW 2259

Dear Sir/Madam

We recently landed at Warnervale airport and parked there overnight. We were rather surprised and disappointed to find that the fees had more than doubled since our last visit, not all that long ago. When we queried the fees, we were told that this was a decision made by the Wyong Shire Council.

We can assure you that doubling fees will NOT double revenue. Perhaps in the VERY short term it may be the case, but as people become aware of the apparent greediness of the Wyong Shire Council, they will choose to go elsewhere, if it is possible (and it often is easy to do that in an aircraft). This means that they may well take their business elsewhere as well, and in the case of travellers and tourists; the dollars that they may have spent in the area.

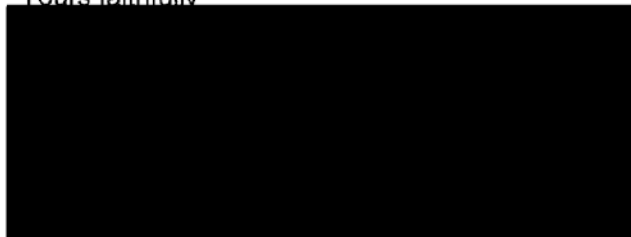
With huge fees, people move elsewhere. We have seen this happen in many airports in many parts of Australia. The airports wither and die. You may also find that people who have their aeroplanes on the airport may leave, unless you come to some arrangement with them for a drastically reduced rate.

Maybe having the airport fold is your long term aim. Maybe you have an ulterior motive for raising fees. Maybe you have some other use in mind for the airport. We have no idea how or why you came to this decision, but it seems very short sighted in our view.

We are sorry to see such an increase in fees, as Warnervale has been a great little airport, with very friendly people. It has also been very convenient for us to land there for medical appointments we have had to attend in the past few years,

Sadly we can't see ourselves continuing to use the airport with these new fees, which is a great pity. We suspect there may be others who will also choose not to pay these fees.

Yours faithfully





Submission 18

File: A837089

Michael Whittaker
The General Manager
Wyong Shire Council
16 Hely Street
Wyong NSW 2259

Dear Michael,

RE: WYONG SHIRE DRAFT STRATEGIC PLAN

Thank you for the opportunity to comment on the Draft 2013-2017 Strategic Plan (Year 2 2014/2015).

We offer the following comments in relation to the draft plan:

1. **The table on page 35:** refers to the Warnervale Town Centre. It is suggested the title of the project be amended to "Warnervale Town Centre Community Development Program".
2. **The table on page 77, Objective 7:** Items 7a, 7d and 7e have Regional Development Australia as the Primary Service Provider. The NSW Department of Trade and Investment should also be included under Primary Service Provider for each of the items listed above.

Please contact the writer should you require any further information.

Yours sincerely,



**Senior Regional Coordinator
Central Coast**



12th May 2014.

5.4 Adoption of the Wyong Shire Council 2014-2018 Strategic Plan (incorporating Year 2 of the Four Year Delivery Program, Operational Plan, Long Term Resourcing Strategy and Statement of Revenue Policy)

TRIM REFERENCE: F2013/01660 - D06895728

MANAGER: Stephen Naven, Chief Financial Officer

AUTHOR: Kathleen Morris; Manager

SUMMARY

This report presents the Wyong Shire Council 2014-2018 Strategic Plan for Council's consideration and adoption.

RECOMMENDATION

- 1 That Council adopt the Wyong Shire Council 2014-2018 Strategic Plan (containing the Long Term Resourcing Strategy that includes long-term financial plan, workforce management strategy and asset management strategy, Year 2 of the four year delivery program, the operational plan and the statement of revenue policy) as exhibited, and with the changes proposed in this report and as determined in separate reports considering (a) the determination of water supply, sewerage and drainage fees and charges and (b) submissions to the Plan.**
- 2 That Council authorise the General Manager to make final minor changes to the plan to ensure correctness and clarity.**
- 3 That Council approve the estimates of income and expenditure as detailed in the Plan.**
- 4 That Council set the rates, charges and fees for 2014/15 as detailed in the Statement of Revenue Policy and incorporating the changes outlined in this report and as determined in separate reports considering (a) the determination of water supply, sewerage and drainage fees and charges and (b) submissions to the Plan.**
- 5 That Council authorise the General Manager to waive or reduce fees in particular cases.**
- 6 That Council set the rate and charge rebates to pensioners for the year 2014/15 in accordance with the relevant legislation and Council's current policy.**
- 7 That Council authorise the General Manager to investigate and present to Council for their approval, borrowings options from external financial institutions for the purpose of funding capital or operational projects.**

5.4 Adoption of the Wyong Shire Council 2014-2018 Strategic Plan
(incorporating Year 2 of the Four Year Delivery Program, Operational
Plan, Long Term Resourcing Strategy and Statement of Revenue Policy)
(contd)

- 8 ***That Council is of the opinion that the following rateable land will derive benefit from the business related costs of The Entrance Town Centre Management Corporation Incorporated that are funded in part or whole by The Entrance Area Special Rate:***
- a) ***All land used for business purposes and categorised as such in accordance with Section 518 of the Local Government Act 1993 in the suburb known as The Entrance.***
 - b) ***Major Facilities Servicing Tourists identified as all properties in the suburbs of Magenta, The Entrance, North, The Entrance, Blue Bay, Long Jetty, Toowoona Bay, Shelly Beach and Bateau Bay being land predominantly used for purposes of, amusement centres, camping grounds, caravan parks, eco-tourist facilities, pubs, registered clubs, service stations or tourist and visitor accommodation, as defined in Council's current Local Environmental Plan (LEP) or land identified as Town Centres in Council's current Retail Centres Strategy.***
- 9 ***That Council is of the opinion that the following rateable land will derive benefit from the business related costs of The Greater Toukley Vision Incorporated that are funded in part or whole by the Toukley Area Special Rate:***
- a) ***All land used for business purposes and categorised as such in accordance with Section 518 of the Local Government Act 1993 in the suburbs known as Toukley, Canton Beach, Noraville and Norah Head.***
- 10 ***That Council is of the opinion that the following rateable land will derive benefit from the business related costs of the Wyong Regional Chamber of Commerce Incorporated that are funded in part or whole by the Wyong Area Special Rate :***
- a) ***All land used for business purposes and categorised as such in accordance with Section 518 of the Local Government Act 1993 in the suburb known as Watanobbi.***
 - b) ***All land used for business purposes and categorised as such in accordance with section 518 of the Local Government Act 1993 in the suburb known as Wyong, bounded by the following:***
 - ***North of the Wyong River from Tacoma in the east to the M1 Freeway in the west;***
 - ***East of the M1 Freeway from the Wyong River to the suburb boundary between Wyong and Warnervale but to exclude Lot 32 DP 814964;***
 - ***South of the northern Wyong boundary to its intersection with the Pacific Highway and then south of the Pacific Highway to the intersection of Pollock Avenue, but to include Lot 400 DP 1114793 (being to the north of the Pacific Highway);***
 - ***The eastern boundary of the suburb of Wyong from Johns Road to Wyong River.***

**5.4 Adoption of the Wyong Shire Council 2014-2018 Strategic Plan
(incorporating Year 2 of the Four Year Delivery Program, Operational
Plan, Long Term Resourcing Strategy and Statement of Revenue Policy)
(contd)**

BACKGROUND

At its meeting on 9 April 2014 Council considered a draft Wyong Shire Council 2013-2017 (Year 2 2014/15) Strategic Plan, now called the Wyong Shire Council 2014-2018 Strategic Plan. The draft was formulated in accordance with the Local Government Act and the Division of Local Government Integrated Planning and Reporting Guidelines.

At that meeting Council unanimously resolved:

“329/14 That Council adopt the Draft Wyong Shire Council Strategic Plan 2013-2017 – Year 2 (the Draft Plan) for public exhibition including the following changes:

<i>Page</i>	<i>Section</i>	<i>Original Wording</i>	<i>Amended Wording</i>
23	2	<i>(SRV table) Gorokan Park, Spotted Gum Reserve Watanobbi, Heritage Drive Kanwal and Sunshine Reserve Chittaway – playground renewal program</i>	<i>Spotted Gum Reserve Watanobbi and Heritage Drive Kanwal - playground renewal program</i>
23	2	<i>Minnesota Road</i>	<i>Minnesota Road</i>
60	3	<i>Remove item 9-034 Implement Council's Property Strategy and Economic Development Strategy (Civic Leadership theme)</i>	<i>Insert item 7-005 Implement Council's Property Strategy and Economic Development Strategy (Our Economy theme) (Page 55)</i> <i>Renumber items 9-035 to 9-056 – now 9-034 to 9-055</i>
55	3	<i>5-001 7-005 to 7-009</i>	<i>Renumber item 7-006 Renumber items 7-007 to 7-011</i>
92	5	<i>Remove option 2 from average residential rates table (negligible difference between the options) in the Long Term Financial Strategy (page 92)</i>	<i>Insert full average residential rates table showing options 1 and 2 into Statement of Revenue (page 176) supported by explanatory text</i>
195	5	<i>Map 14 removed</i>	<i>Map 14 added including legend</i>

330/14 That Council receive submissions from the community and interested groups or stakeholders concerning the Draft Strategic Plan for consideration and possible inclusion in the final plan to be adopted by Council in May 2014.

331/14 That Council authorise the General Manager to make appropriate corrections in the Draft Strategic Plan to eliminate numerical inconsistencies and typing errors.”

The Guidelines require Council to adopt a four year delivery program and annual operational plan detailing the principal activities it will undertake to achieve the objectives established in the Community Strategic Plan. It also requires the adoption of a strategy for the provision of resources required to implement the Community Strategic Plan.

The Plan is required to be adopted prior to 30th June.

5.4 Adoption of the Wyong Shire Council 2014-2018 Strategic Plan (incorporating Year 2 of the Four Year Delivery Program, Operational Plan, Long Term Resourcing Strategy and Statement of Revenue Policy) (contd)

The draft Plan was exhibited for a period of 28 days from 14 April until 12 May 2014. Exhibition was undertaken in accordance with the revised Community Engagement Strategy that included:

- A series of advertisements in local print media, including Council's Shirewide Mayoral column and the Rural Grapevine
- Media release generating local media mentions (mostly radio)
- Your Shire newsletter sent with rates notices and to libraries
- Council E-news – May
- Council's website (including the Consultation Hub)
- Social media, Facebook, Twitter mentions
- Exhibition displays at Council's civic centre, depots and libraries
- Letters and copies of a summary Plan sent to community contacts
- Email notice to all staff, local MPs, Chambers of Commerce, Regional Development Australia, Department of Premier and Cabinet, neighbouring local governments and the resident e-Panel
- Roadshow booths at two Community Ward forums

CURRENT STATUS

The Wyong Shire Council Strategic Plan 2014-2018 incorporates all elements required by legislation and the Integrated Planning Framework.

Submissions

Council were provided copies of all public submissions along with staff recommendations, for consideration in a separate report.

THE PROPOSAL

It is proposed that Council adopt the final Wyong Shire Council 2014-2018 Strategic Plan, as adjusted during public exhibition.

The proposed Plan has been formulated to provide a robust pathway to long-term financial sustainability that ensures Wyong Shire Council:

- Has an ongoing ability for the next four years to its current level and/or a chosen level of service
- Can address its asset infrastructure backlog
- Has the ability to meet the financial impact of any likely significant unplanned event (e.g. major flooding)

In addition to its fiscal responsibilities Council also has responsibilities to deliver the community, environmental, economic and civic leadership goals of the community in considering its activities and contribution to the Community Strategic Plan.

5.4 Adoption of the Wyong Shire Council 2014-2018 Strategic Plan (incorporating Year 2 of the Four Year Delivery Program, Operational Plan, Long Term Resourcing Strategy and Statement of Revenue Policy) (contd)

Construction of the Plan

The major elements of the plan are:

- Corporate strategic direction
- Council's contribution to the Community Strategic Plan
- Four Year Delivery Program
- Operational Plan 2014/15
- Major Projects
- Key performance indicators
- Budget for 2014/15 and projected budget for the following four years (including a capital works program)
- Workforce Management Strategy
- Information Management Strategy
- Asset Management Strategy
- Long Term Financial Strategy
- Statement of Revenue Policy (including Fees and Charges)

Major features of the Plan

- 2014/15 Operational Plan and Four Year budgets based on clear deliverables and affordability of services (i.e. living with the income available)
- A capital works budget of \$100.1m for 2014/15
- Actions and service costs based on the "fully absorbed" methodology to allow for transparent recovery of costs through income
- Increased fees and charges with continued focus on cost recovery and user-pay principles
- Clear linkages to the Community Strategic Plan

CHANGES (proposed) FROM THE DRAFT PLAN (as exhibited)

Council has previously considered submissions proposing changes to the draft Plan arising from exhibition and made determinations in respect of the subject matter raised in the submissions.

It is proposed the Draft Plan be modified with the following staff recommendations in addition to the minor changes to narrative improvement/alignment, rigour of detail, accuracy/correctness, numerical alignment, finally formatting and typos:

**5.4 Adoption of the Wyong Shire Council 2014-2018 Strategic Plan
(incorporating Year 2 of the Four Year Delivery Program, Operational
Plan, Long Term Resourcing Strategy and Statement of Revenue Policy)
(contd)**

Recommended Adjustments (notable)

ID	Section	Page	Item
A	Cover		Change plan title from 2013-2017 to 2014-2018 – including updates to references throughout the document
B	1	6	Mayor's message (1 st sentence) amended to read 'second year of our four year delivery program' (replacing words 'strategic plan') to correlate to change in document title
C	1	14	Community Ward Forum information – reworded to change context (from upcoming to current)
D	1	15	Executive Team – updated following appointment of Director Development and Building
E	1	16	Departmental Structure updated following appointment of Director Development and Building and subsequent changes to Service Unit Managers
F	3	38-61	Column Heading changed to Responsible Unit and contents updated accordingly; Four Year Delivery Program heading amended to remove '2013-2017 Revised 2014'
G	3	40	CRS.10 – wording rearranged to place suburb first (for consistency with other descriptors)
H	4	86	Long Term Financial Strategy – rounding correction to surplus amount from \$595k to \$596k
I	4	90	Long Term Financial Strategy – alignment of debt with balance sheet external borrowings 'Council will hold approximately \$184.0 million of external borrowings...'
J	4	92	Long Term Financial Strategy – update Average Residential Ratepayer table based on rate model recommendations ie. Option 1
K	4	103-108	Long Term Financial Strategy – updated Balance Sheet and Cash Flow Statements to gross up IPPE for non-cash contributed assets
L	4	143-162	Workforce Management Strategy – all references updated to ensure the most recently available data is included
M	5	176	Removal of Option 2 and update of Average Residential Ratepayer table
N	5	187-189	Update of Rates Structure section in line with updates to the rates model
O	5	199-200	Water Supply Service, Water Usage, Sewerage Supply Service, Sewerage Usage and Drainage Service charges updated following release of March quarter CPI
P	5	204	Liquid Trade Waste Charges – updated following release of the March quarter CPI
Q	5	252	Fee 17.10071 (Noise Monitoring) amended from \$466 to \$492 – statutory fee under Clause 99 of the Protection of the Environment Operations (General) Regulation 2009, amended following gazettal of new fee on 2 May 2014
R	6	263-294	Map index wording updated to ensure consistent formatting with Section 3 Capital Works list

**5.4 Adoption of the Wyong Shire Council 2014-2018 Strategic Plan
(incorporating Year 2 of the Four Year Delivery Program, Operational
Plan, Long Term Resourcing Strategy and Statement of Revenue Policy)
(contd)**

STRATEGIC LINKS

Link to Community Strategic Plan 2030

The Wyong Shire Strategic Plan 2014-2018 clearly shows what Council intends to do during 2014/15 to achieve the community's priorities through specific service delivery while at the same time ensuring that there is "best value" provision of essential community services.

Financial Implications

The Wyong Shire Strategic Plan 2014-2018 provides for a sustainable financial pathway. Any departure from planned expenditure programs will have a negative effect on that target unless balancing (i.e. cost savings) strategies accompany changes in expenditure priorities.

CONSULTATION

The formation of the Plan has required extensive consultation between Councillors, Council staff and the community. Community consultation was in accordance with an approved Community Engagement strategy.

This engagement and all submissions received during the public exhibition period are the subject of a separate report to Council which precedes this report seeking adoption of a Plan.

GOVERNANCE AND POLICY IMPLICATIONS

The Plan complies with the integrated planning framework and provides a structured approach to civic leadership and governance. It provides a clear roadmap for activities of major projects and identifies the assets, workforce and financial resources necessary to achieve it and various programs and provides a system for measuring and monitoring the results over the course of the plan.

MATERIAL RISKS AND ISSUES

Formation and adoption of Council's Strategic Plan 2014-2018 provides clear direction for the upcoming financial year and beyond. The accompanying asset, workforce, information management and long term financial strategies ensure that limited resources are allocated on a priority bases and are available to maintain essential community services while providing programs for the forthcoming year. In doing so, it migrates significant risks arising from ad hoc decision-making and provides long term direction.

CONCLUSION

Council has formulated the Wyong shire Strategic Plan 2014-2018 in accordance with the Integrated Planning Framework as detailed in the Local Government Act and the DLG Planning and Reporting Guidelines.

**5.4 Adoption of the Wyong Shire Council 2014-2018 Strategic Plan
(incorporating Year 2 of the Four Year Delivery Program, Operational
Plan, Long Term Resourcing Strategy and Statement of Revenue Policy)
(contd)**

Council has enhanced the minimum requirements for the Plan by encapsulating the Integrated Planning & Reporting Framework in a Strategic Plan that adds Council's business and service considerations along with a detailed Information Technology Strategy.

Council has determined that it will only provide services within its available income (i.e. living within its means).

Council has demonstrated a direct connection between the Community Strategic Plan 2030 (revised 2013), Council's strategies as a business and the services that it will provide to the community.

The draft Plan has been exhibited in accordance with the legislation and Council has considered the submissions received in response to the exhibition.

Final proposed changes to the draft plan resulting from submissions are detailed herein.

ATTACHMENTS

- 1 Wyong Shire Council 2014-2018 Strategic Plan (D07973270) - Distributed under separate cover

5.5 Making and fixing of rates and charges for 2014-15

TRIM REFERENCE: F2004/07006 - D07610655

MANAGER: Stephen Naven, Chief Financial Officer

AUTHOR: Darryl Telfer; Revenue Accountant

SUMMARY

This report details the proposed Ordinary Rates, Special Rates, Waste Management and Stormwater Management Annual Charges for 2014-15.

RECOMMENDATION

- 1 ***That Council make the following ordinary rates for 2014-15 consisting of an ad valorem amount and subject to a minimum amount, pursuant to Sections 492-494, 497-498, 500 and 533-535 of the Local Government Act 1993:***

<i>Ordinary Rate Category Section 493</i>	<i>Ordinary Rate Sub Category Section 529</i>	<i>Ad Valorem Amount (cents in the \$)</i>	<i>Minimum Rate Amount</i>
<i>Farmland</i>		<i>0.305594</i>	<i>\$300.00</i>
<i>Residential</i>		<i>0.536130</i>	<i>\$300.00</i>
<i>Mining</i>		<i>8.750040</i>	<i>\$300.00</i>
<i>Business</i>		<i>0.847020</i>	<i>\$300.00</i>
<i>Business</i>	<i>Business Major Retail</i>	<i>1.270530</i>	<i>\$300.00</i>
<i>Business</i>	<i>Business Local Retail</i>	<i>1.058775</i>	<i>\$300.00</i>

- 2 ***That Council make the following special rates and amounts for 2014-15 consisting of a base amount to which an ad valorem amount is added, pursuant to Sections 492, 495, 497-500, 535-538 of the Local Government Act 1993:***

<i>Special Rate</i>	<i>Base Amount</i>	<i>Ad Valorem Amount (cents in the \$)</i>	<i>% revenue sourced from base amount for each Special Rate</i>
<i>The Entrance Area</i>	<i>\$83.00</i>	<i>0.314180</i>	<i>12.90%</i>
<i>Toukley Area</i>	<i>\$83.00</i>	<i>0.254750</i>	<i>10.36%</i>
<i>Wyong Area</i>	<i>\$83.00</i>	<i>0.109190</i>	<i>18.69%</i>

- 3 ***That Council adopt the following descriptions of rateable land to which each special rate will apply for 2014-15, pursuant to Section 538 of the Local Government Act 1993:***

a The Entrance Area Special Rate will apply to the following rateable land:

- i. ***All land used for business purposes and categorised as such in accordance with section 518 of the Local Government Act 1993 in the suburb known as The Entrance.***

ii. All land used as Major Facilities Servicing Tourists identified as all properties in the suburbs of The Entrance North, The Entrance, Blue Bay, Long Jetty, Toowoona Bay, Shelly Beach and Bateau Bay being land;

- predominantly used for purposes, as defined in Council's current Local Environmental Plan (LEP), of amusement centres, camping grounds, caravan parks, eco-tourist facilities, pubs, registered clubs, service stations, tourist and visitor accommodation.
- identified as Town Centres in Council's current Retail Centres Strategy.

b The Toukley Area Special Rate will apply to all rateable land used for business purposes and categorised as such in accordance with Section 518 of the Local Government Act 1993 in suburbs known as Toukley, Canton Beach, Noraville and Norah Head.

c The Wyong Area Special Rate will apply to all rateable land used for business purposes and categorised as such in accordance with Section 518 of the Local Government 1993 in the following areas:

i. The suburb known as Watanobbi.

ii. The suburb known as Wyong, bounded by the following:

- *North of the Wyong River from Boyce Avenue in the east to the M1 Motorway in the west.*
- *East of the M1 Motorway from the Wyong River to the suburb boundary between Wyong and Warnervale but to exclude Lot 32 DP 814964.*
- *South of the northern Wyong boundary to its intersection with the Pacific Highway and then south of the Pacific Highway to the intersection of Pollock Avenue, but to include Lot 400 DP 1114793, (being to the north of the Pacific Highway).*
- *The eastern boundary of the suburb of Wyong from Johns Road to Wyong River.*

4 That Council make the following schedule of annual charges for stormwater management services for 2014-15, pursuant to Sections 496(A) and 510(A) of the Local Government Act 1993:

<i>Description</i>	<i>Unit of Charge</i>	<i>Charge Amount</i>
<i>Residential</i>	<i>Per property</i>	<i>\$25.00</i>
<i>Residential Strata</i>	<i>Per lot</i>	<i>\$12.50</i>
<i>Residential Company Title</i>	<i>Per Company Title complex apportioned according to the number of shares in the company owned by each shareholder</i>	<i>\$25.00</i>
<i>Business</i>	<i>Business Per 850 square metres or part thereof of the land area of the property to a maximum of \$5,000 per property</i>	<i>\$25.00</i>

Business Strata	Per 850 square metres or part thereof of the land area of the strata complex to a maximum of \$5,000 per strata complex, apportioned equally to each lot within the strata complex	\$25.00
Business Company Title	Per 850 square metres or part thereof of the land area of the Company Title complex to a maximum of \$5,000 per Company Title complex, apportioned according to the number of shares in the company owned by each shareholder	\$25.00

- 5 That Council apply the Stormwater Management Charge to all properties in the Shire eligible under Section 496(a) of the Local Government Act 1993 and located east of the M1 Motorway.
- 6 That Council make the following annual Domestic Waste Management Charges for 2014-15, pursuant to Section 496 of the Local Government Act 1993:

Description	Charge Amount
Domestic Waste Management Availability Charge	\$64.00
Domestic Waste Management Charge	\$507.00
Domestic Waste Management Charge West of M1 Motorway	\$431.00
Domestic Waste Management Charge – 240 litre Waste Upgrade	\$159.00
Domestic Waste Management Charge – Additional 240 litre Waste Bin Service	\$480.00
Domestic Waste Management Charge – Additional 140 litre Waste Bin Service	\$320.00
Domestic Waste Management Charge – Additional 240 litre Recycling Bin Service	\$78.00
Domestic Waste Management Charge – Additional 240 litre Vegetation Bin Service	\$78.00
Domestic Waste Management Charge – Additional Short Term Extra Service – 140 litre Waste Bin - price per service	\$17.10
Domestic Waste Management Charge – Additional Short Term Extra Service – 240 litre Waste Bin - price per service	\$18.20
Domestic Waste Management Charge – Additional Short Term Extra Service – 240 litre Recycling Bin - price per service	\$17.10
Domestic Waste Management Charge – Additional Short Term Extra Service – 240 litre Vegetation Bin - price per service	\$17.10

- 7 That Council continue the current policy of not providing a Domestic Waste Management service to parcels of land which have no Council approval for a residential building.
- 8 That Council make the following Waste Management Charges for 2013-14, pursuant to Section 501 of the Local Government Act 1993:

Description	Charge (incl 10% GST)
Waste Management Charge – 140 litre Waste Bin Service	\$396.00
Waste Management Charge – 240 litre Recycling Bin Service	\$85.80
Waste Management Charge – 240 litre Vegetation Bin Service	\$85.80
Waste Management Charge - 240 litre Waste Bin Service	\$528.00
Waste Management Charge - 660 litre Waste Bin Service	\$2,100.00

Waste Management Charge - 1.1 cubic metre Waste Bin Service	\$2,965.00
Waste Management Charge - 1.5 cubic metre Waste Bin Service	\$3,995.00

- 9 ***That Council apply a proportional charge adjustment, calculated on a daily basis, where Domestic Waste Management or Waste Management services commence or cease during the year.***
- 10 ***That Council charge the maximum interest rate as specified by the Minister for Local Government and published in the Government Gazette in respect of overdue rates and charges levied under the Local Government Act 1993 and this interest be calculated on a daily basis using the simple interest method in accordance with Section 566 of the Local Government Act 1993, for the period between 1 July 2014 and 30 June 2015.***
- 11 ***Incentive Scheme***

That Council approve a new electronic bill/direct debit incentive scheme to encourage rate-payers to use more efficient and cost effective mailing and payment channels. This incentive scheme will replace the existing rates payment incentive scheme.

BACKGROUND

The Statement of Revenue Policy, within the exhibited Wyong Shire Council 2014-18 Strategic Plan, proposed two options for Council to levy Ordinary Rates. Both options provided for a rate structure consisting of the Ad Valorem method (land value x rate in the \$) subject to a minimum rate amount for each category and sub category.

This structure proposed to replace the existing rate structure, consisting of an ad valorem amount to which a base amount is added.

It is considered that a rate structure consisting of the Ad Valorem method (land value x rate in the \$) subject to a minimum rate amount the most equitable methodology to distribute ordinary rates amongst ratepayers as a whole. Further a minimum rate set at the maximum amount, generally referred to as the Maximum Minimum Rate, is considered to represent the most equitable outcome.

For 2014-15 the Maximum Minimum Rate has been set by regulation at \$485 however in view of the impact that the introduction of the Maximum Minimum Rate would have on individual ratepayers it is proposed to apply a phased in approach over three years. This approach would reduce the impact of the changed rate structure on individual ratepayers to a more acceptable level than doing so in a single year and would see the Maximum Minimum Rate established for the 2016-17 financial year.

For the vast majority of ratepayers, a minimum rate structure, and particularly a Maximum Minimum Rate will reduce the increases that would otherwise apply as a consequence of IPART's 2013, four year Special Rate Variation approval.

Option 1 included the introduction of a Business Sub Category of Business Local Retail in accordance with Section 529 of the Local Government Act 1993. The Business Local Retail Sub Category is to apply to land within the local retail precincts in the Shire located at Chittaway Bay, Lake Munmorah, San Remo and Wadalba. Option 1 also proposed the continuation of the Business Sub Category of Business Major Retail which was introduced in 2011-12. For 2014-15 the Business Major Retail sub category is to apply to the shires major retail precincts of Bay Village Bateau Bay, Lake Haven Shopping Centre and Mega Centre, Westfield Tuggerah and the Tuggerah SupaCenta.

Option 2, in addition to the sub categories contained in option 1, proposed the introduction of a Business Sub Category of Business Energy also in accordance with Section 529 of the Local Government Act 1993. It was proposed that the Business Energy sub category would apply to properties within the suburbs of Colongra, Doyalson, Mannering Park and San Remo used and/or held for the purpose of electricity generation and transmission.

Information provided to Council at the end of April 2014 indicates that much of the land within the Munmorah Power Station precinct is scheduled to be handed back to the NSW State Government in the first half of the 2014-15 period. It is anticipated that a small part of the area, associated with the Colongra gas fuelled generator will be continue to be used for energy generation and transmission. The remainder however that will not be used for a private or commercial purpose will be exempt from rates, on a pro rata basis from the date that ownership reverts to the NSW State Government. Pending the final resolution of this land transfer it is proposed that further consideration of the Business Energy sub category be deferred for 12 months until consideration is given to the rates structure for 2015-16.

A review of the Farmland rating category structure has also been undertaken and concluded that it is appropriate to set the Farmland ad valorem rate as a ratio of the Residential ad valorem rate amount. This approach is used across a number of local government areas within NSW and establishes a defined rate of rating concession provided to primary producers that meet the Farmland categorisation criteria in S 515 of the Local Government Act 1993.

A Farmland to Residential ad valorem rate ratio of 0.7:1 represents a 30% concession to the Farmland category and is considered an appropriate level of assistance for that group of ratepayers. Whilst the 2013-14 Farmland to Residential ad valorem amount ratio sits at approximately 0.61:1 this does not take into account the Base Amount of \$180.00 that currently applies. Moving to a 0.7:1 ratio in one year would result in significant increases for some individual ratepayers within the Farmland rating group. Accordingly it is proposed to phase in the increase over 3 years. To achieve a smooth transition from the 2013-14 structure to a 0.7:1 ratio in 2016-17, and avoid causing large one-off increases for individual ratepayers, it is proposed to set the Farmland to Residential ad valorem amount ratio at 0.57:1 in 2014-15 with increases to the ratio thereafter to 2016-17.

Special Rates

Council has previously adopted the following special rates:

- * Special Rate - The Entrance Area
- * Special Rate - Toukley Area
- * Special Rate - Wyong Area

5.5 Making and fixing of rates and charges for 2014-15 (contd)

When reviewing these special rates, a number of scenarios on the make-up of the rates were examined, with a base charge and an ad valorem component being adopted. This achieved an equitable distribution of rates compared to the benefit derived from expenditure of revenue raised by the respective special rates.

Consideration was also given to the equity and fairness and to the cost of administration associated with the continued inclusion of short term residential accommodation in the area that The Entrance Area Special Rate has been applied to.

This report recommends the discontinuance of The Entrance Area Special Rate in respect to short term residential accommodation with the exception of serviced apartments. This report recommends that The Entrance Area Special Rate continue to apply to serviced apartments and notes that Clause 122 of the Local Government (General) Regulation 2005 stipulates that Council categorise Serviced Apartments as Residential.

Valuations

In 2014-15 Council will be using the latest valuations from the Valuer General's Department for the calculation of ordinary rates and, where applicable, special rates. These valuations have a base date of 1 July 2011, as a general revaluation of land was undertaken in Wyong Shire for the 2014-15 rating year. Valuations with a base date of 1 July 2011 will continue to apply in 2014-15 as revaluations usually occur every three years for local government rating purposes.

Rate Pegging

In accordance with State Government Rate-Pegging Legislation, rate revenue may be increased, without any additional approval by 2.3% in 2014-15 from that raised in 2013-14.

Council however may increase rate revenue in 2014-15 by 6.9% (including the 2.3% rate pegging increase) in accordance with the Special Rate Variation approval provided by IPART.

Stormwater Management Charge

The State Government during 2005-06, approved the provision of a new funding mechanism to improve the management of urban stormwater in NSW. The Local Government Amendment (Stormwater) Act 2005 amended the Local Government Act 1993 to allow councils the option to make a charge for the provision of stormwater management services outside their capped rate arrangements.

The relevant regulations provide that a Stormwater Management Charge may apply to all rateable properties categorised as either Residential or Business (in accordance with Sections 516 and 517 of the Local Government Act 1993) and exempts vacant properties (i.e. those without impervious surfaces) and land owned by the Crown that is used for public housing.

In July 2006 the Stormwater Management Charge Guidelines were issued. In accordance with the Local Government Amendment (Stormwater) Act (under Section 496(a) of the Local Government Act 1993) Council introduced a Stormwater Management Charge in 2006-07 to provide funds towards the implementation of the Tuggerah Lakes Estuary Management Plan as well as undertake works on the Shire's other waterways.

5.5 Making and fixing of rates and charges for 2014-15 (contd)

In determining the Stormwater Management Charge that will apply in 2014-15 to all applicable rateable properties in the shire, Council must give consideration the following relevant matters:

- i. The Stormwater Management Service Charge Guidelines, as required by Section 23A of the Local Government Act 1993; and
- ii. That all land that is subject to this charge is "urban land" for the purposes of cl. 125A of the Local Government (General) Regulation 2005; and
- iii. The cost of providing the service exceeds the maximum charges allowable under cl. 125A(4) of the Local Government (General) Regulation 2005.

A significant emphasis is also directed to the provision of water-quality treatment devices designed to protect the lakes systems and other receiving waters from the discharge of polluted stormwater. Council predominantly utilises the income from the Stormwater Management Charge to construct new stormwater improvement devices.

The annual charge is proposed to be used to undertake specific works that are not funded from other sources.

Rate Payment Incentive Scheme – to be replaced by Electronic Bill/Direct Debit Incentive Scheme

Historically Council has offered a Rates incentive scheme to encourage ratepayers to pay upfront (and elect to quarterly direct debits). The ratepayers would have to spend \$5,000 within the Wyong shire and provide the receipts to Council to obtain the cash prize.

This year Council is introducing electronic bill presentment channels, Australia Post Digital Mailbox and BPAY View. Both channels are cheaper than physical mail and we want to encourage ratepayers to move toward cheaper channels for both receiving their mail and making payments. As such we are recommending Council revise the incentive scheme to promote both electronic bill presentment channels as well as the direct debit payment system. Direct debits continue to represent our cheapest receipt channel.

We believe once ratepayers opt for one of these electronic channels they are unlikely to revert back to physical mail, thus ensuring a compounding saving over time. The savings can be reinvested into capital expenditure and services that the community wants. Further once a critical mass (above 20%) the incentive scheme is achieved, there is opportunity to refocus the scheme to promote other cost saving/revenue raising initiatives.

It is our recommendation to replace the historic rates incentive scheme for upfront payment/direct debit and introduce the quarterly electronic bill/direct debit incentive scheme

The intended prize are two iPad's or some other desirable product (go pro, iPad mini, tablet, prepaid debit cards etc.) that are given away each quarter to those on the electronic bill presentment channels, up to a value not exceeding \$5,000.

The Conditions of Entry to the 2014-15 new incentive scheme are detailed in Attachment 1.

THE PROPOSAL

That Council formally make (strike) the rates and charges as detailed within the recommendation of this report for the 2014-15 financial year.

The proposal reflects the rates structure contained in option one and the annual charges within the exhibited Wyong Shire Council 2014-18 Strategic Plan. The Ad Valorem Rate values proposed in this report vary slightly from those in the exhibited Wyong Shire Council 2014-18 Strategic Plan. These variations are due to ongoing changes to Council's rating base including changes to individual property valuations, including newly sub divided land, and changes in rating categories which are primarily determined by changes of use. Changes of this nature are continually occurring and variations to Ad Valorem Rate values are necessary to ensure Council's compliance with the Section 509 of the Local Government Act 1993 which determines Council's Maximum general income for a year.

Any variance from the general structure of the rates and charges contained in the exhibited Wyong Shire Council 2014-18 Strategic Plan would require Council to re-exhibit the document. In turn this would significantly defer the levying and collection of 2014-15 rates and charges and adversely impact upon Council's financial position and cash flow.

STRATEGIC LINKS

Wyong Shire Council Strategic Plan

The proposed rates and annual charges are the funding source of a multitude of Council's General Fund operations.

Contribution of Proposal to the Principal Activity

The proposed rates and annual charges represent approximately 42% of the total operating revenue of Council's general fund for 2014-15.

Budget Impact

The budget impact of the Rate Strike is detailed in the Wyong Shire Council 2014-18 Strategic Plan is forecast to be \$104m.

CONSULTATION

Consultation with the general community has occurred through Council's Exhibition Draft Wyong Shire Council 2014-18 Strategic Plan and previously through IPART's process in relation to Council's SRV application.

GOVERNANCE AND POLICY IMPLICATIONS

Council is required to formally make rates and charges prior to levying same in order to comply with the relevant provisions of the Local Government Act 1993.

CONCLUSION

Council has compiled an operating budget in its 2014/15 Operational Plan through a rigorous process of engagement the community.

Council has considered that budget in regard to the total rate increase allowed in accordance with IPART's Special Rate Variation approval and applied the maximum rise in accordance with that determination.

Council has considered the making of rates and annual charges in accordance with the applicable legislation and regulations established by the NSW Government.

Council in making the rates and annual charges has given proper consideration to the requirements in Guidelines gazetted by the Division of Local Government in accordance with Section 23A of the Act.

Council is in a position to consider all the factors relevant to adoption of the recommended rating structure.

ATTACHMENTS

- | | | |
|----------|---|-----------|
| 1 | Comparison of Rates and Charges 2014 - 15 | D07609316 |
| 2 | Electronic Bill / Direct Debit Incentive Scheme | D07828216 |

Comparison of Rates and Charges

	Unit of Charge	2013-14	2014-15 Exhibition Draft Strategic Plan	2014-15 Final Strategic Plan
Ordinary Rates				
Farmland	Cents in \$	0.24661	0.305610	0.305594
Residential	Cents in \$	0.40395	0.536160	0.536130
Mining	Cents in \$	8.16776	8.750530	8.750040
Business	Cents in \$	0.75354	0.855240	0.847020
Business – Major Retail	Cents in \$	1.13031	1.282850	1.270530
Business – Local Retail	Cents in \$	N/A	1.069040	1.058775
Base Amount – all categories	Each	\$180.00	N/A	N/A
Minimum Rate – all categories			\$300.00	\$300.00
Special Rates				
The Entrance Town Centre	Cents in \$	0.30792	0.30620	0.314180
Non Residential Properties Toukley Area	Cents in \$	0.25293	0.25529	0.254750
Non Residential Properties Wyong Area	Cents in \$	0.11204	0.10864	0.109190
Base Amount – all Special Rates	Each	\$81.00	\$83.00	\$83.00

	Unit of Charge	2013-14	2014-15 Exhibition Draft Strategic Plan	2014-15 Final Strategic Plan
Domestic Waste Management				
Availability	Each	\$61.00	\$64.00	\$64.00
Domestic Waste Management - Service	Each	\$483.00	\$507.00	\$507.00
Domestic Waste Management – West of M1	Each	\$410.00	\$431.00	\$431.00
240 litre upgrade	Each	\$151.00	\$159.00	\$159.00
Additional 240 litre waste bin	Each	\$457.00	\$480.00	\$480.00
Additional 140 litre waste bin	Each	\$305.00	\$320.00	\$320.00
Additional 240 litre recycling bin	Each	\$74.00	\$78.00	\$78.00
Additional 240 litre vegetation bin	Each	\$74.00	\$78.00	\$78.00
Additional Short Term Extra Service – 140 litre waste bin	Per service	\$16.30	\$17.10	\$17.10
Additional Short Term Extra Service – 240 litre waste bin	Per service	\$17.30	\$18.20	\$18.20
Additional Short Term Extra Service – recycling bin	Per service	\$16.30	\$17.10	\$17.10
Additional Short Term Extra Service – vegetation bin	Per service	\$16.30	\$17.10	\$17.10
Waste Management (non domestic)		Incl. 10% GST		
140 litre waste bin	Each	\$377.30	\$396.00	\$396.00
240 litre recycling bin	Each	\$81.40	\$85.80	\$85.80
240 litre vegetation bin	Each	\$81.40	\$85.80	\$85.80
240 litre waste bin	Each	\$502.70	\$528.00	\$528.00
660 litre waste bin	Each	\$1,999.80	\$2,100.00	\$2,100.00
1.1 cubic metre waste bin	Each	\$2,823.70	\$2,965.00	\$2,965.00
1.5 cubic metre waste bin	Each	\$3,804.90	\$3,995.00	\$3,995.00

	Unit of Charge	2013-14	2014-15 Exhibition Draft Strategic Plan	2014-15 Final Strategic Plan
Stormwater Management Charge				
Residential	Per property	\$25.00	\$25.00	\$25.00
Residential Strata	Per lot	\$12.50	\$12.50	\$12.50
Residential Company Title	Per company title complex apportioned according to shareholding	\$25.00	\$25.00	\$25.00
Business	Per 850 m ² or part thereof - maximum charge of \$5,000	\$25.00	\$25.00	\$25.00
Business Strata	Per 850 m ² or part thereof - maximum charge of \$5,000 – apportioned equally to each lot	\$25.00	\$25.00	\$25.00
Business Company Title	Per 850 m ² or part thereof - maximum charge of \$5,000 - apportioned according to shareholding	\$25.00	\$25.00	\$25.00

ELECTRONIC BILL/DIRECT DEBIT INCENTIVE SCHEME CONDITIONS OF ENTRY

- The competition is open to all eligible ratepayers of Wyong Shire Council who have elected to pay all rates and charges, including any arrears, by direct debit on an annual or instalment basis as at 31 August. Further all ratepayers who elect to receive their rates and water notices through Australia Post Digital Mailbox or BPAY View will automatically be entered into the competition.
- Ratepayers who elect to pay in full by 31 August 2014 by direct debit will receive 2 tickets; with ratepayers who elect to use direct debit to pay their rates on quarterly instalments will receive a single ticket. Ratepayers who elect to use direct debit to pay their water notices on a current basis, i.e. when their semi-annual or monthly water notice is due, will receive one ticket.
- Ratepayers whom elect to receive their rates and water notices through Australia Post Digital Mailbox or BPAY View will receive one ticket for each service.
- The winner will be drawn by Wyong Shire Council staff.
- The winner will be notified by Mail and the result will be published in a local newspaper.
- Federal and State Government Departments and other public instrumentalities are not eligible to enter.

5.6 Report on the introduction of a new Policy for the Management of Gifts and Benefits

TRIM REFERENCE: F2004/07011 - D06394748

MANAGER: Lesley Crawley, Manager

AUTHOR: Meg Newington; Senior Governance Officer

SUMMARY

A Report on the introduction of a new Council Policy for the Management of Gifts and Benefits

RECOMMENDATION

That Council adopt the new Council Policy for the Management of Gifts and Benefits

BACKGROUND

A Gifts and Benefits Policy has been developed as one of the identified policy extensions of the WSC Code of Conduct. The policy is based on principles of integrity and transparency and includes a process for the reporting of all gifts or benefits coming into the organisation, criteria to identify the intended purpose of each item and a platform for determining the use/disposal of the item.

In the past it has been difficult for staff and councillors to ascertain what to do when offered an item. There has also been a lack of consistency in reporting and little understanding of the motivations behind gift giving. Confusion also exists in relation to hospitality offered as a result of representing Council in an official role as a staff member or councillor.

This policy provides greater clarity with these issues as it shifts the focus from the 'type' or 'value' of the item to the 'intended purpose' (actual or perceived) of the item.

The policy also identifies a staff member delegated by the General Manager, the Gifts and Benefits Co-ordinator, who will make a determination in respect of items or offerings that cannot be easily identified as part of the policy criteria.

A feature of the policy is a Table which identifies the intended purpose of the gift, examples, the action the recipient should take, the action that may be taken by the Gifts and Benefits Co-ordinator and the obligation to record the item in the gifts register. This table will provide staff and councillors with a quick "ready reckoner" for reference.

The new policy sends a general message in relation to gifts and benefits which demonstrates clearly that councillors and staff do not need or expect reward for the job they do. A simple "thank you" from satisfied customers or suppliers is all that is required. That is "No Gifts – Thanks is Enough."

5.6 Report on the introduction of a new Policy for the Management of Gifts and Benefits (contd)

THE PROPOSAL

That the attached draft Gifts and Benefits policy be adopted and circulated to staff and councillors and included in the Policy Register on Council's Intranet and Website for future reference.

CONSULTATION

In preparing this policy, consultation was undertaken with the Councillors, the Internal Ombudsman and the General Manager. An Engagement Plan has been developed to facilitate the "roll-out" of this policy which includes media release, staff information sessions and fact sheets for staff and Councillors. The members of the consultative committee have been given a copy of the policy for information.

GOVERNANCE AND POLICY IMPLICATIONS

The acceptance of gifts and benefits can affect the public's perception of the integrity and independence of the Council and its employees. A policy that provides clarity on these issues for Council officials reduces the risk of damage to their and the organisation's reputation, and enables good governance practices.

CONCLUSION

It is recommended that the Policy on the Management of Gifts and Benefits be adopted.

ATTACHMENTS

- 1 Policy - Management of Gifts and Benefits D03368638



POLICY No: WSC108

POLICY FOR MANAGEMENT OF GIFTS AND BENEFITS

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MAYOR (IF APPLICABLE)			

History of Revisions:

Version	Date	TRIM Doc. #
1	May 2014	D03368638

A. POLICY SUMMARY

This policy provides guidance to Councillors and staff in dealing with gifts and benefits offered in the course of their duties.

B. POLICY BACKGROUND

- B1 Wyong Shire Council's Code of Conduct states that Council Officials must avoid situations giving rise to the perception that a person or body, through the provision of gifts, benefits or hospitality of any kind, is attempting to secure favourable treatment from them or Council.
- B2 In carrying out their roles within Council, staff members, delegates and Councillors will from time to time be offered gifts to establish a business relationship, to display appreciation or demonstrate good faith in an emerging or ongoing business or other relationship.
- B3 The acceptance of gifts and/or other benefits has the potential to compromise a person's position by creating a sense of obligation in the receiver and could compromise the recipient's ability to act objectively and impartially.
- B4 The acceptance of gifts and/or other benefits can affect the public's perception of the integrity and independence of Council, its Councillors and employees. The perception that Council Officials can be influenced by the acceptance of gifts and benefits is just as damaging to an organisation's reputation as actually being influenced in this way.
- B5 The Public has a right to expect the business of the Council is conducted with efficiency, fairness, impartiality and integrity. Council officials have an obligation to carry out their duties conscientiously, honestly and objectively.

C. DEFINITIONS

- C1 **Benefits** are non-tangible items of value and include, but are not limited to, the following:
- invitation to sponsored events
 - hospitality at a corporate facility or sporting venue, eg race meetings, football matches
 - access to confidential or sensitive information
 - free or discounted use of facilities such as a gymnasium or holiday home
 - free or discounted travel, frequent flyer points and free training sessions
 - accommodation and hire car discounts
 - relationship with a contractor that provides a discount for private work
- C2 **Conflict of Interest** occurs when the private interests of a public official come into conflict with their duty to act in the public interest.
- C3 **Council** means the elected representatives (Councillors) who form the governing body of Wyong Shire Council, and the organisation responsible for the administration of Council affairs and operations and the implementation of Council policy and strategies.
- C4 **Council Official** includes all Councillors, members of staff, volunteers and delegates of Council.

- C5 **Family member** means immediate family members and ordinarily includes parents, spouses, children and siblings.
- C6 **Gift Register** means the register maintained by Council containing all declared gifts and benefits. The register is a requirement of the Code of Conduct and enables Council to identify trends in the types of gifts and benefits being received and their sources.
- C7 **Gifts** are tangible items of value and include the following types:
- Gift of Influence – intended to generally ingratiate the giver with the recipient for favourable treatment in the future
 - Promotional gift – mass produced item containing company or agency logo
 - Ceremonial gift – an official gift from one agency/organisation to another
 - Bribe – intentional offer of gift in return for favourable outcome
 - Modest gift of gratitude – small token of appreciation often handmade and of nominal value
 - Discretionary gift - usually received at sponsored events under Benefits at C1

Examples of gifts include, but are not limited to, the following:

- Money
- Alcohol
- Clothing items
- Products
- Tickets
- Lottery tickets/scratchies
- Chocolates
- Gift cards (includes credit cards, debit cards with credit, phone prepayment cards, memberships or discount entitlements)
- Winning a competition
- Frequent flyer points
- Flowers

Note: A political donation is not a gift under this policy

- C8 **Modest Hospitality** means food and beverages being a value of < \$100
- C9 **Significant Hospitality** means food and beverages being a value of > \$100

D. POLICY STATEMENTS

Jurisdiction

- D1 This Policy covers all Council Officials.
- D2 This policy does not confer any delegated authority upon any person. All delegations to staff are issued by the General Manager.

General

- D3 This policy should be read in conjunction with the Council Code of Conduct and Council Procedures for the Administration of the Code of Conduct.
- D4 It is the personal responsibility of all Council Officials to have knowledge of, and to ensure compliance with this policy and Council's Code of Conduct.
- D5 In normal circumstances, all gifts and benefits offered to a Council Official while undertaking Council duties are to be declined or declared. No gift or benefit is to be personally retained by a Council Official unless authorised by the Gifts and Benefits Coordinator.

Notwithstanding the above requirement, there are provisions for special circumstances:

- Situations that relate to protocol, cultural aspects, sister-city relationships, international delegations and similar
- Entry/Attendance Tickets and Modest Hospitality associated with events and functions hosted by community based organisations on the Central Coast which may include Central Coast Mariners, Wyong Race Club, Central Coast Business Enterprise Centre, Australia Institute of Company Directors, Property Council, Urban Development Institute of Australia, Express Advocate, Surf Life Saving Clubs Australia, LGMA, LGNSW, ALGA, IPWEA, Professional Engineering Institutes or promotional partners, attendance at which is consistent with the Council Official's role – in particular the statutory role of a Councillor/Senior Designated Officer
- Gifts / benefits associated with hospitality, promotional materials and other situations described in E17
- Modest Hospitality

These should be referred to the Gifts and Benefits Co-ordinator in the first instance.

- D6 Council has identified the following categories of gifts and the actions to be taken in each case. See table 'Gifts & Benefits – Definitions and Actions' attached to the Policy:
- Ceremonial gift
 - Gift of Influence
 - Bribe
 - Invitation to Sponsored Event
 - Gifts received at Sponsored events, conferences etc
 - Promotional gift
 - Modest gift of gratitude
 - Other including hospitality
- D7 Gifts and benefits must not be retained by the recipient without the approval of the Gifts and Benefits Coordinator.
- D8 All gifts and benefits must be declared and recorded in the Gifts and Benefits Register, regardless of whether they are retained.
- D9 Accepting offers of money, regardless of the amount, or vouchers that can be exchanged for money is strictly prohibited in all circumstances. Offers of money may be viewed as bribes and must be treated as such.
- D10 Accepting bribes or other inducements is a crime and is reportable to the Independent Commission against Corruption (ICAC).

- D11 Council Officials who have financial delegations, are making purchasing decisions or involved in evaluating contracts, expressions of interest, tenders or other proposals must not accept *any* form of gift, benefit or hospitality from the supplier/consultant/contractor.
- D12 Council Officials shall not accept any gift or benefit of any kind from persons or organisations seeking the exercise of Council's decision-making discretion or who have sought the exercise of the Council's decision-making discretion recently (within three months).
- D13 Council supplier discounts to Council Officials for the personal purchase of goods and services is prohibited from such suppliers and must be declined and declared.
- D14 Any gift or benefit that is won as a result of engaging in official duties, eg lucky door prizes at seminars, must be surrendered and declared.
- D15 Purchase incentive schemes or competitions must not be entered into by Council Officials during the course of their duties. If a supplier does so without the official's knowledge and a gift or benefit is won, it must be declared.
- D16 Council Business cards are NOT to be submitted for the purposes of participating in prize draws, eg at conferences.
- D17 Council Officials must take all reasonable steps to ensure that family members do not receive gifts and benefits that give rise to the appearance of securing favourable treatment.
- D18 Council will treat gifts and benefits given to family members and business colleagues of Council Officials in the same way as those to Council Officials themselves.
- D19 Any gift or benefit offered to a family member that arises in connection with a Council official's duties could be regarded as a conflict of interest and must be declared. This applies even if the gift might only be *perceived* to be connected to Council Official's duties.
- D20 Council Officials must not take advantage of their official position to improperly influence other councillors, members of staff, delegates or members of the public in the performance of their public or professional duties for the purpose of securing a private benefit for themselves or for others.
- D21 The inclusion of an entry in the Gifts and Benefits Register does not relieve Councillors and designated persons from their obligations to make disclosures in association with Disclosure of Interest Returns (that is, annual pecuniary interest returns) required under Section 449(3) of the Local Government Act.
- D22 Failure to report reasonably suspected corrupt conduct promptly could lead to a range of adverse outcomes and a wilful failure to report corruption could in itself constitute corrupt conduct and amount to a criminal offence.

E. POLICY IMPLEMENTATION - PROCEDURES

- E1 The General Manager shall appoint a Gifts and Benefits Co-Ordinator from time to time.
- E2 All declarations of gifts and benefits, whether retained or not, must be submitted on the Gift and Benefit Disclosure at 'Attachment A' to the Corporate Governance Section, within one week of receipt of the gift.

- E3 Officers may make disclosures under the provisions of the Public Interest Disclosures Act 1994.
- E4 Any Council Official who is offered a bribe, either money or other inducement, must refuse to accept the offer and immediately report the incident to the General Manager or the Senior Internal Ombudsman.
- E5 Council officials who become aware, or have a reasonable suspicion, of another Council Official soliciting gifts or benefits or accepting bribes, must report the fact or suspicion immediately to the General Manager or the Senior Internal Ombudsman.
- E6 In assessing whether a gift or benefit may be kept by Council, the Gifts and Benefits Co-ordinator must:
- Record the reason that the gift or benefit was kept by Council
 - Assess whether Council does not compromise any duty of impartiality
 - Assess that the gift or benefit does not bring a private benefit to any one individual in Council
- E7 The Gifts and Benefits Co-ordinator may determine the following actions:
- Return the gift
 - Retain the gift, but ensure it is only used for official purposes and its use is not restricted to any particular Council Official
 - Allocate the gift to a Wyong Shire charity group/organisation
- E8 In the event that a Council official is aggrieved by the Gifts and Benefits Co-ordinator's decision, a request can be made to the General Manager, whose decision shall be final.
- E9 Written approval for staff to accept an invitation to attend a social function in an official capacity must be obtained from the Gifts and Benefits Coordinator and recorded in the Gifts and Benefits Register.
- E10 Expenses for raffles and the purchase of auction items when representing Council will be reimbursed if approved by the Gifts and Benefits Co-ordinator prior to the event.
- E11 Approval for attendance at functions should only be given where the acceptance of the invitation will not be seen by a reasonable 'impartial observer' to create a conflict of interest, or influence the performance of official duties. In particular, it is inappropriate for Council officials, including Councillors, to accept invitations or other benefits from individuals or community organisations:
- at a time when such individuals or community organisations are awaiting a Council decision on a grant application, seeking to commence/continue doing business with Council, seeking favourable use of Council facilities and/or having other similar interactions with Council
 - when the hospitality is complimentary and disproportionate to the occasion
 - where Council Officials are the only invited guests
 - where hospitality is significant (ie value >\$100)
- In such circumstances, it would be appropriate to either respectfully decline the invitation, or seek official endorsement to attend and pay for the ticket.
- E12 When assessing a Council Official's request to attend a social function, the following must be considered:
- Relevance of the official's role in attending the function

- The scale and lavishness of the function
- The degree of transparency surrounding the occasion
- Public perception of the attendance of Council Officials to the function
- The frequency or regularity of invitations from the same source
- The relationship between the Council Official and the company issuing the invitation

E13 Hospitality that extends beyond modest courtesy to a Council official, where there is no real benefit to Council as a whole, or is disproportionate to the occasion and clearly offered in an attempt to influence a Council official's decisions, such as in relation to a procurement process or a grant or development approval, is to be declined.

E14 In recognising Wyong Council's regional and developing status and limited financial resources, there may be special circumstances where attendance at a function would assist in promoting Council within the local and wider community. On this basis, gifts and benefits that normally would be declined, may be accepted and shall be treated as discretionary gifts and benefits. Prior to accepting any discretionary gifts and benefits, an application must be made to the Gifts and Benefits Co-Ordinator. The Gifts and Benefits Co-Ordinator may determine if the gift or benefit is a discretionary gift and cannot be reasonably refused. The Gifts and Benefits Co-Ordinator may determine that the gift or benefit be retained by the Council or Council Official or distributed to community members. Examples under this category may include tickets to Central Coast Mariners' games.

E15 Council Officials who have the financial delegation to do so, may offer modest hospitality to individuals and representatives from other agencies or organisations who visit Council offices for work related activities.

E16 Council Officials may accept Modest Hospitality when visiting other organisations or agencies in the conduct of their official duties.

E17 Council Officials who have the financial delegation to do so may, where appropriate and in consultation with the General Manager or the Co-ordinator, offer ceremonial gifts when conducting official business with delegations from overseas.

E18 There are exceptional circumstances where gifts may not be easily declined or returned, such as:

- Gifts accepted for cultural, protocol or other reasons, where returning it would be inappropriate
- Anonymous gifts received through the mail or left for the Official without a return address
- A gift received in a public forum where attempts to refuse or return it would cause significant embarrassment or offence

In such circumstances, the gift becomes the property of Council and must be declared by completing the form at Attachment A". Such gifts may be dealt with in any one of the following ways:

- Displaying the gift (particularly if ceremonial)
- Sharing the gift among staff or using it as a Council resource
- Used in Council's staff charity program.

The Co-ordinator will determine the method of disposal for such gifts.

E19 Where practicable and appropriate, gifts and benefits are to be returned to the giver unless Clause E17 applies.

E20 The Gifts and Benefits Register is to be maintained and administered by the Corporate Governance Section.

E21 The Gifts and Benefits Register will be reviewed annually to ensure compliance with this policy.

E22 Non-compliance with this policy will be dealt with under Council's Code of Conduct and Council Procedures for the Administration of the Code of Conduct.

Consequences for individual Council officials may be:

- Embarrassment
- Disciplinary action
- Subject to an internal or external inquiry
- Loss of employment
- Criminal prosecution

Consequences for Council may be:

- Embarrassment for the organisation
- Loss of public trust
- Subjected to an external inquiry
- Legal action
- Damage to Council Reputation

E23 Associated legislation, policies and guidelines:

- Wyong Council Code of Conduct
- Wyong Council Procedures for the Administration of the Code of Conduct
- Wyong Council Procurement Policy
- Crimes Act 1900 (NSW) ss.249B & 249H
- Independent Commission Against Corruption Act 1988
- Public Interest Disclosures Act 1994
- Fact Sheet No 7 – Gifts and Benefits – NSW Ombudsman's Office for Public Sector Agencies, March 2004 – www.ombo.nsw.gov.au
- DLG – circular to Councils No 10-12, 4 June 2010
- ICAC and Public Sector Organisations – Guidelines
- Local Government Act NSW 1993

Gift and Benefit Disclosure

Department: _____

Unit: _____

Date Received: _____

Recipient's Name & Job Title: _____

Recipient's Supervisor: _____

Giver's Name and/or Company Name: _____

Giver's Address: _____

Giver's Contact Phone Number: _____

Estimated value in \$AU: _____

Details: _____

Reason for gift: _____

Category (refer to Table in Policy) _____

Action taken by Recipient:

- Gift or benefit declined/disposed of
- Gift or benefit surrendered to Gifts and Benefits Co-ordinator
- Modest hospitality <\$100 accepted

Recipient's Signature

Supervisor's Signature

Co-ordinator's Signature




If gift surrendered, action taken by Gifts and Benefits Co-ordinator or delegate:



- Gift or benefit declined/returned to giver
- Gift or benefit donated to local charity
- Gift or benefit used in Council's staff charity program
- Gift or benefit disposed of
- Gift returned to recipient for sharing amongst team


Reason: _____


Co-ordinator's/delegate's Signature:

RETURN COMPLETED FORMS TO THE CORPORATE GOVERNANCE SECTION IMMEDIATELY

Intended Purpose	Example	Recipient Action	Governance Action	Record in Gifts and Benefits Register
Ceremonial Gift an official gift from one agency or organisation to another.	<ul style="list-style-type: none"> Sister City Gift Gift from visiting dignitaries Gifts from overseas delegates 	Refer to Co-Ordinator	Retain Gift and display in WSC public area	
Gift of Influence intended to generally ingratiate the giver with the recipient for favourable treatment in the future (can be described as relational selling)	<ul style="list-style-type: none"> Money Alcohol Clothing items Products Tickets Scratchies/lottery Chocolates Gift cards (includes credit cards, debit cards with credit, phone prepayment cards, memberships or discount entitlements) Winning a competition Frequent flyer points Significant Hospitality >\$100 	1 Refuse and advise giver of Council policy in relation to non-acceptance of gifts 2 Complete Gifts and Benefits Declaration form OR Only in cases where gift is unable to be refused 1 Surrender item to Co-Ordinator 2 Complete Gifts and Benefits Declaration form	<ul style="list-style-type: none"> Gift to be returned Display gift Share amongst staff Use as a Council resource Use in Council staff charity program 	
Bribe intentional offer of a gift in return for favourable outcome (for example decision in relation to approval, contract, non-	<ul style="list-style-type: none"> Money Products Tickets Gift cards (includes credit cards, debit cards with credit, phone prepayment 	Refuse and Report Advise General Manager immediately of bribe or attempt to bribe.	Report to ICAC	

Intended Purpose	Example	Recipient Action	Governance Action	Record in Gifts and Benefits Register
action etc)	cards, memberships or discount entitlements)			
Invitation to Sponsored Event Attendance in role as staff member, which may include hospitality	<ul style="list-style-type: none"> Community Events/Launches 	1 Obtain written approval from Supervisor 2 Complete Gifts and Benefits Declaration form		
Invitation to Sponsored Event attendance in role as a Councillor, which may include hospitality	<ul style="list-style-type: none"> Chambers of Commerce Wyong Race Club Community/Sporting Events/Launches Central Coast Mariners' games Media outlet Property Council/UDIA LGMA/LGNSW/ALGA AICD IPWEA 	Declare attendance	Record in Event Attendance Log (see Attachment C)	
Discretionary Gift or Benefit attendance at function to assist in promoting Council within the local and wider community	<ul style="list-style-type: none"> NRL game 	1 Apply to the Co-Ordinator 2 Declare attendance	Record in Event Attendance Log	
Gifts received at Sponsored Events, Conferences or Public Forums including those for	<ul style="list-style-type: none"> Gift bags Alcohol Competition Prizes Cash or cash like 	Do not enter optional competitions or submit business cards for prizes. Or in cases where gift is unable to be refused or	<ul style="list-style-type: none"> Display gift Share amongst staff Use as a 	

Intended Purpose	Example	Recipient Action	Governance Action	Record in Gifts and Benefits Register
presenting at the event	(modest hospitality is not considered a gift under this category)	non-participation in event promotion would cause embarrassment for the organisation, then: 1 Surrender item to Co-Ordinator 2 Complete Gifts and Benefits Declaration form	Council resource • Use in Council staff charity program	
Promotional Gift small mass produced item containing company or agency logo	Pens, calendars, key rings, caps	1 Refuse and advise giver of Council policy in relation to non-acceptance of gifts 2 Complete Gifts and Benefits Declaration form OR Only in cases where gift is unable to be refused 1 Share gift amongst team or place in stationery cupboard 2 Complete Gifts and Benefits Declaration form		
Modest Gift of Gratitude Small tokens of appreciation often handmade and of nominal value	Home baked goods Hand-picked flowers Hand-crafted goods	Share amongst team	NA	
Other any gift or benefit not included in above categories, (except modest hospitality as defined under this policy)		1 Refuse and advise giver of Council policy in relation to non-acceptance of gifts 2 Complete Gifts and Benefits Declaration form OR Only in cases where gift is unable to be refused		

Intended Purpose	Example	Recipient Action	Governance Action	Record in Gifts and Benefits Register
		<p>1 Surrender item to Co-Ordinator</p> <p>2 Complete Gifts and Benefits Declaration form</p>		

Date	Attendee	Function	Host

5.7 Wyong Coal Pty Limited (WCPL) Voluntary Planning Agreement Public Submission Summary

TRIM REFERENCE: F2006/01080 - D07380948

MANAGER: Jari Ihalainen, Director

AUTHOR: Paul Bowditch; Manager

SUMMARY

Reporting on the submissions received during the public exhibition period of the draft Voluntary Planning Agreement from Wyong Coal Pty Ltd associated with the application for a proposed coal mine at Jilliby.

RECOMMENDATION

- 1 ***That Council note that the NSW Planning Assessment Commission (PAC) is the consent authority for the mine on behalf of the State Government.***
- 2 ***That Council note and confirm that three submissions have been made to the Department of Planning and Infrastructure (DoPI) and the PAC opposing the mine development.***
- 3 ***That Council receive and note the report on the submissions received in regard to the draft Voluntary Planning Agreement – Wyong Coal Pty Ltd.***
- 4 ***That Council authorise the General Manager to execute the Voluntary Planning Agreement attached to the report.***
- 5 ***That Council inform those members of the public who made submissions of the outcome.***

BACKGROUND

At its meeting held on 26 February 2014, Council considered a report on a draft Voluntary Planning Agreement (VPA) proposed by Wyong Coal Pty Ltd associated with its proposal to develop a coal mine at Jilliby. Following consideration of that report, Council;

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

190/14 *That Council note that it has previously resolved to oppose the application for a coal mine as proposed by Wyong Coal Pty Ltd, with a submission lodged on 20 June 2013.*

191/14 *That Council re-endorse its previous unanimous resolutions to oppose coal mining in our water catchment areas and fully support Council's submission lodged on 20 June 2013.*

- 192/14 *That Council note that it is not the consent authority for the proposed coal mine as referred to in recommendation 1 above.*
- 193/14 *That Council note that Wyong Coal Pty Ltd has approached Council offering a Voluntary Planning Agreement associated with its proposed coal mine.*
- 194/14 *That Council endorse the draft Voluntary Planning Agreement attached to this report for the purposes of public exhibition.*
- 195/14 *That Council exhibit the draft Voluntary Planning Agreement for 28 days.*
- 196/14 *That Council receive a further report at the conclusion of the public exhibition period summarising the submissions received.*
- 197/14 *That Council authorise the Mayor to write to Gosford City Council requesting their support in objecting to the proposed mine in the Wyong Gosford water catchment and that Gosford City Council list this matter as an urgent item at the next CCROC meeting.”*

The draft VPA was exhibited for public comment from 14 March 2014 to 11 April 2014 and a total of eight submissions were received. A summary of the submissions is attached to this report.

As noted in the above resolution, Council has consistently opposed approval of the mine. Wyong Council lodged submissions to Department of Planning and Infrastructure (DoPI) (refer to attachments 1 and 2) and to the Planning Assessment Commission (refer to attachment 3) outlining the basis for the objection.

On 11 December 2013 Wyong Shire Council received a draft Conditional Consent from DoPI (refer attachment 4). The Planning Assessment Commission, which is the consent authority on behalf of the NSW State Government, will determine the approval independently of Council. Accordingly, it is important that Council give due consideration to the VPA to ensure provisions are made for infrastructure improvements as these matters are not adequately captured by the draft Conditional Consent.

CURRENT STATUS

Now that the public exhibition period has concluded, Council must now determine whether or not to execute the VPA. Given the nature of the submissions received, it is recommended that Council now execute the VPA.

THE PROPOSAL

The draft VPA (refer to attachment 5) is subject to the following conditions precedent:

- Consent is granted with conditions satisfactory to WCPL
- Expiry of any relevant appeal periods
- WCPL making a final decision to physically construct the project

Once the conditions precedent have been satisfied the draft VPA would come into effect with the following provisions:

Contributions

- WCPL to make contributions totalling \$16.974m as detailed below and itemised in Schedule 1 of the VPA in lieu of s94 Contributions. A summary breakdown of the contributions is shown in Table 1 below.
- Contributions to be by way of monetary payment or works in kind as required by Council.

Offset Lands

WCPL agrees to appoint Council as the manager of specific environmental offset lands if requested to do so by Council.

Direct Employment

WCPL will use all reasonable endeavours to sponsor one engineering scholarship and employ two apprentice positions per year for the life of the project.

Other contributions

- \$4,000,000 for the provision of:
 - Community, social and cultural development infrastructure projects
 - Environmental improvement projects being undertaken by Council
 - Enhancement of water reuse, trade waste capacity and sustainability program
- \$1,400,000 to ongoing road and public infrastructure affected by the proposed mine with payment on the following conditions:
 - \$50,000 per year for 28 years
 - Initial payment to be made on the 12 month anniversary of the road works

Road Upgrades

WCPL proposes to carry out the following road upgrades:

- Tooheys Road – reconstruction to a sealed road
- Buttonderry Access – construction of intersection on Hue Hue Road
- Brothers Forest Road/Little Jilliby Road – intersection upgrades and partial upgrade of Brothers Forest Road.

In addition to the above monetary contributions, the development will have broader benefits such as augmentation of water and sewer infrastructure which may provide impetus for employment generating development in the Wyong Employment Zone.

5.7 Wyong Coal Pty Limited (WCPL) Voluntary Planning Agreement Public Submission Summary (contd)

A summary of the contributions contained in the draft VPA is set out in the below table:

Table 1:

Description	WCPL Proposed Contribution
Tooheys Road Upgrade	\$4,000,000
Buttonderry Access Intersection	\$700,000
Brothers Forest Rd/Little Jilliby Rd	\$1,404,000
Ongoing road maintenance	\$1,400,000
Water infrastructure	\$3,170,000
Sewerage infrastructure	\$2,300,000
Community & Environmental programs	\$4,000,000
Total Contributions	\$16,974,000
Estimated value of offset lands	\$3,360,000
Nominal Value of s94 Contributions (No VPA)	\$4,840,000*

**Note: A s94 Contributions Plan has not been adopted by Council for this site. For comparison purposes, the nominal s94 contribution has been estimated based on surrounding developments.*

CONSULTATION

A total of eight submissions were received via Council's Consultation Hub during the exhibition period. A summary of the submissions received is attached to the report (refer to attachment 6). Whilst the majority of the issues raised in the submissions relate mainly to objecting to the actual coal mine proposal, only a small number of issues relate to the actual content of the VPA.

CONCLUSION

The draft VPA between Council and Wyong Coal Pty Ltd was exhibited for public comment from 14 March 2014 to 11 April 2014. It is considered that none of the issues raised in the submissions received as a result of the exhibition warrant an amendment to the draft VPA. It is therefore recommended that Council now authorise the General Manager to execute the VPA.

A table summarising the submissions received is attached to this report together with a copy of the draft VPA.

ATTACHMENTS

1	Wyong Submission Wallarah 2 Project	Enclosure	D07789185
2	WSC - Final response to "Response to Submissions" for the Wallarah 2 Coal Project	Enclosure	D07571536
3	Planning Assessment Commission (PAC) presentation 2 April 2014 - Wallarah 2 Coal Project		D08013092
4	Walarah 2 Coal Project conditions v7	Enclosure	D07571117
5	Draft VPA for WCPL Word Version 12Mar14	Enclosure	D07381206
6	Submission Summary - Draft VPA for Wyong Coal	Enclosure	D07384491

PLANNING ASSESSMENT COMMISSION

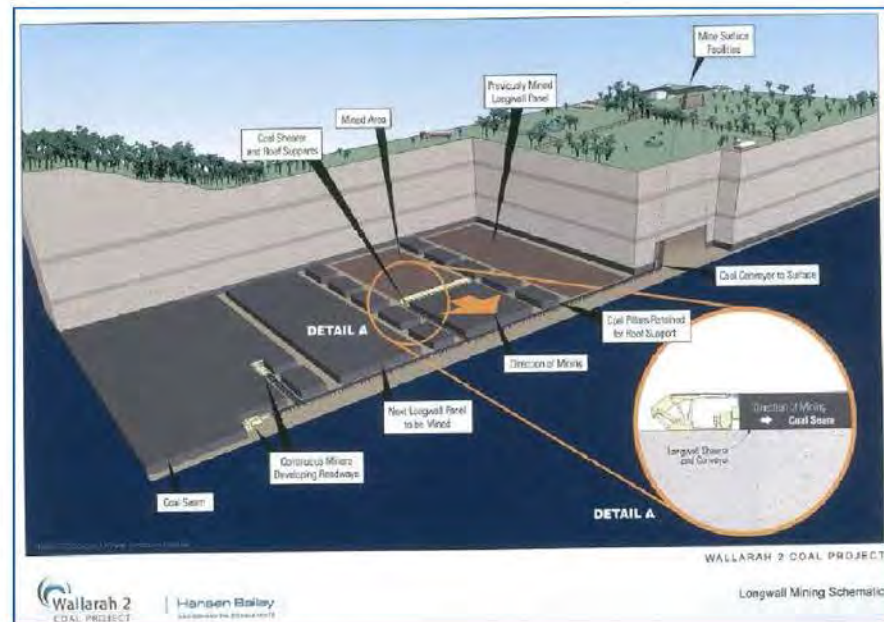
Walarah 2 Coal Project

2 April 2014



WSC Issues with Wallarah 2 Coal Project

- Impact on groundwater
- Impact on surface water
- Impact on flooding
- Impact on subsidence
- Impact of construction phase on water quality
- Heavy reliance of conditions and plans of management
- Impact on Buttonderry Waste facility
- Impact on water supply
- The risk of uncertainty is too great



Independent Analysis of EIS

- WSC engaged two (2) independent Consultants
- Pells Sullivan Meynink Consultants (PSM) to review the geological and water implications
- Earth Systems to review potential environmental and planning implications
- BOTH identified gaps and inconsistencies in EIS and data modelling
- Earth Systems also reviewed the Response to Submissions



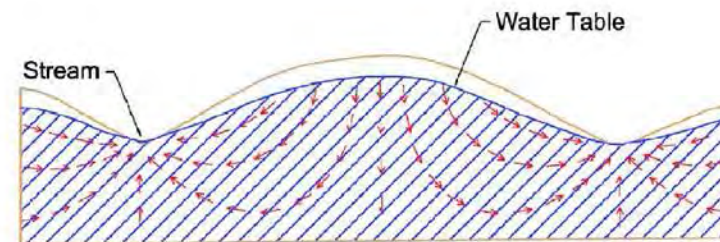
Dooralong and Yarramalong Valleys

- Dooralong and Yarramalong Valleys form part of the regions surface water catchment
- Groundwaters support the baseflow of the creeks and rivers of the valley
- Landuses consist mainly of rural living, agriculture and tourist accommodation
- Existing water catchment to service future development and population growth for CC region.



Impact on groundwater

- The EIS underestimates the potential impacts on groundwater
- Input parameters for modelling not consistent with available data or modelling within the EIS
- 500 years for groundwater pressures to fully recover
- No certainty of the impact on groundwater that feeds the streams of Dooralong and Yarramalong Valley
- Mitigation measures on groundwater quality not articulated



Loss of surface water

- Surface water loss from streams is LESS WATER for WYONG and GOSFORD LGA's
- LESS water for Valley BUSINESSES such as turf farms and agriculture
- Increased ponding in streams from subsidence
- The 2.5ML/day water use by the mine is more than half of the existing median flow rates of the creek
- High level of uncertainty based on the assumptions used



Impact on flooding

- Flood assessment approach reasonable HOWEVER was based on conservative subsidence modelling
- Some impact and mitigation measures proposed
- Council has some concern over the longer term maintenance requirements of the mitigation measures



Impact of subsidence

- Predictions of subsidence impacts in EIS conservative and require further sensitivity analysis
- The predictive model used not regarded as best practice
- The modelling fails the DG's "reasonable level of confidence test"
- Measures to mitigate general in nature



Sugarloaf Conservation area –
Failed attempt to remediate subsidence
induced surface cracking



Impact on Buttonderry Waste Facility

- Close proximity of the Buttonderry Waste Management Facility –Critical waste management infrastructure for the region
- Life expectancy of between 120 and 200 years
- Potential subsidence impacts and loss of geotechnical integrity have not been fully considered
- Conditions do not require dilapidation reports in order to assess any future impacts on the facility



Impact on water supply

- Water supply is the last user on Wyong River
- Water Supply access rules based on:
 - Fishway operation and
 - % of daily flow
- Less water at weir means less water available for town water supply



Water Licencing issues

- Transferring inactive licenced share components to new activity results in less water in river
- Water Management Act 2000 provides for town water supplies to have priority of access during water shortage
- Pumps can be turned off, mining effects cannot
- In practice the water supply will have lower priority of access than the mine
- In practice the water supply will have less access and less secure access to water than currently



Risks to Water Resources

- There are risks and uncertainty regarding the impact of the mine on the water resources
- Independent consultants identify the risks greater than assessed in the EIS
- Impacts will be most pronounced on downstream water users during water shortages
- If mine has greater impact than anticipated, in practice the impact will be borne by the downstream water users



Conditions of Consent

- Request that compensatory conditions be applied
- Request that no disposal of brine or mine water to sewer
- Request connection of potable water to the Buttonderry and Tooheys Road sites
- Request sewage connection to Buttonderry and Tooheys Road sites
- Connections in accordance with Council's requirements



Conditions of Consent

- Request an unconditional bond of \$20m held by WSC, provided by the Applicant to be drawn upon for investigations and remediation of unfavourable monitoring results and infrastructure damage
- Request that operations cease when monitoring samples identify water quality and quantity anomalies or negative trends.
- Request that the proposed Voluntary Planning Agreement is given certainty in the consent to deliver an appropriate public benefit for the community.



Conclusion

- In short, WSC opposes the mine based on a precautionary approach and the risk and uncertainty of actual impacts
- WSC request the inclusion of additional conditions to address any loss of water quality/supply.
- WSC request that a bond be put in place to draw upon to remediate any impacts from mining activities
- Protection of critical infrastructure
- Should the Coal Project be approved, that the conditions imposed are rigorously enforced

THANK YOU



5.8 Determination by the Local Government Remuneration Tribunal on Councillor Fees for 2014/15

TRIM REFERENCE: F2004/06505 - D07088772

MANAGER: Lesley Crawley, Manager

AUTHOR: Jade Maskiewicz; Councillor Services Officer

SUMMARY

Report on a Determination made by the Local Government Remuneration Tribunal in respect of Councillor fees for the 2014-15 financial year.

RECOMMENDATION

- 1** *That Council implement the determination made by the Local Government Remuneration Tribunal in respect of Councillor and Mayoral fees.*
- 2** *That Council set the annual Mayoral Fee at \$60,580 for the period 1 July 2014 to 30 June 2015.*
- 3** *That Council set the annual Deputy Mayoral fee at \$8,481.20 for the period 1 July 2014 to 30 June 2015.*
- 4** *That Council reduce the paid annual Mayoral Fee by 14% (\$8,481.20) to fund the annual Deputy Mayoral fee.*
- 5** *That Council reduce the paid annual Mayoral Fee by \$2,003.17 for use of the Mayoral Motor Vehicle.*
- 6** *That Council set the Annual Councillor Fee at \$22,800 for the period 1 July 2014 to 30 June 2015.*

BACKGROUND

The Local Government Act 1993 (the Act) sets out the requirements governing the payment of fees to elected members (s.239-s241). Payments to the Deputy Mayor are further prescribed by s.249 of the Act.

Previously the Local Government Remuneration Tribunal (the Tribunal) has made determinations under Section 239 and 241 of the Local Government Act 1993 (the Act) for fees payable to the Mayor and Councillors.

On 27 June 2011, the Parliament passed amendments to the Act to apply the same government public sector wages cap that binds the Industrial Relations Commission to the determination of ranges for fees for Councillors and Mayors. Therefore, no increase beyond 2.5% may be applied by the Tribunal to the minimum and maximum amounts of fees to be paid to Councillors and Mayors.

5.8 Determination by the Local Government Remuneration Tribunal on Councillor Fees for 2014/15 (contd)

The effect of the amendments to the Local Government Act was to remove the Tribunal's discretion to determine any increase in the minimum and maximum fees beyond 2.5%.

Each financial year the Local Government Remuneration Tribunal sets a minimum / maximum fee for the Mayor and Councillors within each local government category. It is a matter for each Council to fix the fees payable to the Mayor and Councillors within the range set by the Tribunal. Since June 2002, Council has resolved that payments be fixed at the maximum allowable fees for the Mayor and Councillors.

In accordance with Section 239 of the LG Act the Tribunal is required to determine the categories of councils and mayoral offices at least once every 3 years. The Tribunal last undertook a fundamental review of the categories of councils in 2012.

In undertaking the 2013 review the Tribunal noted that a number of initiatives were under way to improve the strength and effectiveness of local government in NSW. These included:

- the work of the Independent Local Government Review Panel to drive key strategic directions identified in the Destination 2036 initiative
- the work of the Local Government Acts Taskforce to review the *Local Government Act 1993* and the *City of Sydney Act 1988*
- the engagement of the NSW Treasury Corporation (TCorp) to report on the financial sustainability of Local Government in NSW.

The Tribunal has advised that given the significant work being undertaken by both the NSW Government and local councils to drive and deliver local government reform, the Tribunal did not call for general submissions from individual councils as part of the 2013 Annual Review.

The Tribunal's Report and Determination of 2013 provided a general increase of 2.5 per cent which was consistent with the NSW Wages Policy. The Tribunal advised that it would monitor the progress of these initiatives over the coming year.

THE PROPOSAL

On 20 January 2014, the Tribunal wrote to all mayors advising of the commencement of the 2014 Annual Review.

In writing to mayors the Tribunal noted that the final reports of the Independent Local Government Review Panel and the Local Government Acts Taskforce were released on 8 January 2014. These reports make a series of recommendations for reform, some of which address remuneration for councillors and mayors.

At the time of commencing the annual review it was not expected that a decision on, or implementation of, any proposed reforms would be finalised prior to the Tribunal making its determination on or before 30 April 2014. For that reason the Tribunal, as it did in 2013, did not call for general submissions from individual councils for the 2014 review.

The Tribunal has advised:

“While general submissions were not requested, councils were welcome to raise with the Tribunal any issues of concern. The Tribunal received two submissions from individual Councils. The submissions sought consideration of the following matters:

- the Tribunal to determine the maximum statutory increase of 2.5 percent as permitted by the legislation*
- the Tribunal to benchmark mayoral and councillor fees with that of a State Member of Parliament*
- the Tribunal to introduce a professional remuneration structure for councillors to improve accountability and performance.*

The Tribunal also received a submission and met with representatives of Local Government NSW (LGNSW). Given the statutory limitations in place LGNSW has requested that councillor and mayoral remuneration should be increased by the full 2.5 per cent for 2013-14.

In addition to requesting the maximum increase of 2.5 percent, LGNSW has sought a professional remuneration structure to ensure that local government attracts appropriately qualified people. LGNSW continues to advocate that elected representatives face increasing challenges, associated with managing council workload, family responsibilities and paid work, and that the significant time involvement is not appropriately recompensed through the current remuneration levels.

LGNSW also provided the Tribunal with an overview of the current reform initiatives and their expected impact on the role and responsibilities of councillors and mayors. The anticipated changes will, in the opinion of LGNSW, warrant a review of the remuneration structure, and a subsequent increase in fees.

The Tribunal wishes to place on record its appreciation to LGNSW for its participation and assistance during the 2014 Annual Review process.

Comments

The Independent Local Government Review Panel and the Local Government Acts Taskforce make a broad range of recommendations which, if adopted in full or in part, could deliver significant reforms across local government in NSW.

The Government has called for public submissions and Councils have been encouraged to provide comment on the final reports of the Panel and the Taskforce by 4 April 2014. The Government has indicated that it will consider the final reports, including submissions received, and prepare its response. That response has not been available to the Tribunal at the date by which it must make its determination for 2014.

The Tribunal notes that the Panel has made a number of comments in relation to the adequacy of the existing remuneration arrangements and has proposed structural changes which may have an impact on the roles and responsibilities of councillors and mayors. Suggested changes include amendments to the LG Act to provide greater clarity in relation to the role of councillors and mayors. It has been proposed that in larger councils and in major regional councils, the role of mayor, and in some instances that of the deputy mayor, should be expanded to a full time office and remunerated

accordingly. The Panel has also suggested that professional development programs be made available to councillors and that remuneration should be increased in recognition of enhanced skills.

In making its determinations the Tribunal is required to have regard to the provisions of the existing LG Act. The LG Act prevents the Tribunal from determining any fees for Deputy Mayors and also requires that the Tribunal apply the Government's wages policy, which currently provides for a cap on increases of 2.5 per cent.

The Tribunal currently has regard to the role of councillors and mayors in determining the fees that apply to each of the categories of councils. The existing remuneration model is based on that first determined by the Tribunal in 1995. While there have been adjustments in both the categories of councils and the level of fees, these have not been significant. This in part recognises that the roles and responsibilities of councillors and mayors, as outlined in the legislation, have also not changed significantly since the commencement of the LG Act in 1993, notwithstanding any increases in workload.

The Panel has proposed that the roles and responsibilities of councillors and mayors be broadened. These additional functions, if introduced, are likely to have an impact upon the workload, and the skills and capabilities required of elected representatives.

The Tribunal continues to support initiatives which will bring about improvements in the local government sector. Further reforms such as council amalgamations and steps to increase resource sharing and joint planning, have previously received and will continue to receive the support of the Tribunal, in that those reforms should result in greater structural efficiencies and should contribute to the long term viability of local government in NSW.

The Tribunal will continue to monitor the progress of reform. The Tribunal found that there was no strong case to significantly alter the current categories of Councillor and Mayoral offices or to move individual councils between categories."

The Tribunal has determined an increase of 2.5% in the fees for Councillors and Mayors for the year 1 July 2014 to 30 June 2015. WSC is included in the Metropolitan Centre category as detailed in the table below:

Category Title	Councillor / Member Annual Fee		Mayor / Chairperson Additional Fee *	
	Minimum	Maximum	Minimum	Maximum
Principal City	24,430	35,820	149,460	196,660
Major City	16,280	26,880	34,600	78,300
Metropolitan Major	16,280	26,880	34,600	78,300
Metropolitan Centre	12,210	22,800	25,950	60,580
Metropolitan	8,130	17,930	17,310	39,110
Regional Rural	8,130	17,930	17,310	39,110
Rural	8,130	10,740	8,640	23,440
County Council – Water	1,620	8,960	3,460	14,710
County Council - Other	1,620	5,360	3,460	9,780

NB

- * This fee must be paid in addition to the fee paid to the Mayor/Chairperson as a Councillor/Member (Section 249(2))

5.8 Determination by the Local Government Remuneration Tribunal on Councillor Fees for 2014/15 (contd)

- A copy of the report and determinations made by the Tribunal is available at http://www.remtribunals.nsw.gov.au/local_government/current_determinations

The current Mayoral fee for Wyong Shire Council is \$59,100 and the current Councillor fee is \$22,240.

In 2011 Council resolved that the Deputy Mayor allowance would be 14% of the Mayoral allowance.

The Deputy Mayoral fee for the 2014-15 year will increase from \$8,274.00 to \$8,481.20 subject to the Mayoral fee increasing by 2.5%.

Historically the Council has resolved to reduce the Mayoral fee to accommodate the private use of the Mayoral Motor Vehicle. The amount is annually increased by the CPI.

OPTIONS

- 1 Pay the fees as outlined above. This increase has been taken into account when preparing the Strategic Plan for 2014-15.
- 2 Retain the current fee structure resulting in a saving of \$7,080 on forecast maximum level expenditure.
- 3 Pay a fee structure anywhere between the new minimum and maximum levels set by the Tribunal.
- 4 Reduce the fees paid to the minimum (or any amount between that and the maximum) at a corresponding saving of \$140,530 (Based on the new maximum amounts).

Financial Implications

There is minimal impact on the 2014-2015 Strategic Plan – Estimates of the determination are included in the financial projections.

CONCLUSION

No obligation exists for Council to pass on the determination of 2.5%, provided that the Councillor and Mayoral fees are set within the range determined by the Tribunal.

Council has the opportunity to establish any other level it so chooses for any reason.

Council has historically chosen to set the fees at the maximum allowable rate and the recommendation has been established on that basis.

Council has no obligation to reduce the annual Mayoral fee or to set a Deputy Mayoral fee. Council has done this historically.

ATTACHMENTS

Nil.

5.9 Draft Minutes of the Tuggerah Lakes Estuary, Coastal and Floodplain Management Committee held on 1 May 2014

TRIM REFERENCE: F2004/07986 - D07384762

MANAGER: Lesley Crawley, Manager

AUTHOR: Jade Maskiewicz; Councillor Services Officer

SUMMARY

Confirmation of minutes of the previous Tuggerah Lakes Estuary Management, Coastal and Floodplain Management Committee held on Thursday 1 May 2014.

RECOMMENDATION

That Council receive the Minutes of the Tuggerah Lakes Estuary, Coastal and Floodplain Management Committee meeting held on 1 May 2014.

BACKGROUND

A meeting of the Tuggerah Lakes Estuary Management, Coastal and Floodplain Management Committee held on Thursday 1 May 2014.

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 the Committee's recommendations are reported to Council for consideration.

ATTACHMENTS

- | | | |
|---|--|-----------|
| 1 | MINUTES - Tuggerah Lakes Estuary, Coastal & Floodplain Management Committee Meeting - 1 May 2014 | D07346422 |
|---|--|-----------|

WYONG SHIRE COUNCIL

**MINUTES OF THE
TUGGERAH LAKES ESTUARY, COASTAL AND FLOODPLAIN
MANAGEMENT COMMITTEE OF COUNCIL**

**HELD IN THE COMMITTEE ROOMS
WYONG CIVIC CENTRE, HELY STREET, WYONG
ON 01 May 2014
COMMENCING AT 5.00PM**

PRESENT

Councillor A Troy (Wyong Shire Council) – Co-Chairperson
Councillor L Taylor (Wyong Shire Council) – Co-Chairperson
Councillor L Webster (Wyong Shire Council)
Mr Bob Davies (Community Member)

IN ATTENDANCE

Mr Greg McDonald (Wyong Shire Council)
Mr Andrew Pearce (Wyong Shire Council)
Mr Luke Sulkowski (Wyong Shire Council)
Mr Peter Sheath (Wyong Shire Council)
Mr Neil Kelleher (Office of Environment and Heritage)
Ms Jade Maskiewicz (Wyong Shire Council)

APOLOGIES

Mr Ken Derry (Community Member)
Ms Marlene Pennings (Community Member)
Mr Phillip Buchanan (Office of Environment and Heritage)
Mayor D Eaton (Wyong Shire Council)

The meeting was declared open by Councillor Taylor/Troy at 5.05pm.

1.1 Disclosure of Interest

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

That the Committee receive the report on Disclosures of Interest and note that there were no disclosures.

1.2 Confirmation of Minutes of Previous Meeting

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

That the Committee confirm the minutes of the previous Tuggerah Lakes Estuary, Coastal and Floodplain Management Committee meeting held on 3 April 2014.

BUSINESS ARISING FROM THE MINUTES

There was no business arising from the minutes.

2.1 Report on Lake Management Operations

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

That the Committee receive the report on Report on Lake Management Operations.

2.2 Coastal Zone Management

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

That the Committee receive the report on Coastal Zone Management.

2.3 Floodplain Management Committee Report

RESOLVED unanimously on the motion of Councillor TROY and seconded by Mr B DAVIES:

That the Committee receive the report on Floodplain Management Committee Report.

2.4 Status Report on Outstanding Actions

RESOLVED unanimously on the motion of DAVIES and seconded by WEBSTER:

That the Committee confirm the Status Report on Outstanding Actions for the Tuggerah Lakes Estuary Coastal & Floodplain Management Committee Meeting.

**WYONG SHIRE COUNCIL
TUGGERAH LAKES ESTUARY, COASTAL AND FLOODPLAIN MANAGEMENT COMMITTEE
ACTION LOG**

Item #	Meeting Date	Report Title	Action	Responsibility	Status/ Notes
2.3	6 March 2014	Coastal Zone Management	Request staff to write to the Minister for the Environment to expedite the release of the coastal reforms.	Andrew Pearce, Manager Waterways and Asset Management	Andrew Pearce advised that the letter had been drafted and is currently with the General Manager's office for signature.
2.1	3 April 2014	Phasing Out Commercial Fishing in Tuggerah Lakes Update	Request staff to invite a representative from NSW Fisheries to address the Committee at a future meeting.	Andrew Pearce, Manager Waterways and Asset Management	Andrew Pearce advised NSW Fisheries have been invited to attend either the June or July 2014 Committee meeting.

**WYONG SHIRE COUNCIL
TUGGERAH LAKES ESTUARY, COASTAL AND FLOODPLAIN MANAGEMENT COMMITTEE
COMPLETED SINCE 6 MARCH 2014**

Item #	Meeting	Report Title	Status/ Notes
2.2	6 February 2014	Report on Lake Management Operations	Report included in agenda at 6 March 2014 Committee meeting.
GB36/14	6 February 2014	Budgewoi Sand Mass	Andrew Pearce provided an update at 6 March 2014 Committee meeting.
GB38/14	6 February 2014	Lake Inspection	Andrew Pearce provided an update at 6 March 2014 Committee meeting and date was agreed for May.
GB39/14	6 February 2014	Commercial Fishermen - Prawn Haul Netting	Andrew Pearce provided an update at 6 March 2014 Committee meeting.
GB43/14	6 February 2014	Future Projects	Report included in agenda at 6 March 2014 Committee meeting.
GB37/14	6 February 2014	The Entrance Break Wall Study	Mr Neil Kelleher provided an update at the 3 April 2014 Committee meeting.

3.0 GENERAL BUSINESS

GB51/14 Woongarrah Waters Revegetation

Mr Luke Sulkowski

Mr Luke Sulkowski advised that works are nearing completion on this revegetation project in Woongarrah Waters and that it appears to be running under budget. Luke advised that approximately 60,000 plants have been installed and he displayed photographs of the works to the committee.

GB52/14 Lake Munmorah Foreshore

Mr Luke Sulkowski

Mr Luke Sulkowski provided an update on the Lake Munmorah Beach Nourishment Project and advised that they have taken delivery of the first load of sandstone logs. Works should be underway as of week commencing 5 May 2014.

Mr Andrew Pearce advised that this is a pilot project that will hopefully lead into more like projects in the future, including Canton Beach.

GB53/14 Animated Estuary Video

Mr Luke Sulkowski

Mr Luke Sulkowski advised that he has received some positive feedback from the public regarding the animated estuary information video which was shown before all movies featured at Event Cinemas Tuggerah between 10 – 30 April 2014. Luke is expecting to receive some statistics from the cinema which he will bring to a future committee meeting.

GB54/14 Estuary Boat Tour Update**Mr Luke Sulkowski**

Mr Luke Sulkowski advised that the estuary boat tour is still scheduled to go ahead 7 May 2014. Wet weather contingencies have not been decided upon as yet, however, further information regarding the event will be sent out to attendees prior to the date.

GB55/14 The Entrance Seawall Upgrade Update**Mr Luke Sulkowski**

Mr Luke Sulkowski advised that the project is moving forward with no issues to date.

Councillor Webster advised that she has received some feedback from local fisherman about not installing a continuous railing. Andrew Pearce confirmed that there will not be a continuous rail.

Luke also updated the committee regarding installation of a fish cleaning table to stop fishermen using the public toilets to clean their fish. Luke advised there have been discussions about the type of structure to be built and whether it would need to be connected to the sewer. Greg McDonald advised that there may be some trade waste costs involved if that was the case. It was suggested by the committee that a bait preparation board be installed instead.

Cr Taylor has requested some statistics on how frequently the public toilets are being used for fish cleaning purposes. Cr Webster said that Town Centre Manager, Paul Barnes, may be able to supply some information on this.

Mr Neil Kelleher suggested that Town Centre Management put a sign in the toilets asking people not to clean fish in that facility.

THE MEETING terminated at 6.14pm.

5.10 Draft Minutes of the Employment and Economic Development Committee Meeting - 7 May 2014

TRIM REFERENCE: F2012/01905 - D07780723
MANAGER: Lesley Crawley, Manager
AUTHOR: Jacquie Elvidge; Councillor Services Officer

SUMMARY

The draft minutes of the Employment and Economic Development Committee meeting of 7 May 2014 are submitted to Council for consideration.

RECOMMENDATION

- 1 That Council receive and note the draft minutes of the Employment and Economic Development Committee meeting held on 7 May 2014.**
- 2 That Council endorse the list of properties which have been identified as surplus to Council's needs, identified in Confidential Attachment 2 of this report.**
- 3 That Council authorise the sale of the list of properties identified in Confidential Attachment 2 of this report.**
- 4 That Council endorse the further review, by the Employment and Economic Development Committee, of 15W Fortune Crescent, Lake Munmorah, with a view to retaining the parcel as a thoroughfare to the adjoining reserve and that parcel being offset through a portion of the reserve.**
- 5 That Council amend item 4.9.4 of the draft Economic Development Strategy to the following:**
 - 4.9.4 Reduce 20ha minimum lot size where appropriate within the rural areas of the Shire;**
- 6 That Council adopt the draft Economic Development Strategy to be placed on public exhibition for a period of 28 days.**
- 7 That Council request the General Manager to submit a report to Council outlining the results of the public exhibition of the Economic Development Strategy, recommending adoption of the strategy.**
- 8 That Council recognise the significant economic and employment benefits of the Old Woodbury Farm development**
- 9 That Council note that the iconic site provisions will not provide any benefit to the Old Woodbury Farm development.**
- 10 That Council note the additional submissions received.**

BACKGROUND

A meeting of the Employment and Economic Development Committee was held on 7 May 2014.

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 the Committee's recommendations are reported to Council for consideration.

The draft minutes of the 7 May 2014 meeting are set out in the attachment.

Additional submissions have been attached for consideration.

ATTACHMENTS

- | | | |
|----------|---|-----------|
| 1 | MINUTES - Employment and Economic Development Committee Meeting - 7 May 2014 | D07551156 |
| 2 | Report - Property Portfolio Review - Stage 1 - EEDC - 7 May 2014 - Attachment 1 - List (Confidential) - | D07292678 |
| 3 | Draft Economic Development Strategy - Version 11.0 - Submitted to 7 May 2014 EEDC | D07859116 |
| 4 | Summary of additional submissions | D08019862 |

WYONG SHIRE COUNCIL

**MINUTES OF THE
EMPLOYMENT AND ECONOMIC DEVELOPMENT COMMITTEE OF
COUNCIL**

**HELD IN THE COMMITTEE ROOMS
WYONG CIVIC CENTRE, HELY STREET, WYONG
ON 7 MAY 2014
COMMENCING AT 4.00 PM**

PRESENT

Councillors G P Best (Chairperson), K G Greenwald, A Troy and L D Webster.

IN ATTENDANCE

Councillors Taylor and Eaton (arrived at 5.45pm), Director Property and Economic Development, Director Building and Development (arrived at 4.48pm), Manager Property Development, Acting Manager Property Management, Senior Strategic Planner and Councillor Services Officer.

The Chairperson, Councillor Best, declared the meeting open at 4.07 pm and advised in accordance with the Code of Meeting Practice that the meeting is being recorded.

APOLOGY

An apology for the inability to attend the meeting was received on behalf of Councillor Nayna due to work commitments.

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

That the Committee accept the apology and grant leave of absence from the meeting.

1.1 Disclosures of Interest

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

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

2.1 Address by Invited Speakers

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

- 1 That the Committee receive the report on Invited Speakers.**
- 2 That the Committee 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.**

3.1 Confirmation of the adopted Minutes of the Employment and Economic Development Committee Meeting - 29 January 2014

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

That the Committee confirm the adopted minutes of the previous meeting of the Employment and Economic Development Committee held on the 5 March 2014.

Business Arising

There was no business arising.

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

That the Committee move into Confidential Session to discuss item 4.1 – Property Portfolio Review – Stage 1.

At this stage of the meeting being 4.22pm the Committee moved into Confidential Session.

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

That the Committee move into Open Session.

At this stage being 5.09pm moved in to Open Session.

4.1 Property Portfolio Review - Stage 1

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

- 1 That the Committee receive the report on the Property Portfolio Strategy – Stage 1 Review.**
- 2 That the Committee recommend to Council that it endorse the list of properties identified in Attachment 1 (confidential) which have been identified as surplus to Council's needs.**
- 3 That the Committee recommend to Council that those properties identified in Attachment 1 (confidential) to this report be sold.**
- 4 That the Committee further review 15W Fortune Crescent, Lake Munmorah with a view to retaining the parcel as a thoroughfare to the adjoining reserve and that parcel being offset through a portion of the reserve.**

4.2 Wyong LEP 2013 - 1st Major Amendment - Update

Councillor Greenwald left the meeting at 5.09 pm and returned to the meeting at 5.11 pm during consideration of this item.

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

That the Committee receive the report on Wyong LEP 2013 - 1st Major Amendment – Update.

5.1 Value of Development Assessments

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

That the Committee receive the report and the contents be noted.

5.2 Economic Benefits of Coal Seam Gas - Response from NSW Department of Trade and Investment

Councillor Eaton arrived at 5.45 pm during consideration of this item.

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

That the Committee receive the report on Economic Benefits of Coal Seam Gas - Response from NSW Department of Trade and Investment.

5.3 Economic Development Strategy - Responses from local business and industry

Councillor Webster left the meeting at 5.55 pm and did not return.

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

- 1 That the Committee receive the report on Economic Development Strategy - Responses from local business and industry.**
- 2 That the Committee recommend to Council that the draft Economic Development Strategy be placed on public exhibition for a period of 28 days, with the amendment to item 4.9.4 to replace 'retain' with 'reduce'.**
- 3 That the Committee recommend to Council that a report will be submitted to Council outlining the result of the public exhibition and recommending adoption of the strategy.**

5.4 Service Club Summit

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

That the Committee receive the report on Service Club Summit.

5.5 Major Project Status Report

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

That the Committee receive the report on the Major Project Status Report.

5.6 Iconic Sites Status Report

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

That the Committee receive the report on Iconic Sites Status Report.

5.7 Crown Lands White Paper

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

That the Committee receive the report and presentation on Crown Lands White Paper.

5.8 Request to Consider Old Woodbury Farm as an Iconic Site

Mr Laurie Denton, addressed the meeting at 5.15 pm, answered questions and retired at 5.40 pm.

Councillor Best left the meeting at 5.19 pm and returned to the chamber at 5.20 pm during consideration of this item.

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

- 1 ***That the Committee receive the report and presentation on Request to Consider Old Woodbury Farm as an Iconic Site.***
- 2 ***That the Committee recognise the significant economic and employment benefits of such a major development proposal, however notes that the iconic site provisions will not provide any benefit to this development.***

THE MEETING closed at 6.22 pm.



Wyong
Shire
Council
CENTRAL COAST

DRAFT

2

WYONG SHIRE

Realise the opportunities; *enjoy the advantages*

WYONG ECONOMIC DEVELOPMENT STRATEGY
PREPARED BY WORKING GROUP

Draft Version 11 - 6 May 2014

Members of the Working Group
Wyong Shire Council

Document Design Wyong Shire Council

Wyong Shire Council
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WYONG SHIRE ECONOMIC DEVELOPMENT STRATEGY

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"We are committed to sustainable business growth, creating employment opportunities for local people, and encouraging a cultural, social and economic powerhouse on the Central Coast."

A message from the Mayor

The Wyong Shire Economic Development Strategy 2014 – 2039 is a framework for the sustainable economic growth of the Wyong Shire area for the next 25 years.

It also outlines a five year program and prioritised actions for the Wyong Shire area until 2019.

The goal is to encourage greater success and sustainability for the area and enable a living environment that is appealing for people to live, work, visit and invest in.

Wyong Shire is no longer a “weekender” for Sydney, it is a populous urban area in its own right and is identified for major growth from the expansion of greater Sydney.

The State Government expects 70,000 new residents to move here in the next 18 years, taking our population to over 200,000 and the Central Coast population to nearly 400,000.

To cater for this growth, we are committed to creating employment opportunities and encouraging development that enhances the quality of life for our residents.

We aim to identify business and investment opportunities and cut red tape to show that Wyong Shire is ‘Open for Business’.

We have recently updated our Local Environment Plan and Settlement Strategy to support these goals and make it easier to establish business and investment in the region.

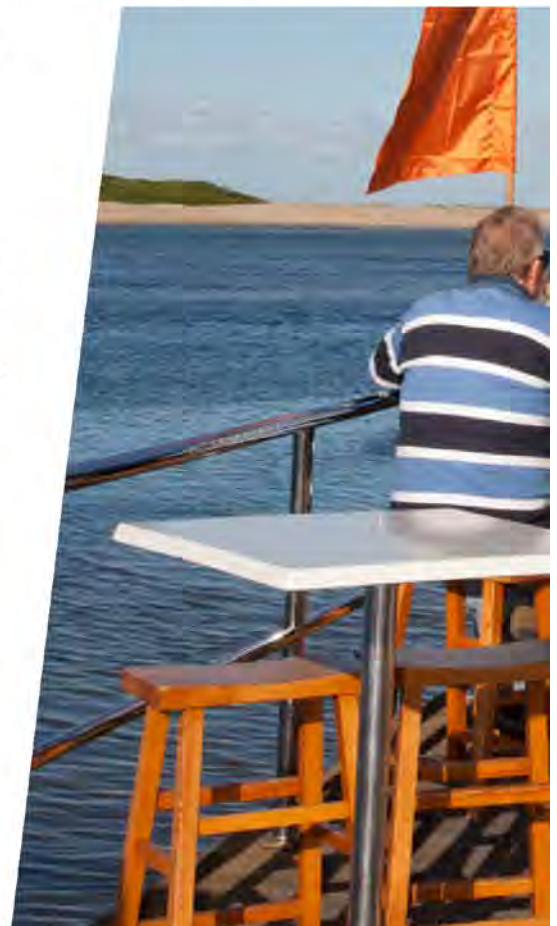
Major public and private sector initiatives, catalyst infrastructure projects and substantial residential land release will transform the area into a vibrant centre for business and residents over the next 25 years.

Council is committed to playing an active role to achieve economic wellbeing and quality of life for the community and the region.

The Wyong Shire Economic Development Strategy will be important in shaping that future.



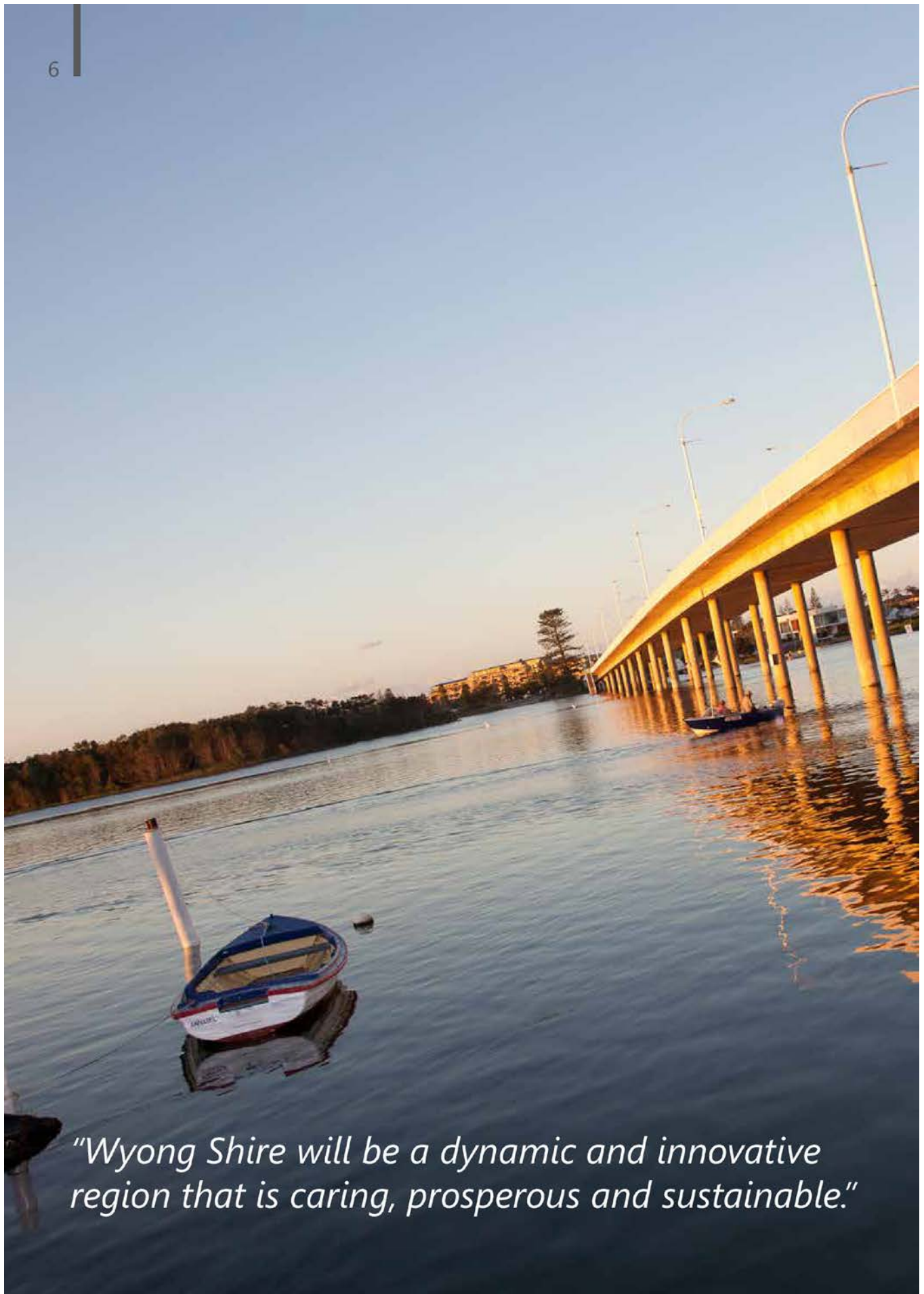
Doug Eaton
Mayor
Wyong Shire Council






WYONG SHIRE
ECONOMIC
DEVELOPMENT
STRATEGY
*Realise the opportunities;
enjoy the advantages*

6



"Wyong Shire will be a dynamic and innovative region that is caring, prosperous and sustainable."



Purpose of this Strategy

This Strategy provides a positive framework that guides and encourages diverse and sustainable economic development in Wyong Shire through to 2039.

This Strategy will be supported by an implementation plan that will outline the priority actions and activities that will be undertaken each year over the life of the plan. The implementation plan will be developed following public exhibition of the draft Strategy.

The action plans will be progressively updated and reviewed to allow the Strategy to remain a dynamic future-oriented plan.

Delivery partners will be essential in achieving the Strategy's vision and will include Wyong Shire business, industry, government and the broader community.

STRATEGIC CONTEXT:

This Strategy complements the **Wyong Community Strategic Plan 2030's** long term vision to create a sustainable community. In order to create this Wyong Shire Council has identified the need to develop a robust business sector which maximises employment opportunities for local residents.

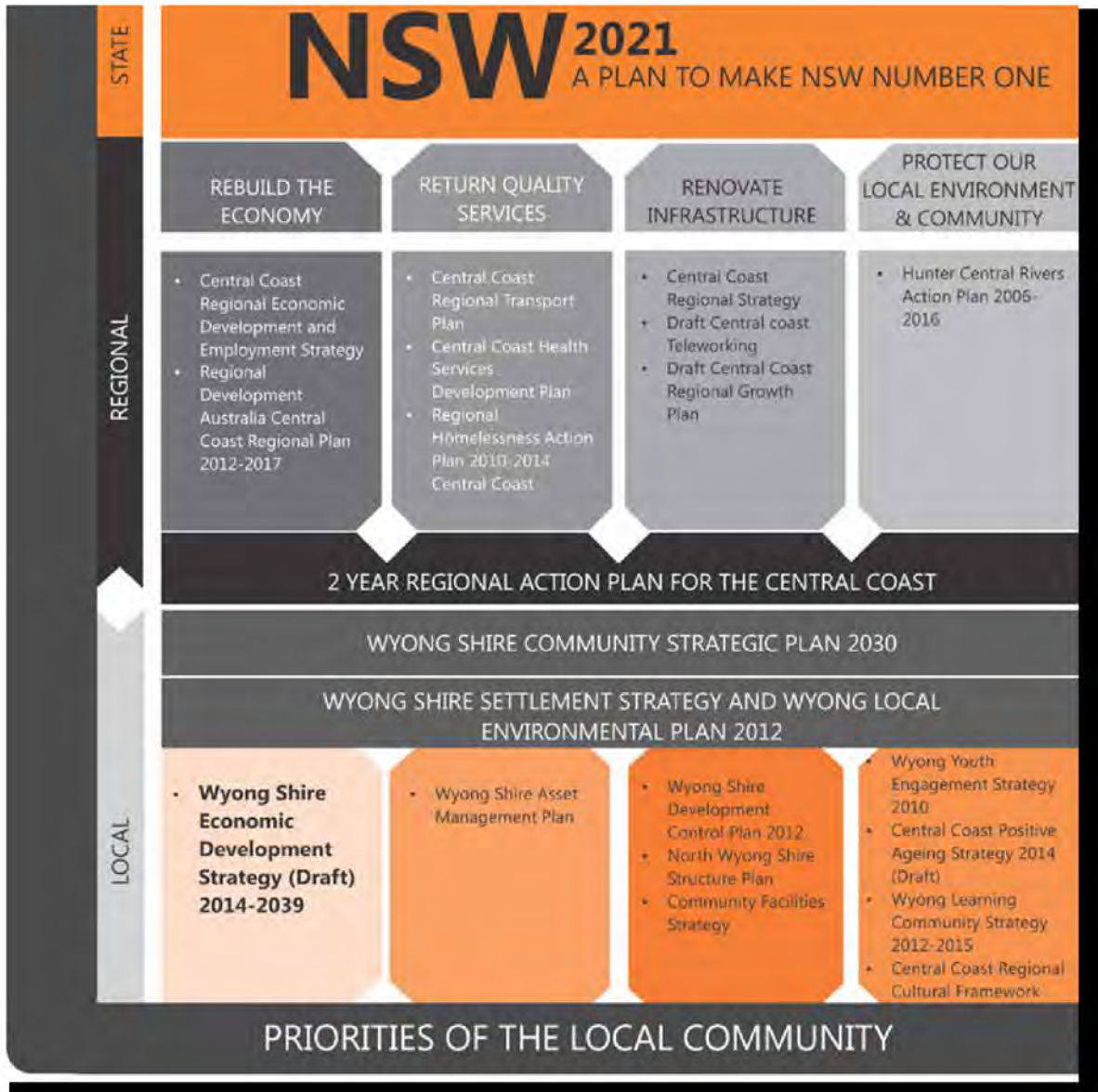
This Strategy also recognises the significant contribution that State Government agencies and the private sector will make toward the creation of local prosperity.

Wyong Shire Council will actively seek to collaborate and partner with the State Government and the private sector to deliver this plan.

"There will be a strong sustainable business sector and increased local employment built on the Central Coast's business strengths."

Wyong Community Strategic Plan 2030

Integrated Planning for Wyong Shire



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WYONG SHIRE PROFILE

Wyong Shire is a growing residential area located between Sydney and Newcastle. It is a world away from the pressures and pollution of its big city neighbours and boasts 35km of beautiful coastline (twice the foreshore of Sydney harbour). It also has shimmering lakes, verdant rural valleys and an unspoilt mountain backdrop.

The area includes the major service centre of Wyong-Tuggerah, with a large Westfield centre and business park; and a number of other retail shopping precincts in numerous smaller townships spread around the Tuggerah Lakes system.

In the north is the developing new town centre of Warnervale. To the west the Shire includes the picturesque Dooralong and Yarralong Valleys, and the Olney, Wyong and Ourimbah State Forests. Rural land is used mainly for farming, forestry and coal mining.

The region boasts a dynamic tourism industry, a skilled and motivated workforce, opportunities for commercial investment, living affordability and ease of access to both Sydney and Newcastle. The area is just one hour's drive from both cities with good transport links on the M1 Motorway, Pacific Highway and Sydney to Brisbane rail line. The proposed High Speed Rail on the east coast of Australia is planned to run through Wyong Shire with one stop at Ourimbah.

Today the population is more than 155,000, with projections for this to grow to over 203,000 by 2031. To meet the projected population growth it is estimated that an additional 22,000 dwellings and 45,000 new jobs will be needed by 2031.



155,767

203,448

820.42 km²

\$4.7 B



Investment and infrastructure

Ongoing retail investment is characterised by large scale expansions planned at Tuggerah Westfield; greenfield development for the Warnervale Town Centre; a newly opened Woolworths at Lake Munmorah; ALDI's new supermarket at Wyong; a new cinema complex at Lake Haven shopping centre; and development of iconic sites across the Shire.

Significant infrastructure projects are underway or planned including the upgrade of access ramps onto the M1 motorway; upgrades to Wyong Road; widening of the Pacific Highway through Wyong township; plans for the vital Link Road between Wyong and Warnervale; upgrades to major road intersections to facilitate the Warnervale Town Centre; a new railway station at Warnervale; and investigations into establishing a new regional airport.

Wyong Shire also has a large number of greenfield development opportunities in areas planned for major population growth such as the East Wadalba Urban Land Release for up to 2050 new lots.

Council has also identified 28 Iconic Development Sites which are ideal for major development and have been able to generate economic and employment growth.



The Entrance

Education Excellence

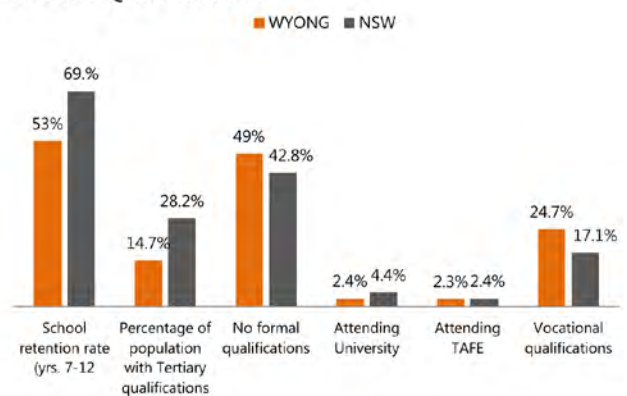
Wyong Shire is home to the Central Coast (Ourimbah) Campus of the University of Newcastle, as well as a Community College and the Ourimbah TAFE Campus of the Hunter TAFE NSW Institute. This has been a major step forward in providing local access to tertiary education and further training.

Wyong Shire Council is in the process of establishing a new Education and Business Precinct in Warnervale proposed to house 7,000 tertiary students and create 1500 jobs.

There are over 45 public and private schools in Wyong Shire, as well as the Central Coast Academy of Sports and the new Central Coast Mariners Centre of Excellence in Tuggerah (currently under construction).

Local school retention rates are, however, relatively low (see graph top right). Active engagement in education, employment and training is key to help young people make a successful transition to the workforce.

Resident Qualifications



That's why a new \$2.7 million Central Coast Youth Skills and Employment Centre in Tuggerah is being built in partnership with Wyong Shire Council, Central Coast Group Training and funding from the Federal Government. This unique model combines business start-ups, youth entrepreneurs, job and training pathways and formal apprenticeships in the one world-class facility.

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Business and employment

Almost 8,500 businesses operate in Wyong Shire, earning \$4.7 billion in Gross Regional Product (GRP) in 2012-13. Tuggerah is home to a major regional shopping centre, with other significant centres in Wyong, Bateau Bay, Lake Haven, The Entrance and Toukley. The Shire also features one major public hospital and two smaller private hospitals and a number of health facilities.

The top four employment sectors are Retail Trade, Healthcare & Social Assistance, Accommodation & Food Services, and Construction. Together these provide 44.3% of total employment in Wyong Shire, approximately 10% above the New South Wales state average for these industries.



There is untapped potential for business growth and development in all of the town centres and along major transport corridors.

Employment total by industry (2011/12)



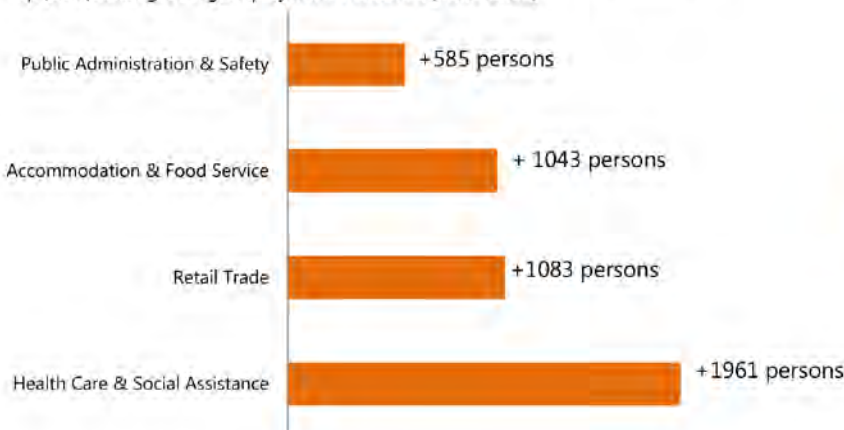
Employment

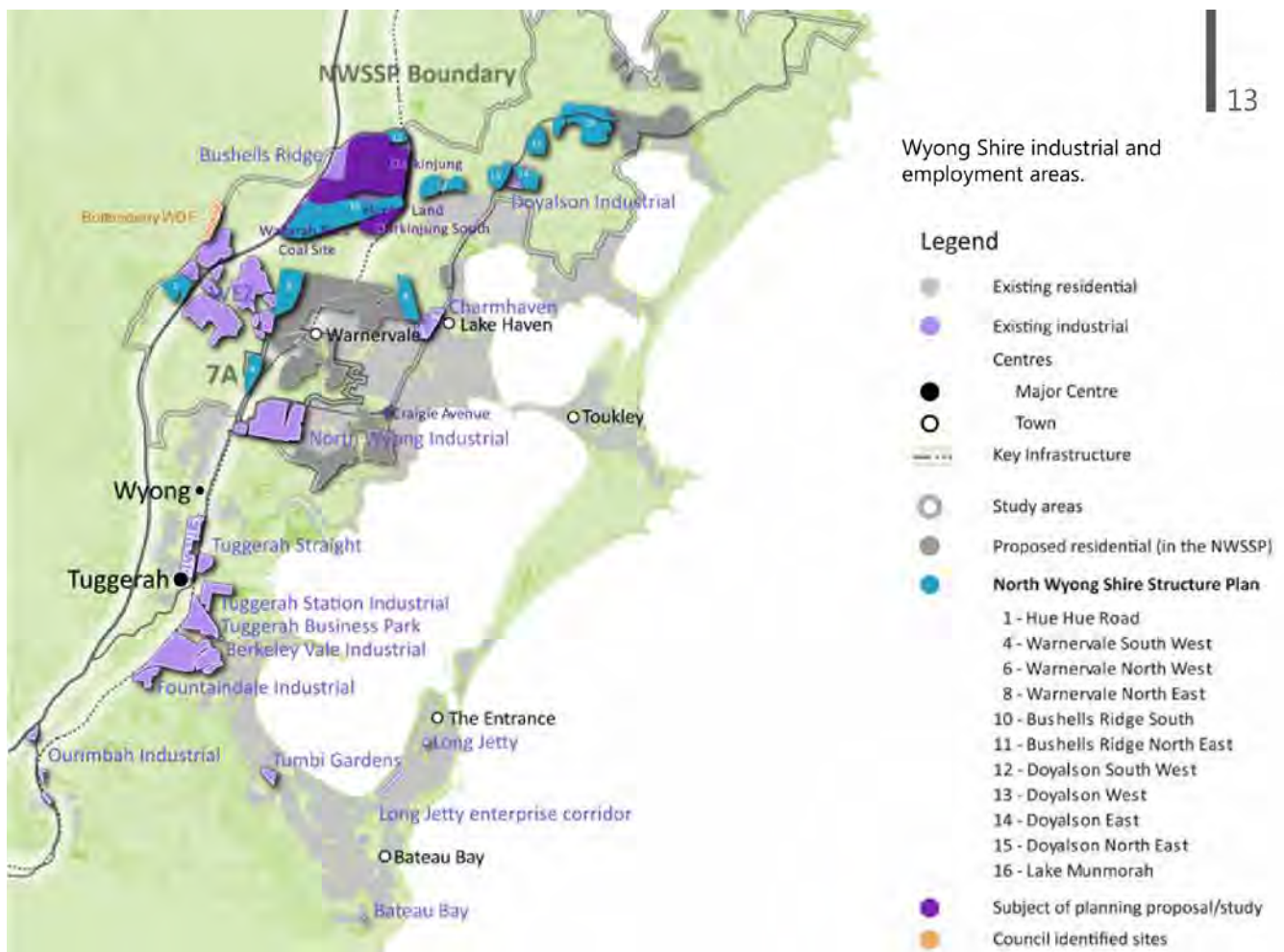
Nearly three quarters of Wyong Shire’s workforce is made up of local residents. A high proportion of these are in casual, part-time or low paid employment in the retail, healthcare and hospitality sectors.

- 33% of employees would like to work more hours each week (underemployment is due to high level of part-time/casual employment) (Quality of Life (QoL) survey)
- Unemployment 7.63% (Mar, 2013). Unemployment is historically 2-5% higher than State and National rates (Department of Employment LMIR)

Change in employment by industry (2006/7 - 2011/12)

Top four fastest growing employment industries (2006-2011)





Commuting

- 59,959 employed persons reside in Wyong LGA
- 29,170 (48.6%) live and work in Wyong LGA
- 22,094 (36.8%) live in Wyong LGA and work outside of the LGA. Note: Of these 9,647 (16%) work in Gosford LGA and 12,447 (20.8%) work outside of the Central Coast.
- 8,695 (14.5%) work location is unknown (tradespersons, sales etc.)

Occupations

In 2011, the three most popular occupations made up 44.7% (26,809 people) of the employed local labour force:

- Technicians and trades workers (16.6%)
- Professionals (14.2%)
- Clerical and administrative workers (13.8%)

Broadband Access

There is an increasing trend toward accessing internet for personal and business use in Wyong Shire, with 63% of homes currently having a broadband internet connection. This is still low compared to the Greater Sydney region which has 70.6%.

More importantly, the area is having early rollout of the National Broadband Network (NBN) with areas in Berkeley Vale and Tuggerah already connected.

The NBN is considered to be a "game changer" that will make teleworking a real option for Wyong Shire employees by reducing travel times while still providing access to job opportunities wider afield.

It is expected that companies will be attracted to digital infrastructure, and there will be opportunities for Wyong Shire to develop as an Information and Communication Technology (ICT) hub. Data centre facilities and specialised ICT companies already here are working to ensure that Wyong Shire is well positioned to take a leadership role.

The proposed Business Enterprise Zone in North Wyong should prove to be a catalyst for the capture and development of knowledge and innovation based industries in specialist sector clusters that provide good, high-value employment opportunities. NBN technology also presents a multitude of training and employment opportunities, especially for young people.

Source: Australian Bureau of Statistics, Census of Population and Housing 2011. Consulting profile .id and economy .id

A CASE FOR CHANGE

"The regions' population growth has been steady, at just above the NSW average. This is expected to increase with State Government plans for Wyong Shire to become one of the fastest growing areas on the urban fringe of Sydney, welcoming 70,000 new residents by 2031."

Wyong Shire is a community and economy of contrasts and contradictions. While there are many lifestyle and environmental positives and some pockets of affluence, social cohesion and economic strength, there is also significant unemployment and underemployment, housing stress, and lower levels of skill and education attainment. Wyong Shire is an underperforming economy that is ripe for growth and has huge opportunities for expansion over the next 25 years.

This growth needs to be actively driven by government, industry and business, to mature the area into a self-supporting economy providing good local employment options for current and future residents.

While the Central Coast is the ninth largest region in Australia in terms of population, the Central Coast regional economy currently ranks only 21st out of 55 national regions. Wyong Shire's economy ranks 111th of 560 LGA economies.

Unemployment in Wyong Shire is 2-5% higher than the NSW average and 33% of the working population commutes outside the region to find productive work. This is unsustainable and places an increased burden on infrastructure and economic growth.

Analysis of the current economy illustrates the case for change:

- The region is overly reliant on Construction, Retail and Health sectors – making up 39% of total employment in 2013. These industries are 'population-dependent'; often lower value-adding; and are highly exposed when growth rates and consumer confidence decline.
- Local employment is mainly low paid, casual or temporary. Approximately 70% of local businesses employ less than four people. Few large employers are represented in the Shire. This narrow focus on employment and skewed demographic distribution

presents both challenges and opportunities.

- The region's labour market efficiency indicators are all below the state benchmark (unemployment rate, participation rate, youth unemployment, skilled employment, welfare dependence).
- Average personal income and investment in the region is below state averages.
- The population base is skewed towards the over 55s and young families.

Allowing the economic base to continue to develop unguided will likely diminish lifestyle opportunities for this growing population. If left unaltered the Shire's local economy is likely to lead to:

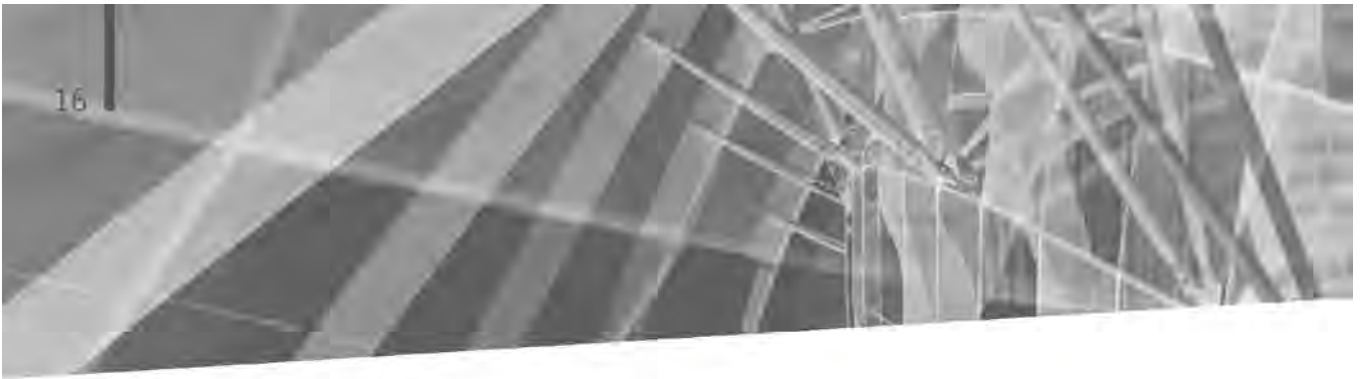
- Unsustainable growth in demand for human and social services and an economy that is unable to support the demands of the community.
- Less capacity to maintain existing infrastructure and invest in new and essential infrastructure and assets that the community needs to thrive.
- Low investment levels in the area and limited high value local employment opportunities.
- An inability to maintain the lifestyle and environment that is so highly valued on the Central Coast.

It is clear that the current trajectory for the Wyong Shire economy needs to be changed in order to deliver employment growth, career choice, labour force up-skilling, sector diversification, innovation and new investment.

Now it is time for action to turn this situation around, and establish a plan for economic growth to create a better future for Wyong Shire area.



WYONG SHIRE
ECONOMIC
DEVELOPMENT
STRATEGY
Realise the opportunities;
enjoy the advantages



VISION FOR A NEW ECONOMY

In 2039, Wyong Shire will have a high-value, diverse economic base attractive to business, providing local career opportunities for residents and a prosperous sustainable community with an enviable lifestyle and environment. This vision will be achieved in three steps:

STEP 1

Expanding on strengths

Wyong Shire will strengthen and extend on its existing industries by:

- securing the region's infrastructure priorities;
- significantly enhancing the region's attractiveness to investors;
- maintaining a core small business base;
- attracting more larger organisations - enhancing local career opportunities;
- increasing access to education opportunities.

Valuing entrepreneurship, with incubation programs to develop talent, creativity, technology and innovative business practices.

STEP 2

Gaining new ground

We will identify and support high value and catalytic opportunities that will change the cultural and economic dynamics of the region:

- A new regional airport to enhance transport and freight infrastructure and open new opportunities for technical and professional employment.
- The proposed Chinese Cultural Village will attract tourism and provide additional jobs and international interest.
- Council's drive to deliver a major Educational & Business Precinct in partnership with universities, vocational training providers and the community will lift the educational offering of the region.
- Reshaping our demographics - grow the number of residents aged 18 to 25 years by providing employment opportunities in tourism, sport and leisure, agribusiness and technologies.
- Working with current demographic trends we will expand health and well-being, education and research, knowledge industries and professional services.

STEP 3

Taking up the challenge

The Wyong Shire area will become the powerhouse of the Central Coast, a place where business, industry and residents can thrive as part of the global community. The new economy will emerge on the back of major infrastructure investments. The Wyong Shire area will continue to be recognised for its natural beauty but also become known as one of Australia's most successful investment locations, a coastal business hub where business can realise the opportunities, enjoy the advantages and be responsive to national and global markets.

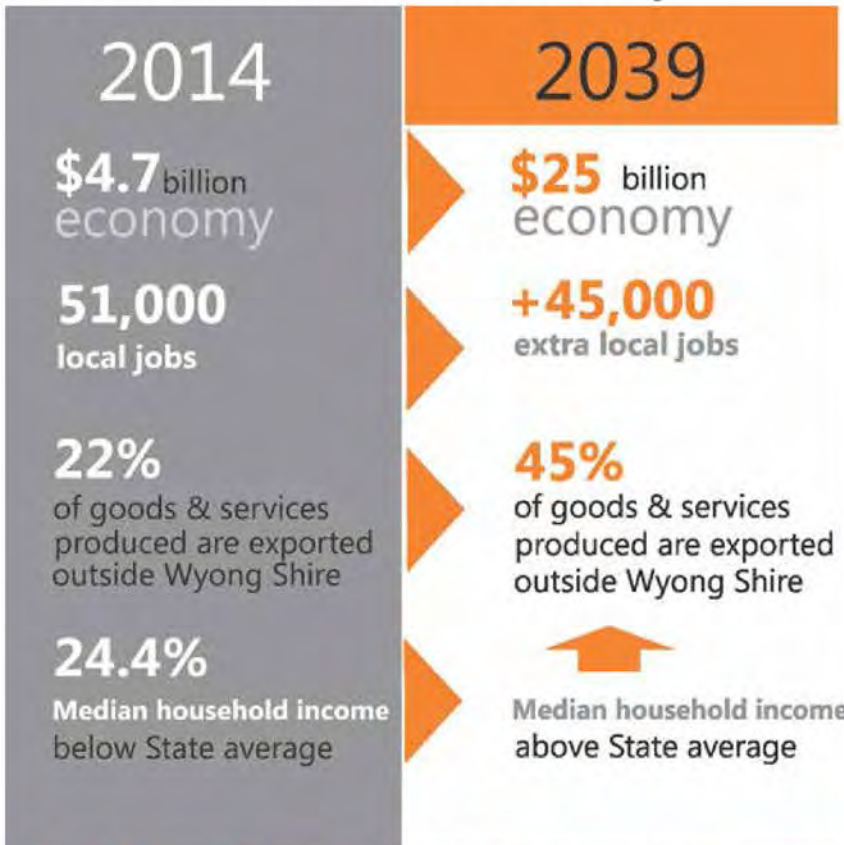


Principles and values

The principles and values that will sustain our new economy are based on:

- Building and marketing a strong local identity to attract business and investment
- Valuing the expertise and contribution of existing businesses
- Valuing entrepreneurship, talent, creativity, technology and innovative business practices
- Recognising and maximising what can be achieved through partnerships and networks
- Championing diversity, sustainability (economic, social and environmental) and strong governance.

Goals for the new economy



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Aims

- Greater stability for the local economy via a broader industry / investment base
- Build investor confidence ensuring the area is geared to respond to wider market demand
- Create local employment opportunities and attract / retain the talent and skills to fill the workforce demands of this new economy
- Achieve sustainability for the region's economy, community, environment and lifestyle.

ACHIEVING OUR VISION

Over the next 25 years, we will take steps to direct the regional economy toward a more diversified and sustainable economic base. The goal is to respect and cultivate the community's values whilst looking beyond its boundaries to establish the Shire as part of the Sydney and NSW growth solution and as part of the national and global economy.

In partnership with the private sector and other levels of government, Wyong Shire will take steps to build a new economy that is resilient to imbalanced population growth and variations in local consumer confidence. To strengthen the economy and build wealth and prosperity the region must shift its focus:

FROM (Current Focus)

Goods and Services respond to local consumption

TO (Future Focus)

Goods and Services respond to broader demands of local and external economies

Achieving a new economy

Clear objectives and priorities will help to build a local economy that is responsive to national and global demand, with increased high-value employment and investment opportunities.

The new economy will be built on:

- Strong, collaborative leadership that is fast acting and determined to succeed;
- Essential infrastructure needed to support growth, competitiveness and sustain the community;
- Investment in high-value industries that generate long term employment;
- A focus beyond the region's boundaries to national and global markets – where the region has a clear capability and advantage;
- The talent and skills of its workforce and the contribution of community members.

Foundations on which to build a new economy

This program of change will be built on strong foundations, valuable assets and a range of opportunities, including:

- current infrastructure commitments;
- green field development opportunities;
- NBN rollout and ICT opportunities;
- catalyst projects;
- town centre revitalisation; and
- emerging investments in high value industries.

There is no doubt that Wyong Shire on the Central Coast offers an outstanding lifestyle experience and quality environment in which to grow business and industry.

New approaches and priorities will enable the region to be recognised as a place:

- that embraces investment;
- is positioned to catch business and residential growth from Sydney and the Hunter region;
- where business can succeed; and
- where government and industry have a common goal.

TRANSITION TO A NEW ECONOMY

1. Leadership and Collaboration

Strengthening the local economy for Wyong Shire will take commitment, leadership and collaboration from community organisations, business, industry and all levels of government.

There are existing forums, groups and roundtable discussions which provide guidance and leadership to a number of areas relating to economic development in both Wyong Shire and the broader Central Coast region.

Wyong Shire Council will provide the necessary resources and support to these groups to help them deliver maximum benefits for the future. This will include growing and nurturing our existing businesses by facilitating centres of excellence and collaboration to achieve synergies, learning, innovation and support.

We will continue to collaborate on delivering the Regional Economic Development and Employment Strategy (**REDES**) for the Central Coast.

REDES presents a co-ordinated plan for the Central Coast's aspirations and sets priorities for partners and funders, ensuring our region's needs are heard and addressed by way of investment and local action. REDES is a 'living document' and annual reviews will 'keep it fresh' and targeted on immediate priorities as well as longer term goals.

Short Term Priority Actions (next 5 years)

- 1.1 Continue to support the REDES to ensure that key economic strategies are achieved;
- 1.2 Maintain support of key business development groups such as chambers of commerce, town centre management and tourism industry associations;
- 1.3 Work to cut red tape and make it easier for target businesses and investors to do business here - provide high quality advice and client management services;
- 1.4 Identify and mentor potential business and community leaders. Investigate establishment of specific industry groups such as a Young Entrepreneurs Group or Innovation Group;
- 1.5 Continue to partner with industry and government to deliver on the shared vision of the Economic Development Strategy for the Shire.

2. Market a Strong, Competitive Identity

It is vital for Council and businesses to market Wyong Shire's own unique advantages and opportunities for business and investment, as well as positioning the area as a part of the growing Central Coast.

It is important to establish a clear identity that refreshes the image of the area and clearly positions Wyong Shire as a distinct and attractive business destination within the Central Coast.

In collaboration with others, a range of marketing actions need to be implemented that help create positive awareness of this region for business owners and investors.

Targeted marketing and branding of Wyong Shire and its regional centres and townships should create pride amongst existing businesses, encourage their expansion, and attract new jobs investment and more visitors.

The area is to be promoted to distinct market segments that help achieve the goals of this Strategy to attract high value businesses, showcasing Wyong Shire's outstanding environment, economic capabilities and opportunities, and competitive advantages.

Short Term Priority Actions (next 5 years)

- 2.1 Develop a new place brand and program to market the area's unique attributes to key target business and investment sectors;
- 2.2 Adopt a targeted approach to promote the region's competitive advantages to priority markets and potential investors;
- 2.3 Develop a five year Wyong Shire Economic Development Marketing Plan;
- 2.4 Establish a Wyong Shire ambassadorial program and gain the support of business leaders and local identities to promote the region;
- 2.5 Through a targeted sponsorship, collaboratively establish and promote key events, such as a new Lakes Festival, to raise local profiles and encourage visitation and business relocation;
- 2.6 Work with Regional Development Australia Central Coast and the Marketing Strategy Implementation Group (SIG) to market the region for business.

3. Capital Investments

There are a number of key public and private sector infrastructure projects predicted to transform the local economy.

Wyong Shire Council has identified shortfalls in infrastructure including transport, education, retail/commercial, residential, tourism and community services.

Key future transport projects include establishing a Central Coast Regional Airport in the north of the Shire and the construction of the Link Road from Warnervale to Wyong. Future rail links including the High Speed Train are also proposed.

Council has recognised the need for increased education and training opportunities in the north of the Shire. The proposed Wyong Education and Business Precinct in Warnervale aims to fill this void. This new education precinct will accommodate up to 7,000 university students and include an integrated business/industrial park. There are also a number of key future development opportunities through the Iconic Development Site program for both Council-owned and privately-owned sites.

The Central Coast Tourism Opportunities Plan outlines the Top 10 proposed regional tourism infrastructure projects, including a motorsport park and the Chinese Australian Cultural Village. Both of these projects have the capacity to attract significant national and international visitors to Wyong Shire.

All future infrastructure investment priorities will be carefully identified and targeted to deliver significant economic and social benefits to Wyong Shire and the broader Central Coast region.

Short Term Priority Actions (next 5 years)

- 3.1 Establish the Wyong Education & Business Precinct at Warnervale - complete a masterplan and attract investors;
- 3.2 Central Coast Regional Airport - complete the planning, studies and engagement required and seek investment to establish this key air transport and freight hub;
- 3.3 The Art House – development to start in 2014;
- 3.4 Support development of various Iconic Development Sites through the Shire;
- 3.5 Establish the new Warnervale North Rail Station and retain Warnervale South Rail Station.
- 3.6 Establish a Community Hub in the north of the Shire.

Medium Term Actions (5-10 years)

- 3.7 Undertake a review of the Iconic Sites to consider expansion to new sites;
- 3.8 Link Road at Warnervale - Secure funding and start construction of the remaining section to connect the north of the Shire.

Long Term Actions (10+ years)

- 3.9 Facilitate establishment of a suitable "train stop" in Wyong Shire for the future High Speed Train link from Brisbane to Melbourne.

Key catalyst projects - *the game changers*

Key catalyst projects targeting high-value industries will have a transformational effect on economic development in Wyong Shire

Establish the **Central Coast Regional Airport** in Wyong Shire to provide an air gateway to the region.

Deliver the **Link Road** between Warnervale and Wyong to provide vital road links to the Warnervale Town Centre, the Wyong Education and Business Precinct, the proposed airport and the M1 Motorway, and to provide flood free access to Wyong township.

Establish the **Warnervale Town Centre** and associated residential land release and infrastructure upgrades including construction of the new Warnervale Railway station.

Establish the **Wyong Business & Education Precinct** to provide up to 7,000 university places and 1,500 jobs.

Drive the development of **iconic sites** throughout the Shire.

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TRANSITION TO A NEW ECONOMY



4. High value industries

Attracting and developing high-value industries is a critical building block for a new economy that is resilient and responsive to national and global demand. High-value industries have huge potential to generate a range of enduring career opportunities and higher paying jobs for the local community.

The four major characteristics of high value industries are:

- Increasing productivity, profitability and employment;
- Promoting innovation, research and digital participation;
- Production of goods and services predicted to be in high demand in significant global markets like China, Indonesia and India;
- Activating a highly skilled workforce.

Strategies for high value industries:

- Develop and aggressively implement plans for each of the high value industries to overcome barriers, address workforce requirements and identify key investment targets;
- Develop a marketing package for each industry to attract and generate new investment;
- Develop future project pipelines for high value industries.

The high-value industries that will be pursued present the highest potential for success in the new economy and in many cases can develop from an existing capability in the region. The following pages outline the nine high-value industries that will be targeted under this Strategy and the priority actions for each industry.

TRANSITION TO A NEW ECONOMY

Targeted high value industries

4.1 Education

An educated and innovative workforce is fundamental to the economy, jobs growth and development. The Wyong Shire workforce has historically been characterised by lack of tertiary training and opportunities and poor levels of secondary education completion. Council needs to forge multi-level and strategic connections with the education sector to address this issue on a regional basis. Two educational projects are:

Ourimbah University Precinct

The University of Newcastle, Council and TAFE NSW–Hunter Institute signed a Memorandum of Understanding (MoU) to establish an education precinct in Ourimbah that has the potential to deliver significant economic and social benefits to the region. Revised master plan will set the platform to promote business and investment to develop the town centre into a regional education and training precinct.

Wyong Education and Business Precinct - Warnervale

This University Precinct is proposed to be situated on a greenfield site between the existing Warnervale Airport and the Great Northern Railway. The project will be positioned to attract international investment for the purpose of creating a major leading higher education facility together with a range of other activities. The proposed Precinct will create opportunity for major investment in Wyong Shire on a number of levels and a range of benefits will flow to the local community.

Short Term Priority Action (next 5 years)

- 4.1.1 Prepare the Ourimbah Planning Strategy to investigate opportunities for student accommodation; improved linkages; and provision of supporting infrastructure and services;
- 4.1.2 Review and enhance the Ourimbah Precinct Masterplan in consultation with the University of Newcastle.
- 4.1.3 Advocate for TAFE and The University of Newcastle to provide courses which meet local industry demands and emerging skills gaps;
- 4.1.4 Advocate for increased transport services to Ourimbah train station for improved University and TAFE access;
- 4.1.5 Construct Stage 2 of the Link Road from Wyong to Warnervale as a priority for access to the Wyong Shire Education and Business Precinct at Warnervale;
- 4.1.5 Complete a Masterplan and attract investors to establish the Wyong Education Precinct at Warnervale. The project needs multi-level Federal and State government support.
- 4.1.7 Establish a plan for the development of a community recreational hub as part of the Wyong Education Precinct.
- 4.1.8 Implement the Learning Community Strategy

4.2 Aged Care

With a growing seniors population, aged care and retirement villages are an emerging industry for Wyong Shire. Aged care is expected to grow significantly in the next decade and provide opportunities for job creation and training.

There are currently a number of planned aged care facilities and retirement villages across the Shire with more needed.

This industry also brings employment through a second tier of businesses supplying the aged care industry such as medical, pharmaceutical, and mobility products.

Short Term Priority Action (next 5 years)

- 4.2.1 Seek private sector commitment for a state-of-the-art aged care living facility;
- 4.2.2 Facilitate the upgrading of existing facilities to ensure retention of existing aged housing;
- 4.2.3 Ensure adequate, well located sites are available for aged care housing and services;
- 4.2.4 Ensure Council operated facilities meet growing demands of the community;
- 4.2.5 Facilitate the establishment of aged care clusters (groups) to plan, promote and support growth of the sector;
- 4.2.6 Investigate the use of Iconic Sites for aged housing projects;
- 4.2.7 Advocate for State and Federal funding for aged care projects on Iconic Sites;
- 4.2.8 Develop a strategy and marketing plan to promote Wyong as a Centre of Excellence in Retirement Living and Aged Care services both nationally and internationally;
- 4.2.9 Develop appropriate community facilities to support aged residents (eg seating, ramps, handrails, hydrotherapy pools).
- 4.2.10 Implement actions arising from the Positive Ageing Strategy



4.3 Health and Wellbeing

Wyong Shire has one large public hospital and two private facilities, all of which have limited services.

As our population grows the local demand for broader medical services including specialist services will increase, creating high value employment opportunities in the Shire.

Attraction of general practitioners and specialists who may relocate to the area is a priority. There will also be a growing demand for secondary industries in alternative medicine and allied health, and we are already starting to see more of these types of business take hold in the Shire.

Short Term Priority Action (next 5 years)

- 4.3.1 Better link into regional and state strategies to build a strong health care sector in Wyong/ Central Coast being driven by Regional Development Australia. Work with RDA and Wyong Hospital to plan for and support an expanded health care services precinct around Wyong Hospital;
- 4.3.2 Ensure that the regulatory environment accommodates the growth of health care facilities within the LGA;
- 4.3.3 Ensure wider community health care strategies are linked to aged care strategies and projects;
- 4.3.4 Collaborate with local health care operators, doctors and the community to lobby government for increased facilities and services;
- 4.3.5 Develop a strong data base, in collaboration with regional organisations to underpin increased private health investment in the region;
- 4.3.6 Ensure suitable sites are appropriately zoned to facilitate development;
- 4.3.7 Collaborate with the Central Coast Local Area Health District and Health Infrastructure NSW in the preparation of Masterplans for the redevelopment of Wyong and Long Jetty hospitals.

4.4 Tourism

Tourism is a significant part of the Wyong Shire economy, due to the beauty of its beaches, lakes and valleys and close proximity to the Sydney market. Tourism provides direct and indirect benefits including job creation, economic and business development, and an impetus for improvements in services and infrastructure.

There are a number of flow-on financial benefits from tourism that extend beyond accommodation income – including demand for hospitality, retail and business benefits.

Council will develop a new Tourism Opportunity Plan for Wyong LGA in liaison with Central Coast Tourism, which considers cultural, recreational, educational and eco-tourism opportunities. This will include the development of an Event Strategy for Wyong.

Sport tourism is also expected to become a significant component of our tourism industry, with the recently approved Central Coast Mariners Sporting Centre of Excellence at Tuggerah and plans for a major State significant sporting complex at the Pioneer Dairy site.

Heritage tourism should be encouraged to diversify tourism in Wyong LGA, as well as a source of revenue to enable continued maintenance of heritage properties.

The conference and events sector of the tourism industry will be particularly targeted for the flow-on financial effects and the repeat visitation that the sector generates.

Opportunities also exist to develop our rural tourism industry in the Dooralong, Yarramalong and Ourimbah Valleys, as well as the Kulnura Plateau area. Rural tourism can include farm stay, rural self-catering units, camping/caravan sites, and eco-tourism. Encouraging more tourism related activity in these areas will assist in diversifying the local economy whilst maintaining the significant character and amenity of these areas.

Short Term Priority Action (next 5 years)

- 4.4.1 Review Council's relationship and role with Central Coast Tourism Inc. and better facilitate the implementation of Wyong's priorities in the recently released Tourism Opportunity Plan with development of a Wyong Shire Tourism Opportunities Plan;
- 4.4.2 Establish the Central Coast Regional Sporting and Recreation Complex at Pioneer Dairy;
- 4.4.3 Develop a Wyong Shire Events Strategy;
- 4.4.4 Work with the private sector to ensure provision of adequate facilities (conference halls, recreational options).
- 4.4.5 Develop the Wyong Art House to attract touring cultural shows and events;
- 4.4.6 Support proposed tourist developments such as the Chinese Cultural Village and CASAR Park.

TRANSITION TO A NEW ECONOMY

Targeted high value industries

4.5 Aviation

The Central Coast is the ninth largest region in Australia and the only significant population centre without its own air gateway for business, freight and recreational transport.

Research prepared on behalf of Council indicates the benefits associated with a regional airport would result in significant new employment opportunities, and stimulate investment and development of employment lands. The Central Coast would benefit greatly from the development of an airport to promote trade, commerce and tourism.

Short Term Priority Actions (next 5 years)

- 4.5.1 Establish a regional taskforce to support and facilitate the regional airport project;
- 4.5.2 Implement a community information and engagement program to increase community and business understanding and support for the airport;
- 4.5.3 Allocate funds in Council's budget to enable the necessary investigations and analysis of the proposed regional airport;
- 4.5.4 Prepare a planning proposal to the NSW Government to obtain approval for the airport precinct development;
- 4.5.5 Acquire lands for the airport development.

Medium Term

- 4.5.6 Form strategic partnerships and alliances to secure private sector funding for the project delivery;
- 4.5.7 Project delivery - provided studies prove the concept and the planning proposal is approved, aim to have the airport operational by 2020.



4.6 Professional and Skilled Employment

Due to a shortage of professional and skilled employment options within Wyong LGA, Council will work to encourage research and development companies to relocate to Wyong.

Short Term Priority Action (next 5 years)

- 4.6.1 Encourage government, industry and business to work collaboratively on innovative measures to retain skills and talent within the resident population by:
 - Ensuring community awareness of local opportunities, and;
 - Maximising local participation in education, training and industry skills programs that support the demands of 'game changer' projects and high-value industries.
- 4.6.2 Aggressively market the area to research and development organisations to relocate or set up in the Wyong Shire;
- 4.6.3 Continue to pursue the Wyong Education and Business Precinct with co-location of research and development businesses.;
- 4.6.4 Encourage suitably located rural residential developments to meet the housing needs of professionals.

4.7 Logistics and Warehousing

Wyong Shire's competitive advantage stems from its strategic location in the major Australian east coast transport corridor. Excellent transport links, available lands, a skilled and motivated workforce and supportive planning regime provide the platform for the creation of a nationally significant transport logistics hub.

To capitalise on these strengths, Council will identify options for expanding the logistics and warehousing sectors within Wyong LGA, as these sectors provide a reasonably stable employment base.

Online retail spending increased to \$14.9 million (11.3%) in the year to January 2014 and now represents around 6.5% of overall retail spending in Australia. Online retail growth rates are expected to continue to outstrip that of bricks and mortar retailing, and the biggest growth area is in domestic online retailing (now 74% of all online sales).

Online retailing has begun to change the traditional approach to storage and distribution. New warehousing formats will be developed. Delivering efficient low cost solutions will be paramount to the continued success of this growth industry. Wyong is ideally placed to benefit from the growth of this market.

The development of a regional airport will also be important for stimulating demand in the logistics market. It is envisioned there will be a logistics hub in the Shire.

Short Term Priority Action (next 5 years)

- 4.7.1 Identify appropriate zoned, serviceable and affordable industrial land in close proximity to freeway access and for promote to freight/transport and logistics operators;
- 4.7.2 Aggressively promote the Shire as an attractive location for logistics and warehouse operators to establish their businesses, leveraging current businesses as ambassadors;
- 4.7.3 Liason with logistics experts regarding the evolving warehousing needs, particularly for the growing online retail market;
- 4.7.4 Review internal road network priorities and new or proposed major road upgrades such as, the Hunter Link and North Connex Link from the perspective of freight/transport and logistics to inform regional and state planning and funding decision making;
- 4.7.5 Continue to pursue strategies around the development of a regional airport, which would include air freight facilities.

TRANSITION TO A NEW ECONOMY

Targeted high value industries

4.8 Manufacturing

Wyong Shire is suited for further development of our manufacturing sector because of its strategic location in the major east coast transport corridor, excellent transport links, available land, skilled and motivated workforce and supportive planning regime.

Significant employment lands have been identified and future infrastructure improvements (such as the proposed regional airport and M1 extension) are expected to act as a catalyst for new industry. The proximity of Wyong to major resource projects in the Hunter is also expected to generate interest.

Short Term Priority Action (next 5 years)

- 4.8.1 Continue to work with NSW Trade and Investment to encourage and promote the Shire as desirable location to establish and grow manufacturing businesses;
- 4.8.2 Work with State Government agencies to review infrastructure requirements to ensure development is cost effective and competitive;
- 4.8.3 Develop strong industry relationships to promote opportunities in Wyong Shire.

4.9 Agriculture and food processing

The Ourimbah, Yarramalong and Dooralong Valleys, as well as the Kulnura Plateau, are major agricultural resources for Wyong Shire. Agricultural uses include turf and poultry farms, livestock, market gardens, hydroponics and nurseries.

It is important to preserve and protect agricultural land from inappropriate adjoining land use activities and fragmentation by small-lot rural subdivisions, for both economic and scenic value, as well as the inherent value of producing fresh, locally grown produce.

Agriculture can also provide an economic buffer during downturns in other sectors of the economy, such as construction and retail.

The Shire is already home to a number of large national food processing and marketing companies such as Sanitarium and others. These companies leverage logistics and transport services and agricultural supply and create other local jobs in marketing and promotion. There is an opportunity to capitalise on this market niche by expanding this industry sector in the Shire in conjunction with logistics and agriculture.

Short Term Priority Action (next 5 years)

- 4.9.1 Review the availability of industrial land with adequate water supply, drainage and sewerage to accommodate new large food processing facilities;
- 4.9.2 Ensure intensive development does not sterilize agricultural lands;
- 4.9.3 Enter a dialogue with existing businesses to understand and help accommodate their existing and emerging needs;
- 4.9.4 Retain 20ha minimum lot size where appropriate within the rural areas of the Shire;
- 4.9.5 Monitor the sector to ensure opportunities are acted upon promptly;
- 4.9.6 Ensure the regulatory environment facilitates and accommodates the sector;
- 4.9.7 Provide low cost Council venues for more growers markets;
- 4.9.8 Link in with wider NSW government and regional strategies to support expansion of the sector.

Medium Term Priority Action (5 - 10 years)

- 4.9.9 Prepare a Rural Lands Development Control Plan Chapter;
- 4.9.10 Prepare an Agricultural Potential Study.



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TRANSITION TO A NEW ECONOMY

Targeted high value industries

5. Global connections

Expanding Wyong Shire's share of domestic and international markets is key to developing a new and vibrant economy. To significantly increase investment, infrastructure provision, employment, and community prosperity, there must be a focus on external demand to create new wealth and jobs.

Enhanced connectivity to both domestic and international markets will strengthen Wyong Shire's business base, and increase recognition of all the opportunities in the region.

An integrated approach is required to expand Wyong's domestic markets and international export and investment base, including collaboration with all levels of government to facilitate and maintain productive relationships.

Domestic markets such as Sydney, Hunter and Central Coast that offer the best business prospects will continue to be pursued. Internationally, the high-growth Asian markets offer potential opportunities for trade in established areas of capability. This includes tourism, food and beverage industry, research and education services.

In terms of promoting partnerships with Asia, Wyong Council has recently established connections with China. This relationship will focus on areas of mutual economic benefit for Wyong businesses to gain access to these lucrative markets.

Short Term Priority Action (next 5 years)

- 5.1 Establish international relationships and stronger commercial links that will assist local business, leverage new business, and secure public and private investment;
- 5.2 Market the region and its catalyst projects to Asian business people visiting for the January 2015 AFC Football Cup;
- 5.3 Develop an annual program of export missions— led by Wyong Council – to grow awareness of the region's products and services and investment opportunities;
- 5.4 Provide easy access to up-to-date information on the strengths and competitiveness of Wyong Shire for trade and commerce;
- 5.5 Actively promote the economic opportunities of the Shire at both local and international trade conferences and conventions.

6. Investing in talent and skills

Wyong Shire is expected to experience major growth in the following industry areas over the next two decades: aged care, customer contact, agriculture and food processing, health care, retail, tourism, transport and logistics, micro and small business and telecommuting.

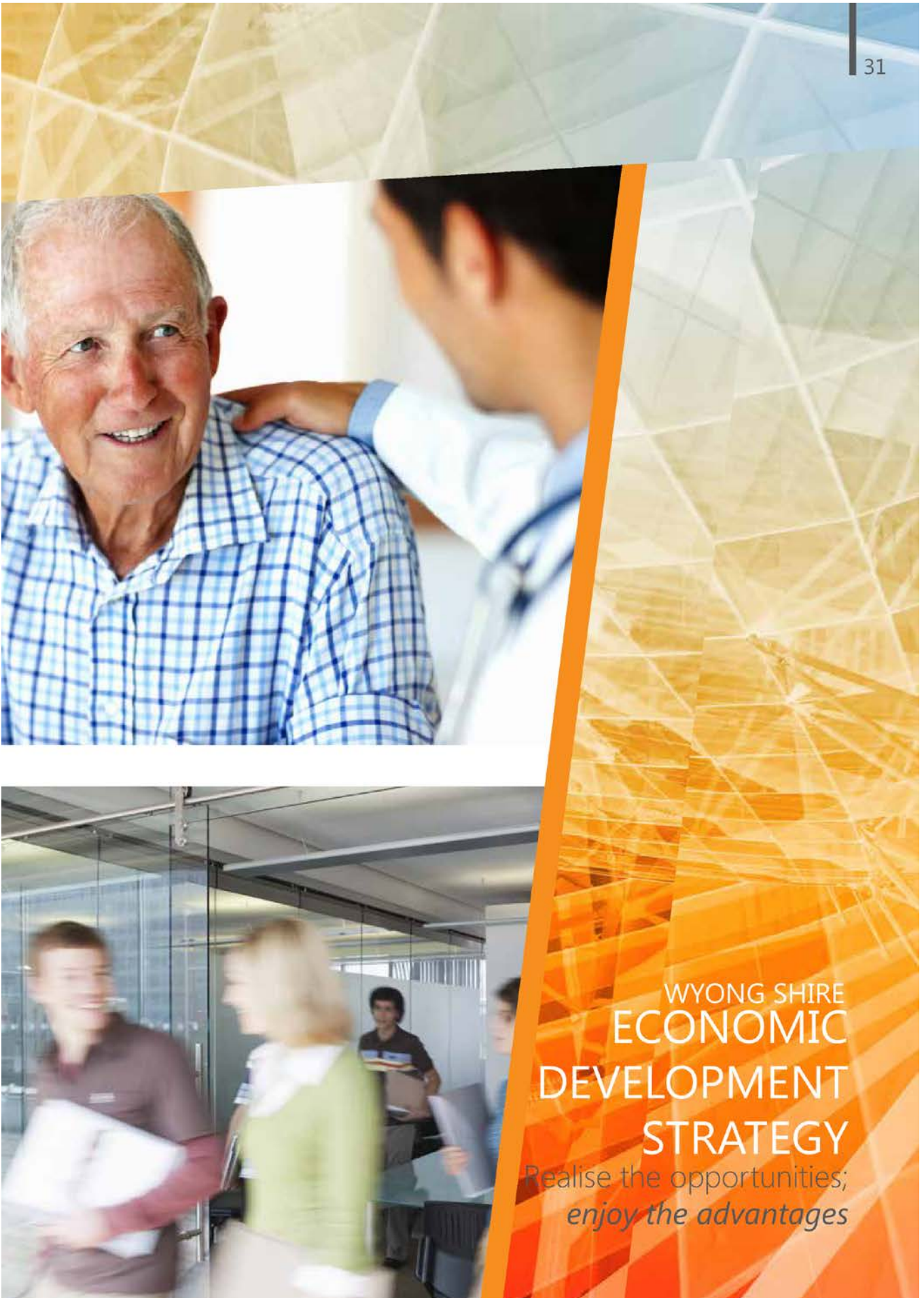
The current workforce has significant under-representation in the professional, scientific and technical services; financial and insurance services; and education and training sectors.

The Shire's ageing population, inflow of retirees, outflow of people aged 18 to 24, high youth unemployment and volume of residents who commute to employment outside of the Shire, has many implications for future workforce availability and participation.

A critical focus will be on developing, attracting and retaining a workforce that has the skills and knowledge to support the demands of the new and growth industry sectors, such as aged care. Increasing the skills development of young people to reduce unemployment and retain local employment as well as working towards a reduction of professional workers commuting outside the Shire.

Short Term Priority Action (next 5 years)

- 6.1 Retain and grow a skilled workforce to support the growth of key industry sectors;
- 6.2 Undertake analysis of workforce requirements for each major growth industry to identify gaps and develop targeted solutions;
- 6.3 Develop opportunities for identified growth sectors to be established within the Shire;
- 6.4 Establish local jobs to minimise the large number of residents commuting to work outside the Shire;
- 6.5 Council to work in conjunction with Government, education providers and local businesses to support education facilities, increase high school retention rates and levels of people holding tertiary qualifications in the workforce;
- 6.6 Enter partnerships and programs with Government agencies to encourage training facilities to provide courses for up-skilling to assist with the identified growth sectors;
- 6.7 Support the development of programs that strengthen opportunities for young people to access training and skills development, such as National Food Industry Innovation Precinct, Aged Care Workforce Innovation Precinct and Innovation Cluster Groups related to Music, Creative Industries, Teleworking, Manufacturing and Food;
- 6.8 Establish a taskforce to oversee the development of the Wyong Education and Business Precinct at Warnervale.



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KEY ALLIES AND STRATEGIC PARTNERS

State and Federal Governments

The economic development of Wyong fundamentally requires the endorsement and support of the state and national governments. This is principally about setting the necessary policy environment around supporting the growth in Wyong. It is this policy environment that will facilitate the allocation of financial resources for infrastructure, drive government office/jobs relocations, and provide a platform for incentives that help attract and grow local businesses.

If the economic development of Wyong can be promoted as a critical plank in the NSW and federal government's cities agenda and their frameworks for national economic growth and productively improvement, it will be significantly more attractive as a destination for business and families and secure a greater share of government investment and attention. These connections can be made through agencies such as Regional Development Australia - Central Coast, Infrastructure Australia, Council of Australian Governments (COAG), Department of Premier and Cabinet, NSW Trade and Investment, Central Coast Regional Development Corporation and Infrastructure NSW.

University and TAFE

Council needs to forge multi-level connections with the education sector across all levels. The University and TAFE currently collaborate with Regional Development Australia (RDA) Central Coast, Trade and Investment, Gosford Council, the regional private school network, Department of Education and Training, private training providers, the Central Coast Business Enterprise Centre (BEC) and Central Coast Tourism on projects focused on the following projects or sectors:

- Tele-working Strategy - to improve wellbeing and productivity of workers commuting outside the Shire;
- Training for Contact Centre Operators;
- Up-skilling the Hospitality Sector;
- Business Start-up Support, Business Planning;
- Training for Aged Care;
- Transport and Logistics Sector;
- Agri-Business and Food Processing;
- Health Care;
- Manufacturing;
- Digital Economy;
- Business Innovation;
- Indigenous Training and Education;
- Lifelong learning;
- Creative Industry Development; and
- Arts and Cultural Development.

Gosford Council

Wyong and Gosford already deliver some 78 joint services. They share a common region and many attributes. Their communities rarely identify the boundaries and move from one to the other to work, recreate and shop. Logically, there should be a shared agenda and vision for the region, a mutual respect and recognition that collaborates and benefits both LGAs.

Community

Economic development is fundamentally driven by the Council's desire to improve the quality of life of its community. This strategy has focused on how it can achieve an improved quality of life for the community by facilitating investment in key business sectors, reducing regulation, developing or supporting catalyst projects and improving the physical space in which investment occurs.

The underlying aim is to:

- help generate more jobs;
- increase the range and choice of jobs available locally;
- reduce the need to commute for work outside the area;
- reduce the need for out-migration of young people;
- increase the level of business and government decision making made locally;
- and generate increased community income and wealth which can be spent on further community services, education, health and the environment.

MEASURING PROGRESS

Measurable Goals

The success of this strategy will be measured by tracking the region's progress against the aspirational goals (outlined on page 17), regarding the size of the economy, employment opportunities generated in high value industries; percentage of goods and services exported outside the region; and household income levels.

Progress towards achieving each of these goals can be measured through data from the Australian Bureau of Statistics against existing baselines.

Implementation Plan

The strategy will also be assessed against progress in delivering the actions outlined in the Implementation Plan.

This Implementation Plan will consolidate the five year actions outlined in this Strategy and will be finalised following public exhibition of the draft Wyong Shire Economic Development Strategy.

Delivery partners will be essential in achieving the Strategy's vision and will include Wyong Shire business, industry, government and the broader community.

Review of the Strategy

The Wyong Shire Economic Development Strategy will be reviewed every two years by Wyong Shire Council in conjunction with stakeholders.





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Draft Version 10 May 2014
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Economic Development Strategy – Additional Submissions Received from local business and industry

A summary of the additional submissions received is set out in the table below:

Comment	Response
<p>Business and Employment</p> <p>Good visual statistics and snapshot of economy. Suggests more emphasis on the technology sector and developing a technology industry on the coast.</p>	<p>This has been addressed in the EDS. Refer “High Value Industries”.</p>
<p>Educational Excellence</p> <p>Education system needs a serious overhaul. Consider opportunities to develop truly alternative models that may change the state and national landscape</p>	<p>Noted – no change to the EDS proposed</p>
<p>Investment and Infrastructure</p> <p>Focussing on local retail infrastructure considered beneficial to the community (eg Lakehaven Shopping Precinct, Warnervale Town Centre)</p>	<p>Noted – no change to the EDS proposed</p>
<p>Educational Excellence</p> <p>Education and Business Precinct considered beneficial to local teenagers particularly if it complements the CCYS and Employment Centre at Tuggerah.</p>	<p>Noted – no change to the EDS proposed</p>
<p>Investment and Infrastructure</p> <p>Concerned about the potential impact of medium and high density housing being considered around Warnervale and Hamlyn Terrace.</p>	<p>Noted – no change to the EDS proposed</p>
<p>Investment and Infrastructure</p> <p>The EDS does not acknowledge the development opportunities proposed for the Darkinjung Local Aboriginal Land Council land holdings within the North Wyong region.</p>	<p>Noted – no change to the EDS proposed.</p>
<p>Educational Excellence</p> <p>The EDS does not address the educational and employment needs of the Central Coast’s indigenous community (eg Federal Government’s Closing the Gap program).</p>	<p>Noted – no change to the EDS proposed. Refer “Allies and Strategic Partners” – University and TAFE.</p>
<p>Educational Excellence</p> <p>Consider facilitating innovative educational and training facilities for more locally focused services such as renewable energy, sustainable agriculture and environmental building design.</p>	<p>This has been addressed in the EDS. Refer “High Value Industries”.</p>

Comment	Response
<p>Alignment to New Directions</p> <p>The EDS closely aligns with the University of Newcastle's New Directions Strategic Plan which prioritizes educational excellence, access and equity, research and innovation.</p>	<p>Noted – no change to the EDS proposed.</p>
<p>Building higher education in Wyong Shire</p> <p>The University notes the recognition of the importance of education and training to the economic and social wellbeing of the region.</p>	<p>Noted – no change to the EDS proposed.</p>

5.11 2013-17 Strategic Plan Business Report (Q3)

TRIM REFERENCE: F2012/01427 - D07393131

MANAGER: Stephen Naven, Chief Financial Officer

AUTHOR: Kim Fitcher, Financial Controller

SUMMARY

This paper reports on Wyong Shire Council's performance progress as measured against the organisation's Strategic Plan for 2013-2017. The report covers the period for the nine months ended 31 March 2014 (Q3).

RECOMMENDATION

- 1 That Council receive the Q3 Business Report on progress against the 2013-17 Strategic Plan.**
- 2 That Council note that Council's Responsible Accounting Officer has declared the financial position of Wyong Shire Council to be satisfactory.**
- 3 That Council approve the proposed budget amendments for 2013/14.**

BACKGROUND

Council is required to review its budget progress each quarter in accordance with the Wyong Shire Annual Plan and s.203 of Local Government (General) Regulations 2005.

Each year, Council prepares a Strategic Plan incorporating the Four Year Delivery Program and the Annual Plan. Progress is measured against this plan and reported on a quarterly basis in terms of actual financial performance against budget; relevant performance indicators; outcomes of actions; and delivery of major projects.

The Local Government Act requires Council to report on its performance at least every six (6) months on progress with respect to each Principal Activity set out in the Strategic Plan.

The quarterly Business Report is presented in the necessary format and is considered to satisfy both requirements.

CURRENT STATUS

The Q3 Business Report is included as an enclosure and reports on progress against the 2013-2017 Strategic Plan for the year to 31 March 2014.

The 2013/14 financial year is focused on Council's continued journey to achieving long term financial sustainability and improvements in asset management. Council remains on target to deliver the current level of services to the community for 2013/14, and has identified savings of \$3.5 million during this quarterly review to now forecast an improved operating surplus of

\$1.2 million. To achieve this result Council will continue to implement tight management controls around expenditure.

The year to date operating result (excluding capital grants and contributions) shows a favourable variance of \$5.8 million, consisting of an actual surplus of \$42.9 million compared to a budget surplus of \$37.1 million. This result includes Rates and Annual Charges income of \$142.1 million which represents the full year income.

Capital expenditure to 31 March 2014 was \$45.0 million compared to the year to date budget of \$55.1 million, and represents 54% of the full year capital budget of \$83.8 million. A thorough review of capital projects has been undertaken for this quarterly review and has resulted in a reduction of \$2.8 million (3.3%), decreasing the full year budget to \$81.0 million, including \$10.7 million for Special Rate Variation (SRV) projects.

In June 2013 Council was granted a special rate variation for a period of four years to address the \$130 million asset backlog to improve the condition of roads, bridges, footpaths, buildings, and sports facilities - to ensure they are 'satisfactory' in terms of being safe and fit for community use. With the additional funds raised from the Special Rate Variation, Council will spend approximately \$10 million each year for the next 13 - 15 years, addressing the backlog, reversing a long-term decline in asset conditions.

Progress on Council's performance by Principal Activity is also tracking well with 62% of projects currently on track, 17% of projects now complete, and 21% of projects deferred or off track. Details of progress against each performance target are contained within the report.

Financial Implications

Budget adjustments proposed in this report include:

- \$3.5 million in improvements to the net operating result (before capital items) to vary the target operating result to be a surplus of \$1.2 million;
- \$2.8 million reduction in capital expenditure to vary the capital works program to be \$81.0 million.

CONSULTATION

All departments were consulted and involved in the preparation of this report.

GOVERNANCE

Quarterly reporting of Council's financial and operating performance is mandatory.

CONCLUSION

All requirements of the relevant legislation governing management reporting have been met.

The Responsible Accounting Officer considers that the Quarterly Budget Review Statement for Wyong Shire Council for Q3 indicates that Council's projected financial position will be satisfactory at year end, having regard to the projected estimates of income and expenditure, and the original budgeted income and expenditure.

The financial position represented by the report leaves no room for relaxation of tight budgetary controls, by all concerned.

ATTACHMENTS

- 1 Q3 Business Report - March 2014 Enclosure D07754974

5.12 Sponsorship Policy

TRIM REFERENCE: F2013/02046 - D07490546

MANAGER: Maxine Kenyon, Director

AUTHOR: Sue Ledingham; Manager

SUMMARY

The purpose of this policy is to state Council's position in relation to the management of sponsorships that are either distributed by Council to external parties or received by Council from external parties in relation to an initiative, activity, program or event.

The policy establishes a clear set of guidelines for Council and its staff that must be applied when sourcing and negotiating sponsorship for initiatives, events, programs and activities. The sponsorship guidelines will assist in ensuring that sponsorship is managed in an open and transparent manner.

RECOMMENDATION

- 1 ***That Council repeal the following policies adopted on 23 June 2010:***

Corporate Sponsorships and Donations (Inwards) Policy
Grants and Sponsorship (Outwards from WSC) Policy
- 2 ***That Council adopt the Sponsorship Policy 2014 in the new format in accordance with the recommendations contained in this report.***

BACKGROUND

Wyong Shire Council has a range of responsibilities to deliver services and programs under relevant legislation and policies. To enhance, vary or reduce the cost of current activities, Council may enter into sponsorship agreements. These agreements can involve either granting or receiving of sponsorship. It can do this by providing some benefit to an individual, a private sector company, corporation or other government agency in exchange for goods or services to support its activities.

Sponsorship can take the form of Council granting sponsorship to third parties or Council seeking sponsorship to support Council activities. When granting sponsorship, Council must also consider the provisions relating to granting financial assistance in the Local Government Act.

The Independent Commission Against Corruption (ICAC) 2006 Guidelines for Sponsorship in the Public Sector defines sponsorship as "*sponsorship is a commercial arrangement in which a "sponsor" provides a contribution in money or in-kind to support an activity in return for certain specified benefits. Many public sector agencies engage in strategic sponsorship arrangements for financial or other kinds of support, or to build relationships*".

Council has adopted a number of policies over the years to provide guidance in relation to sponsorship, some of the requirements contained within these policies need to include the guidelines recommended by ICAC (2006).

While sponsorship can be advantageous for all parties, Council must ensure all sponsorship agreements do not compromise or be perceived to compromise the integrity of Council operations. Sponsorship is a commercial arrangement in which a sponsor provides a contribution in money or kind to support an activity in return for a certain specified benefit.

CURRENT STATUS

An internal audit was undertaken in September 2013 that identified a number of recommendations to improve the management of sponsorship. Whilst significant improvement has been undertaken to ensure all sponsorship is managed well and in accordance with ICAC 2006 Guidelines, recommendations from the audit identified some opportunities to have an improved strategic approach to the management and control of sponsorship.

Council provides ongoing sponsorship commitment in the budget for a range of initiatives, programs and activities. In 2013/14 the total sponsorship budget was \$518,000 and is broadly spend across the following:

- Supporting Economic Agencies (Multi-Year)
- Event Sponsorship (Multi-Year)
- Town Centre Funding Agreements (Multi-Year)
- Various one year sponsorship agreements

Sponsorship is a commercial arrangement in which a sponsor provides a contribution in money or kind to support an activity in return for a certain specified benefit.

Sponsorship management, until recently, sat across a number of teams within Council with different units having direct responsibility for the policies and management of deliverables. Many of the current sponsorships and agreements provided by Council have not been strategically assessed through standard criteria and some of the multi-year agreements need a stronger emphasis on the deliverables and improved reporting. This would include the Town Centre Management agreements where there is a need to separate the deliverables to clearly identify what is delivered under the Special Rate and what is delivered under the funding Council provides.

There is an opportunity with the introduction of a new policy and management approach to provide greater alignment to Council's strategic outcomes and improve the open and transparent manner in which Council manages sponsorship.

There are currently two separate policies in relation to sponsorship for Council, these are:

Corporate Sponsorships and Donations (Inwards) Policy
Grants and Sponsorship (Outwards from WSC) Policy

This report outlines changes to these policies and makes recommendations to change to one policy.

THE PROPOSAL

This report seeks approval for the adoption of a policy document designed to provide a clear set of guidelines for Council and staff to apply when sourcing and negotiating sponsorship with external bodies that are either distributed by Council or received by Council. The Sponsorship Policy (Attachment 1) will replace the existing policies.

The development of one policy will ensure all sponsorship proposals are received, assessed and managed in accordance with the recommended ten sponsorship principles detailed in the Independent Commission Against Corruption (ICAC) 2006 Guidelines for Sponsorship in the Public Sector. These principles are referenced in the new policy and are used as a guide to ensure that there will be:

- Probity – transparency between both parties and the community
- Accountability – ensure benefits and obligations are met by both parties
- Effective risk management – assessing the impact on Council's reputation
- Sustainability – enhance or assist Council and business activities
- Reputation management - Council's position and reputation are adequately protected.

Grants information provided in the Grants and Sponsorship (Outwards from WSC) Policy will not be required as this is managed through the WSC Grants Program. Donations are addressed through Council as they are requested.

Objectives of the Sponsorship Program

The following objectives describe the purpose of Council's Sponsorship Program:

- To provide cash and in-kind support for groups, organisations and business seeking support for an event or activity which are deemed to provide benefits to Council and our community
- To ensure that a fair and transparent process is used in the allocation of funding agreements
- To supporting ongoing successful initiatives and activities that can demonstrate they are growing in size and attendance as well as securing sponsorship from other sources
- To align our name with established initiatives that offer significant promotion and recognition opportunities for Council and economic benefits for the region
- To attract marketing partnerships with Council to sponsor Council approved programs, projects, events, facilities or activities where such partnerships are mutually beneficial and deliver a positive impact for the Wyong Shire community.

Management of Sponsorship

Sponsorship at Wyong Shire Council will now be managed under the Customer and Community Relations Unit who will be responsible for establishing and managing ongoing relationships with sponsors and ensuring that sponsorship outcomes and deliverables are being met in accordance with the policy. As well, they will be responsible for coordinating approaches to external organisations in relation to securing all sponsorship on behalf of Council.

Consistent with ICAC's 2006 Guidelines for Sponsorship in the Public Sector recommended Principle 9, every sponsorship agreement is a contract and conditions will be fully described in a written agreement. Sponsorship agreements will be developed for all sponsorships and signed by Council and the external party that outlines all associated costs, benefits and commitments by both parties in relation to the sponsorship.

Sponsorship recognition will be consistent with other Council policies, guidelines and regulations relating to signage, branding and communications. An open approach to sponsorship will be undertaken by Council to ensure there is equality of opportunity for potential sponsors and that it ensures it maximises the potential public benefit.

Council will consider sponsorship proposals from any company, partnership, sole trader or government agency which is a reputable organisation and whose public image, products and services are consistent with the values, goals and specific policies of Council. The following companies, partnerships, sole traders or individuals are not considered by Council as suitable for sponsorship agreements, those are:

- a) involved in the manufacture, distribution and wholesaling of tobacco-related products, pornography and/or addictive drugs;
- b) found guilty of illegal or improper conduct by ICAC or any similar authority;
- c) involved in political fields e.g. political parties;
- d) involved in a competitive tender or purchasing process at, or around the time of, negotiating a sponsorship agreement;
- e) that have an unacceptable sponsorship record with Wyong Shire Council or with any other government authority.

Every sponsorship proposal will be assessed against the possibility of a conflict of interest and, in particular, may be refused or terminated as outlined in agreement.

Advertising for Council sponsorship will be undertaken by calling for Expressions of Interest and will be advertised in Council notices published in a local newspapers and be available on Council's website. However, it is recognised that in some circumstances this may be impractical and Council's request for sponsorship can also be by invitation to specific potential sponsors.

Sponsorship Guidelines

The Sponsorship Guidelines are being developed to guide staff in the implementation of the policy and to ensure that it demonstrates an open and transparent process in relation to the giving and receiving of sponsorship. These guidelines will be developed into clear information sheets, brochures, forms and standard templates that will assist potential sponsors to consider where their initiative or activity fits within the criteria and funding tiers that Council has available.

Broadly there are three categories where sponsorship is available for potential sponsors, under these categories there are a range of Council activities or programs which are considered suitable for sponsorship these may include, but are not limited to:

Category	Description
Social	Complements Council's own events and services for people in our community and people from all cultures and ethnic backgrounds; appealing to a broad reach of the community, regardless of age, gender, ability, ethnicity or religion.
Sport, Recreational and Cultural	Supports sporting and recreational programs and services, the arts and culture services including performing and visual arts and crafts, events, literature, film, digital arts, history and heritage, festivals, exhibitions, events, performances, creative spaces, competitions and public celebrations of importance.
Economic Development	Supports Economic Development Strategy outcomes including town centre revitalisation through a range of initiatives with chambers of commerce, town centre management committees or appropriate business associations, support for major events, creative industries and support for business programs and initiatives.

The guidelines will 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. It will also assist in the assessment of the proposed sponsorship impacts on current budgets and service delivery, in particular in-kind support.

The guidelines will provide clear information for proposed sponsors and improve the management of agreements and deliverables.

Funding Tiers

Council provides sponsorship funding that is allocated under the following areas:

- Supporting Economic Agencies
- Event Sponsorship
- Town Centre Funding Agreements
- Annual "one off" agreements

The total budget for outgoing sponsorship in 2013/2014 is \$518,000.00 and the proposed budget for 2014/15 is \$540,000.00.

The introduction of multi-year sponsorships will be available from the 2014/15 year and will provide for potential sponsors and Council consistency, value for target markets over time to support Council strategies, self-sustaining programs or initiatives, improvement of product mix and content and improvement in research and reporting to demonstrate best value and return on investment for sponsorships.

The proposed Sponsorship program will see the introduction of a three (3) tier approach for sponsorship that will support the three categories that support Council's outcomes. Table 1. provides an overview of the funding tiers that will be provided by Council.

5.12 Sponsorship Policy (contd)

Table 1.

PROPOSED WYONG SHIRE COUNCIL SPONSORSHIP FUNDING TIERS		
TIER 1	TIER 2	TIER 3
Negotiated Value	Up to \$15,000.00	Up to \$5,000.00
<ul style="list-style-type: none"> • Initiatives or activities become international or national destination marketing tools which assist in defining the destination to those outside the Central Coast • Supports place and destination brand, showcase regional attributes such as facilities, services and attractions • International, national and state recognition – usually niche markets, coastal or regional NSW. • Recurrent or “one-off” event - strong brand recognition • High economic or tourism impact • Potential to generate in excess of 6,000 visitor nights • Economic value is clearly measurable • More than 30% of participants and visitors from outside the region • Potential to attract large number of participants and visitors over 5,000 • High media exposure 	<ul style="list-style-type: none"> • Initiatives or activities position the Central Coast as an attractive destination for participating by showcasing facilities, attractions, services and capacity • Supports place and destination brand, showcase regional and local attributes such as facilities, attractions and services • National and state recognition, coastal or regional NSW • Recurrent or “one-off” event - supports brand recognition • Medium economic or tourism impact • Capacity to generate in excess of 3,000 visitor nights • Economic value is clearly measurable • At least 30% of participants and visitors from outside the region • Potential to attract participants and visitors between 1,000 and 5,000 • Medium to high media exposure 	<ul style="list-style-type: none"> • Triggers some destination brand support • Positions the Central Coast for other initiatives or activities • Builds the reputation of the Central Coast as a diverse destination • Recurrent or “one-off” • Generate in excess of 500 visitor nights • Economic value should be measurable • 15-30% of participants and visitors from outside the region • Potential to attract participants and visitors between 500 and 1,000 • Some State, mainly metro and local or niche media exposure

Proposals for sponsorship can be applied for and will be assessed under the three (3) tiers and will be reported to Council on a quarterly basis. Proposals that fall outside the framework will be specifically reported to Council for consideration.

There is no set revenue budget for attracting external sponsorship and marketing and partnership program will be developed by end of 2014.

Sponsorship 2014-2017

Sponsorship applications will be made available every four years following Local Government elections and to be included in Council’s Four Year Delivery Program development.

5.12 Sponsorship Policy (contd)

For the 2014-2017 period Council will undertake an Expression of Interest in June 2014. Prior to calling for Expressions of Interest in June, Council will develop the final procedures that will govern the acceptance of sponsorship and ensure that the information is available to the community and all prospective sponsors as follows:

- a. finalise the Grant, Sponsorship and Partnership framework;
- b. finalise the criteria for assessing the suitability of sponsorship in accordance with the policy;
- c. undertake advertising for sponsorship via an Expressions of Interest process;
- d. provide sponsorship information on Councils website;

Future Approach

Council is working on a range of strategies and potential programs that would enhance the current program, in particular the focus on marketing and incoming sponsorship opportunities to support financial strategies to increase revenue from other sources.

One of these is the potential for a marketing partnership with organisations interested in supporting their corporate social responsibility outcomes. These partnerships could support Council approved programs, projects, events, facilities or activities. These partnerships would be a mutually beneficial business arrangement between Council and a company, where the company provides cash or in-kind services to Council in return for a marketing association with the Council.

Council also subsidises many sporting clubs on a seasonal basis through the use of community sporting fields, it could be argued that this is a form of sponsorship and therefore recognition for Council's brand should be provided under these arrangements.

Further work is still required on this before the detail can be outlined in the Sponsorship Policy and Sponsorship Program. It is anticipated this will be completed by the end of 2014. An update to the Policy, where required, will occur at this time.

OPTIONS

Council could consider not having one policy and to make amendments to the current two policies. This was considered to be impractical and would potentially impact on the ability to ensure all sponsorship proposals were assessed and managed consistently.

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>
Principle 3 Economic and Property Development	Customer and Community Relations	Delivery of sponsorship funding	Ordinary Rates - Sponsorship	Nil

Contribution of Proposal to the Principal Activity

Sponsorship is delivered by Council to a diverse range of groups and organisations across a variety of fields, supporting local economy and creating employment opportunities for our residents. Sponsorship supports many community events and activities to be undertaken by a variety of groups on behalf of our community.

Long Term Financial Strategy

There is potential to attract revenue to support Council's delivery of programs and activities or those delivered by others that would benefit the community.

Asset Management Strategy

No impact.

Workforce Management Strategy

No impact.

Link to Community Strategic Plan (2030)

There are a number of outcomes contained within this Community Strategic Plan (CSP) that relate specifically to how sponsorship can assist in improving community interaction and connectedness, delivering on key programs and improving the product mix of events and activities, these include for example:

- Providing and maintaining a range of community programs focused on community development, recreation, culture, environment, education and other issues
- Providing recurrent funding for community support and development services
- Festivals, events and activities that include celebration and build diversity
- Establishing and maintaining projects and programs to encourage more active participation in community based environmental activities
- Establishing a community event based around our lakes and beaches
- Programs that raise awareness of cultural diversity and the Shire's heritage
- Sourcing tourist attractions across the Shire

Budget Impact

There is no budget implication to the introduction of the new Sponsorship Policy to replace existing sponsorship policies.

Budget savings from the Sponsorship budget 2013/2014 of approximately \$13,000.00 will be used to develop the promotional materials and undertake advertising and the Expression of Interest process in June 2014.

CONSULTATION

The draft Grants, Partnership and Sponsorship framework was presented to Councillors at a briefing on the 9 April 2014 and highlighted in the Councillor Strategic Planning workshop in February 2014.

Consultation in the development of the policy occurred with the following internal units:

Legal and Risk
Community Partnerships and Planning
Open Space and Recreation
Property Management

All service units were consulted in the draft policy.

GOVERNANCE AND POLICY IMPLICATIONS

The new Sponsorship Policy will replace existing policies that are due for review and bring them in line with ICAC recommended guidelines to enhance the governance framework for the management of sponsorship funding.

The Grants component of the existing Grants and Sponsorship Policy (Outwards from WSC) has been identified as no longer requiring policy direction as it is controlled within the Grants Program.

MATERIAL RISKS AND ISSUES

The draft Sponsorship Policy and Sponsorship Guidelines will address all high and moderate risks identified in the Internal Audit review undertaken in September 2013.

CONCLUSION

The Sponsorship Policy and supporting guidelines will ensure a consistent, fair and professional approach to sponsorship at Council. Ensuring that best value is obtained and provided in sponsorship arrangements, improve our ability to quantify how the benefits of the cash and in-kind support has for our community and Council and the social, economic and environment benefits it returns.

It is recommended that Council adopt the Sponsorship Policy to replace the existing policies.

ATTACHMENTS

1	Corporate Sponsorships & Donations (Inward) Policy	D03135142
2	Policy S3 Grants and Sponsorships (Outward) Policy	D02326892
3	Sponsorship Policy Draft Final May 2014	D07575717



POLICY No: WSC031

POLICY FOR: CORPORATE SPONSORSHIPS AND DONATIONS (INWARD)

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History of Revisions:

Version	Date	TRIM Doc. #
1	23/6/2010	D02326907
2	30/9/2012	D03135142

A. POLICY SUMMARY

- A.1. The Corporate Sponsorship and Donations Policy outlines the sponsorships or donations (sponsorships) WSC will or will not accept, and the rights and responsibilities of all parties involved to ensure there is neither conflict of interest nor negative impact on WSC's reputation or probity.

B. POLICY BACKGROUND

- B.1. This policy has been developed to provide a transparent approach to Corporate Sponsorships and Donations in the interests of public accountability.
- B.2. WSC wishes to ensure that all staff, contractors and councillors are aware of their primary responsibility for probity.
- B.3. Sponsorship is sought and used by a number of WSC divisions to obtain additional resources with which to support specific activities or programs.
- B.4. WSC recognises there are risks associated with sponsorships including;
- i. perceptions of improper conduct
 - ii. the potential to embarrass WSC through associating a WSC project with an inappropriate sponsor
 - iii. undertaking an activity on the basis of the promise of corporate sponsorship which then does not materialise
 - iv. breaches of WSC's accounting requirements
 - v. undervaluing or overvaluing sponsorship projects to potential sponsors
 - vi. not being cost effective
 - vii. Being incapable of surviving critical public scrutiny
- B.5. WSC has a "Grants and Sponsorships (Outward) Policy" which does not apply to "inbound" sponsorship activity.

C. DEFINITIONS

- C.1. **Council** means the elected representatives, Councillors, who form the governing body of Wyong Shire Council.
- C.2. **The Act** means the *Local Government Act NSW 1993*.
- C.3. **WSC** means Wyong Shire Council, being the organisation responsible for the administration of Council affairs and operations and the implementation of Council policy and strategies.
- C.4. **Benefits for sponsors** include, but are not limited to, branding, hospitality and advertising.
- C.5. **Benefits for WSC** means resources gained by WSC to enhance or to offset the cost of producing and promoting WSC events, programs and services.
- C.6. **Conditions** means the agreed terms and conditions of the corporate sponsorship arrangement as documented in the formal agreement / contract.

- C.7. **Value in-kind** means those things for which WSC would normally charge, but which it provides at a reduced rate or free of charge, including:
- i. park hire
 - ii. venue hire
 - iii. banner pole hire
 - iv. workspace accommodation (including offices and creative spaces)
- C.8. **Council Policy** means policy created and approved by the elected members of the Wyong Shire Council.
- C.9. **Organisational Policy** means policy created by the General Manager and management for operational purposes including the implementation of Council resolutions, decisions and Council policy.
- C.10. **Project** means the activity (eg event, program or service) to which a grant/sponsorship is being applied.
- C.11. **Regulation** means the enforcement of a rule or order, such as specified by the Local Government Act 1993, the Local Government (General) Regulation 2005 and the Environmental Planning and Assessment Act.
- C.12. **Sponsor** means any organisation or individual providing resources to WSC for use in achieving WSC objectives in return for specific benefits. An organisation or individual providing a "gift" with no benefits in return is not a sponsor.
- C.13. **Donor** means any person, group or organisation providing resources to WSC for use in achieving WSC objectives which is not in return for specific benefits but may include attached conditions which may commit WSC to other obligations.
- C.14. **Sponsorship** means any sponsorship or donation (real or in kind) provided to WSC by any person, group or organisation for the benefit of WSC.
- C.15. **Terms** refer also to conditions.

D. POLICY STATEMENTS

Jurisdiction

- D.1. This Policy covers all elected members of Council, all personnel employed by WSC, any person or organisation contracted to or acting on behalf of WSC, any person or organisation employed to work on WSC premises or facilities and all activities of the WSC.
- D.2. This policy does not confer any delegated authority upon any person. All delegations to staff are issued by the General Manager.

General

- D.3. This policy is subject to WSC's Code of Conduct which shall prevail.

- D.4. This Policy does not cover grants and sponsorships issued by WSC, which are the subject of the *WSC Grants and Sponsorships (Outward) Policy*.
- D.5. WSC will not accept any Sponsorship that compromises or may compromise WSC's reputation, public image, probity or ability to fulfil its functions.
- D.6. Sponsorships accepted by WSC will not influence decisions or action by WSC or appear to limit its ability to carry out its functions fully and impartially.
- D.7. Staff or councillors involved in a corporate sponsorship arrangement must have no involvement in the regulation or inspection of the sponsored organisation.
- D.8. The General Manager or his /her delegate may accept or decline any sponsorship at their discretion.
- D.9. WSC will not accept sponsorships that:-
- require or imply WSC's endorsement of commercial products, services, companies or individuals;
 - restrict access to WSC events, products and services;
 - are not consistent with WSC's social justice principles of equity, access, participation, rights and accessibility for all groups in the community;
 - personally benefit individual WSC employees or their friends/family;
 - conflict with the objectives of WSC;
 - imply WSC's endorsement of contentious community issues.
- D.10. WSC will not enter into corporate sponsorship arrangements that do not have clearly-defined objectives (in writing) which allow the sponsor and WSC to evaluate the outcome and results of the arrangement.
- D.11. WSC will consider unsolicited sponsorship offers from people, groups or organisations.
- D.12. WSC may wish to test the market when unsolicited offers are received.
- D.13. WSC will protect the commercially valuable ideas and strategies of the person, group or organisation that proposed an original unsolicited offer.
- D.14. WSC may also directly approach potential sponsors in accordance with the terms of this Policy.
- D.15. The General Manager must provide prior approval for sponsorship negotiations where the market has not been tested and/or an unsolicited offer is recommended to be accepted.

E. POLICY IMPLEMENTATION - PROCEDURES

- E.1. Amendment to this policy will occur in accordance with the procedure for Organisational Policy establishment contained in the WSC Policy for the Establishment of Policies.

- E.2. It is the personal responsibility of all WSC employees and agents thereof to have knowledge of, and to ensure compliance with this policy.
- E.3. Grants and Sponsorships (Inward) shall be the responsibility of the appropriate Director under delegation from the General Manager.
- E.4. Management of the business arrangements shall be the responsibility of the Director Corporate Services.
- E.5. Protecting the WSC's reputation and its compliance role must be expressed as a term, or terms, in a Sponsorship Agreement. The terms to be included depend on the nature and scope of the sponsorship. For example, WSC will consider the inclusion of the following terms:-
- i. WSC's logo is not to be used without its specific permission
 - ii. the sponsorship deal is not regarded as a general endorsement by WSC of the business activity of the other party
 - iii. the sponsorship deal will not fetter WSC's ability to undertake its regulatory and compliance roles
- E.6. WSC staff must reach agreement with any sponsor, and record in writing:
- i. The exact sponsorship amount, in Australian currency or in kind.
 - ii. A precise description of what is being sponsored and the benefits to be delivered by WSC.
 - iii. The identity of any potential, real or perceived conflicts of interest for WSC personnel.
- E.7. Staff must ensure that WSC's goals will clearly benefit from the sponsorship.
- E.8. All corporate sponsorship applications received by WSC are to be assessed by a panel of at least three members of the WSC Senior Management Team.
- E.9. WSC must record and be able to clearly demonstrate reasons for selecting or not selecting sponsors.
- E.10. A Letter of Agreement will be executed for Sponsorship Agreements with a value of up to \$20,000 (excl. GST).
- E.11. A formal Sponsorship Contract will be executed for sponsorship arrangements with a value of more than \$20,000 (excl. GST).
- E.12. Sponsorship Agreements to a total value in excess of \$201,000, whether single year or multi-year Sponsorship Agreements, will be submitted to Council for approval.
- E.13. Sponsorship Agreements in excess of \$101,000, whether single year or multi-year sponsorship Agreements, will be submitted to the General Manager for approval.
- E.14. Sponsorship Agreements up to a total value of \$100,000, whether single year or multi-year Sponsorship Agreements, will be submitted to the relevant Director for approval in accordance with WSC's delegations.
- E.15. A register of sponsorships must be maintained and all grants and sponsorships will be reported in WSC's Annual Report.

E.16. Staff must ensure that Sponsorship Agreements include an obligation on sponsors to maintain confidentiality on WSC information obtained in the course of a sponsorship, unless otherwise approved by appropriate Director.

E.17. **Associated documents**

- WSC's Code of Conduct
- Policy for the Establishment of Policies
- WSC's Annual Report

Policy

on

Grants and Sponsorships (Outward from WSC)

		Date
Policy No	CP	
Written By	O'Conner Marsden	
Gazette Date		
Authority Signature – General Manager		
Authority Signature – Mayor and One Councillor (if required)	
Adopted by Council Resolution (if required)		23/06/10
Reviewed Date		
Amended Date		
Approved By		

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A

POLICY SUMMARY

- A.1.** Wyong Shire creates a number of grants and sponsorships programs that provide funding or in-kind support across a range of activities encompassing community, cultural, economic and environmental.
- A.2.** This Policy outlines which grants or sponsorships WSC will or will not consider and the manner in which they shall be managed.

B POLICY BACKGROUND

- B.1** Funding and support through WSC's grants and sponsorships assists a diverse range of services and projects that directly benefit the community, and contribute to the life of the Shire.
- B.2** WSC acknowledges that risks associated with grants and sponsorship include;
- i Potential for perception of improper conduct
 - ii Improper conduct.
 - iii Potential for, and breaches of WSC's accounting requirements
 - iv Overvaluing of benefits to WSC and/or the community.
 - v Potential for conflict with WSC's priority programs and commitments.
- B.3** The Local Government Act 1993 permits Council, by resolution, to contribute money or otherwise grant financial assistance to persons for the purpose of exercising its functions.

C DEFINITIONS

- C.1** **The Act** shall mean the Local Government Act 1993
- C.2** **Council** shall mean the elected members that form the governing body (Council) of the Wyong Shire Council.
- C.3** **Wyong Shire Council (WSC)** shall mean the organisation established to administer Council affairs and operations and Council policy and strategies.
- C.4** **Conditions** means the agreed terms of the grants or sponsorship arrangement as documented in the formal agreement/contract.
- C.5** **Council Policy** shall mean policy created and approved by the elected members of the Wyong Shire Council.
- C.6** **Organisational Policy** shall mean policy created by the General Manager and management for operational purposes including the implementation of Council resolutions, decisions and Council policy.
- C.7** **Grants** means any grant or sponsorship where funds are given by WSC to groups or organisations to assist with the services or projects they provide in the community where WSC receives only acknowledgement as the grant giver.

- C.8 Grants Committee** shall mean the Committee established by Council for the purposes of assessing grant or sponsorship applications and recommending approval or otherwise to Council.
- C.9 Plans** shall mean WSC's Four Year Delivery Plan, Annual Management Plan, Shire Plan, Development Control Plans, Local Environment Plan and/or Long Term Financial Strategy (Strategic Plan).
- C.10 Project** means the activity (e.g. event, program or service) to which a grant/sponsorship is being applied.
- C.11 Regulation** means the enforcement of a rule or order, such as specified by the Local Government Act 1993, the Local Government (General) Regulation 2005 and the Environmental Planning and Assessment Act.
- C.12 Sponsored organisation** means any person, group or organisation receiving a grant or "in kind" resources from WSC, in return for specific benefits.
- C.13 Sponsorship** means a grant arrangement between WSC and a recipient where WSC receives benefits on behalf of the community.
- C.14 Terms** - refer also to conditions.
- C.15 Director** means the Director of Corporate Services, Wyong Shire Council.

D POLICY STATEMENTS

- D.1** This policy covers all elected members of the Wyong Shire Council, all personnel employed by WSC, any person or organisation contracted to or acting on behalf of the WSC, any person or organisation employed to work on WSC premises or facilities and all activities of the WSC.
- D.2** This policy does not confer any delegated authority upon any person.
- D.3** This Policy does not apply to sponsorships or donations received by WSC.
- D.4** Funding by way of grants shall be in accordance with a budgeted WSC program as contained within a WSC Annual Plan.
- D.5** Grants will be classified as Community Benefit Grants (CBG) or Councillors Community Improvement Grants (CCIG).
- D.6** WSC may, at the General Managers sole discretion, give small gifts to organisations from time to time or provide support for Civic functions.
- D.7** WSC may, at the General Manager's sole discretion, elect to provide any sponsorship by way of 'in-kind' provision of goods or services.
- D.8** WSC will not make a grant that compromises WSC's reputation, public image, probity, or its ability to fulfil its functions or that would limit, or appear to limit WSC's ability to carry out its functions fully or impartially.
- D.9** Councillors and WSC staff engaged in making a grant application must have no involvement in the assessment of such application or the regulation and inspection of the sponsored organisation.

- D.10** Council will determine in each case, if a proposed grant greater than \$150,000 (ex gst) is required to be put to tender due to the nature of the activity to be funded.
- D.11** A grant provided must not replace a service WSC is required to provide under the Local Government Act 1993 or other legislation.
- D.12** The existence of a grant will not be considered in WSC's exercise of its planning, regulatory or inspectorial functions, and must not influence WSC's decisions or actions.
- D.13** WSC will not provide grants to groups or organisations that are not:
- i benevolent 'not-for-profit' in purpose,
 - ii generally an incorporated body that is, legally constituted and registered with the Australian Taxation Office via an Australian Business Number.
 - iii Free of having acquitted previous WSC grants and have no outstanding debt to WSC.
- D.14** WSC will not provide grants to individuals or make general donations to Charities (N.B. WSC may provide grants to specific projects run by charities where they meet the criteria).
- D.15** WSC will generally not waive Council fees for recipients of grants or sponsored organisations. Grants may include the provision of cash to the recipient to assist with those costs.
- D.16** WSC will not support political activities or activities that could be perceived as benefiting a political party or political campaign.
- D.17** WSC must not be the only source of funding for the proposed project.
- D.18** WSC will not provide grant recipients/sponsored organisations with commercial endorsements.
- D.19** WSC will not accept applications from commercial organisations operating on an actual or expected/intended profit basis.
- D.20** This policy shall be reviewed in accordance with WSC's procedures, at least once every three years.
- D.21** This policy may have clauses excluded when applied to very small not for profit organisations.

E POLICY IMPLEMENTATION - PROCEDURES

- E.1** The management of Grants and Sponsorships (Outward) shall be the responsibility of the Director under delegation from the General Manager.
- E.2** All arrangements with agents or brokers must be in writing and include definition of how each party will exercise control over the deliverables due under a grant or sponsorship.
- E.3** Arrangements shall define the financial and legal commitments of each Party.

- E.4** Any grant recipient/sponsored organisation, agent or broker must disclose any potential conflict of interest between their activities and WSC prior to entering into any agreement with WSC.
- E.5** Grant applications must include a formal business case analysis that clearly demonstrates the benefit of any grant to the community.
- E.6** All grants applications and proposals received by WSC are to be assessed in accordance with pre-established selection criteria.
- E.7** All grants applications received by WSC are to be assessed initially by the Director prior to final assessment by the Grants Committee.
- E.8** The Grants Committee will report to the Council as a Whole following the assessment of the application for consideration and endorsement of the recommendation via Council resolution.
- E.9** WSC must enter into a signed agreement with any successful applicant for grants / sponsorship before any funding will be released.
- E.10** The Director will determine how funds are to be released after taking into account the needs of the recipient, the nature of the project to which the funds are being supplied and any other criteria the Director may consider relevant.
- E.11** 'In-kind' contributions will be costed by WSC and identified in the total level of funding prior to payment of the balance. Value in-kind sponsorships shall be valued at the price that would have been charged if the value in-kind were not part of the grant or sponsorship.
- E.12** Approved grants and sponsorships will only be paid upon receipt of a complying Tax Invoice from the recipient of the sponsorship.
- E.13** The Director must be provided with a project management plan by the grant recipient/sponsored organisation which includes an event timeline, with invitation, PR and print deadlines.
- E.14** The Director must be provided with regular updates on the proposed use of the grant/sponsorship at his/her request.
- E.15** Successful applicants are required to provide the Director for presentation to the WSC Grants Committee:
- i regular reports on the progress of the project and financial expenditure
 - ii a final written report on the outcome of the project within three months of completion
 - iii a final written report on the approved expenditure, highlighting WSC's sponsorship and the benefits that accrued from the sponsorship/grant.
 - iv adequate evidence that the project funding has been acquitted in accordance with approved expenditure for the project.
- E.16** Sponsorship activities will initially be evaluated by the Director or his/her delegate, regularly against measurements established in consultation with the grant recipient/sponsored organisation.
- E.17** WSC will maintain a database register of all grants and sponsorships.

- E.18** All grants excluding Councillor Community Grants must be included within the annual operational budget approved by Council prior the beginning of each financial year.

- E.19** All grants made will be listed in the Annual Report.



POLICY No: WSC031

POLICY FOR SPONSORSHIP MANAGEMENT

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GENERAL MANAGER	Michael Whittaker		
DATE ADOPTED BY COUNCIL (IF APPLICABLE)			

History of Revisions:

Version	Date	TRIM Doc. #
Draft	12 May 2014	D07575717

A. POLICY SUMMARY

- A1 This policy has been developed to provide guidance on all sponsorships that are either received by Council or distributed by Council to external parties.

B. POLICY BACKGROUND

- B1 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.
- B2 Council provides financial or in-kind sponsorship agreements with external parties. These agreements can involve either the granting or receiving of sponsorship. Council can do this by providing some benefit to an individual, a private sector company, corporation or other government agency in exchange for goods or services. When granting sponsorship, Council must also consider the provisions relating to the granting of financial assistance under the Local Government Act.
- B3 Council provides or secures in-kind and financial sponsorship agreements to offset the costs of staging an initiative/event or activity or to complement a range of aspects associated with an initiative/event or activity. While sponsorship can be advantageous for all parties, Council must ensure all sponsorship agreements do not compromise, be perceived to compromise or call into question the integrity of Council.
- B4 This policy outlines the process for securing sponsorship agreements and provides guidelines about the types of organisations or industries that Council considers would not be appropriate to partner with in regards to sponsorship.

C. DEFINITIONS

- C1 **The Act** means the *Local Government Act NSW 1993*.
- C2 **Advertising** means communication to the public by using a medium commonly used for promoting ideas, goods or services and for which a fee is paid.
- C3 **Agreement** means a sponsorship agreement that governs the legal relationship between a recipient and sponsor and those entitled to enforce the agreed obligation
- C4 **Council** means Wyong Shire Council.
- C5 **Company** means any form of private entity operating for the purpose of profit creation.
- C6 **Donation** includes a voluntary financial payment that is a freely given by Council. There are generally no formal conditions or reporting measures placed on recipients other than that the funds are expended within the intent that they are given. In such circumstances where it is deemed appropriate by Council to provide a donation, stringent measures are put in place to ensure the process is fair and transparent and that any conflicts of interest (perceived or actual) are carefully managed.
- C7 **External bodies** include non-government organisations (NGOs), corporate and business organisations and the Wyong Shire community.

- C8 **In-kind** means sponsorship in the form of the provision or receipt of goods or services to support, or enhance an initiative to the value of the goods or service at a reduced rate or free of charge. These arrangements are also liable for GST.
- C9 **Memorandum of Understanding** means an agreement between two organisations to strengthen the working relationship and improve collaboration.
- C10 **Multi-year** means sponsorship or funding (cash and or in-kind) is provided over a specified period of years.
- C11 **Negotiated commercial benefits** means benefits including the sponsor's right to be publicly recognised or have their name, product/s or service/s associated with the sponsorship recipient's service, program, event, activity, individual or infrastructure.
- C12 **Organisation** means any group, incorporated or unincorporated, operating for a defined purpose or function.
- C13 **Philanthropy** is the support of a cause through cash or in-kind support without any commercial incentive.
- C14 **Sponsor** means an organisation that, for a specified term, provides a contribution in cash and/or in kind with the intention of receiving negotiated commercial benefits.
- C15 **Sponsorship** means a commercial arrangement with a sponsor's name, products or services with the sponsored organisation's service, product or activity, in return for negotiated and specific benefits such as cash or in-kind support or promotional opportunities.
- C16 **Recipient** means an individual or organisation that, for a specified term, receives a contribution in cash and/or in-kind in return for providing negotiated commercial benefits to a grant provider or sponsor. See also definition of "sponsor".

D. POLICY STATEMENTS

Jurisdiction

- D1 Council should consider that the granting of sponsorship may require compliance with provisions of the Local Government Act Section 356[2] as it may be deemed as 'financial assistance'.
- D2 This policy applies to all sponsorships received by Council and all sponsorships that are distributed by Council, as well as other activities undertaken by Council, where Council may seek sponsorship funding to support the delivery of initiatives, events or activities.
- D3 This policy does not apply to:
- a) Council's community grants programs;
 - b) community service advertising support for events;
 - c) bequests and endowments; and
 - d) joint ventures or consultancies and donations or gifts which are given for philanthropic reasons such as where a financial or in-kind donation is made without any expectation of any reciprocal or return benefit
- D4 This Policy covers all elected members of Council, all personnel employed by Council, any person or organisation contracted to or acting on behalf of Council, any person or

organisation employed to work on Council premises or facilities and all activities of the Council.

- D5 This policy does not confer any delegated authority upon any person. All delegations to staff are issued by the General Manager.
- D6 Final approval for all sponsorship agreements rests with the General Manager.

Principles

- D7 All sponsorship arrangements will be in the form of a written sponsorship agreement and comply with principles and procedures outlined in this policy. Agreements are defined as:
- a) an agreement between Council and the sponsor, where Council receives either cash or a benefit in-kind for an initiative, program or activity from an external party/organisation or individual which in turn gains publicity or other commercial benefits; and/or
 - b) an agreement between Council and an external party, where the external party receives either cash or an in-kind benefit from Council and in turn, Council receives benefits
- D8 This policy has been developed to ensure all sponsorship proposals are received, assessed and managed in accordance with the 10 sponsorship principles detailed in the Independent Commission Against Corruption (ICAC) 2006 Guidelines for Sponsorship in the Public Sector (Attachment 1).

Risk Management

- D9 Consistent with ICAC's 2006 Guidelines for Sponsorship in the Public Sector recommended principles, each sponsorship proposal should be accompanied by a risk assessment. This includes an assessment of:
- a) sponsorship benefits to the sponsor relative to the level of sponsorship contribution;
 - b) actual and perceived conflicts of interest;
 - c) existing sponsorship arrangements, including with sporting or community groups and potential conflict with a new sponsorship proposal;
 - d) the potential capacity for the sponsor to deliver the sponsorship; and
 - e) the capacity of Council to provide adequate resources and facilities to meet the terms of the proposed agreement

Where practical this will be undertaken through a standard checklist and assessed by the level of funding required or sought.

- D10 Council will consider sponsorship proposals from any company, partnership, sole trader or government agency which is a reputable organisation and whose public image, products and services are consistent with the values, goals and specific policies of Council.
- D11 The following companies, partnerships, sole traders or individuals are not considered by Council as suitable for sponsorship agreements, those are:
- a) involved in the manufacture, distribution and wholesaling of tobacco-related products, pornography and/or addictive drugs;

- b) found guilty of illegal or improper conduct by ICAC or any similar authority;
- c) involved in political fields eg political parties;
- d) involved in a competitive tender or purchasing process at, or around the time of, negotiating a sponsorship agreement;
- e) that have an unacceptable sponsorship record with Wyong Shire Council or with any other government authority

D12 Proposals will not be accepted if the assessment concludes that the risks are unacceptably high or Council will receive insufficient value from the proposal.

Conflicts of Interest

D13 Assessment of sponsorship proposals from parties subject to, or likely to be subject to, Council's regulation or inspection must be outlined in guidelines supporting this policy.

D14 Every sponsorship proposal will be assessed against the possibility of a conflict of interest.

Sponsorship Agreements

D15 Consistent with ICAC's 2006 Guidelines for Sponsorship in the Public Sector recommended Principle 9, every sponsorship agreement is a contract and conditions will be fully described in a written agreement which clearly sets out:

- a) the benefits including economic benefits, available to Council and the sponsor, e.g. benefits and payments linked to a specific sponsorship category or naming right;
- b) any personal benefits available to the sponsor's employees and their relatives;
- c) the form or forms of sponsorship acknowledgement which will be available;
- d) the scope of uses of sponsorship which the sponsor can make of the sponsorship arrangement;
- e) the term of the sponsorship and any conditions regarding renewal e.g. agreed deliverables, targets, feedback;
- f) the terms for multi-year sponsorships will also include annual review to consider cost-effective provision of services or activities, monitoring of outputs against deliverables, improvements e.g. increased attendance;
- g) the consequences of change which may occur over time e.g. a shift in the relationship, new policies, new corporate missions or objectives;
- h) the financial accountability requirements;
- i) the provision for termination or suspension of the agreement

D16 Sponsorship recognition will be consistent with Council and the sponsor's policies, guidelines and regulations relating to signage, branding and communications. Forms of recognition will be outlined in the sponsorship agreement to the level and nature of the sponsorship and subject to agreement specifying benefits and costs.

D17 A sponsorship agreement may be refused and/or terminated if deemed by the General Manager as a real or perceived conflict, or where a breach of the terms of an agreement has occurred.

D18 Consistent with ICAC's 2006 Guidelines for Sponsorship in the Public Sector Principle 1, sponsorship agreements must include a statement that Council's functions will continue to be carried out fully and impartially, notwithstanding the existence of a sponsorship arrangement.

E. POLICY IMPLEMENTATION - PROCEDURES

- E1 Implementation of this policy should be supported by guidelines and procedures to guide staff in its implementation.
- E2 This policy should be read in conjunction with the Council's Code of Conduct.
- E3 It is the personal responsibility of all Council employees, and agents thereof, to have knowledge of, and to ensure compliance with this policy.
- E4 Advertising for Council sponsorship will be undertaken by calling for Expressions of Interest and will be advertised in Council notices published in a local newspaper and be available on Council's website. However, it is recognised that in some circumstances this may be impractical and Council's request for sponsorship can also be by invitation to specific potential sponsors.
- E5 All sponsorship agreements will be reported through the quarterly report and annually through Council's Annual Report.
- E6 Associated documents**
- WS Code of Conduct
 - ICAC Sponsorship in the Public Sector (May 2006)
 - Grants, Partnerships and Sponsorship Framework (May 2014)
 - WSC Sponsorship Guidelines (draft May 2014)

ATTACHMENT 1 – Independent Commission Against Corruption (ICAC) 2006 Guidelines for Sponsorship in the Public Sector

Ten sponsorship principles

1. A sponsorship agreement should not impose or imply conditions that would limit, or appear to limit, a public sector agency's ability to carry out its functions fully and impartially.
2. There should be no actual conflict between the objectives and/or mission of the sponsored agency and those of the sponsor.
3. In general, a public sector agency with regulatory or inspection responsibilities should not seek, or accept sponsorship from people or organisations which are, or may be, subject to regulation or inspection by the agency during the life of the sponsorship. Where adhering to this principle would unduly limit the agency's sponsorship prospects, the agency should develop alternative strategies to ensure it can carry out its regulatory or inspection responsibilities in relation to sponsors in an open, fair, accountable and impartial manner.
4. Sponsorship of a public sector agency or activity should not involve explicit endorsement of the sponsor or the sponsor's products.
5. Where sponsorship involves the sponsor providing a product to the agency, the agency should evaluate that product for its fitness for purpose against objective criteria that are relevant to the agency's needs.
6. It is inappropriate for any employee of a public sector agency to receive a personal benefit from a sponsorship.
7. In most circumstances, the public interest is best served by making sponsorship opportunities widely known. To this end sponsorships should be sought and granted by using broadly based, open processes that are not limited solely to invited sponsors.

- 8.** Public sector agencies should assess sponsorship proposals against predetermined criteria which have been published in advance or which are circulated to organisations that submit an expression of interest.
- 9.** A sponsorship arrangement is a contract and should be described in a written agreement.
- 10.** All sponsorship arrangements should be approved by the CEO or another designated senior officer of the agency and described in the agency's annual report in a form commensurate with the significance of the sponsorship.

5.13 Amendment to the Facilities and Expenses for Councillors Policy

TRIM REFERENCE: F2004/06505 - D07550886

MANAGER: Lesley Crawley, Manager

AUTHOR: Meg Newington; Senior Governance Officer

SUMMARY

This report details submissions received on Council's proposal to amend the Facilities and Expenses for Councillors Policy.

RECOMMENDATION

- 1 That Council note that the amended Facilities and Expenses for Councillors Policy was exhibited in April and May 2014 with two submissions received.**
- 2 That Council provide the Office of Local Government with a copy of the amended Policy and information concerning the submissions received.**
- 3 That Council propose further amendments to the Facilities and Expenses Policy for Councillors as listed below:**
 - a Amend the table in Clause D63 in relation to Councillor owned equipment and WSC provided equipment to combine the limits for capital cost and usage costs with the total limit to be \$7,200.**
 - b Amend the definition of 'Year' in the policy to be the year July 1 to June 30.**
 - c Replace the final dot point in clause C6 – Definition of Council Business with "Attendances associated with the role of a Councillor (eg meetings with residents, ratepayers, developers and stakeholders; individual site inspections, and attendances at local and regional events/functions, including but not limited to local games played by the Mariners Football Team).**
 - d Replace clause D81 with "Council will reimburse interest charges and fees (other than late fees) incurred by a councillor in respect to an expense that is able to be reimbursed under this Policy.**
 - e Amend Clause E19 by inserting the following additional sentence: "Declarations may be given for claims for expenses incurred during periods of up to 12 months (within the financial year)".**
 - f Amend Clause D70 relating to Corporate Uniform to add an additional dot point: "Alterations up to \$200 per year, if required."**
- 4 That Council exhibit the proposed amendments to the policy in accordance with Section 253 of the Local Government Act, 1993.**

BACKGROUND

Council at its Ordinary Meeting of 26 March 2014 considered a report on proposed amendments to the Facilities and Expenses for Councillors Policy, and resolved in part as follows:

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

- 262/14 That Council note that the exhibition period for the review of its Facilities and Expenses Policy has concluded and no submissions were received.*
- 263/14 That Council adopt the attached advertised amended Facilities and Expenses Policy for Councillors with additional and amended clauses as follows:*
- a Counselling - Councillors will be provided with access to the Council staff Counselling Program subject to the same conditions offered to staff.*
 - b Daily sustenance limit for sustenance - amend clauses at D9, D40 and items in the Table of Limits and Reconciliation to \$150 per day.*
 - c Partner Attendance at Conference events/functions – amend clause to separately cover partner costs, while in company of the councillor, at conference events/functions where previously included under partner registration costs.*
 - d Telecommunications – delete the proposal for cost of privately purchased equipment to be claimed as a depreciation over a four year period and replace with a provision for the cost of the private equipment to be reimbursed up front.*
 - e Definition of Council Business – Amend the definition of Council business to assist clarity in use of private vehicle for travel.*
 - f Accompanying persons - include children of Councillors under 18 with the exception of air travel costs.*
- 264/14 That Council deem the additional amendments 2a, 2b and 2c not substantial and adopt the advertised policy and the amendment immediately.*
- 265/14 That Council deem the additional amendments 2d, 2e and 2f as substantial and place the policy on further exhibition in accordance with the Local Government Act, 1993.*

5.13 Amendment to the Facilities and Expenses for Councillors Policy (contd)

266/14 *That Council provide the Department of Local Government with a copy of the adopted policy."*

The above resolution in effect, meant that amendments 2a, 2b and 2c were adopted immediately and amendments 2d, 2e and 2f were to be exhibited as further amendments to the policy.

CURRENT STATUS

The further amendments at 2d, 2e and 2f were made to the policy and, in accordance with Section 252 of the Local Government Act, 1993, the document was exhibited from 9 April until 7 May 2014.

Two submissions were received in response as follows:

Doc Number	Issue	Comment
D06752281	Making decisions about the shire and its business would be far more beneficial	Noted
D06864847	Requesting names of mover of the Motion and Seconder; and names of councillors who represent the Toowoon Bay area	A response was provided indicating the mover and seconder and contact details for B Ward Councillors

It is not considered that the submissions warrant any further amendment to the policy.

Council's Code of Conduct requires that WSC resources must be used ethically, effectively, efficiently and carefully.

The purpose of the policy is to ensure that Councillors receive adequate and reasonable expenses and facilities to enable them to carry out their civic duties. It ensures that these are provided in an accountable and transparent manner. By including these items in its Facilities and Expenses for Councillors Policy, Council has provided a mechanism for the reimbursement of expenses in an accountable and transparent manner.

THE PROPOSAL

It is proposed that the amendments as advertised be adopted.

Councillors have also provided feedback in relation to further refinements as follows:

	Policy Clause	Suggested amendment
a	Communications Table - Separate limits for reimbursement of capital cost and usage cost of \$3200 each	Now that the policy no longer has a separate depreciation clause for capital cost can the limits be combined to \$7,200 as they were previously?
b	Definition of a year - means from October to September or as determined by the election cycle.	Amend the definition of a year to be a financial year (July to June) to coincide with other financial reporting obligations
c	Definition for Council Business covers a	Include additional items in the definition

	Policy Clause	Suggested amendment
	range of events/functions that Councillors may need to attend as part of their role	
d	D81 The cost of credit card processing and late fees will not be reimbursed by Council.	Include the cost of processing accounts (for example credit card costs)
e	Allow for claims to be made in a lump sum during the period using one declaration.	Amend clause E19 by inserting the following additional sentence: "Declarations may be given for claims for expenses incurred during periods of up to 12 months (within the financial year)".
f	Reimburse Councillors for the cost of alterations to corporate uniform if required.	Amend Clause D70 relating to Corporate Uniform to add an additional dot point: "Alterations up to \$200 per year if required."

CONSULTATION

The proposal was advertised for a period of 28 days from 9 April 2014 to 7 May 2014. Councillors also gave feedback during that time.

GOVERNANCE AND POLICY IMPLICATIONS

Council is required to forward a copy of the revised policy and any submission to the OLG for information.

In terms of the further amendments Section 253 of the Act sets out the following Requirements before policy concerning expenses and facilities can be adopted or amended

(1) A council must give public notice of its intention to adopt or amend a policy for the payment of expenses or provision of facilities allowing at least 28 days for the making of public submissions.

(2) Before adopting or amending the policy, the council must consider any submissions made within the time allowed for submissions and make any appropriate changes to the draft policy or amendment.

(3) Despite subsections (1) and (2), a council need not give public notice of a proposed amendment to its policy for the payment of expenses or provision of facilities if the council is of the opinion that the proposed amendment is not substantial.

It is proposed to give public notice of the proposed amendments in this report.

CONCLUSION

The amendments as advertised are recommended for inclusion in the Policy for Facilities and Expenses for Councillors. Additional amendments are proposed which require further exhibition of the policy and reporting of any further submissions to Council for consideration.

ATTACHMENTS

1 Policy - Facilities and Expenses for Councillors D07550858



POLICY No: WSC003

POLICY FOR FACILITIES & EXPENSES FOR COUNCILLORS

Copy for Exhibition
Council Resolution 26/3/14

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DIRECTOR			
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MAYOR (IF APPLICABLE)			

History of Revisions:

Version	Date	TRIM Doc. #
1	23/11/2011	D02903521
2	03/10/2012	D03143334
3	26/4/2013	D03317468
4	04/06/2013	D03335585
5	11/10/2013	D03990547
6	11/12/2013	D05098475
7	28/2/2014	D05140406
8	26/3/2014	D06552944
9	28/5/2014	D07550858

A. POLICY SUMMARY

- A1 This Policy provides for the payment or reimbursement of expenses and the provision of facilities by Council to the Mayor and Councillors of Wyong Shire.
- A2 The objectives of the policy are to:
- ensure Council provides adequate facilities and services to the Mayor and Councillors of Wyong Shire for them to carry out their civic duties; and
 - reimburse councillors for fair and reasonable expenses incurred whilst undertaking Council business such that they sustain neither loss nor profit as a result of their claim; and
 - ensure that all claims and payments made under this Policy can be justified, appropriately accounted for and validated as relating to Council business

B. POLICY BACKGROUND

- B1 Section 252 of the Local Government Act 1993 requires the Council to adopt a Policy concerning the payment of expenses incurred or to be incurred by the provision of facilities to elected members in relation to discharging the functions of Civic Office.
- B2 Council recognises that elected members and senior management staff often expend considerable personal time and inconvenience in conducting Council business away from the Shire in the best interests of the community.
- B3 The Act's conditions recognise that some personal, additional contribution goes with the position; however where such good-will is provided by individuals materially in excess of reasonable contributions, the transparent reimbursement of expenses is appropriate.
- B4 The purpose of the Policy is to ensure that Councillors receive adequate and reasonable expenses and facilities to enable them to carry out their civic duties. It ensures that these are provided in an accountable and transparent manner.
- B5 Councillors must act lawfully, honestly and exercise a reasonable degree of care and diligence in carrying out their functions under the Local Government Act or any other Act (s349 the Act).
- B6 The Council Code of Conduct provides that Council resources must be used ethically, effectively, efficiently and carefully. Council property including intellectual property, official services and facilities must not be misused by any person or body for private benefit or gain. Councillors must also avoid any action or situation that could create the appearance that Council resources are being used inappropriately.
- B7 Section 382 of the Act requires that Council makes arrangements for adequate insurance against public and professional liability.
- B8 The Division of Local Government has issued guidelines for the payment of expenses and the provision of facilities for Mayors and Councillors in NSW. These guidelines have been prepared under the provisions of section 23A of the Local Government Act 1993 as Director General's Guidelines. A council must take any relevant guidelines issued under this section into consideration before exercising any of its functions. Council has taken these guidelines into consideration in making this policy.

- B9 Council in providing sustenance for Councillors and their guests must observe Responsible Service of Alcohol legislation and will bear no liability in the event that injury or harm should occur as a result of the consumption of alcohol on Council premises.

C. DEFINITIONS

- C1 **The Act** means the Local Government Act 1993
- C2 **The Regulation** means the Local Government (General) Regulation 2005.
- C3 **Council** means the elected members who form the governing body (Council) of the Wyong Shire Council and the organisation established to administer Councils affairs, operations, policies and strategies.
- C4 **Councillor** means an elected member of the governing body (Council) including the Mayor.
- C5 **Council Policy** means policy created and approved by the elected members of the Council.
- C6 **Council Business** or functions of civic office attendance by the Mayor and Councillors that results in a direct benefit for the Council or the Wyong Shire Community at:
- Council and Committee meetings
 - Council Advisory Group meetings
 - Council Working Party meetings
 - Council Statutory Committee meetings
 - Council Precinct Forums
 - Regional Organisation of Council meetings
 - As Council's delegate or alternate delegate to external bodies
 - Civic Receptions authorised by Council resolution
 - Councillor Briefings
 - Councillor Inspections
 - Citizenship Ceremonies
 - Attendance at conference, seminars, workshops and professional development courses authorised by Council resolution
 - Attendance at non-Council functions which provide briefings to Councillors from key members of the community, politicians and business regarding relevant authorised by Council resolution.
 - Meetings with Federal and State Ministers, Members of Parliament, public servants and their staff within NSW and ACT
 - Other events, functions or meetings as authorised by Council resolution
 - Attendances associated with the role of a Councillor (eg meetings with residents, ratepayers, developers or stakeholders, attendances at local and regional events/functions and individual site inspections)

Note: a separate provision in this policy provides a means where the Mayor and General Manager may approve attendance on behalf of the Council if time does not permit the reporting to Council prior to the event occurring and the matter being reported to the next available meeting.

- C7 **Expenses** mean payments made by Council to reimburse Councillors for reasonable costs or charges incurred or to be incurred for discharging their civic functions. Expenses must be outlined in this policy and may be either reimbursed to a Councillor or paid directly by Council

for something that is deemed to be a necessary expense to enable them to perform their civic functions. Expenses are separate and additional to annual fees.

- C8 **Facilities** means equipment and services that are provided by Council to Councillors to enable them to perform their civic functions with relative ease and at a standard appropriate to their professional role as Councillors.
- C9 **General Expense Allowance** means a sum of money paid by Council to a Councillor to expend on an item or a service that is not required to be receipted and/or otherwise reconciled according to a set procedure and within a specific timeframe. In accordance with Section 403 of the Regulation this policy does not permit the payment of general expenses.
- C10 **Greater Significance** means (in terms of conference session non-attendance) meetings with State or Federal Parliamentarians, networking with other Councillors or special interest groups, inspection of a public works or facility, attendance at urgent Council meetings and/or any other incident of COUNCIL business considered urgent or more important.
- C11 **Registered Carer** means:
- an organisation or individual registered with the National Quality Framework (Australian Children's Education and Care Quality Authority) or;
 - a registered business for the purposes of care services (ie holding an ABN for the purposes of child or adult care services) eg nanny, carer for the elderly
- C12 **Travel Expenses** means motor vehicle costs, tolls, parking fees, taxi, train, bus and plane fares. Travel expenses do not include fines associated with travel such as toll and parking fines. Food and beverages and insurance associated with travel are dealt with separately in this policy.
- C13 **Year** means from October to September or as determined by the election cycle.

D. POLICY STATEMENTS

Jurisdiction

- D1 This policy covers all elected members of Council.
- D2 This policy does not confer any delegated authority upon any person.

General Provisions

- D3 In accordance with Clause 403 of the Regulation, Councillor expenses and facilities policies must not include provision for general expenses. A general expense allowance is a sum of money paid by a council to a Councillor to expend on an item or a service that is not required to be receipted and/or otherwise reconciled according to a set procedure and within a specific timeframe. There is no other lawful mechanism to provide facilities or reimburse expenses to a Councillor other than this policy.
- D4 Reimbursement will only be paid for expenses incurred by Councillors for the conduct of Council business as defined in this policy.
- D5 Each expense in this policy will have a limit as to the maximum reimbursed in each year.
- D6 Councillors should not obtain private benefit from the provision of equipment and facilities nor from travel bonuses such as 'frequent flyer' schemes or any other such loyalty programs while

on Council business. It is acknowledged that incidental use of Council equipment and facilities may occur from time to time. Such incidental private use is not subject to a compensatory payment back to Council. Councillors are responsible to reimburse Council if more than incidental private use is received.

- D7 All claims for reimbursement must be accompanied by evidence that the costs have been incurred by the Councillor and shall be made on the relevant form.
- D8 All claims for reimbursement must be made within the year during which the expenditure has been incurred.
- D9 Councillors may request a payment in advance, up to a maximum of \$150 per day, in anticipation of expenses being incurred in attending conferences, seminars and training outside the Shire. The advance payment will be reconciled against receipts for actual costs within 7 days of return.
- D10 Council's Gifts and Benefits Policy sets out requirements in relation to Gifts and Personal benefit.

Attendance at Conferences, Workshops, Seminars, Professional Development and Training Courses

- D11 Council will reimburse expenses for attendance at conferences, workshops and seminars as follows:
- Each event must be authorised by Council resolution.
 - Each event must relate to the business of the Council
 - A combined total of six attendances, per Councillor, per year.
 - The limit of six will only include those events occurring over one or more consecutive days unless otherwise approved by Council.
 - Total reimbursement of attendance cost per conference, per Councillor is limited to \$5,000 with a maximum total cost for conferences per year of \$10,000.
 - The maximum number of Councillors authorised to attend an event is 3 with the exception of the Local Government NSW annual conference and National General Assembly of Local Government or as resolved by Council. These conferences are not included in the cost threshold.
 - Where Council has incurred costs and a replacement is not nominated by the Mayor/Deputy Mayor and the elected member's non-attendance is not a family or employment or medical emergency, all costs incurred by Council will be charged to the elected member.
 - Before requesting attendance Councillors must satisfy themselves:
 1. that the program is likely of benefit to Council, the Community and/or to his/her professional development as an elected member
 2. that he/she is able to commit the time necessary to attend the conference sessions in the terms of this policy

With respect to Professional Development and Training Courses:

- Each event must be authorised by Council resolution.
- Each event must be aligned with a Councillor's professional development plan.
- A combined total of three professional development or training courses per Councillor, per year.

- The monetary limit does not apply to the AICD Company Director's Course or the LGMA Executive Certificate for Elected Members Course
- No spouse or partner costs will be reimbursed under this section.

D12 The attendance costs that will be paid up front to the event organiser or reimbursed to the Councillor under this section are identified as follows:

- Registration costs – costs charged by organisers including official luncheons dinners and tours which are relevant to the interests of this Council.
- Travel costs (actual costs as detailed in the travel section of this policy)
- Accommodation (actual costs for accommodation as detailed in the accommodation section of this policy)
- Sustenance (food and beverage) limit of \$150.00 per day per Councillor and verified by receipts
- Out of pocket expenses such as Internet and phone access, laundry limit of \$50.00 per day per Councillor and verified by receipts.
- Cost of mandatory textbooks or other supporting documentation if separate to course fees limit \$500 per course
- Spouse and Partner Costs (as detailed in the Spouse and Partner Section of this Policy).

D13 A Councillor may choose to extend the stay at the place where the conference is held for personal pursuits. Council will not be responsible for any costs associated with the extended stay (for example additional flights and accommodation) and any return trip will be calculated from the original conference venue.

Attendance at Non – Council Events and Functions

D14 Council will meet sustenance and attendance expenses for Councillors' attendance at non-Council functions related to Council business which provide briefings to Councillors from key members of the community, politicians and business. Approval for reimbursement will be by Council resolution. The maximum reimbursement of total attendance costs is \$200 per Councillor per event. Councillors may attend a maximum of 6 of these events in a year. The total maximum expenditure is \$1200. Note the Mayor's attendance and expenditure is covered by Clause D57.

D15 No expenses will be paid for functions that are:

- i not relevant to Council business
- ii where expenses incurred would be directed towards any political fundraising event
- iii for any donation to a political party or candidate's electoral fund
- iv for any other private or personal benefit

D16 Council will reimburse Councillors with the cost of membership to professional organisations associated with the conduct of Council business up to \$1,500 per year.

Spouses, Partners, Carer and Accompanying Persons

D17 Council will pay the cost as further described in this section, for a spouse or partners or carer or one accompanying person per Councillor and children under 18 years in attending the following events as per the table below:

Event	Registration	Ticket	Accommodation	Sustenance	Partner Tours	Travel	Carer
Official Council functions that are formal or ceremonial in nature (eg Citizenship,	NA	Yes	Yes. If staying in same room as Councillor	Yes if part of ticket cost. No additional meals and beverages included	NA	Yes. If travelling In company of Councillor	Yes
The Local Government NSW Annual Conference or the National General Assembly of Local Government.	Yes	Yes	Yes. If staying in same room as Councillor	Yes if for official conference events. (eg formal dinner, welcome drinks) No additional meals and beverages included	No	Yes. If travelling In company of Councillor in same vehicle No additional air or other travel fares included)	Yes
Other Council approved conferences and events	No	No	Yes. If staying in same room as Councillor	Yes if for official conference events. (eg formal dinner, welcome drinks) No additional meals and beverages included	No	Yes. If travelling In company of Councillor in same vehicle No additional air or other travel fares included)	Yes

D18 Peripheral expenses such as grooming, special clothing and transport are not considered reimbursable expenses.

D19 Additional travel and accommodation costs, partner tours, sustenance (other than official function dinners) and incidental costs (eg bar fridge items and movie hire) will not be paid by Council.

D20 In this section, reference to an "accompanying person" is a person who has a close personal relationship with the Councillor and/or provides carer support for the Councillor.

Travel

D21 Council will reimburse Councillors for travel undertaken on Council business or where necessary make and pay for travel arrangements up front.

D22 Council will not reimburse travelling expenses where a Councillor attends a community meeting or undertakes an inspection that has not been formally approved by Council or defined in this policy as Council business.

D23 Councillors may choose the mode of transport which is most appropriate to the circumstances, subject to overall economy and convenience. All travel should be undertaken by utilising the most direct route and the most practicable and economical mode of transport subject to any personal medical conditions.

D24 A Council vehicle is available for use by Councillors for Council business. Councillors shall comply with Council's Motor Vehicle Policy when using the Councillor vehicle.

D25 The use of a staff member as a driver for the Council's motor vehicle will be determined by the General Manager where there is clear cost benefit in provision of a driver versus external costs (eg airport parking for a number of vehicles) and staff availability.

D26 Private Vehicle - If a Councillor uses his/her private vehicle, reimbursement will be equivalent to the per kilometre rate as specified in the NSW Local Government (State) Award. This allowance takes into account the use, maintenance and depreciation of the vehicle.

D27 Council will reimburse costs for tolls associated with travel on Council business.

D28 Council will reimburse parking fees associated with travel on Council business.

D29 Council is not liable for any traffic, parking or transport fines, or costs of petrol, oil, depreciation, repair, maintenance, insurance or registration incurred by Councillors whilst travelling on Council related business.

D30 Overseas travel by a Councillor must be approved by Council resolution which shall include clear and tangible benefits to the community and an estimate of costs for travel, accommodation, transfers, hire cars, gifts and ancillary items.

D31 Approval by the Council for overseas travel by a Councillor will be on an individual trip basis.

D32 Economy class air travel will be provided as standard for all air travel unless identified otherwise by a Council resolution. The cost of any upgrade shall be the responsibility of the Councillor. The Mayor and General Manager may approve business class travel for long flights (exceeding 3 hours).

D33 Councillors are not entitled to receive private benefits relating to travel bonuses such as frequent flyer schemes and other loyalty programs.

D34 Council will pay for air travel insurance.

D35 Council shall meet the cost of transfers between a Councillor's residence and a transport interchange (ie airport) and between the transport interchange and a hotel or venue.

The Council may enter into its own corporate loyalty program arrangements and any benefits arising will be used toward corporate costs (eg accumulated travel points may be used to defray costs of future flights made on Council business).

- D36 Council will pay for use of a rental car (standard model) at locations where air travel is undertaken for Council business.
- D37 All air travel arrangements and bookings will be made by Council staff on behalf of the Councillor, including flights, insurance and transfers. Councillors are not to book their own travel.

Accommodation

- D38 Councillors shall be accommodated in minimum four-star level facilities and higher if practicality determines the need. A higher level than four star is to be approved by the Mayor and/or General Manager.
- D39 Council will pay for accommodation costs commencing from the night before the conference or seminar commences, throughout the conference and the night after it concludes and any other night required by travel arrangements.
- D40 Council will reimburse sustenance costs of up to \$150 per day, per Councillor.
- D41 Any additional accommodation expenses incurred as a result of the attendance of spouse, partners and accompanying persons shall be borne by the Councillor.
- D42 Accommodation arrangements and bookings shall be made by Council staff on behalf of the Councillor. Councillors are not to book their own accommodation.

Care and other related expenses

- D43 Council will reimburse registered carer's expenses necessary to enable elected members, General Manager and Directors to attend Council business up to \$3,600 per annum, including:
- i child care expenses
 - ii care of disabled and/or sick immediate family members
 - iii special requirements of councillors such as disability and access needs to allow performance of normal civic duties and responsibilities
- D44 Reimbursement does not apply where the care is provided by immediate family members including family, spouse or partner.

Insurance

- D45 Council will provide insurance to protect the interest and welfare of all Councillors in carrying out the duties of Civic Office and to protect equipment issued to Councillors under this policy as follows:
- i Public liability (for matters arising out of Councillors' performance of their civic duties and/or exercise of their functions)
 - ii Professional indemnity (for matters arising out of Councillors' performance of their civic duties and or exercise of their functions)
 - iii Personal injury while on Council business
 - iv Travel insurance for approved interstate and overseas travel on Council business for travel

- bookings made by staff
- v Property insurance for Council facilities issued to Councillors

Council staff will arrange all insurances. Councillors are not to arrange insurances or extend their private insurance coverage for Council business. There will be no reimbursement of expenses to Councillors associated with insurance coverage.

- D46 Council has the following policies and limits in place that cover Council activities and include cover for the Councillors :
- Public Liability (limit of protection - \$400M) & Professional Indemnity (limit of protection \$300M) with Statewide Mutual Liability Scheme
 - Personal Accident policy with ACE Insurance Limited & includes a travel component (various limits)
 - Property insurance with Statewide Property Mutual Scheme as per schedule provided to Statewide Property Mutual (various limits)

Legal Expenses

- D47 Council will indemnify or reimburse the reasonable legal expenses of a Councillor in the circumstances described below:

- i a Councillor defending an action arising from the performance in good faith of a function under the Local Government Act (section 731 refers), as distinguished from merely something a Councillor has done during his/her term of office
- ii a Councillor defending an action in defamation provided the statements complained of were made in good faith in the course of exercising a function under the Act
- iii a Councillor for proceedings before the Local Government Pecuniary Interest and Disciplinary Tribunal or an investigative body provided the subject of the proceedings arises from the performance in good faith of a function under the Act, and the Tribunal or investigative body makes a finding substantially favourable to the Councillor

- D48 Council will also reimburse legal costs for an inquiry, investigation or hearing into a Councillor's conduct by an appropriate investigative or review body including:

- Local Government Pecuniary Interest and Disciplinary Tribunal
- Independent Commission Against Corruption
- Office of the NSW Ombudsman
- Division of Local Government, Department of Premier and Cabinet
- NSW Police Force
- Director of Public Prosecutions
- Council's Conduct Review Committee/Reviewer

provided that the subject of the inquiry, investigation or hearing arises from the performance in good faith of a Councillor's functions under the Act and the matter before the investigative or review body has proceeded past any initial assessment phase to a formal investigation or review. Legal expenses will only be provided where the investigative or review body makes a finding that is not substantially unfavourable to the councillor. This may include circumstances in which a matter does not proceed to a finding. In relation to a councillor's conduct, a finding by an investigative or review body that an inadvertent minor technical breach had occurred may not necessarily be considered a substantially unfavourable outcome.

- D49 A conduct complaint made against a Councillor, resulting in legal expenses for a Councillor

shall only qualify for reimbursement where a matter has been referred by the General Manager to a conduct reviewer/committee to make formal enquiries into that matter in accordance with the procedures in the Code of Conduct.

- D50 Pecuniary interest or misbehaviour matters, shall qualify for reimbursement of legal expenses if a formal investigation has been commenced by the Division of Local Government.
- D51 Council will only reimburse legal expenses where the investigative or review body makes a finding that is not substantially unfavourable to the Councillor.
- D52 Council will not meet the legal expenses of legal proceedings initiated by a Councillor under any circumstance.
- D53 Council will not meet the legal costs of a Councillor seeking advice in respect of possible defamation, or in seeking a non-litigious remedy for possible defamation.
- D54 Council will not meet legal costs in the following circumstances:
- An action in defamation taken by a Councillor as plaintiff
 - A Councillor seeking advice in respect of possible defamation, or in seeking a non-litigious remedy for possible defamation
- D55 The total amount that may be claimed per Councillor in any one year for the above clauses in this section is \$5,000.
- D56 A Councillor/s may be reimbursed up to \$1,500 in a year (including GST) for external legal services only where all of the following circumstances exist:
- (a) the legal advice is not on a matter excluded from being reimbursed by the Local Government Act and/or Regulations, or any other clause in this Policy
 - (b) the matter about which advice has been sought is a serious matter affecting the proper administration of Council
 - (c) more than four Councillors have requested that Council staff provide legal advice on the subject matter of the advice, and Council staff have been unable to provide those Councillors with legal advice, due to a conflict of interest or similar prohibition that precludes those staff from providing that advice, or where staff are unwilling to obtain independent legal advice
 - (d) the matter had not already been the subject of independent legal advice to Council
 - (e) the legal advice is proven to be valuable towards Council's decision making
 - (f) no more than one payment is to be paid to any one or more of the Councillors in respect to advice provided by Councillors on the subject matter
 - (g) the request for reimbursement, under this clause, has been authorised by the Council:
 - the written brief, original written legal advice and tax receipt will need to be provided to Council as its record to allow consideration of payment

Mayoral Expenses

- D57 The Mayor may provide reasonable hospitality to Councillors, politicians, dignitaries, community leaders in relation to Council business, up to \$30,000 per year. Reasonable hospitality includes:
- light refreshments – food and beverages provided onsite at the Civic Centre
 - meals and beverages at local establishments up to \$150 in total per meal
 - Council themed token gifts for visiting dignitaries up to a total of \$200 per delegation
- D58 Council will provide, maintain and fuel a fuel efficient motor vehicle appropriate to the Office of the Mayor, for use by the Mayor for Council business.
- D59 Private Use of the vehicle is paid for by the Mayor by the reduction of the Mayoral allowance of \$1,906.64 per annum (2012/13 base financial year). Such amount to be varied on 1 October each year in line with movement in the Consumer Price Index for the 12 months ending 30 June previous.
- D60 Council will provide a parking space reserved for the Mayoral vehicle.
- D61 Council will provide a furnished Mayoral office.
- D62 Council will provide secretarial support for the Mayoral office.

Telecommunications

- D63 Council will provide or reimburse Councillors for communications as indicated in the table below:

Criteria	Council Provided Equipment	Councillor Owned Equipment
<p>Types of Equipment Included</p> <p>Note: a councillor may choose items from either of the clauses at the same time as long as there are not two of the same items provided and claimed at any one time. It is therefore acknowledged that that a councillor choosing items from both Council provided equipment and Councillor owned equipment options has access to the limits of both sets.</p>	<p>Laptop or Desktop PC Tablet computer Operating system/software Printer Facsimile Scanner USB or WIFI broadband modem Digital camera Mobile phone or smart phone Mobile phone car kit and installation</p> <p>(equipment is Council standard)</p>	<p>Laptop or Desktop PC Tablet computer -Operating system/software Printer Facsimile Scanner USB or WIFI broadband modem Digital camera Mobile phone or smart phone Mobile phone car kit and installation</p> <p>(equipment to be compatible with Council systems)</p> <p>All equipment and usage accounts for these items must be in Councillor name. No business or company accounts will be reimbursed.</p>

Criteria	Council Provided Equipment	Councillor Owned Equipment
Capital Cost Reimbursable?	No	Yes Limit reimbursed for all items combined is \$3,600 per year
Usage Costs	Paid to supplier by Council Combined cost of - installation costs - calls - internet access - message bank service - reasonable private use	Reimbursed to Councillor by Council Combined cost of - installation costs - calls - internet access - message bank service - reasonable private use - insurance
Limit of Usage Costs in one year	\$3,600 paid to supplier by Council	\$3,600 reimbursed to Councillor by Council
Ownership	Council owned during term. Councillor will be able to purchase non-leased items at agreed market price at term end.	Councillor will continue to own items
Replacement for damaged, lost or stolen item	Upon return of faulty, broken item. Or statutory declaration confirming lost or stolen item.	Evidence of damaged lost or stolen item required. Or statutory declaration confirming lost or stolen item.

- D64 Where an allowance is claimed for a mobile phone or a Council supplied mobile phone is provided the mobile number must be published weekly in "Shire Wide" and be placed on Council's Website. In the case for the Mayor, the Mayor's Office number should be listed. The General Manager can provide an exemption to the requirement to publish a Councillor's mobile phone number due to harassment, safety or health reasons.
- D65 The brand/type of equipment provided by Council will be to Council standards purchased in accordance with the provisions of Council Procurement Policy.
- D66 Council will not provide for subsequent installation costs (eg as a result of moving house or changing vehicles) unless Council has initiated a change to the equipment or service.
- D67 Elected members using Council telecommunications equipment or their own private equipment for Council business must comply with Council's Communications Media Policy (Internet and Email) and Appropriate Use of Email and the Internet Guidelines.
- D68 At the conclusion of a local government term and where a Councillor does not intend to stand for re-election or is not re-elected, a Councillor may purchase Council supplied equipment and software at an agreed market price. Leased equipment is not available for purchase.

Stationery

D69 Council will provide stationery to be used for Council business, upon request. Stationery includes:

- i Writing pads, envelopes, box files writing pens / diary / folders up to \$200 per annum
- ii Business cards 1000 per year
- iii Letterhead 1000 per year
- iv Paper and printer cartridges 1 set of colour and black per month
- vi One filing cabinet
- vii one portable paper shredder.

Corporate Uniform

D70 Council will provide a "premium quality" Corporate Uniform on an annual basis except for the issue in the year in which the local government election is held. Corporate Uniform shall consist of:

- Formal clothing – one set including the costs of alterations
- Climate clothing (shirts and jackets) – one set
- Protective clothing – one set

D71 Council will provide an additional Corporate Dress allocation to the Mayor to facilitate the duties of the office as follows:

- Three shirts
- One pair of trousers or skirt or dress
- One tie
- Such other clothing as is required to perform the duties of a Councillor

Civic Centre Parking

D72 Council will provide an allocated parking space for each Councillor on each Council meeting day.

Sustenance

D73 Councillors will be provided with appropriate sustenance on meeting/briefing/function days, including bottled beverages.

Councillor Lounge and Interview Rooms

D74 A Councillor Lounge is provided at the Civic Centre for the specific use of Councillors. The lounge provides Councillors with an informal area to meet and has facilities such as tea and coffee making, beverage fridge and shower..

D75 Two interview rooms are provided at no cost for the exclusive use of Councillors. The rooms contain desk and chairs and a computer. The rooms may be used by Councillors to conduct Council business for example review of meeting papers or meeting with residents. Rooms must be booked through the Civic Centre receptionist.

Counselling

- D76 Council will provide Councillors with access to the Council staff Counselling Program subject to the same conditions offered to staff.

General

- D77 Council will reimburse Councillors for expenses of up to \$500 per annum for communications and media information accessed for Council business and/or Councillor professional development (for example: professional journals, news and current affairs publications).
- D78 Council will reimburse Councillors up to \$500 per annum for electricity charges (eg heating, cooling and lighting associated with use of private facilities to conduct Council business. Up to 20% of each electricity account may be claimed.
- D79 Council will pay Councillors appointed to the Hunter and Central Coast Joint Regional Planning Panel remuneration of \$650 per meeting of that Panel, that sum being the fee and allowances permitted by Clause 6 of Schedule 4 to the Environmental Planning and Assessment Act 1979.
- D80 Council will provide a deduction administrative service for up to a maximum of two monthly deductions from a Councillor allowance for nominated payments which incur no external costs to Council. For example: political party donations, union fees, superannuation, health insurance.
- D81 The cost of credit card processing and late fees will not be reimbursed by Council.

E. POLICY IMPLEMENTATION - PROCEDURES**Approval**

- E1 Approval for the payment of expenses and provision of facilities not specified will be by the Council.
- E2 Disputes in relation to the payment of expenses and provision of facilities shall be resolved by the Council.
- E3 The Mayor and General Manager may approve attendance on behalf of the Council if time does not permit the reporting to Council prior to the event occurring. The General Manager will report the authorisation to the next available meeting.
- E4 Payment of expenses will only occur on the production of proper receipts that contain ABN numbers or documentation acceptable to Council

Adoption

- E5 This Policy will be adopted by Council resolution after public notification of 28 days.
- E6 This policy will be reviewed and readopted annually in accordance with the provisions of the Local Government Act.

Amendment

- E7 Mandatory amendments to this Policy due to an amendment to the Local Government Act or Regulations will be made administratively and a report detailing the amendment will be submitted to an Ordinary Meeting of Council.
- E8 Optional amendments to this Policy due to an amendment of the Local Government Act or Regulations will be reported to an Ordinary Meeting of Council for determination.
- E9 This Policy will be amended annually in accordance with the CPI. The amendment will be made administratively and will not be reported to Council.
- E10 Section 253 of the Local Government Act prescribes that Council must give public notice of its intention to adopt or amend a policy for the payment of expenses or provision of facilities allowing at least 28 days for the making of public submissions and Council must consider any submissions before adopting any amendment.
- E11 Section 253 further prescribes that Council need not give public notice of a proposed amendment to this policy if the Council is of the opinion that the proposed amendment is not substantial.
- E12 Section 252 requires that Council must within 5 months after the end of each year adopt a policy for the payment of expenses and provision of facilities to Councillors. If the policy is the same as the existing policy Council must still advertise and adopt the policy annually.

Reporting

- E13 In accordance with clause 271 of the Regulation and for the purposes of transparency and accountability, Council is required to include detailed information in its Annual Report about the payment of expenses and facilities to councillors. .
- E14 Section 253 of the Act requires Council to submit a copy of this policy annually to the Division of Local Government.
- E15 The Policy must be publically notified in accordance with Section 253 of the Local Government Act.
- E16 Councillors will be provided with an annual statement at the end of each financial year which lists the type and amount of all reimbursements made and facilities given to each Councillor.

Reconciliation

- E17 Claims for reimbursement of expenses will include receipts with ABN number or via a statutory declaration and be made in the year in which the expense has been incurred, unless otherwise specified in this Policy.
- E18 Statutory declarations are only to be used to support claims for expenses already occurred where receipts are unable to be provided or have been lost. (ie cannot be used to claim for items in advance such as estimates of travel).
- E19 In respect of Claims for reimbursement of travel costs Council may accept either a statutory declaration claiming an amount of travel undertaken or a log book detailing the claim for travel. It will be the responsibility of a Councillor to justify the content of any statutory declarations to any authorised third parties

- E20 The level of supporting documentation should be commensurate with the nature of expenditure. For example expenditure on parking, tolls, refreshments and the like may only require a signed statement listing the payments.
- E21 Council will only accept evidence of claims in the name of a Councillor. Council will not reimburse accounts in the name of a business or company associated with the Councillor.
- E22 Approval, reconciliation and reimbursement for all expenses and facilities must occur in accordance with this policy. Any claims made outside this policy will be determined by Council.
- E23 Amounts owing by an elected member relating to fees or expenses for reimbursements and/or accompanying partner's expenses are to be deducted from amounts due to the elected member under this Policy.
- E24 All expenses paid by Council to Councillors will be reported to the Australian Tax Office.

Conferences

- E25 The Mayor may nominate a replacement if an elected member authorised to attend a conference, seminar, external training session or function outside the area is unable to attend the event due to ill health or family emergency.
- E26 The Mayor and/or the General Manager will determine and subsequently report to Council, attendance at a conference, seminar, external training or functions outside the Central Coast if time does not permit submission to a Council meeting prior to the event.
- E27 Elected members attending conferences must provide a report to the GM detailing the proceedings of the conference. No report is required for the annual conference of the NSW Local Government and Shires Association or conferences approved by Council.
- E28 Authorisation of attendance at conferences for a spouse or partner will be included in the Council resolution for attendance of the Councillor unless specified by this policy.
- E29 Elected members may request advance expense payments for trips and conferences. The costs are required to be reconciled through receipts and excess advances returned to Council.

Legal

- E30 The payment of legal expenses is required to be approved by the Council.

Interview Room

- E31 Elected members will contact Council reception to reserve an interview room.

Communications

- E32 Expenses reimbursed for use of private equipment will be added to Councillors' fees on a monthly basis.
- E33 Upon ceasing to hold Civic Office an elected member may purchase Council equipment at an amount determined by an independent valuation or return the equipment to Council except in the case where equipment is leased.

E28 **Associated documents:**

- Council Code of Conduct
- NSW Local Government Act 1993
- Council Motor Vehicle Policy
- Council Procurement Policy

Table of Limits and Reconciliation

Clause No	Description	Limit	Basis	Documentation for Reconciliation
D9	Payment in advance	\$150 per day	Limit commensurate with limit imposed for daily out of pocket expenses	Receipts of actual costs and repayment of any gap between advanced amount and actual amount expended.
D11	Conferences, Workshops Professional Development and Training Courses	<p>Six conferences per year for events held over one or more consecutive days</p> <p>\$5,000 per Councillor per event</p> <p>\$10,000 limit per Councillor per year</p> <p>No more than 3 Councillors to attend an event except for LGNSW conference and National General Assembly and professional development and training</p> <p>\$ 500 per course Textbooks associated with Professional Development</p>	<p>Reasonable number given Councillors other commitments for Civic duties</p> <p>Limit based on upper level of historical costs for conference attendance within Australia and includes all costs eg registration, flights, sustenance, out of pocket daily cost.</p> <p>A reasonable number of attendees to provide for benefits to the Shire and professional development for the Councillor. Provision of a report from Conference attendees gives other non-attending Councillors access to learnings from conference.</p> <p>Limit based on average cost of two textbooks per course</p>	<p>All Arrangements for Councillor attendance at conferences will be made by Councillor Services staff.</p> <p>Reimbursement of accommodation and incidental expenses provided by receipt or statutory declaration for smaller items such as tolls.</p> <p>Councillor Services staff to make arrangements for direct payment to event organiser</p>

Clause No	Description	Limit	Basis	Documentation for Reconciliation
		and Training Courses		
D12	Conferences, Seminars Workshops Reimbursement or Paid by Council	Sustenance \$150 per day Incidental Costs \$50 per day	Reasonable cost of modest meals daily and takes into account meals at official functions not included as part of the daily limit. Reasonable limit given likely claims for internet or laundry use.	All sustenance costs to be reimbursed on production of receipts
D14	Attendance at Non-Council events	\$200 per event Six events per Councillor per year Total limit \$1200 per Councillor per year	Limit based on upper level of historical costs for this type of event Limit based on upper level of historical attendance and acknowledgement of the upward trend of frequency of these events being offered.	Councillor Services staff to make arrangements for direct payment to event organiser
D16	Membership of Professional Organisations	\$1,500	Based on average of professional membership fees for up to two organisations	Claim for payment including copies of receipt of payment.
D17	Attendance by Spouse Partner Carer or Accompanying Person at events	Ticket costs Limit to one additional person per Councillor for certain events Travel and accommodation costs limit to shared use of those that were already being expended as a	Reasonable expectation for ceremonial events Reasonable expenditure of public monies	Councillor Services staff to make arrangements for direct payment to event organiser

Clause No	Description	Limit	Basis	Documentation for Reconciliation
		councillor Conference registration for Local Government NSW and National General Assembly of Local Government	Reasonable expectation of partner attendance for two premier local government events which will include ceremonial functions.	
D26	Use of Private Vehicle	Reimburse on the basis of KM's travelled for Council business	Relies on definition of Council business and uses industry acceptable rates as defined in the local government award	Log book supporting claim for actual km's travelled for Council business. Statutory Declaration for actual km's travelled for Council business. (eg claim made after travel occurred)
D38	Accommodation	4 star accommodation and higher if 4 star impractical Length of stay night before and night after event and any other night required by travel arrangements	4 star standard provision for business travel. In some cases conferences are held where limited accommodation availability and 4 star may not be available. If that is the case it is reasonable that a higher rating may be used. Reasonable to expect before and after accommodation to enable attendees to be prepared for conference sessions	Councillor Services staff to make arrangements for booking and direct payment to event organiser. If direct payment unable to be made. Councillor to provide receipt for reimbursement. Councillor Services' staff to make arrangements for booking number of nights based on travel arrangements also made by staff.
D43	Care Expenses	Limit \$3,600 per year	Based on number of meetings likely to be held per year	Reimbursement of actual cost via copy of receipt of registered carer as

Clause No	Description	Limit	Basis	Documentation for Reconciliation
				defined in this policy Or care arranged by Council.
D55	Legal Expenses Section 1	Limit \$5,000 per year	Based on estimate of reasonable cost of legal service for this type of item and consideration of expense to public purse	The General Manager will determine any claims for legal costs
D56	Legal Expenses Section 2 (external legal advice)	Limit \$1,500 per year	Based on estimate of reasonable cost of legal service for this type of item and consideration of expense to public purse	The General Manager will determine any claims for legal costs
D57	Mayoral Hospitality	Limit \$30,000 per annum Limit reimbursement level of \$150 for each offsite hospitality and gifts at \$200 and included in yearly limit of \$30,000	Based on estimated costs using historical data and acknowledging obligations of Office of Mayor	Legal and Governance unit monitor budget spend for Civic Centre activities. Offsite hospitality made by claim for reimbursement supported by receipts. Must relate to business of the Council.
D63	Telecommunications Equipment	Total reimbursed per year is \$3,600	Based on reasonable assumption of current lifespan for technological items at 4 years.	Claim to be made after evidence of purchase date and price. No accounts reimbursed that are in the name of businesses. (eg must be in name of Councillor) Replacement items reimbursement must include evidence that

Clause No	Description	Limit	Basis	Documentation for Reconciliation
	Usage Costs	\$3,600 Limit per annum	Based on reasonable estimate of usage	<p>previous item damaged, lost or stolen.</p> <p>Receipts of paid accounts or signature to confirm account paid and statutory declaration nominating percentage of costs utilised for Council business.</p> <p>No accounts reimbursed that are in the name of businesses. (eg must be in name of Councillor)</p> <p>No late or credit card fees will be reimbursed.</p>
D64	Mobile Phone Number	Councillor must display phone number in Shire Wide section of Central Coast Express and be listed on Council website to enable reimbursement or payment by Council of usage costs.	Based on reasonable expectation that Councillors usage cost reimbursement is for the undertaking of Council business.	Councillors to advise if number is to be displayed.
D69	Stationery	<p>Writing pads, envelopes, box files writing pens / diary / folders up to \$200 per annum</p> <p>Business cards 1000 per annum</p> <p>Letterhead 1000 per annum</p> <p>Paper and printer cartridges 1 set of colour and black per month</p>	Based on reasonable office supply usage	Stationery provided on request and record kept of distribution per year.

Clause No	Description	Limit	Basis	Documentation for Reconciliation
		One filing cabinet one portable paper shredder		
D70	Corporate Uniform	Limit on clothing amounts	Based on reasonable supply given number of occasions requiring uniform wear	Uniform fittings arranged by Councillor Services
D75	Communication and media costs, professional journals relating to Council business	Limit of \$500	Based on reasonable costs for access to these types of facilities	Claims for reimbursement include receipts or statutory declaration
D76	Electricity Charges	Up to 20% per account Limit of \$500 per year	Based on percentage usage of office based activities for power, heating and cooling while undertaking Council business. Comparable with calculations used by ATO	Accounts to be submitted signed to indicated payment is to be made. No reimbursement of accounts that are in a business name. No late or credit card fees will be reimbursed.
D78	Councillor Allowance Deductions	Administrative service to process up to two deductions from Councillor monthly allowance	Reasonable processing of claims not unduly providing an additional administrative burden	Set up of deductions on request of Councillor to Councillor Services.

5.14 Water Usage Rebates For Residents Affected by the October 2013 Bushfires

TRIM REFERENCE: F2013/01835 - D07575525

MANAGER: Carlton Oldfield, Financial Controller

AUTHOR: Darryl Telfer, Revenue Accountant

SUMMARY

This report details the final calculated cost of the rebates proposed to be provided in accordance with Council's resolution of 23 October 2013 in respect to the major bushfire emergency in the northern part of the Shire on 17 and 18 October 2013.

This report also provides an update regarding the BNSW State Government's proposed funding of the proposed rebates.

RECOMMENDATION

- 1 That Council approve that all residential properties, partially or wholly within one kilometre of the burn area of the Ruttleys Road fire of 17 and 18 October 2013 as identified by the Rural Fire Service, be eligible for rebates on water usage charges.**
- 2 That Council approve the granting of rebates for residential properties partially or wholly within one kilometre of the Ruttleys Road fire burn area is calculated to offset any additional water used during the period of the October 2013 bushfires.**
- 3 That Council approve the methodology for the calculation of the rebates for each residential property in the affected area as a reduction equivalent to the increased the daily average usage in the meter reading period within which the October 2013 bushfire occurred, in comparison to the equivalent meter reading period the previous year subject to a maximum rebate amount of thirty five dollars per property.**

BACKGROUND

On Thursday 17 and Friday 18 October 2013, the northern part of Wyong Shire and southern Lake Macquarie City experienced a major bushfire emergency (known as the 'Wyong' or 'Ruttleys Rd' fire). At this time a bushfire emergency also occurred in the Blue Mountains. The Wyong Fire was declared under S44 of the Rural Fires Act 1997 and declared by the Minister Police and Emergency Services as a Natural Disaster.

Information from the NSW Rural Fire Service (NSWRFS) indicates the fire started near Ruttleys Road at approximately 5 pm on Thursday 17 October 2013 before moving north and effectively being contained near Catherine Hill Bay early on Friday 18 October 2013. During this time the fire risk to private property, both from the fire front itself and from burning airborne embers, lasted for several hours in any single location.

5.14 Water Usage Rebates For Residents Affected by the October 2013 Bushfires (contd)

Over the course of the next few days, the Premier Mr Barry O'Farrell promised funding to help people affected by fires, and to Council's who will continue to undertake clean-up operations. An initial estimate of the rebates to Wyong Shire residents for water usage determined the cost to be approximately \$70,000.

Also during this time NSW Finance and Services announced dispensation for Sydney & Hunter Water Corporations to offer water rebates to residents to offset increases in based on daily average water usage over the period of the fires.

The State Government appointed Recovery Officer, Mr Dick Adams advised senior Council staff to maintain the same water rebates that ratepayers in the Blue Mountains and Lake Macquarie received through Sydney Water and Hunter Water respectively. Mr Dick Adams was to pursue NSW Treasury for funds to reimburse WSC.

At the Ordinary Meeting of Council on 23 October 2013, Council considered a Mayoral Minute in respect to the bushfire emergency event that occurred on Thursday 17 October and Friday 18 October 2013 in the northern part of Wyong Shire. In response to that Mayoral Minute Council;

"RESOLVED unanimously on the motion of Councillor EATON:

1260/13 That Council receive an official report on the northern Wyong Shire bushfires.

1261/13 That Council formally congratulate the RFS and NSW Fire and Rescue Service, and all other emergency and community services organisations, involved in this fire event.

1262/13 That Council hold a civic reception for these services at the end of the bushfire season.

1263/13 That Council strike a commemorative plaque in remembrance of Mr Walter Linder, and present this to the Toukley and District Arts Society for official mounting in its art gallery or mural.

1264/13 That Council waive the fees for waste disposal of bushfire damaged waste resulting from this fire event at Council's Buttonderry Waste Management Facility.

1265/13 That Council offer a rebate to those properties located in the fire path for water used while fighting the bush fires."

Based on the above events, information regarding rebates has been provided to the community through media releases and in dealing with individual enquiries advising that rebates would fully offset water usage charges resulting from increased water usage during the period of the Ruttleys Road fire.

Since that time numerous discussions have taken place with State Government officials in an effort to have the promised financial assistance delivered. To date no funding has been received.

CURRENT STATUS

The water meters within the affected area were read during March 2014 in line with Council's normal half yearly water meter reading program. The water usage results have been assessed and compared to the water usage for corresponding period last year.

This comparison using daily average usage calculations has found that of the 3508 metered residential properties within the affected area, 2062 properties experienced an increase in water usage, 1401 properties experienced a decrease or no change in water usage. A further 32 properties were not available for the latest meter reading period due to the meter being inaccessible or faulty whilst 13 properties did not have a meter installed in the equivalent half yearly period one year prior.

The total value of rebates if all higher users were rebated for the entire increase in usage across the period is calculated at \$115,376.73 with individual rebates as high as \$1,798.93. Analysis of water usage on properties against which some of these larger differences have arisen show that many other factors have influenced the water usage over the latest meter reading cycle. These other factors included water usage increases through leaks, changes of occupancy through property sale or tenancy changes, changes of use and quite probably an overall increase in water usage generally as experienced in all parts of the Shire due to generally drier conditions in spring and early summer as well as a possible further relaxation of consumer attitude to water saving responsibilities.

Initial calculations of suitable rebates during the time of the fire were based on an estimated 10% increase in water usage and arrived at a flat rebate of \$20 per property with a total cost of approximately \$74,000. However to align our rebate methodology with that being applied by Sydney Water and Hunter Water in the Blue Mountains and Lake Macquarie LGA's, as suggested by Mr Dick Adams, a flat rebate methodology was not chosen.

THE PROPOSAL

The purpose of the rebate scheme is to cover the cost of water used by residents to protect their homes during the Ruttleys Road bushfire event.

Whilst flow rates from hoses are highly variable and dependent on numerous factors including pressure, length of hose and other concurrent uses, reference is made to the flow rates from table 3.1 of AS3500 (plumbing code) which sets the flow rate of a 20 mm hose tap at 18 L/min.

A rebate scheme for residents to offset increases in daily average water usage over the meter reading period that the Ruttleys Road fire occurred in, subject to a \$35 cap per property, is proposed.

A rebate capped at \$20, the amount of the flat rebate that was initially considered, would result in 1,346 properties with water usage charge increases above the value of the rebate, quite possibly due to non-fire related usage such as changes in use or even leaking pipes. Nonetheless there would be significant concern from Customers over what caused the increase in their water bill.

A higher threshold of \$35 would partially alleviate this situation and leave only 953 properties with excess water usage charges, costing approx. \$51,505.

The purpose of the rebate scheme is to cover the cost of water used by residents to protect their homes during the Ruttleys Road bushfire event. During this event the threat of fire would have been present for several hours at any single location and residents used domestic garden hoses in effort to protect their homes. In the subsequent clean up additional water usage would have occurred also.

As such the value of the rebate at \$35 is equivalent to 15 hours of continuous water flow from a 20mm hose tap at a flow rate of 18L/min (based on AS3500 (plumbing code)). A \$20 rebate would represent approximately 8.5 hours of continuous water flow under the same conditions.

OPTIONS

Options available appear limited to those previously considered and discussed above.

Flat rebate \$20 – not suited given desired alignment with rebates provided by Sydney Water and Hunter Water.

Uncapped Rebate – unsuited as potentially would provide individual rebates far in excess of the value of water used to manage the fire risk during the period of the Ruttleys Road fire and effectively offset increased usage for non-fire risk purposes. This option also places significant financial burden on Council to the value that rebates exceed the maximum of any State Government funding that may arise.

STRATEGIC LINKS

Wyong Shire Council Strategic/ Annual Plan

There are no links to the Wyong Shire Council Strategic/ Annual Plan as the proposal relates to an unplanned event.

Budget Impact

Rebate has been calculated with a proposed cap to reduce the impact on Council finances and its ability to fund services and capital expenditure for the entire shire.

CONCLUSION

The proposed rebates offer bushfire affected customers with a fair and reasonable level of assistance that is consistent with information in the public domain and with rebates provided to residents of the Blue Mountains and Lake Macquarie LGAs.

Capping the rebates at \$35 limits Council's financial exposure given the current absence of NSW Government funding to date and limits Council's exposure to rebates for non-fire related water usage.

ATTACHMENTS

Nil.

5.15 Establishment of a Corporate Entity for the Waste Management Business

TRIM REFERENCE: F2012/01427 - D07860625
MANAGER: Michael Whittaker, General Manager
AUTHOR: Stephen Naven; Chief Financial Officer

SUMMARY

This report recommends approval to progress investigations and business analysis into the establishment of an appropriate corporate structure for Council's Waste Management business.

RECOMMENDATION

- 1 That Council authorise the General Manager to progress investigations and construct a detailed business case into the formulation of a corporate structure for the waste management business.**
- 2 That Council authorise the General Manager to prepare a submission to the OLG to gain ministerial approval to establish an appropriate corporate structure for the waste management business.**

BACKGROUND

Council operates a substantial waste management business from the Buttonderry Waste Management Facility (BWMF), budgeting for turn-over of \$48m and a Net operating surplus of \$7.8m in 2013/14. In addition, Council currently has liability to remediate 5 closed landfill sites and is holding a provision of \$53m to undertake this work.

The business is becoming increasingly complex, and there are significant and growing environmental and financial risks that Council may be exposed to under a business as usual operating model. Unquantifiable financial and environmental risks include but are not limited to:

- An uncertain and volatile regulatory environment
- Cost shifting from other levels of government (including a rapidly escalating EPA levy)
- Uncertain carbon liability
- Alternate waste technologies or future losses devaluing the current waste asset holdings and leading to material write-off.
- Unidentified and unforeseen environmental issues, costs and liability associated with existing and closed landfill sites.

5.15 Establishment of a Corporate Entity for the Waste Management Business (contd)

In order to protect Council and limit potential future liability and impact on ratepayers, a corporate structure is contemplated. The aim of the corporate structure is to establish a separate and distinct legal entity which would allow Council to contain the impact of future liabilities, while allowing Council as a shareholder to benefit from future dividend distributions. A corporate structure is not aimed at privatisation of the Waste Management Business but would provide flexibility to consider the following benefits depending on how the business and the environment develops:

- Share risks and rewards with other parties (other councils or other corporate entities).
- Attract private sector investors with expertise in waste management and alternate waste management technology
- Assist in building and diversifying Council's asset portfolio given the opportunity to raise equity partners.

CURRENT STATUS

Preliminary analysis has been undertaken on different funding agreements and structures for the waste management business, and the potential risks and benefits inherent in these structures. To enable risk sharing and minimise potential Council liabilities, it is concluded that the Wyong Waste Business would need to be a separate and distinct legal entity.

Different models of incorporation have been subject to a high level evaluation. This initial evaluation indicates that a Company Limited by Guarantee may not be suitable as this entity type is specifically for not for profit entities and prohibits dividends to members. This would not meet Council's objectives of sharing the rewards of ownership.

A large Propriety Company, limited by shares has been considered as a probable model. However, further analysis and business case construction is required to further understand and clarify the benefits. This may require external advice from professional consultants and will involve analysis of risk, taxation implications, potential benefits and consideration of the elements required to gain Ministerial Approval under Section 385 of the Local Government Act.

Section 358 of the Local Government Act 1993 restricts councils in forming or participating in the formation of a corporation or other entity without first obtaining the consent of the Minister for Local Government. This restriction also extends to acquiring a controlling interest in a corporation or other entity. In applying for the Minister's consent under section 358, the council must demonstrate that the formation of, or the acquisition of the controlling interest in, the corporation or entity is in the public interest. After assessing the application, the Department will make a recommendation to the Minister on the council's proposal.

A DLG (OLG) circular from 2007 explains that the Department's assessment of a council's application will have regard to the following criteria:

1. Is the proposal consistent with the functions of the council or an existing service that the council provides?

This requirement is drawn from the power of a council to "provide goods, services and facilities and carry out activities appropriate to the current and future needs within its local community and of the wider public" that is contained in section 24 of the Act. This requirement is also consistent with council's general charter in section 8 of the Act.

5.15 Establishment of a Corporate Entity for the Waste Management Business (contd)

To establish that a proposal is consistent with council's functions or services, the following should be provided in support of the application:

- Demonstration of the link between the proposal and community or public needs
- Detail on the general appropriateness of the council's involvement in the corporation or other entity
- Explanation as to how corporatisation or involvement in the entity would improve the economic performance and ability of the council to carry out its responsibilities
- Explanation of what measures will be employed to ensure that the activities of the corporation or entity will be accountable.

2. Will the proposed entity be legally separated from the council?

Applications must demonstrate that the initial capital and working capital of the corporation/entity can be identified and separated from the council. The application must also indicate how the council (both as a corporate body and its members personally) are protected from any liability that might arise as a result of the activities of the corporation/entity (including the activities of other partners).

To demonstrate adequate legal separation, council should address three main areas or activities of the proposed corporation or entity.

These are:

- Legal structure (including liability of the council, councillors and council staff)
- Financial separation (confirmation that the accounting for the corporation or other entity is separate to the council's accounts)
- Management separation (details of the management structure of the corporation or other entity).

3. Is the council currently financially viable?

An assessment of the council's overall financial viability will be made on the basis of data that the council is routinely required to supply to the Department. However, council should also provide details about the costs expected to be incurred, and revenues expected to be received, by the council as a result of being involved in the corporation or other entity.

4. What is the impact of the proposal on existing council staff?

Will the proposal result in existing council staff being transferred to the employment of the corporation and if so, will the staff be employed on terms and conditions consistent with their previous employment with the council. Will the corporation guarantee the continued employment of transferred staff for a period of at least 3 years. Will the corporation adopt an agreement to refer any industrial disputes to the NSW Industrial Relations Tribunal. Will the proposal result in existing council staff being made redundant.

Clearly the requirements of the submission to the OLG and the Minister are onerous and require a substantive business case and analysis. It is anticipated the application to the OLG will also serve to satisfy Council's questions and concerns regarding the proposal to incorporate the waste business.

Budget Impact

Cost for investigation and lodgement of the submission to the OLG will be absorbed within existing operational expense budgets within Finance and Commercial Enterprises (Waste Management).

CONSULTATION

Consultation will be undertaken with the OLG in accordance with legislative requirements.

CONCLUSION

Council authority is sought to progress analysis and prepare a submission to the OLG and the Minister to establish an appropriate corporate structure for the Wyong Waste Management business.

ATTACHMENTS

- 1 DLG Circular 07-49 D07861031



Circular No. 07-49
Date 5 October 2007
Doc ID. A108632

Contact Chris Rowe
02 4428 4162
chris.rowe@dlg.nsw.gov.au

CRITERIA FOR APPLICATIONS UNDER SECTION 358 OF THE LOCAL GOVERNMENT ACT 1993 – FORMATION OF CORPORATIONS OR OTHER ENTITIES

This circular is to replace Circular No. 56 of 2006. An additional fourth administrative criteria for assessing applications has now been adopted.

Section 358 of the *Local Government Act 1993* restricts councils in forming or participating in the formation of a corporation or other entity without first obtaining the consent of the Minister for Local Government. This restriction also extends to acquiring a controlling interest in a corporation or other entity.

An entity for the purposes of section 358 of the Act means any partnership, trust, joint venture, syndicate or other body (whether or not incorporated). It does not include any such entity that is of a class prescribed by the Local Government (General) Regulation 2005 as not being within this definition. To date, the Regulation has not prescribed such a class.

It should be noted that the restrictions on the formation of corporations and other entities does not prevent a council from being a member of a co-operative society or a company limited by guarantee and licensed not to use the word "Limited" in its name.

In applying for the Minister's consent under section 358, the council must demonstrate that the formation of, or the acquisition of the controlling interest in, the corporation or entity is in the public interest. After assessing the application, the Department will make a recommendation to the Minister on the council's proposal.

As part of the Department's assessment of a council's application, we will have regard to the following:

1. *Is the proposal consistent with the functions of the council or an existing service that the council provides?*

This requirement is drawn from the power of a council to "provide goods, services and facilities and carry out activities appropriate to the current and future needs within its local community and of the wider public" that is contained in section 24 of the Act. This requirement is also consistent with council's general charter in section 8 of the Act.

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To establish that a proposal is consistent with council's functions or services, the following should be provided in support of the application:

- Demonstration of the link between the proposal and community or public needs
- Detail on the general appropriateness of the council's involvement in the corporation or other entity
- Explanation as to how corporatisation or involvement in the entity would improve the economic performance and ability of the council to carry out its responsibilities
- Explanation of what measures will be employed to ensure that the activities of the corporation or entity will be accountable.

2. *Will the proposed entity be legally separated from the council?*

Applications must demonstrate that the initial capital and working capital of the corporation/entity can be identified and separated from the council. The application must also indicate how the council (both as a corporate body and its members personally) are protected from any liability that might arise as a result of the activities of the corporation/entity (including the activities of other partners).

To demonstrate adequate legal separation, council should address three main areas or activities of the proposed corporation or entity. These are:

- Legal structure (including liability of the council, councillors and council staff)
- Financial separation (confirmation that the accounting for the corporation or other entity is separate to the council's accounts)
- Management separation (details of the management structure of the corporation or other entity).

3. *Is the council currently financially viable?*

An assessment of the council's overall financial viability will be made on the basis of data that the council is routinely required to supply to the Department. However, council should also provide details about the costs expected to be incurred, and revenues expected to be received, by the council as a result of being involved in the corporation or other entity.

4. *What is the impact of the proposal on existing council staff?*

Will the proposal result in existing council staff being transferred to the employment of the corporation and if so, will the staff be employed on terms and conditions consistent with their previous employment with the council. Will the corporation guarantee the

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continued employment of transferred staff for a period of at least 3 years. Will the corporation adopt an agreement to refer any industrial disputes to the NSW Industrial Relations Tribunal. Will the proposal result in existing council staff being made redundant.

Any council considering making an application under section 358 of the Act as part of a Public Private Partnership should, as well as referring to all four administrative criteria, also ensure that it follows the requirements outlined in Circular 05-51 "Public Private Partnerships Legislation and Guidelines".

In all other situations, it is recommended that councils refer to all four administrative criteria in making an application for the Minister's consent under section 358 of the Act.



Garry Payne AM
Director General

5.16 DA 967/2013 - 405 Lot Subdivision at Crangan Bay

TRIM REFERENCE: DA/967/2013 - D07355158

MANAGER: Scott Cox, Director

AUTHOR: Julie Garratley; Development Planner

SUMMARY

A development application for a 405 lot subdivision located at Cranagan Bay has been received by Council. The application has been assessed under Section 79C of the Environmental Planning and Assessment Act (EP&A Act) 1979, and is recommended for approval.

Applicant	Monteath & Powys Pty Ltd
Owner	Gwandalan Land Pty Ltd
Application No	DA/967/2013
Description of Land	85 Kanangra Dr, CRANGAN BAY
Proposed Development	405 Lot Subdivision
Site Area	62.28 ha
Zoning	R2-G - R2 Low Density Residential - Gwandalan R1-G - R1 General Residential – Gwandalan
Employment Generation	Nil
Estimated Value	\$36M

RECOMMENDATION

- 1 That Council receive the report on DA 967/2013 - 405 Lot Subdivision at Crangan Bay.**
- 2 That Council determine whether it wishes to make a submission to the Joint Regional Planning Panel regarding the application.**

BACKGROUND

Referral to Hunter Central Coast Joint Regional Planning Panel

The proposal is referred to the Hunter Central Coast Joint Regional Planning Panel (JRPP) for determination pursuant to Part 4 of State Environmental Planning Policy (State and Regional Development) (SEPP) 2011 and Schedule 4A, Section 4 of the EP& A Act, 1979.

Enclosed is the report being forwarded to the Hunter Central Coast JRPP's for determination on 5 June 2014.

ATTACHMENTS

- | | | |
|----------|--|-----------|
| 1 | Officers Report to Joint Regional Planning Panel | D07718147 |
| 2 | Draft Conditions of Consent | D07609208 |
| 3 | Development Plans | D07710072 |

28 May 2014

Central Coast Joint Regional Planning Panel

Development and Building Department

DA 967/2013 - Proposed 405 Lot Subdivision at Crangan Bay

TRIM REFERENCE:

MANAGER: Scott Cox, Manager

AUTHOR: Julie Garratley; Development Planner

SUMMARY

A development application has been received for a proposed 405 lot subdivision at No. 85 Kanangra Drive, Crangan Bay. The application has been examined having regard to the matters for consideration detailed in section 79C of the Environmental Planning and Assessment Act (EP&A Act) and other statutory requirements with the issues requiring attention and consideration being addressed in the report. Following a thorough planning assessment the application is recommended for approval.

Applicant	Monteath & Powys Pty Ltd
Owner	Gwandalan Land Pty Ltd
Application No	DA/967/2013
Description of Land	Lot 11 DP 1180296, 85 Kanangra Drive, Crangan Bay
Proposed Development	405 lot Subdivision
Site Area	62.28 hectares
Zoning	R1 General Residential, R2 Low Density Residential
Existing Use	Vacant
Estimated Value	\$36,000,000

RECOMMENDATION

- 1 That the Joint Regional Planning Panel grant consent to DA/967/2013, subject to the conditions contained in Appendix A.***

PRECIS

- The development application seeks consent for the construction of a 405 lot residential subdivision and associated open space, drainage and service infrastructure to be undertaken in eleven (11) stages.
- Concept Approval (MP_10-0084) was issued for the site under the transitional provisions of the Part 3A of the *Environmental Planning and Assessment Act 1979* (EP&A Act) on 12 July 2012.
- The Concept Approval requires future applications for development to be undertaken under Part 4 or Part 5 of the EP&A Act where applicable.
- The Joint Regional Planning Panel is the consent authority for this application in accordance with the State Environmental Planning Policy - State & Regional Development.

- Subdivision is a permissible land use under Wyong Local Environmental Plan 1991 (WLEP 1991) and Wyong Local Environmental Plan 2013 (WLEP 2013).
- A total of 5 submissions were received during the public notification period citing concerns which included, but not limited to, impact of traffic, removal of vegetation, stormwater and wastewater management issues.
- A total of 205.75 hectares of conservation land has been dedicated to the NSW Government adjoining the subject site as environmental offset land.
- The development application is not considered to be 'integrated development' as defined by Section 91 of the Act and not subject to the integrated development provisions of the Act.

INTRODUCTION

The Site

The site is located off Kanangra Drive, Crangan Bay within the Wyong Shire Local Government Area. It is approximately 40kms south of Newcastle and 80kms north of Sydney and approximately midway between the two sub-regional centres of Wyong (32kms north) and Charlestown (35kms south). The Gwandalan area is located on the western shore of Crangan Bay, Lake Macquarie and generally comprises low density residential development surrounded by bushland. A number of conservation areas are located in this area including Munmorah State Conservation Area, Wallarah National Park and Lake Macquarie State Conservation Area.

Gwandalan's residential population in the ABS 2011 Census data was 3,035. The area has the following social infrastructure:

- Two pre-schools and an out-of-school hours centre (OOSH);
- Public School
- Neighborhood shopping centre with post office and chemist;
- Community hall;
- General practitioner, dentists and chemist; and
- Open space and recreation areas.

The area is popular for boating, fishing and water sports due to its lakeside location. Some residential properties have water frontage and there is a public foreshore reserve including a boat ramp close to the development site.

The site comprises Lot 11 DP 1180926 and the Reserve Road to the north with some road works to be undertaken on Lot 20 DP 1089946. The development area is approximately 62.28 hectares, excluding the road reserve. The northern boundary has approximately 700 metres frontage to the unformed road reserve while the western boundary is formed by Kanangra Drive. The northern boundary partly adjoins urban zoned land and a Council reserve while the southern and eastern boundaries adjoin conservation land that has been dedicated by the Proponent to the State Government.

There is a large area of cleared, disturbed ground in the centre of the site and a network of informal tracks traverse the site. The site has previously been used for unauthorised recreational uses and the dumping of rubbish which has now been removed.

The north-eastern and south-eastern edges adjoining the lake foreshore are low lying. Central to the eastern boundary is a bank feature parallel to the foreshore that contains a moderate slope, the site then rises westward toward Kanangra Drive at low slopes. Surface levels along the western boundary are approximately 30m AHD. There are no major watercourses however there are a number of gullies and ephemeral watercourses.

Remnant vegetation provides potential habitat for a range of flora and fauna. The site is considered to be above average in terms of habitat quality and is consistent with the surrounding conservation lands which are generally identified as being high or above average quality. The habitat is generally identified as including native flora showing no disturbance with a moderate level of the key elements identified. These areas include EEC with minor weed incursion.

Gwandalan is accessed from Kanangra Drive via the Pacific Highway south-east of the site. Vehicular access to the site is from an unformed road reserve on the northern boundary or an unformed track approximately 400m south of the intersection of Kanangra Drive and Summerland Road. A bus service links Lake Haven in the south and Charlestown in the north. The site can access existing services which include:

- Potable water via the Kanangra Reservoir (Wyong Council);
- Sewer as part of the Summerland Point Sewer Treatment Plant (Wyong Council);
- Electricity via a substation at the corner of Carters Road and the Pacific Highway Lake Munmorah (Ausgrid); and
- Telecommunication infrastructure is available within the adjoining urban area and there are no identified constraints to extending this to the site (Telstra).



Figure 1: Aerial photo with zone boundaries showing the subject site and surrounding areas.

The Proposed Development

The proposal is to subdivide the site into 405 Torrens title lots suitable for development consistent with residential zones. Six of the lots will be super lots. This DA seeks approval for:

- Bulk earthworks;
- Clearing of vegetation;
- Construction of internal roads and drainage infrastructure;
- Utility services infrastructure;
- Landscaping; and
- Establishment of asset protection zones.

The development is proposed to be constructed in eleven (11) stages. It is likely that temporary or partial construction of infrastructure, such as basins will be required. This will be identified at the construction stage.

The proposed development will result in the removal of vegetation as a result of bulk earthworks, the construction of roads, drainages and service infrastructure and open space such as parks. The total development lot has an area of 62.24 hectares. There is an area identified for an Angophora Inopina Reserve adjacent to Kanangra Drive which is 7.72 hectares which leaves a development footprint of approximately 54.52 hectares. Approximately 52.88 hectares of vegetation will be removed.

Summary

The proposed development is to provide a 405 lot subdivision with associated civil infrastructure and services. The development application is the result of Concept Approval MP_10-0084 dated 12 July 2012. The Concept Approval was approved by the Planning Assessment Commission under the provisions of Part 3A of the *Environmental Planning and Assessment Act 1979* (the Act). Although now repealed, the savings and transitional provisions for Part 3A projects as per the Act, apply to the concept plan approval, therefore Part 3A continues to apply. Future applications are to be assessed under Part 4 of the Act as specified in the concept approval. In addition, future applications are not considered to be 'integrated development' in accordance with Section 91 of the Act. The development is to be carried out generally in accordance with the terms of the Concept Plan Approval. Any amendments to the design are acceptable where the variations do not substantially change the outcome.

Section 5A of the Act requires consideration of the development on threatened species. The Department considers that sufficient information has already been provided during the rezoning and concept plan assessment process to address the impacts on threatened species. The transfer of the conservation lands to the Government was considered to adequately offset the impacts of the proposed development.

The site is within bushfire prone land which was considered with the concept approval. A Bushfire Threat Assessment report was undertaken with recommendations in accordance with the requirements of Planning for Bushfire Protection 2006. The report includes various recommendations which include suitable asset protection zones APZ and roads which allow for safe access, egress and defensible spaces for emergency services, and have been incorporated into the subdivision design.

A Voluntary Planning Agreement (VPA) has been entered into by the proponent, the Minister for Planning and Infrastructure and the Minister for Administering the *National Parks and Wildlife Act 1974* on 12 March 2012. The VPA details commitments and requirements in regard to certain matters relating to the proposed development which include contributions to education, emergency services, roads, environmental land offset and land remediation and reserve establishment works.

The proposed development is considered to be consistent with the objectives of the Wyong Local Environmental Plan 1991 (WLEP 1991) and is governed by Part 4 – Gwandalan Site. The R1 General Residential and R2 Low Density Residential zoning is primarily to provide a range of lot sizes that can facilitate the delivery of housing in accordance with the relevant controls. Clause 89 of WLEP 1991 required a site specific development control plan to be prepared to ensure that the development of the site occurs in a logical and cost effective manner. The Concept Plan approval states that the concept approval satisfies the obligation to prepare a site specific development control plan as per the WLEP 1991 requirement. The development is considered to be consistent with the relevant chapters of the Wyong DCP 2005. The proposed development was also assessed against the provisions of WLEP 2013 and DCP 2013 to determine consistency with the new controls. This is discussed later in the report under the relevant planning instruments.

The subdivision has been designed to respond to the attributes of the site. The proposed development requires the removal of vegetation on site which has been adequately offset through the dedication of 205.75 hectares of conservation lands to the government. The proposal provides adequate setbacks to Kanangra Drive and is considered to suitably integrate with the local area.

VARIATIONS TO POLICIES

There are no variations to any policies.

HISTORY

Concept Plan Approval MP_10-0084 dated 12 July 2012, was issued by the Planning and Assessment Commission under Part 3A of the EPA Act. The approval provided for:

- Residential development to a maximum of 623 dwellings over a 62.24 hectare development site;
- A conceptual layout including local open space, bushland and access network; and
- The dedication of 205.75 hectares of conservation land to the NSW Government adjoining or adjacent to the site.

SUBMISSIONS

Any submission from the public.

The application was notified in accordance with DCP 2005 Chapter 70-Notification of Development Proposals with 5 submissions being received. The issues raised in relation to the proposal are discussed below.

- Concerns of the stormwater impact on Strangers Gully.

Comment

The design provides for the ongoing provision of environmental flows into Strangers Gully. Council's Development Engineer has assessed the proposed stormwater management system and is satisfied that with some amendments satisfactory water targets will be achieved. The provision of wet retention basins will ensure that the stormwater discharges into Strangers Gully have sufficient pollutant removal to achieve the performance targets recommended in Council's Civil Specifications and "Australian Runoff Quality". A revised stormwater management system supported by additional stormwater modelling has been included as a condition of consent.

- Water Sensitive Urban Design (WSUD) not incorporated in every street.

Comment

The objectives of WSUD are to manage water quality and quantity from the site, which has been achieved through the proposed design. End of line stormwater treatment is the Council preferred option. This preference has been included in the design where possible.

- Are proposed swales/bio-filtration structures designed to cater for the most extreme events? Has Council considered the cost of maintaining the bio filtration structures?

Comment

The piped drainage system is designed for a minimum of 5 year ARI event in accordance with Wyong Council's Civil Works Design Guideline. The bio-filtration basins will be prepared with wet retention basins consistent with Council's asset management requirements. Wet retention basins are a more cost effective solution to the ongoing maintenance.

- What type of gross pollutant trap (GPT) will be installed? Insitu or precast units?
Precast units are effective and easily maintained while insitu units can be ineffective and inefficient with high maintenance costs. Council needs to consider this in order to control future costs when maintaining the GPTs.

Comment

Full details of the stormwater infrastructure works, including the type of GPT, will be designed in accordance with Council's Civil Design and Construction Specifications and submitted prior to the issue of the Construction Certificate for Stage 1.

- Despite biodiversity offsets being provided for this development, the subdivision is located through a wildlife corridor for native fauna, the removal of vegetation will affect biodiversity.

Comment

There is a large amount of green corridor and habitat network retained in the area and the proposal will retain vegetation where possible. The subject site is not currently identified as a wildlife corridor or conservation link. As part of the rezoning and Concept Plan approval, 205.75 hectares of land was dedicated to the NSW Government to compensate for the loss

of vegetation on the site where possible. The Department of Planning and Infrastructure and the Office of Environment and Heritage were satisfied that the conservation lands dedicated adequately offset the impacts of the development.

- Loss of vegetation will detract from aesthetic appeal of the area.

Comment

The Landscape Plan prepared for the development proposes extensive street tree planting along all streets within the subdivision to accommodate for the loss of trees and to provide streetscape amenity. The site will be cleared in the respective stages therefore retaining vegetation until works are required. The gradual completion of stages will assist in the visual transition of the land to a residential subdivision.

- Domestic animals such as cats will threaten native wildlife. Wildlife must be protected.

Comment

The developer has committed to mitigating potential impacts on native fauna by developing strategies regarding pet ownership. This may include implementation of appropriate signage and information of responsible pet ownership to be included as part of the sale for each property. These strategies will be developed prior to the commencement of works.

- The lot sizes are too small and should be a minimum of 600m².

Comment

A mix of lot sizes between 450m² and 1215m² have been provided. A minimum lot size of 450m² is required by the approved Urban Design Guidelines which is a requirement of Clause 89 of the Wyong Local Environmental Plan 1991. Detailed urban design controls for development sites were formulated to ensure a suitable standard of subdivision is provided. All lots comply with the minimum size requirement.

- The road reserves are very narrow in comparison to the local area.

Comment

The proposed road reserves are consistent with the Concept Approval Urban Design Guidelines approved by the NSW Department of Planning & Infrastructure and Wyong Council.

- The Traffic Impact Study prepared by Hyder in 2013 refers to an earlier report prepared by Hyder in 2010 which relies on traffic count made in July 2007. Concern is raised as to whether or not this is an adequate response to the PAC Approval Condition requiring that the Proponent must include a revised assessment of the predicted impacts of traffic on the capacity, efficiency and safety of the surrounding road network with each development application for subdivision.

Comment

The revised traffic assessment has been prepared based on the data collected in 2007 and applying growth rates of 2% per annum and 0.5% per annum for Pacific Highway and Kanangra Drive respectively. These growth rates were used for the traffic impact assessment prepared for the approved Concept Plan which was reviewed by the Roads and Maritime Services. Given there have been no significant changes in land use in the area and the growth rates were accepted by the Roads and Maritime Services, it is considered that this approach is reasonable to determine estimated traffic data for the purpose of meeting the required condition of the PAC Approval.

- Concerns over the increase of traffic on the local roads.

Comment

The applicant has met the requirements to address potential traffic impacts on the external road network and has consulted with the RMS, Council and bus providers on traffic and transport matters. The traffic assessment was reviewed by Council's Transport Engineer who raised no issues in terms of traffic subject to conditions being imposed on the consent.

The proposed development will result in an increase of traffic on the surrounding road network. The following upgrades are proposed to the external road network:

- Pacific Highway/Kanangra Drive intersection upgrades;
 - A new connecting road on the eastern side of the Kanangra Drive/Summerland Road roundabout which will form the fourth leg to the roundabout;
 - A new T-junction on Kanangra Drive which will connect to the southern entry road of the estate. A roundabout was originally proposed however a review of the traffic data determined that a T-junction intersection at this location will provide a better level of service.
- Homes should be no more than 800m from a bus stop or transport node.

Comment

The opportunity to deviate the existing bus route from Kanangra Drive and into the subdivision has been investigated. Discussions with the local bus service provider indicated that deviation to the current bus route is dependent on demand generated within the subdivision. The internal road network would need to be designed to accommodate buses for a deviation to be implemented.

While amendments to the bus route are at the discretion of the service provider, the subdivision has been designed to accommodate a bus route that ensures the majority of the lots are within 400m of a bus stop.

- In the Geotechnical report by Douglas Partners (October 2010), large areas of the site are recommended for single storey light construction buildings only.

Comment

An additional geotechnical investigation will be undertaken as a condition of consent. This information will be inform the detailed engineering design at the Construction Certificate stage. The lots within the subdivision will be classified by a Geotechnical Engineer's Report in accordance with AS2870-2011 prior to the issue of a Subdivision Certificate.

- All buyers should be made aware of mine subsidence constraints to development.

Comment

As the site is identified within a Mine Subsidence District, land owners will be informed of the mine subsidence constraint via the Section 149 Certificate included in a contract of sale for each property.

- Concerns regarding the adequacy and capacity of Sewer Infrastructure.

Comment

The site is currently not connected to any Council sewerage network at this stage. A preliminary concept plan has been developed and endorsed by Council Engineers. The concept proposes a new Sewage Pumping Station (SPS) to be constructed as part of the first stage. Prior to further design of the sewerage scheme Council requires the developer to prepare a sewer service strategy for the area.

- The Concept Infrastructure Plan prepared by Cardno in November 2010 identified the "NBN" as being available for telephone services. This is no longer available.

Comment

It is noted that NBN is no longer available.

It is understood that telecommunications services are available in the area. The developer will seek Telstra's requirements for works required to existing infrastructure to respond to the demand generated by the proposed development.

- The Summerland Point/Gwandalan area has one doctor who is not taking on new patients.

Comment

The availability of social and community infrastructure is generally beyond the ability of a developer to influence. However, the increase of population may provide incentive for the establishment of additional GP and ancillary services in the area and the nearby area of Lake Munmorah which has two medical practices.

- Concern was raised over the development's compliance with the WLEP 2013.

Comment

In the context of the subject development application, Cl. 1.8A of the WLEP2013 requires WLEP1991 to be given determinative weight, with the relevant provisions of the WLEP 2013 given appropriate weight. The WLEP 2013 is not determinative of the development

application. The assessment against the provisions of both WLEP 1991 and WLEP 2013 is provided later in this report.

- The proposed frequency of monitoring is one year for some aspects and two years for another during the development. Water quality monitoring should be an ongoing function.

Comment

The developer will be responsible to undertake the water quality monitoring as outlined in the Water Quality and Hydrologic Monitoring Program in accordance with the Concept Approval for a two year period upon the issue of the subdivision certificate for each stage of the development. The monitoring results are to be reported to Council and the Office of Water.

- Is the reticulation of grey water through the development still likely as per the Concept Infrastructure Plan (Oct 2010)?

Comment

Reticulation of grey water was considered, but was determined as not the best way to reduce potable water use. A connection to Council's recycled water system at Gwandalan Sewage Treatment Plant (STP) was previously discussed and Council has no intention of expanding the existing recycled water scheme at Gwandalan. At this stage, there are no alternate proposals for the reticulation of grey water.

- Compliance with Condition 1.10 and Condition 1.22 of the Concept Approval which requires the quantity of open space to be consistent with the concept plan, and details on the management of biodiversity/flora and fauna.

Comment

These matters have been addressed through the studies prepared for both the approved Concept Plan and the Development Application. The open space is consistent with the concept approval and the relevant mitigation measures and recommendations of the Ecological Assessment Report are considered to have been met. Details on the management of the interface between the development area and the conservation lands have been provided. Two new urban parks will be located on the eastern edge of the site as indicated in the concept plan.

- Concerns relating to Bushfire Management have been raised such as the asset protection zone (APZ) along Kanangra Drive is considered to be inadequate, no APZ on Summerland Road extension but there is bush to the north of this road, no details of APZs at the southern end of the development and the description of the inner protection area appears to be incapable of enforcement.

Comment

The APZ on the western boundary of the development site was determined in accordance with the requirements of Planning for Bushfire Protection 2006. A 10m APZ is required at this location. The APZ is contained entirely within the proposed road reserve.

A 20m APZ will be implemented along the Summerland Road extension.

APZs will be implemented at the southern end of the development. The required APZs vary between 10m, 20m and 25m in width and will be contained within the road reserve or stormwater basins and the front setbacks of residential lots where required. The proposal was reviewed by the Rural Fire Services (RFS) at the Concept Plan stage and considered adequate. The Department of Planning and Infrastructure deemed future development applications not to be "integrated development" in accordance with section 75P(2)(b) of the Act. Therefore referral to the RFS was not required.

- Under the section Access/Egress (evacuation) the report calls for parking on one side of internal roads. This is considered totally impractical.

Comment

Internal roads have been designed to comply with the requirements of Planning for Bushfire Protection 2006 which includes limiting parking to one side of the carriageway.

- The Bushfire Threat Assessment report is considered inadequate and out of date in light of the recent bushfires.

Comment

The Bushfire Threat Assessment (BTA) was undertaken for the site in 2010 as part of the Concept Plan application. The BTA was prepared in accordance with the current Rural Fire Services guidelines, "*Planning for Bush Fire Protection 2006*". An addendum was prepared to the BTA due to minor layout changes and submitted with the development application. The addendum confirmed that the proposed development remains consistent with the relevant Rural Fire Services controls.

- Clarification required regarding the currency of AS 3959-2009 in relation to dwelling design and construction

Comment

Australian Standard AS 3959-2009 is current at the time of writing. Should AS3959-2009 be updated, future dwellings will be required to comply with the relevant standard.

- The developer should consider *Guidelines for Development Adjoining DEC Lands* as it adjoins a State Conservation Area (SCA).

Comment

The *Guidelines for Development Adjoining DEC Lands* was considered in Council's assessment of the development application. Particular attention was given to erosion and sediment control, stormwater runoff, wastewater, threat to groundwater dependent ecosystems and boundary encroachments. The proposal is considered to have reasonably addressed these requirements.

- There should be no vehicle and trail bike access into the SCA or pedestrian access other than formalised walking pathways/trails. This will help control illegal dumping including grass clippings. Residents should also not have the ability to encroach into the SCA.

Comment

To minimise illegal access and dumping a bollard and wire fencing will be erected along the perimeter roads adjoining the SCA. Connections for pedestrian access into the SCA are not proposed as part of this development application.

Any submission from public authorities.

It is noted that the proposal is not integrated development. However the application was referred to the Roads and Maritime Services (RMS) and the Mines Subsidence Board (MSB) for consideration.

Roads and Maritime Services

The RMS has no objections to the proposal and provided comment with matters to be addressed and included in conditions of consent.

Mines Subsidence Board

No comments received.

Internal Consultation

Council's Ecologist

The applicant submitted the following reports in support of the proposed development:

- Ecological Assessment Report – Lower Hunter Lands, Gwandalan by RPS dated 9 November 2010,
- Additional Ecological Information, Southern Estates – Gwandalan by RPS dated 18 November 2013,
- Bushfire Threat Assessment – Lower Hunter Lands, Gwandalan by RPS dated 12 October 2010,
- Additional Bushfire Information – Coal and Allied Southern Estates, Gwandalan Site by RPS dated 21 October 2013

Following a review of these documents, no objection was raised subject to appropriate conditions of consent.

Council's Arborist and Landscape Design Assessment Officer

The applicant submitted a Landscape Masterplan Report by Moir Landscape Architects dated November 2013 and Gwandalan Residential Subdivision, Landscape Documentation by Moir Landscape Architects dated November 2013 in support of the proposed development. Following a review of these documents and the Statement of Environmental Effects, no objection was raised with regard to the proposed tree removal subject to appropriate conditions being imposed to the consent.

Council's Environmental Protection Officer

The applicant submitted a Remedial Action Plan titled "Remedial Action Plan – Proposed Residential Subdivision" prepared for Coal and Allied by Douglas Partners Dated July 2013 to address any potential contamination of the site. Following a review of this document, no objection was raised subject to the recommendations of the report and appropriate conditions being imposed on the consent.

Council's Water & Sewer Engineer

The applicant submitted Concept Plan Infrastructure Report, Gwandalan by Cardno dated November 2010 to address the water and sewer requirements for the site. Following a review of these documents, Council's Water & Sewer Engineer raised no objections to the proposed development subject to appropriate conditions of consent.

Water supply is available for the proposed development from the western side of Kanangra Drive. Council's existing system has adequate capacity to provide water supply however no property connections are to be made directly to the trunk main. The applicant is required to construct all water mains within the site. Construction of the water main will result in an offset to the total amount of Water Contributions payable.

The site is not connected to any Council sewer network at this stage. A preliminary concept plan has been developed by consulting engineers Cardno as discussed in the Concept Plan Infrastructure Report. The concept proposes a new Sewage Pumping Station (SPS) to be constructed as part of the first stage. Prior to further design of the sewerage scheme the Water and Sewerage Unit require the developer to prepare a sewer service strategy for the area for review by Council. The strategy will need to provide an analysis of various options to minimise the number of new SPSs, the capital and operational costs, construction feasibility, hydraulic calculations for SPSs and rising mains and an analysis of proposed lot uptakes within the SPS catchments.

Council's Transport Engineer

The applicant submitted Proposed Subdivision Plan by Monteath & Powys dated February 2013, Concept Engineering Design by Monteath & Powys dated November 2013 and Lower Hunter Lands Project, Gwandalan, Traffic Impact Study by Hyder Consulting dated November 2013 and Coal & Allied Southern States, Gwandalan Traffic Impact Study by Hyder Consulting dated November 2013 to address the traffic issues associated with the proposed subdivision. Following a review of these documents it was determined that the general road layout was suitable and consistent with the Concept Approval. Some amendments will be required in regard to some intersections treatments, road alignment and the radius in some areas. These amendments will be included in the conditions of consent.

Council's Development Engineer

The applicant submitted Gwandalan: Water Sensitive Urban Design, Flooding and Stormwater Management by GHD dated October 2010, Gwandalan Development Project, Stormwater Management Plan by SMEC, November 2013 and the Proposed Subdivision Plan by Monteath & Powys dated February 2013 to address the stormwater management system and any impact from flooding on the site.

Following a review of these documents additional information was requested in regard to the water quality and stormwater management treatments. The proposed basin treatments were not consistent with Council's requirements. A condition of the Concept Approval required the applicant to submit detailed design of all stormwater management devices with each

development application for subdivision. The application was submitted with stormwater detention basins and water quality targets inconsistent with Council's requirements. Council reviewed data submitted and were able to manipulate the stormwater management system to be consistent with Council requirements. These amendments are to be included as conditions of consent.

ECOLOGICALLY SUSTAINABLE PRINCIPLES

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

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

Climate Change

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

Bushfire Protection: The site is identified as bushfire prone land. A Bushfire Risk Assessment was submitted with the development application with suitable bushfire mitigation measures in accordance with Planning for Bushfire Protection 2006 which has been incorporated into the subdivision design.

ASSESSMENT

Having regard for the matters for consideration detailed in Section 79C of the EP&A Act 1979 and other statutory requirements, Council's policies and Section 149 Certificate details, the assessment has identified the following key issues, which are discussed for Council's information.

THE PROVISIONS OF RELEVANT INSTRUMENTS/PLANS/ POLICIES

a) Wyong Local Environmental Plan 1991

The application is required to be assessed under the WLEP 1991. WLEP 2013 includes a savings provision under Clause 1.8A which states the following:

"If a development application has been made before the commencement of this Plan in relation to land to which this Plan applies and the application has not been finally determined before that commencement, the application must be determined as if this Plan had not commenced."

The development application was submitted prior to the coming into force on 23 December 2013 of Wyong LEP 2013. Therefore, the application is to be assessed under the Wyong LEP 1991.

Zoning & Permissibility

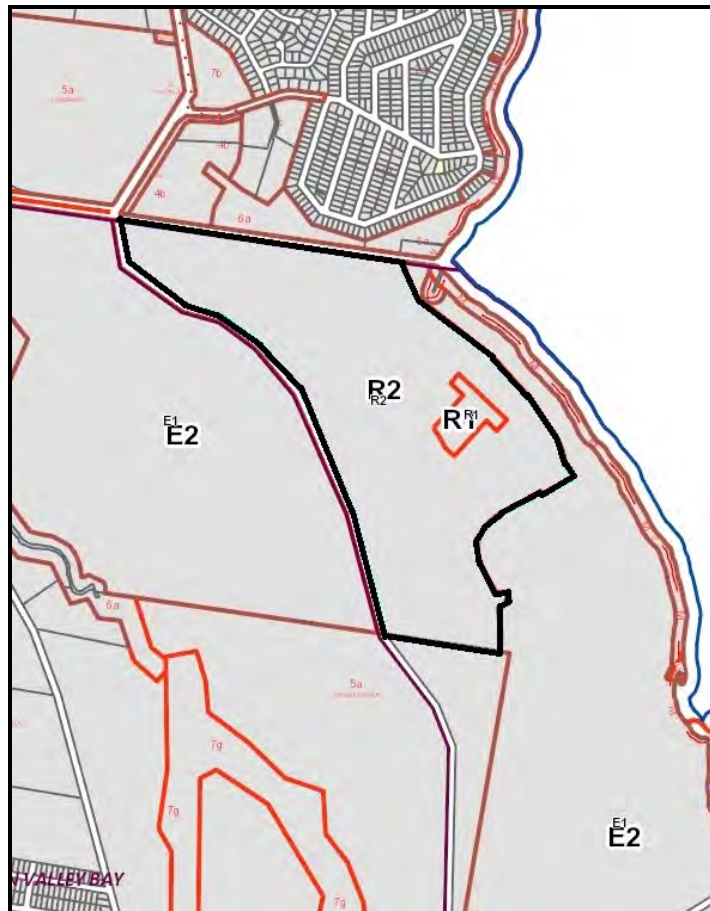


Figure 2: Zone boundaries.

Zoning

The majority of the site is zoned R1 and R2 Residential. The Crown Road along the northern boundary is zoned 5(a) Special Uses.

Mandatory Requirements: Part 4 Gwandalan Site

Part 4 of the WLEP 1991 sets out specific provisions for the land at Gwandalan. No other provisions of the WLEP 1991 apply to the Gwandalan site, except Clause 7(3) Definitions and Clause 8: Consent authority.

Clause 78: Objectives of Land Use Zones to be taken into account.

The consent authority is required to take into consideration the objectives of each land use zone.

The objectives for the R1 General Residential zone are:

- a) To provide for the housing needs of the community,
- b) To provide for a variety of housing types and densities,
- c) To enable other land uses that provide facilities or services to meet the day to day needs of residents,
- d) To encourage development that does not impact on the scenic, aesthetic and cultural heritage qualities of the built and natural environment of the Wallarah Peninsula,
- e) To encourage development that responds and is sympathetic to the surrounding built and natural environmental setting,
- f) To ensure that any non-residential development is compatible with the amenity of the area.

The objectives for the R2 Low Density Residential zone are:

- a) To provide for the housing needs of the community within a low density residential environment,
- b) To enable other land uses that provide facilities or services to meet the day to day needs of residents,
- c) To encourage development that does not impact on the scenic, aesthetic and cultural heritage qualities of the built and natural environment of the Wallarah Peninsula,
- d) To encourage development that responds and is sympathetic to the surrounding built and natural environmental setting,
- e) To ensure that any non-residential development is compatible with the

The proposed development is considered to meet the objectives of the zone by providing a range of lot sizes that can facilitate the delivery of housing in accordance with the relevant controls. The subdivision pattern is consistent with the urban design and planning controls to promote an appropriate form of development consistent with the environmental values of the area. Lots are appropriately sized and oriented to facilitate an appropriate form and scale of development that will integrate with surrounding low to medium density development within a landscaped setting. Appropriate lots have been provided that can accommodate future non-residential development (e.g. childcare centre) without having a significant impact on the amenity of the area.

Clause 82: Subdivision - Consent Requirements.

Subdivision is permissible only with development consent.

Clause 86: Development within the Coastal Zone.

Sub-clause 2 provides that the consent authority must not grant consent to development wholly or partly within the coastal zone unless it has regard to certain matters. These are summarised in the following table:

Table 1: Coastal Zone Assessment

Requirement	Comments
Public access to and along foreshore.	The site is not located along the foreshore and public access is not affected by the proposed development. Public access to and along the foreshore will be improved by the dedication of conservation lands between the subject site and the foreshore.
Suitability of development, its relationship with the surrounding area and its impact on the natural scenic quality.	The site is zoned residential. It is located adjacent to the existing Gwandalan settlement with direct pedestrian and vehicle access to surrounding areas. Urban design guidelines and land dedications ensure that the impact on the natural scenic quality is minimised.
Impact of the proposed development on the amenity of the coastal foreshore.	Foreshore lands were dedicated as part of the Concept Approval. The proposed development will not have a significant impact on the amenity of the coastal foreshore. Controls on future development mitigate any chance of overshadowing or significant overlooking of public foreshore areas. No views of the foreshore from public land will be affected and the impacts are considered satisfactory.
Protection of the visual amenity and scenic qualities of the coast.	Appropriate protections are in place through urban design controls including street design, built form controls, setbacks, vegetation buffers and landscaping. A significant portion of the lake foreshore has been protected through the dedication of conservation lands.
Conservation of biodiversity and ecosystems.	Water quality measures are proposed to protect receiving water of Lake Macquarie. Impacts of the development are also off-set through the dedication of conservation lands that will provide habitat and maintain biodiversity.
Cumulative impacts of this and other development on the coastal catchment.	The cumulative impacts of this development of coastal catchment are largely mitigated by: coastal hazards being avoided by setbacks from the lake; the dedication of foreshore land to improve public access and protect the environmental values of the foreshore; and construction and development controls to mitigate impacts from development within the site.

Sub-clause 3 further states that consent must not be granted unless the consent authority is satisfied that:

Requirement	Comments
Where practicable the development will not impede or diminish land based access to or along the foreshore	The proposed development does not impede or diminish land based access. It is considered to enhance access by dedicating to public land foreshore areas previously held in private ownership.
Impact of any non-reticulated effluent system on water quality.	Not applicable. Effluent will be reticulated.
That no untreated stormwater will be discharged to receiving waters.	All stormwater discharging the site will be treated through a stormwater management system before entering receiving waters.
The development will not be affected by, have an impact on, or increase the risk of coastal hazards in relation to this or other land.	Through the dedication of foreshore land, the risk of this site is from coastal hazards is mitigated and the proposed development will not increase the risk of coastal hazards. The development will not impact on coastal hazard risk to other land.

Clause 87: Arrangements for Designated State Public Infrastructure.

A Voluntary Planning Agreement between the proponent and the NSW State Government makes provision for designated State public infrastructure.

Clause 88: Public Utility Infrastructure.

The requirements for and construction of public utility infrastructure will form part of the construction phase of the development. In accordance with Part C of the Concept Approval, certification of service provision is required prior to the release of any Subdivision Certificate.

Clause 89: Development Control Plan

As per the Concept Approval, the Concept Plan satisfies the obligation to prepare a development control plan as required for the subject site to compliance with the modifications outlined in Part C of the approval. The Department of Planning has confirmed that the modifications required by Part C have been adequately addressed.

Site specific controls have been prepared in the form of Urban Design Guidelines. Assessment against these guidelines is presented in Table 2.

Table 2: Urban Design Guidelines.

DCP Requirement	Response
a) A staging plan for the timely and efficient release of urban land, making provision for necessary infrastructure and sequencing.	Development staging is submitted.
b) An overall transport movement hierarchy showing the major circulation routes and connections to achieve a simple and safe movement system for private vehicles, public transport, pedestrian and cyclists.	Section B1 Public Domain Plan of the Urban Design Guidelines makes provision for the circulation system and design.
c) An overall landscaping strategy for the protection and enhancement of riparian areas and remnant vegetation, including visually prominent locations, and detailed landscaping requirements for both the public and private domain.	A detailed landscape strategy has been submitted and found satisfactory.
d) A network of passive and active recreational areas.	Section B1 of the Urban Design Guidelines recommends open space outcomes while the Concept Approval also involved the dedication of conservation lands to complement parks and recreation areas within the Wallarah Peninsula.
e) Stormwater and water quality management controls.	Suitable stormwater and water quality management controls are proposed.
f) Amelioration of natural and environmental hazards, including bush fire, flooding and site contamination and, in relation to natural hazards, the safe occupation of, and the evacuation from, any land so affected.	The conceptual layout in the Urban Design Guidelines provides broad provisions for flood free development of lots, appropriate bushfire measures including APZs and evacuation routes.
g) Detailed urban design controls for significant development sites.	No significant development sites are contained in the development area but detailed urban design guidelines are provided for future residential development within the site.
h) Measures to encourage higher density living around transport, open space and service nodes.	Super lots have been provided which may result in higher density development in close proximity to the existing and future potential public transport routes; potential future service node near the Summerland Rd / Kanangra Dr intersection; and in close proximity to open space along the foreshore.
i) Measures to accommodate and control appropriate neighborhood commercial and retail uses.	Zone objectives are provided in the LEP that restrict commercial and retail uses. The existing Wyong DCP will apply to non-residential development.

j) Suitably located public facilities and services, including provision for appropriate traffic management facilities and parking.	Public infrastructure including new traffic management facilities are identified in the Urban Design Guidelines and detailed in this development application.
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Wyong Local Environmental Plan (WLEP) 2013

The site is identified as R1 General Residential and R2 Low Density Residential under the WLEP 2013.

The subject site is zoned R1 General Residential and R2 Low Density Residential under the Wyong LEP 2013. The current proposal is permissible under the WLEP 2013. As stated earlier in this report, Cl. 1.8A of WLEP 2013 requires that the development application be determined as if the WLEP 1991 were determinative and operative with the WLEP 2013 being given appropriate consideration as if it were certain and imminent.

The objectives of the R1 and R2 zones are generally to provide a variety of housing suitable to the needs of the community. The development is to be compatible with the scale and character of the local area and is to complement the existing streetscape while providing a residential character which corresponds with a low density residential environment.

The proposed development is considered to be consistent with the zone objectives for the R1 and R2 zone in the WLEP 2013. The granting of consent to the subject development application is consistent with the planning scheme under the WLEP 2013.

b) Relevant DCPs

Wyong Development Control Plan 2005

The obligation to prepare a development control plan for the site is satisfied under the concept plan approval in accordance with the transitional provisions for Part 3A. Therefore, the Concept Approval and Urban Design Guidelines (UDG) prevail to the extent of any inconsistency with the Wyong DCP. The provisions of the Wyong DCP that would apply are generally dealt with in the UDG and Concept Approval.

A complete assessment of the proposal was undertaken having regard to the relevant Chapters of WDCP 2005. This assessment is provided in the table below.

- Development Control Plans No.14 Tree Management
- Development Control Plans No.66 Subdivision
- Development Control Plans No.67 Engineering Requirements for Development

Table 1: Wyong DCP 2005 – Compliance Table

	Proposed	Required	Compliance
Chapter 13 Interim Conservation Areas			
Ecological Assessment.	Transfer of 205.75 hectares of conservation lands to the Government.	Consideration of potential conservation area	Yes

Chapter 14 Tree Management			
Ecological Assessment.	Transfer of 205.75 hectares of conservation lands to the Government.	Biodiversity offset	Yes
Chapter 30 Wyong Shire Wetlands Areas			
Stormwater management	Stormwater management system to provide adequate downstream water quality.	Stormwater management system to maintain downstream water quality. Development to have minimal impact on the environmental values of an area	Yes
Chapter 66 Subdivision			
Subdivision design	Subdivision of 405 lots and associated infrastructure and services. Lot sizes between 450m ² and 1215m ²	Subdivision design & supporting documentation. Minimum lot size to be 450m ² .	Yes
Chapter 67 Engineering Requirements for Development			
	Stormwater Infrastructure with dry detention basins.	Stormwater management design with wet retention/detention basins	No

Development Control Plan Chapter 66 – Subdivision

The proposed 405 lot subdivision complies with the general requirements of the subdivision to provide a mix of lot sizes with areas of between 450m² and 1025m². The lot sizes are consistent with Council's requirements for standard allotments and corner lot arrangements. The proposed lots will have east / west orientation and will allow for living areas and open space on the northern side maximising solar access. The proposal requires removal of existing vegetation and native trees. However, the vegetation loss has been offset by the dedication of 205.75m² of land for the purpose of conservation to the NSW Government.

The proposal is to be undertaken in 11 stages. It is a requirement that any staged development is to provide immediate access for public transport. The northern access road joining the Summerland Road roundabout will be constructed with stage one which would allow access for public transport. Details of the construction of each stage have been provided. The recommended reports and information for assessment have been included with the submission.

The sites are provided with adequate water and sewer. Sewer disposal is by way of the reticulated sewer system as part of the Summerland Point Sewer Treatment Plant. The sites are able to be services with electricity via the substation at Lake Munmorah and telecommunications infrastructure. Gas is not available and not considered economically feasible to extend from the nearest main at Doyalson.

Development Control Plan Chapter 67 – Engineering Requirements for Development

The application was reviewed by Council's Development Engineer. The submitted preliminary Stormwater Management Plan was not consistent with Council's asset management requirements. The stormwater management requires some amendment to become consistent with the requirements of Council in regard to flooding, water sensitive urban design, water conservation and stormwater collection and disposal. Council has reviewed the data and able to manipulate the stormwater devices to be consistent with Council's stormwater management requirements. The submitted preliminary stormwater management system can be revised and will therefore be included as a condition of consent.

Wyang Development Control Plan 2013

Wyang DCP 2013 includes a savings provision under Clause 1.4 which states the following:

“Consistent with the provisions of Clause 1.8A of Wyong LEP 2013 if a development application has been made before the commencement of this DCP in relation to land to which this Plan applies and the application has not been finally determined before that commencement, the application must be determined as if this DCP had not commenced.”

The application would therefore have been assessed using the Wyong DCP 2005 with appropriate weight given to Wyong DCP 2013 had the obligation to prepare a DCP not been satisfied under the concept plan approval.

Wyang Shire Settlement Strategy

The Wyong Shire Settlement Strategy lays out the strategic direction and framework for land use and development activities in the Wyong LGA, taking into account State, regional and local planning objectives. It also complements the North Wyong Shire Structure Plan (NWSSP). It is important that the future urban growth be managed sustainably so as to preserve the natural environment while providing for the housing and facilities needs of the future population.

A balance must be provided between the new urban release areas, local heritage, coastal and rural areas and the natural environment. The Strategy takes into account how the area is today and the perceived character of the future. It considers existing land uses, infrastructure, environmental values and social and economic needs. The proposed subdivision is consistent with the objectives of the Settlement Strategy by providing a proposal that encourages ecologically sustainable development while maintaining a high standard of urban design consistent with the existing and desired future character of the area.

North Wyong Structure Plan

The North Wyong Structure Plan identifies where and when development is planned to occur and that there is sufficient land to meet the housing and employment needs for the future. The Plan also identifies important environmental assets, landscape values and natural resources that are to be protected. Key infrastructure requirements are to be considered and new urban land releases are to contribute to infrastructure costs. The proposed subdivision is consistent with the objectives and direction of the Structure Plan.

Voluntary Planning Agreement (VPA)

Section 79C of the EP&A Act requires that any planning agreement entered into under Section 93F of the EP&A Act must be taken into consideration in determining a development application. The VPA for the site details measures relating to the proposed development including the dedication of conservation lands, the provision of infrastructure and contributions toward community services and facilities.

THE LIKELY IMPACTS OF THE DEVELOPMENT

a) Built Environment

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

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

b) Natural Environment

Flora and Fauna

The proposed development results in the removal of approximately 52.88 hectares of vegetation. The potential impacts of vegetation removal according to habitat availability for each threatened species and communities were considered. Indirect impacts on surrounding lands were also considered, including alterations to water flows and potential impacts on groundwater dependent ecosystems (GDE). The impacts were considered in the context of the 205.75 hectares of biodiversity offset lands which were dedicated to the NSW Government through the VPA entered into as part of the Part 3A Concept Plan approval, as well as the 7.72 hectare Angophora Inopina Reserve within the development site. The impact of the development of the site was considered in relation to the suitable habitat within these areas and measures for mitigating indirect impacts.

It was determined that the potential impacts of the development estate were minimal compared to the benefits obtained from the protection of conservation lands. Therefore it was concluded that the development in the context of the offset land was unlikely to have a significant impact on any threatened species, populations, ecological community or GDE such that a viable population or occurrence would be placed at risk as per the 7 Part Test undertaken for this application. These findings are consistent with the determinations that the ecological impacts are appropriately offset by the Concept Approval and VPA. Notwithstanding, measures to identify and prioritise retention are contained in the ecological assessments undertaken for the development. This includes identifying hollow bearing or mature trees to be given for retention, and minimising the cut, fill and batters within engineering design constraints.

The developer has committed to mitigating potential impacts on native fauna by developing strategies regarding pet ownership. This may include implementation of appropriate signage and educative programs such as letter box drops or brochures to be included as part of the sale for each property. These strategies will be developed prior to the commencement of works.

Stormwater Management

A review of the “Stormwater Management Plan” and the proposed strategy for each sub-catchment area within the subdivision identified several issues regarding the long term maintenance and performance of the water quality and stormwater management treatments. The proposed Bio-Filtration Basins (5) treatments within each sub-catchment area of the subdivision were not consistent with Council’s Asset Management Systems. A condition of the Concept Approval required the applicant to submit detailed designs of all stormwater management devices with each development application for subdivision in accordance with Councils requirements.

The submitted Stormwater Management Plan included “Music” software modelling pollution performance reduction targets from the proposed Bio-Filtration Basins. Council reviewed the submitted modelling data and were able to manipulate the stormwater management system to be consistent with Council requirements by converting the Bio-Filtration Basins into Wet Retention Basins in accordance with Council’s current Asset Management Systems.

To ensure the capture of pollution to achieve the reduction targets as described in Volume 1 of Council's Civil Works Design Guideline the Stormwater Management Plan will require review and re-modelling to incorporate the use of devices such as bio-swailes, rain gardens, GPT's and Wet Retention Basins within the treatment train to ensure that there is no detrimental impact on water quality within Crangan Bay and Strangers Gully. The revised “Stormwater Management Plan” has been included as a condition of consent.

In regards to the existing ground water dependant ecosystem located within Strangers Gully the submitted “Stormwater Management Plan” includes a strategy of providing a flow diversion within the longitudinal stormwater drainage system to divert low flows from the development catchment No.6 to the adjacent catchment (DC5). This will enable the majority of the runoff to be treated in the Wet Retention Basin 5 in catchment DC5. This strategy is considered appropriate and acceptable in accordance with the Concept Approval.

All relevant issues regarding the likely impacts on the natural environment have been considered and determined to be reasonable for the proposed development.

THE SUITABILITY OF THE SITE FOR THE DEVELOPMENT

A review of Council’s Land Information mapping identifies the following constraints:

- Bushfire
- Mines Subsidence
- Flooding

Bushfire and mine subsidence have been addressed earlier in this report.

Flooding

A “Flood Impact Assessment” was submitted with the application which applied hydrologic and hydraulic modelling to determine the flood characteristics at the subject site for the existing and developed conditions. The models applied the 5%, 1 AEP and PMF events. The model recommends that the proposed subject lots are above the 1 % AEP level (1.5m AHD) and FPL (2.0m AHD) and that no planning controls are required. The model results indicate that flooding risks to the adjoining lands are insignificant and that any requirement for detention storage due to the location of the site in relation to the receiving waters of Lake Macquarie is not warranted.

A sensitivity analysis was undertaken in regards to sea level rise where the model results indicate that if Flood Planning Levels were adopted for the site they would unlikely be affected by any potential Sea Level Rise. The model results also indicate that no proposed allotments within the subdivision would be inundated during a PMF event. Examination of the submitted preliminary engineering plans and level information reveals that the proposed lots are above the RL 3.0m AHD therefore no Flood Planning Level is recommended.

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

The site is considered to be suitable for the proposed development as demonstrated through the environmental assessment. The proposed subdivision is considered to fit with the locality by providing a development which is capable of providing a balance of the built and the natural environment. Adequate recreation, transport and utility services are available. Due consideration has been given to the site attributes which are considered conducive to the proposed development. The dedication of 205.75 hectares of conservation land to the NSW Government adjoining or adjacent to the site was deemed suitable for biodiversity offset.

ANY SUBMISSION MADE IN ACCORDANCE WITH THIS ACT OR REGULATIONS

The submissions have been addressed previously in the report.

THE PUBLIC INTEREST

The public interest is best served by the orderly and economic use of land for which it is zoned. The proposed development is permissible with consent and the development proposed in this application complies with all relevant policies and controls. The proposed subdivision is consistent with the requirements of the North Wyong Structure Plan and the Wyong Shire Settlement Strategy and considered to be in the public interest by providing future housing to assist with the predicted population growth.

OTHER MATTERS FOR CONSIDERATION

Contributions

The proposed church attracts a contribution payment under Section 94A of the Environmental Planning and Assessment Act 1979.

CONCLUSION

The proposed development comprises the subdivision of Lot 11 DP 1180296 and an unformed Crown Road Reserve into 405 lots with the establishment of associated roads, open space, infrastructure and services. The site and the general form of the development are the subject of a Concept Approval to allow a maximum of 623 dwellings. This determination considered the suitability of the site and the appropriateness of the development.

Subject to various conditions, the proposal is acceptable against the relevant considerations under section 79C.

The proposal is recommended for approval.

ATTACHMENTS

- 1 Draft Conditions
- 2 Development Plans

Date: 9 May 2014
Responsible Officer: Julie Garratley
Location: 85 Kanangra Dr, CRANGAN BAY NSW 2259
 Lot 11 DP 1180296
Owner: Gwandalan Land Pty Ltd
Applicant: Monteath & Powys Pty Ltd
Date Of Application: 20 November 2013
Application No: DA/967/2013
Proposed Development: 405 Lot subdivision
Land Area: 622800.00

PROPOSED CONDITIONS

Approved Plans

- 1 The development is to be undertaken in accordance with the approved development plans and specifications listed below except as modified by any conditions of consent and any amendments in red made to the approved plans:

Title	Drawing No.	Revision	Date	Drawn By
Plan of Proposed Subdivision	1-6	6	19/11/13	Monteath & Powys
Indicative Staging Plan	1	1	15/11/13	Monteath & Powys

Staging

- 2 Approval is granted for eleven stages of subdivision release in the following manner:
- Stage 1 – 45 lots plus residue lots.
 - Stage 2 – 38 lots plus residue lots
 - Stage 3 – 50 lots plus residue lots
 - Stage 4 – 27 lots plus residue lots
 - Stage 5 – 40 lots plus residue lots
 - Stage 6 - 43 lots plus residue lots
 - Stage 7 – 55 lots plus residue lots
 - Stage 8 – 32 lots plus residue lots
 - Stage 9 – 39 lots plus residue lots
 - Stage 10 – 30 lots plus residue lots
 - Stage 11 – 6 lots

Works and contributions are to be finalised appropriate for each stage prior to the release of the Subdivision Certificate.

Voluntary Planning Agreement

- 3 The Voluntary Planning Agreement dated 12 March 2012 between the Minister for Planning and Infrastructure, the Minister administering the *National Parks and Wildlife Act 1974* and Gwandalan Land Pty Ltd is to be completed in accordance with the terms of that agreement.

Certificates – Application and Approval

- 4 A Construction Certificate is to be issued by the Principal Certifying Authority prior to commencement of any construction works. The application for this Certificate is to satisfy all of the requirements of the Environmental Planning and Assessment Regulation 2000.
- 5 An application for a Subdivision Certificate must be submitted to and approved by the Council/Certifying Authority prior to endorsement of the plan of subdivision and include documentary evidence of compliance with the Voluntary Planning Agreement relevant to each stage of the development..
- 6 Where conditions of this consent require approval from Council under the Roads Act 1993, Local Government Act 1993 or Water Management Act 2000, a completed Subdivision Construction Certificate application form must be lodged with Council and be accompanied by detailed design drawings and supporting information. Upon submission to Council, fees and charges will be calculated in accordance with Council's Management Plan. The fees and charges must be paid prior to Council commencing the design assessment.

Prior to Release of Construction Certificate:

The following conditions must be satisfied prior to the release of the Construction Certificate. Conditions may require the submission of additional information with the Construction Certificate Application. Applicants should also familiarise themselves with conditions in subsequent sections and provide plans in accordance with any design requirements contained therein.

Staging Plan

- 7 **Stage 1:** A detailed "Staging Plan" shall be prepared in accordance with the final design of essential infrastructure works such as the road network, stormwater management facilities within the catchments areas and water & sewer services. The staging shall incorporate the planning of road infrastructure to ensure services for waste removal (garbage services), bus services and the future residents can safely and efficiently navigate the road network to Kanangra Drive. The "Staging Plan" shall be lodged to the Council for assessment and endorsement prior to the issue of the first Construction Certificate.

Dust Control Requirements

- 8 **All stages:** Prior to the issue of a Construction Certificate, suitable details must be provided for the approval of the Accredited Certifier of an appropriate system to control dust emissions from the site during construction works. The approved method of controlling dust emissions from the site is to be implemented and be maintained for the duration of construction works on the site.

Filling and Haulage Requirements

- 9 **All stages:** An agreement with Council as the Roads Authority for the methodology of determining the reduced pavement life of the approved haulage route attributable to the construction of the subdivision civil works. The agreement must be made prior to the issue of the Construction Certificate and shall include an agreed method of rectification at sole expense of the developer.

Landscaping Design Requirements

- 10 **All stages:** Prior to the issue of a Construction Certificate, landscape design drawings, prepared by an approved consultant, must be provided for the approval of the Accredited Certifier. Such landscape design plans must be prepared in accordance with Council's Landscape Policy L1 for a Category 3 development. The submitted plans must include:
- landscaping of the retention/detention basins within the drainage reserves.
 - landscaping of the open space reserves.

Retaining Walls – Structural Design Requirements

- 11 **All stages:** Prior to the issue of a Construction Certificate, a report prepared by a suitably qualified Registered Structural Engineer is to be provided for the approval of the Principal Certifying Authority

Roadworks - Design Requirements

- 12 **Stage 1:** The submission to Council of Civil Works design drawings and specifications detailing the re-design and construction of the existing Kanangra Drive/Summerland Road roundabout. The design shall incorporate the following:
- Construction of the fourth leg of the roundabout along the unformed crown road (Summerland Road extension), adjustment of the existing roundabout carriageway, islands, kerbs, traffic facilities, lighting, signage and pavement marking.
 - The provision of pedestrian crossing points, bus shelters on both sides of Kanangra Drive and associated footpath works shall be undertaken to ensure suitable safe pedestrian crossing.

- The design shall include a comprehensive road signage and pavement marking drawing identifying all traffic management facilities for assessment and endorsement by the Local Traffic Committee prior to issue of the Construction Certificate.

Required design drawings are to be prepared in accordance with Council's Civil Works Design Guidelines and must be approved by Council as the Roads Authority prior to the issue of the Stage 1 works Construction Certificate.

- 13 **Stage 1:** Prior to issuing a construction certificate, the developer shall enter into a Works Authorisation Deed (WAD) with the Roads and Maritime for all required works at the intersection of Kanangra Drive and the Pacific Highway.
- 14 **Stage 1:** A detailed "Traffic & Transport Management Plan" shall be prepared in accordance with the final design of the road network. The plan shall incorporate the following:
- The road network shall incorporate a roundabout at the intersection of Road 18 & 19, establish the road hierarchy, introduce raised thresholds at intersections and reduce any potential traffic conflict areas throughout the subdivision during each stage.
 - The horizontal alignments of Roads 1& 4 and the vertical alignment of Road 19 shall be reviewed to ensure adequate width for passing of service vehicles and the efficient navigation of the road network for the future residents having regard for road safety.

The "Traffic & Transport Management Plan" shall be lodged to the Council for assessment and endorsement prior to the issue of the first Construction Certificate.

- 15 **Stages 1-6:** The provision of concrete footpath 2.5 metres wide adjacent to Roads 18, 19 & 20 during stages 1-6. Note: Stages 3&4 shall provide connections to the foreshore shared path.

The concrete paving is to be 100mm thick with SL72 reinforcement and is to be constructed on 75mm compacted road base and on compacted sub grade, with the provision of a galvanized rectangular hollow section with a profile geometry of 0.15 x 0.075 x 0.004 metres, from the property boundary to the kerb. All other details are to be in accordance with Council's *Civil Works Design Guidelines*. The design drawings must be approved by Council as the Roads Authority prior to issue of a Construction Certificate.

- 16 **Stage 3:** The submission to Council of Civil Works design drawings and specifications detailing the design and construction of the Kanangra Drive/ Road 19 intersection to a CHR design type in accordance with the Austroads 2010 "Guide to Road Design-Part 4A Unsignalised and Signalised Intersections". The design shall incorporate the following:
- The reconstruction of the existing Kanangra Drive carriageway, pavement widening, lighting, pavement marking and signage.

- The design shall include a comprehensive road signage and pavement marking engineering drawing identifying all traffic management facilities for assessment and endorsement by the Local Traffic Committee prior to issue of the Construction Certificate.

Required design drawings are to be prepared in accordance with Council's Civil Works Design Guidelines and must be approved by Council as the Roads Authority prior to the issue of the Stage 3 works Construction Certificate.

- 17 **All stages:** The submission to the Council as the Roads Authority of a design Road Safety Audit for each stage prepared by a Level 3 Road Safety Auditor recognised on the NSW Register of Road Safety Auditors. Any deficiencies identified within the audit must be resolved in consultation with Council prior to the approval of design drawings.
- 18 **All stages:** The provision of a concrete footpath 1.5 metres wide for the full street frontage(s) of the development during Stages 1-11. Design drawings prepared in accordance with Council's *Civil Works Design Guidelines* must be approved by Council as the Roads Authority prior to the issue of a Construction Certificate.
- 19 **All stages:** The submission to Council of Civil Works design drawings and specifications for Stages 1-11 detailing the following design requirements:
- Full width road construction including kerb and gutter, dish gutter and edge strips designed for the appropriate road sections throughout the subdivision in consultation with Council.
 - Street stormwater drainage systems.
 - Street lighting in accordance with AS/NZS 1158. Note: Category P4 with a minimum 20 year design life shall be provided.
 - Pavement marking & signage.
 - Street trees at a maximum of 15.0 metre spacing.
 - Pavement Design Report prepared by a Geotechnical Engineer in accordance with Council's *Civil Works Design Guidelines*.
 -
 - Vehicular access to all GPTs and Stormwater Management Facilities (Wet Retention Basins).
 - The submission to Council as the Roads Authority of street lighting and reticulation design drawings. The design shall be prepared in accordance with AS/NZS 1158 and AS 4282-1997, including the provision of current best practice energy efficient lighting, documentation confirming a minimum of twenty (20) year design life and be approved by the Council as the Roads Authority prior to issue of a Construction Certificate.
 - The submission of a comprehensive road signage and pavement marking design drawings identifying parking restrictions, accesses and traffic management facilities to Council for approval by the Local Traffic

Committee prior to the issue of the Construction Certificate.

Required design drawings are to be prepared in accordance with Council's *Civil Works Design Guidelines* and must be approved by Council as the Roads Authority prior to the issue of a Construction Certificate.

Stormwater Drainage - Design Requirements

- 20 A detailed "Stormwater Management Plan" shall be prepared in accordance with the Council's Civil Works Design Guideline and current asset management practices. The plan shall incorporate the following:

Stage 1:

- The design of the stormwater strategy shall integrate various water quality facilities to achieve the stormwater quality (MUSIC- Councils preferred modelling software package) modelling pollution reduction targets as described in Volume 1 of Council's Civil Works Design Guideline.
- The water quality facilities utilised within the treatment train shall be designed in accordance with Council's Asset Management Systems (Operations & Maintenance).
- The treatment train can incorporate the use of devices such as bio-swales, rain gardens, tree pits, GPT's and Wet Retention Basins to ensure that there is no detrimental impact on water quality within Crangan Bay and Strangers Gully. Note: Due to Council's asset maintenance operations the use of grassed swales and bio-retention basins within the treatment train cannot be sufficiently maintained to ensure long term performance and are not supported by Council. The area of land required for the proposed Wet Retention Basin 7 will require enlargement to achieve the set pollution removal targets. The road and lot layout within Stages 9 & 10 will require re-designing, re-alignment and adjustment in accordance with the final Wet Retention Basin 7 footprint.
- Construction of the Wet Retention Basin No.1 to service Stage 1 of the subdivision within the north eastern Drainage Reserve. Note: The basin works shall include the provision of a lined spillway, rock protected outlet, sacrificial zone, level spreader and the construction of a concrete access road for maintenance purposes

Stage 2:

- Construction of the Wet Retention Basin No.4 to service Stage 2 of the subdivision within the eastern Drainage Reserve. Note: The basin works shall include the provision of a lined spillway, rock protected outlet, sacrificial zone, level spreader and the construction of a concrete access road for maintenance purposes.

Stage 3-7:

- Construction of the Wet Retention Basin No.3 & 5 to service Stages 3 -7 of the subdivision within the south eastern Drainage Reserve. Note: The basin works shall include the provision of a lined spillway, rock protected outlet, sacrificial zone, level spreader and the construction of a concrete access road for maintenance purposes.

Stage 9-10:

- Construction of the Wet Retention Basin No.7 to service Stages 9 & 10 of the subdivision within the southern Drainage Reserve. Note: The basin works shall include the provision of a lined spillway, rock protected outlet, sacrificial zone, level spreader and the construction of a concrete access road for maintenance purposes.

All Stages:

- The construction of the interallotment stormwater drainage systems to service the lots within Stages 1 -11. The design shall be undertaken in accordance with Councils Civil Works Design Guidelines.
- The construction of a longitudinal stormwater drainage pipelines connecting to the Wet Retention Basins within the "Drainage Reserve" in accordance Council's *Civil Works Design Guidelines* for Stages 1-11.

General Design:

- The provision of a level spreader and subsurface drainage system at the outlets of Wet Retention Basin 5&7 to ensure that stormwater flows are not concentrated but evenly dissipated into the downstream groundwater dependent ecosystem area of Stangers Gully.
- Modelling of the retention basin's predicted pollutant removal performance shall be undertaken in accordance with Councils Civil Works Design Guidelines and submitted to Council supporting the engineering plans and specifications.
- Gross Pollutant Traps shall be designed to ensure all outlets are not submerged to facilitate efficient long term maintenance.
- The sacrificial zones within the Sediment Basins shall be suitably concrete lined to enable efficient long term maintenance.
- Stormwater calculations (hydrological and hydraulic) and the final results and recommendations generated by the MUSIC/DRAINS modelling (Councils preferred software packages) supporting the final engineering details and plans for the Retention systems shall be resubmitted to Council for approval.
- The Retention Basins shall be designed to be structurally sufficient to accommodate the loadings generated during all storm events up to and including the 100 year ARI storm event. Certification from a practising

Structural Engineer shall be submitted supporting the design and on-going construction of the basins.

The Stormwater Management Plans must be prepared in accordance with AS/NZS3500.3:2004 and Council's Civil Works Design Guidelines, and approved by the Council prior to issue of the relative stage Construction Certificate.

Structural Design Requirements

- 21 **All stages:** Prior to the issue of a Construction Certificate, a report prepared by a suitably qualified Registered Structural Engineer is to be provided for the approval of the Accredited Certifier providing certification that the existing structure is capable of accepting all anticipated live and dead loads imposed by the proposed addition. Such report is to include any recommendations on the structural upgrade of the existing structure.
- 22 **All stages:** Prior to the issue of a Construction Certificate, suitable detailed design drawings for all mass and or canti-levered retaining wall structures on the site are to be provided for the approval of the Council. Such design drawings are to be prepared by a suitably qualified Registered Structural Engineer in accordance with the requirements of AS 4678-2002 - *Earth Retaining Structures*. All retaining walls must be contained wholly within the property and designed so as to accommodate possible surcharge loading from vehicles or any future building construction within the adjoining property.
- 23 **All stages:** Any excavation below the adjoining land level requires the retaining of that land and the preservation and protection of any improvements or buildings upon that land including public roads and utilities from damage. If necessary, the improvements or buildings are to be supported in a manner designed by a suitably qualified Registered Structural Engineer. Any design proposals prepared in order to comply with this condition are to include geotechnical investigations and are to be submitted for the approval of the Accredited Certifier and in the case where excavation impacts upon public infrastructure, Council, prior to issue of the Construction Certificate.

Prior to Commencement of Works:

The following conditions must be satisfied prior to the commencement of site works, including any works relating to demolition, excavation or vegetation removal.

Ecology/Trees Requirements

- 24 **All stages:** Prior to works associated with the development commencing and for the duration of construction works, the following protocols are to be implemented to ensure tree and vegetation protection upon the development site:
 - Trees and vegetation that are noted for retention including the Angophora Inopina Reserves are to be protected by the erection of 1.8 metre-high chain wire interlocking fencing which incorporates a sediment control component in accordance AS/NZS 4970-2009 - *Protection of Trees on Development Sites* and Council's *Civil Works Design Guidelines*.

- Tree removal shall be confined to respective stages of the subdivision, road and service corridors and asset protection zones.
- Erection of tree protection measures is to be confirmed to Council's Development Ecologist in writing by the Arborist and/or Ecologist prior to commencement of works, or alternatively Council must be notified to undertake an inspection of the works.
- All fenced tree protection areas are to be clearly marked as "Tree Protection Zone"(in accordance with AS4970-2009 appendix C, fig C1) on the fencing itself..
- No clearing of vegetation or storage of vehicles or machinery, waste, fill or materials or unauthorised access is to occur within the fenced tree protection areas.
- The Arborist and/or Ecologist may require other habitat and/or trees to be protected via fencing from time to time. This fencing is to be erected at the appropriate root zone protection limits (as determined by the Arborist and/or Ecologist), prior to works being carried out around that particular habitat or tree.
- The management protocols and requirements within these conditions relating to tree and vegetation retention, protection and rehabilitation are to be included in all contract documentation, plans and specifications used by each civil contractor and sub-contractors.
- Each civil contractor and sub-contractor in relation to the importance of these ecological protocols as part of their site induction program prior to commencement of works. Certification of this induction must be provided to Council prior to commencement of works.

Erosion and Sediment Control Requirements

- 25 **All stages:** Prior to the commencement of construction a Soil and Water Management Plan (SWMP) prepared in accordance with the latest edition of the Landcom Publication *'Soils and Constructions- Volume 1'* (The Blue Book) shall be provided to the Principal Certifying Authority (PCA). The SWMP is to be prepared, reviewed and updated by persons suitably qualified to interpret *"The Blue Book"* or trained in the use of *"The Blue Book"* for preparation of Soil and Water Management Plans.

This SWMP shall be modified and updated during construction to reflect any changes to the on-ground/site conditions. A copy of any modifications or updates to the SWMP shall be approved by a suitably qualified person and provided to the PCA and provided to Council upon request. Further information and requirements in relation to works that Council's "Civil Construction Specification" apply, may be found in the appendix of that document.

Erosion and sediment controls shall be provided on site prior to commencement of construction activities in accordance with Council's Policy E1 – Erosion and Sediment Control for Building Sites.

Erosion and sediment controls shall be monitored, maintained and adapted in accordance with the most recent SWMP until the site is fully stabilised and landscaped. Failure to comply with this condition may result in fines under the provision of the *Protection of the Environment Operations Act*.

Filling and Haulage Requirements

- 26 **All stages:** Prior to works associated with the development commencing, details for the disposal of any spoil gained from the site and/or details of the source of fill materials to be imported to the site, are to be provided and approved by the Principal Certifying Authority.
- 27 **All stages:** Prior to works associated with the development commencing, details are to be provided for the approval of Council as the Roads Authority, of the proposed routes to and from the site for heavy vehicle traffic accessing the site.

Roads - Preconstruction Requirements

- 28 **All stages:** Prior to commencing any works upon public roads the developer and their contractor will be required to:
- Obtain a copy of the Council approved Civil Works plans and pavement design (if applicable).
 - Obtain a copy of Council's *Civil Works Design Guidelines*. This is Council's Specification for Civil Works and is available on Council's web site.
 - Arrange a meeting on-site with Council's Principal Development Construction Engineer on (02) 4350 5555.
- 29 **All stages:** Prior to works associated with the development commencing, a Plan of Management is to be submitted to and approved by Council as the Roads Authority for any works or deliveries that impact on any public roads or public land as a result of the construction of the development. The plan must include a Traffic Control Plan prepared by a person holding Roads and Maritime Services (RMS) accreditation for selecting and modifying traffic control plans. Fees and charges are applicable to the review and approval of the required management plan in accordance with Council's Plan of Management.
- 30 **All stages:** Prior to works associated with development commencing, a dilapidation report must be prepared and submitted to Council as the Roads Authority. The required dilapidation report must document and provide photographs that clearly depict any existing damage to the road, kerb, gutter, footpath, driveways, water supply, sewer works, street trees, street signs or any other Council assets in the vicinity of the development. **Note:** The report will be used by Council to determine the extent of damage arising from site and construction works.

Construction Management

- 31 **All stages:** Prior to works associated with the development commencing, a Construction and Environment Management Plan (CEMP) is to be submitted to and approved by the Principal Certifying Authority. The required CEMP must outline the sequence and construction methodology, and specify mitigating measures to ensure all works are carried out with minimal environmental impact in relation to project staging, waste management, traffic management and environmental management.
- 32 **All stages:** Prior to works associated with the development commencing, the following management plans are to be submitted and approved by the Principal Certifying Authority:
- Vegetation Management Plan,
 - Tree Management Plan,
 - Weed Management Plan,
 - *Angophora inopina* Management Plan, and
 - *Tetratheca juncea* Management Plan.

The various plans are required to address the recommendations of the Ecological Assessment (RPS 2010) and the Additional Ecological Information (RPS 2013). The Weed Management Plan should include “any topsoil which is removed from the vicinity of any Bitou plants must not be used for any of the landscaping areas and must be disposed of appropriately”.

During Construction Works:

The following conditions must be satisfied during construction works.

Dust Control Requirements

- 33 **All stages:** Suitable dust suppression measures shall be implemented and maintained by the developer during demolition, excavation and construction works associated with the development. Such measures are required to minimise the emission of dust and other impurities into the surrounding environment.

Earthworks and Haulage - Construction Requirements

- 34 **All stages:** During construction works, all fill is to be placed on site in such a manner that surface water will not be permanently or temporarily diverted to adjoining land.
- 35 **All stages:** All materials other than fill imported to the site for civil works, shall have a resource recovery exemption made under the Protection of the Environment Operations (Waste) Regulation 2005.
- 36 **All stages:** All site fill material shall be classified as Virgin Excavated Natural Material (VENM) or Excavated Natural Earth (ENM) in accordance with the Waste Classification Guidelines – Part 1: Classifying Waste published by the Department of Environment, Climate Change and Water NSW (now Office of

Environment and Heritage). Site fill material shall be certified as VENM or ENM by a practising Geotechnical Engineer prior to haulage to site. Certification documentation shall be provided to the Principal Certifying Authority throughout the construction phase of the works.

Services/Utility Requirements

- 37 **All stages:** The developer is solely responsible for any costs relating to alterations and extensions of existing roads, drainage, water and sewer infrastructure and other utilities for the proposed development.
- 38 **All stages:** Other public authorities may have separate requirements and should be consulted prior to commencement of works in the following respects:
- Australia Post for the positioning and dimensions of mail boxes in new commercial and residential developments;
 - AGL Sydney Limited for any change or alteration to gas line infrastructure;
 - Ausgrid for any change or alteration to electricity infrastructure or encroachment within transmission line easements;
 - Telstra, Optus or other telecommunication carriers for access to their telecommunications infrastructure.

Construction Management

- 39 **All stages:** Construction or demolition works involved with the development may only be carried out between the hours of 7.00 am and 5.00 pm Monday to Saturday with no construction or demolition works associated with the development permitted to be carried out at any time on a Sunday or a public holiday.
- 40 **All stages:** During the construction phase of the development, all building materials, plant and equipment must be placed on the site of the development in order to ensure that pedestrian and vehicular access within adjoining public roads, footpaths and reserve areas, is not restricted and to prevent damage to public infrastructure.
- 41 **All stages:** If Aboriginal engravings or relics are unearthed during construction, all work is to cease immediately and the National Parks and Wildlife Service must be notified. Works may only recommence following endorsement for such from the National Parks and Wildlife Service.

Prior to Release of Subdivision Certificate:

The following conditions must be satisfied prior to the release of a Subdivision Certificate.

Contaminated Land Requirements

- 33 **All stages:** Prior to the issue of a Subdivision Certificate, all recommended remedial actions specified in the "Remedial Action Plan – Proposed Residential Subdivision Lot 11 DP 1180296 off Kanangra Drive Gwandalan – prepared for Coal and Allied by Douglas Partners, dated July 2013 "are to be implemented.

Contribution Payment Requirements

- 34 **All stages:** Prior to the issue of a Subdivision Certificate, the payment to Council of contributions (as contained in the attached Schedule) under Section 94 and Section 94A of the Environmental Planning and Assessment Act 1979 and Council's Contribution Plan. Council's contributions are adjusted on the first day of February, May, August and November. The amount of the contributions will be adjusted to the amount applicable at the date of payment. Contributions will be calculated for each stage at the issue of the subdivision certificate for each respective stage.

Dilapidation Rectification Requirements

- 35 **All stages:** Prior to the issue of a Subdivision Certificate, any damage not shown in the Dilapidation Report submitted to and approved by the Principal Certifying Authority prior to site works commencing, will be assumed to have been caused as a result of the site works undertaken with respect to the development and must be rectified at the applicant's expense.

Fencing

- 36 **All stages:** Prior to the issue of any Subdivision Certificate, suitable perimeter fencing to the satisfaction of the National Parks & Wildlife Services is to be erected at the conservation lands interface.

Filling and Haulage- Completion Requirements

- 37 **All stages:** All filled areas are to be compacted in accordance with the requirements of AS 3798-1996. The submission of test results and appropriate documentation attesting to this requirement having been achieved is to be provided for the approval of the Accredited Certifier prior to issue of the Occupation/Subdivision Certificate.
- 38 **All stages:** Prior to the issue of a Subdivision Certificate, the developer shall determine the reduced pavement life for the haulage route using the agreed methodology identified in the agreement with Council as the Roads Authority, and complete the agreed rectification actions.

Landscaping Requirements

- 39 **All stages:** Prior to the issue of any Subdivision Certificate, to ensure landscaping works are properly completed, the landscape designer must provide certification to the Principal Certifying Authority certifying that landscaping has been implemented in accordance with the approved landscape plan as amended by any conditions of this consent.
- 40 **All stages:** Prior to the issue of any Subdivision Certificate, all areas disturbed by construction activities associated with the construction of the development, shall be revegetated and stabilised so as to prevent erosion occurring.

Lighting Spill Requirements

- 41 **All stages:** All external lighting is to be of a type that minimises overspill into retained vegetated areas.

Other Authorities – Compliance Requirements

- 42 **All stages:** Prior to the issue of any Subdivision Certificate, the developer must comply with the requirements (including financial costs) of any relevant utility provider (for electricity, water, sewer, drainage, gas, telecommunications, roads, etc) in relation to any connections, works, repairs, relocation, replacements and/or adjustments to public infrastructure or services affected by the development.

Roads – Compliance Requirements

- 43 **Stage 1:** Prior to the issue of a Subdivision Certificate for Stage 1, the Pacific Highway / Kanangra Drive signalised intersection shall be upgraded in accordance with the Austroads *Guide to Road Design 2010* (with Roads and Maritime supplements) and to Roads and Maritime / Council requirements. The following requirements will apply to the intersection:
- A 50 metre left turn high angle slip lane (exclusive of taper) shall be provided on Kanangra Drive for northbound traffic turning left onto the Pacific Highway (travelling north).
 - An additional 100 metre dedicated right turn lane (exclusive of taper) shall be provided on Kanangra Drive for southbound traffic turning right onto the Pacific Highway.
 - Installation of a raised central median and island on the northern side at the western leg of the intersection (Kanangra Drive), or as determined by Roads and Maritime.
 - The intersection shall be designed to accommodate the turning path of the largest design vehicle.

- Provision for on-road cyclists shall be made at the intersection and along the full length of the works.
 - All lanes shall be a minimum 3.5 metres in width, or as determined by the Roads and Maritime.
 - Street lighting shall be provided in accordance with Australian Standard AS1158, or as determined by the Roads and Maritime.
 - Kerb and gutter shall be provided at the intersection and along the length of the works, or as determined by the Roads and Maritime.
 - Relocation of the existing bus bay and reinstatement of the bus bay shelter, seating and footpaths. The footpath is to be extended and connected to the signalised pedestrian crossing, or as determined by Roads and Maritime.
- 44 **Stage 1:** As works are required at the intersection of Kanangra Road and the Pacific Highway, Roads and Maritime will require the developer to enter into a Works Authorisation Deed (WAD) with Roads and Maritime. Roads and Maritime will exercise its powers under Section 87 of the *Roads Act 1993* (the Act) and the functions of the roads authority, to undertake traffic signal works in accordance with Sections 64, 71, 72 and 73 of the Act, as applicable, for all works under the WAD.
- 45 **Stage 1:** Prior to issuing the subdivision certificate for Stage 1 in the proposed subdivision the developer shall complete intersection upgrade and traffic control signals works under the WAD to practical completion, as determined by Roads and Maritime.
- All works shall be undertaken at full cost to the developer to the satisfaction of Roads and Maritime.
- 46 **All stages:** All works within the public road must be completed in accordance with the approved Civil Works design drawings and in accordance with Council's *Civil Works Design Guidelines* and be approved by Council as the Roads Authority prior to the issue of any Subdivision Certificate.
- 47 **All stages:** The submission to the Council as the Roads Authority of a 'pre-opening stage' Road Safety Audit for the road network within each stage prepared by a Level 3 Road Safety Auditor recognised on the NSW Register of Road Safety Auditors. Any deficiencies identified within the audit must be resolved in consultation with Council prior to the approval of the works.
- 48 **All stages:** The submission to Council of the proposed road names. The road names must be approved by Council as the Roads Authority prior to the issue of a Subdivision Certificate.

Stormwater – Compliance Requirements

- 49 **All stages:** The completion of the stormwater management system in accordance with the approved Stormwater Management Plan and AS/NZS 3500 as amended. Certification of the construction by a suitably qualified consultant shall be provided to the Principal Certifying Authority prior to issue of a Subdivision Certificate.
- 50 **All stages:** Drainage Reserves and open space shall be dedicated, where required and at no cost to Council, up to the boundaries of all adjoining properties prior to the issue of a Subdivision Certificate. Details are to be incorporated in the plan of subdivision.

Subdivision– Compliance Requirements

- 51 **All stages:** The certification by a Registered Surveyor, prior to issue of a Subdivision Certificate that all construction has been effected within the appropriate property, easement boundaries and rights of carriageway. The certification shall be accompanied by a copy of the final subdivision or easement plan, with the distances from the boundaries to the edges of these structures endorsed in red thereon and signed by the surveyor.
- 52 **All stages:** The provision of a report to Council by a Geotechnical Engineer classifying each lot being created in accordance with AS 2870-2011 - *Residential Slabs and Footings*, prior to issue of a Subdivision Certificate.
- 53 **All stages:** The preparation of “Water Quality & Hydrologic Monitoring and Maintenance Program” to achieve the following key objectives:
- a. Outline the water quality and hydrologic monitoring strategy including sampling locations, frequency and durations.
 - b. Establishment of method of the identification of negative impacts and under performance.
 - c. Establishment of rectification and improvement works procedures and mitigation strategy.
 - d. Establishment of reporting requirements.
- 54 **All stages:** The creation of a legal agreement over the constructed Gross Pollutant Traps and Retention basins between the applicant and Council agreeing to a monitoring and maintenance period which extends from the issue of the Subdivision Certificate for a five (5) year period for monitoring and five (5) years for maintenance.

Upon completion of the monitoring/maintenance period the applicant shall ensure that the GPTs and basins are completely operational in accordance with Councils Asset Management requirements before Council will accept responsibility of the continued operation.

55 **All stages:** Prior to issue of a Subdivision Certificate the provision of written confirmation from the relevant service authorities that satisfactory arrangements have been made for the provision of the following services to each lot:

- telecommunications
- electricity supply
- gas supply
- national broadband network
- water supply
- sewerage

The location of services must be shown on a copy of the final subdivision plan, with the distances from the boundaries to each service endorsed in red thereon.

56 The plan of subdivision and Section 88B instrument shall establish the following title encumbrances with Council being nominated as the sole authority to release, vary or modify each encumbrance unless specifically noted otherwise. Wherever possible the extent of the land affected shall be defined by bearings and distances shown on the plan of subdivision:

Stage 1:

- The creation of a “Positive Covenant” over the Lots 41-46, 60&61 within Stages 1 & 2 for the future provision of a small bio-retention system (rain garden) within the frontage of each site. The bio-retention system (rain garden) is to be sized in accordance with the net area within each lot at the future dwelling design phase. The provision of this system will ensure the treatment of generated stormwater run-off leaving the site reducing annual loads of sediments, phosphorus and nitrogen before entering the receiving waters of Crangan Bay Lake Macquarie. Note: The creation of this covenant will not be required if the constructed road carriageway and drainage pipeline system within Roads 1 & 17 are re-designed to ensure generated run-off is discharged into Wet Retention Basin1 or an alternative WSUD device is provided to Councils Asset Management requirements

All stages:

- The creation of necessary ‘Easement for Support’ over the constructed retaining structures within the burdened lots to benefit the appropriate adjoining lots.
- The creation of necessary “Easement to Drain Water’ over the constructed interallotment stormwater drainage pipelines within the burdened lots to benefit the appropriate upstream lots.

- 'Restriction on the Use of Land' prohibiting the construction of any structures within the Asset Protection Zones (APZ) of lots 42, 43, 44, 45, 60, 61, 62, 124, 125, 126, 127, 128, 312, 313, 314, 315, 333, 334, 335, 336, 337, 297, 298, 299, 283, 359, 360, 361, 362, 363, 364, 389, 390, 391, 392, 393, 394, 395, 396, 380, 381. Accurate dimensions to be shown on the plan of subdivision.
- Where necessary temporary asset protection zones are to be imposed on residue stages to support each stage of release.

The encumbrances must be shown on the final plan of subdivision and Section 88B instrument, and be approved by Council with the Subdivision Certificate.

- 57 **All stages:** All roads are to be constructed and dedicated up to the boundaries of all adjoining properties prior to the issue of a Subdivision Certificate. Details are to be incorporated in the plan of subdivision.

Water and Sewer Services/Infrastructure – Compliance Requirements

- 58 **All stages:** The obtaining of a satisfactory final plumbing & drainage inspection advice or Section 307 Certificate of Compliance under the *Water Management Act 2000* for water and sewer requirements for the development from Wyong Shire Council as the Water Supply Authority, prior to issue of the Subdivision Certificate. All works for the development must be approved by Council prior to the issue of a Certificate of Compliance.

Work as Executed Requirements

- 59 **All stages:** Prior to the issue of a Subdivision Certificate, Works as Executed information for the development as identified in Council's *Civil Works Construction Specification* is to be submitted to and approved by Council. The required Works as Executed information is to be submitted in hard copy and in electronic format in accordance with Council's 'CADCHECK' requirements.

Ongoing Operation:

The following conditions must be satisfied during use / occupation of the development.

No conditions.

SCHEDULE OF CONTRIBUTIONS

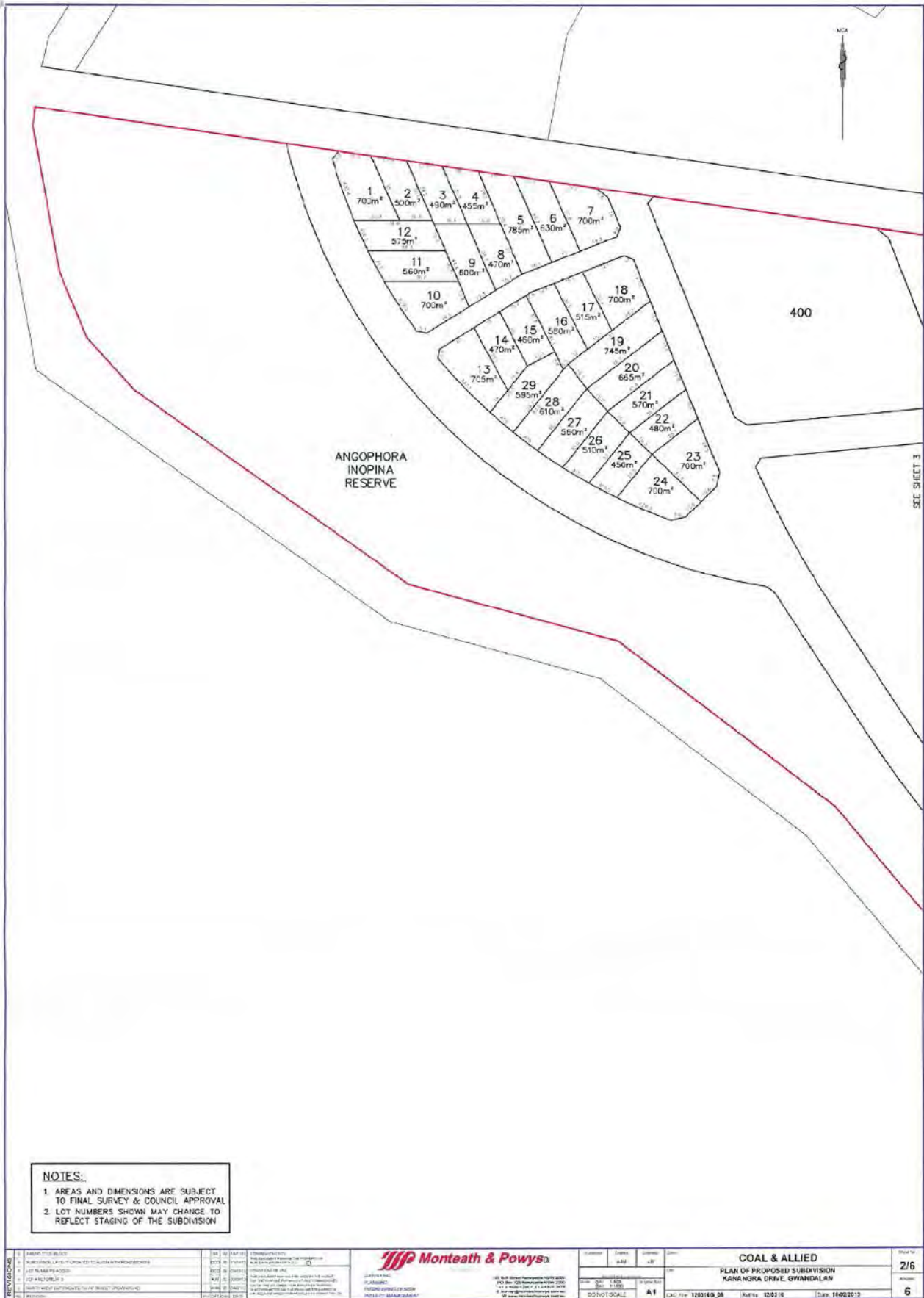
Shire Wide Cycleway Network	\$144,292.23
Shire Wide Performing Arts Centre & Public Art	\$162,807.33
Shire Wide Administration	\$31,251.66
Northern Districts Roads D	\$1,741,763.74
Northern Districts Open Space Works	\$1,835,241.91
Shire Wide Regional Open Space	\$70,336.33
Northern Districts Community Facilities Works	\$1,552,387.65
Northern Districts Administration	\$216,225.69



	PROPOSED LOT YIELD
STANDARD LOTS	399
SUPER LOTS	6
TOTAL	405

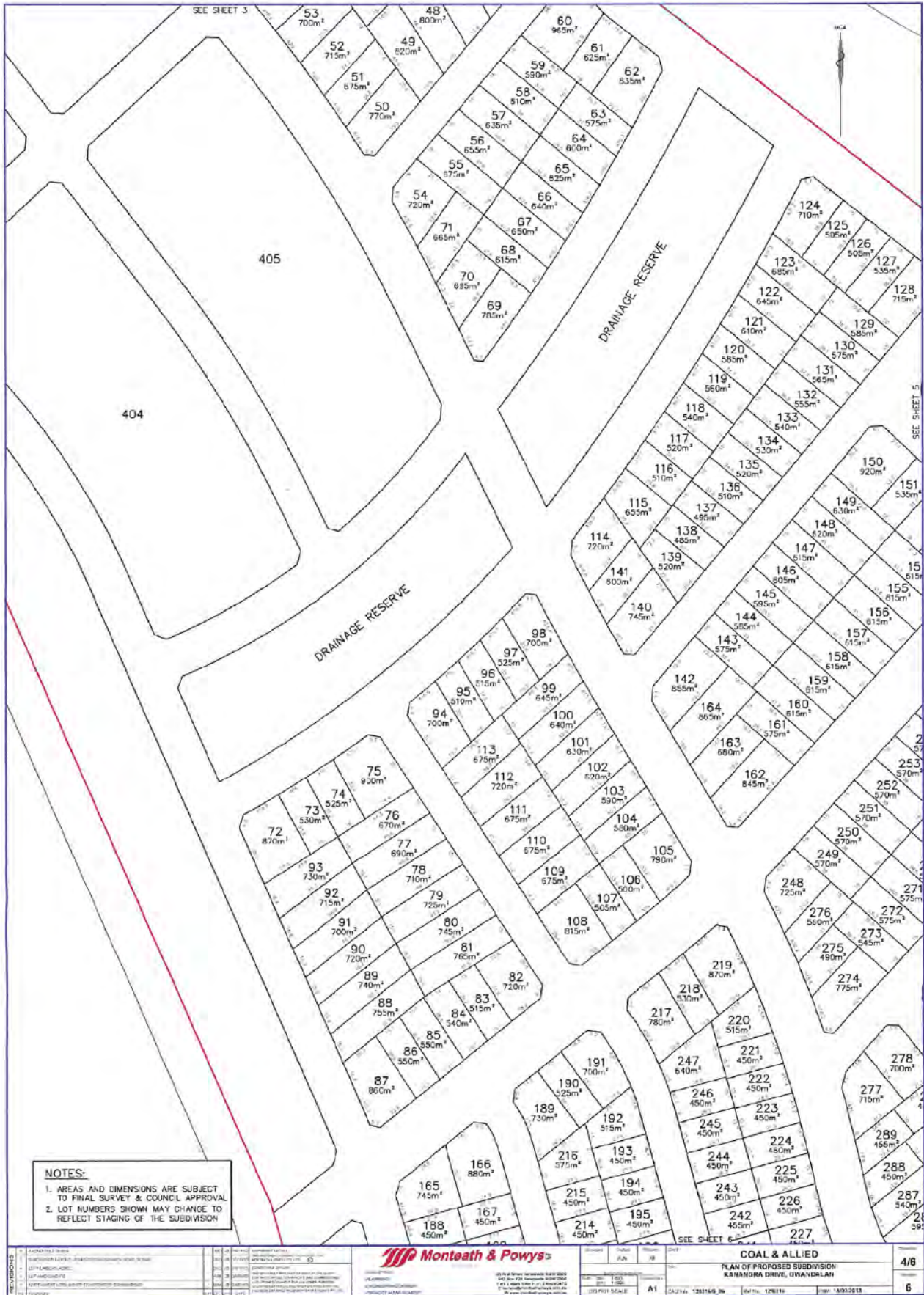
NOTES:
 1. AREAS AND DIMENSIONS ARE SUBJECT TO FINAL SURVEY & COUNCIL APPROVAL
 2. LOT NUMBERS SHOWN MAY CHANGE TO REFLECT STAGING OF THE SUBDIVISION

<p>Monteath & Powys</p> <p>100 Blue Street, Melbourne VIC 3000 PO Box 120, Werribee VIC 3039 Tel: 03 9499 1000 Fax: 03 9499 1001 www.monteathandpowys.com.au</p>		<p>COAL & ALLIED</p> <p>PLAN OF PROPOSED SUBDIVISION KANANGRA DRIVE, GWANDALAN</p>		<p>Scale: A1 Date: 14/02/2013</p>
<p>PROJECT MANAGER: [Name]</p> <p>PROJECT ENGINEER: [Name]</p> <p>PROJECT ARCHITECT: [Name]</p>		<p>DATE: 14/02/2013</p> <p>SCALE: A1</p> <p>CAD FILE: 120110_06</p> <p>PLOT NO: 110516</p> <p>DATE: 14/02/2013</p>		<p>Sheet No: 1/6</p> <p>Project No: 6</p>



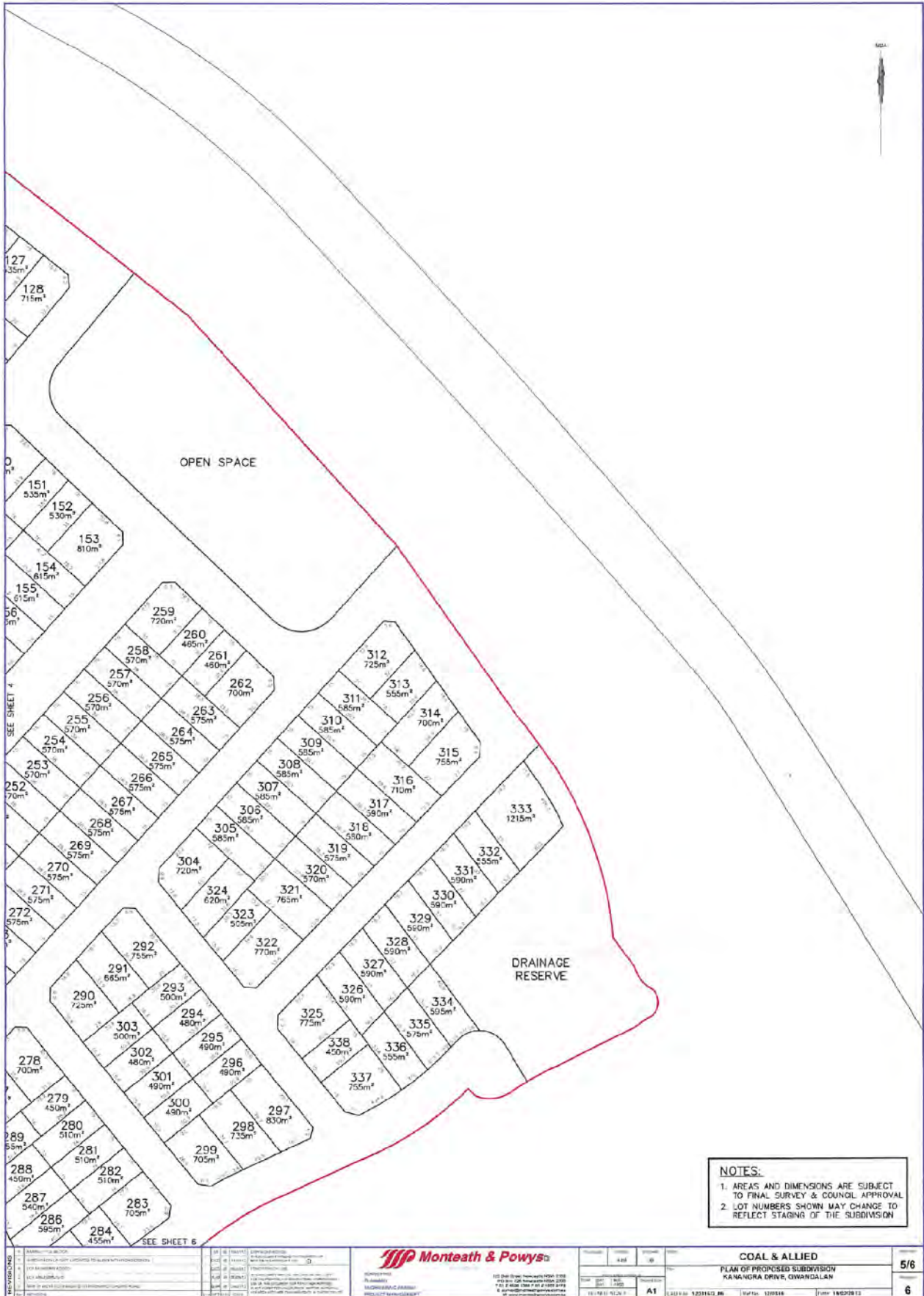
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PREPARED BY: J. MONTATH & POWYS CHECKED BY: J. MONTATH & POWYS DATE: 14/06/2013	PROJECT NO: 120140_08	CLIENT: COAL & ALLIED	SHEET NO: 2/6
MONTATH & POWYS 100/100 KANANGRA DRIVE, UWARDALAN, VIC 3207 PH: 03 9499 1111 WWW.MONTATHANDPOWYS.COM.AU	SCALE: AS SHOWN DATE: 14/06/2013	DRAWN BY: J. MONTATH CHECKED BY: J. MONTATH	PROJECT NO: 120140_08 SHEET NO: 2/6



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 1. AREAS AND DIMENSIONS ARE SUBJECT TO FINAL SURVEY & COUNCIL APPROVAL
 2. LOT NUMBERS SHOWN MAY CHANGE TO REFLECT STAGING OF THE SUBDIVISION

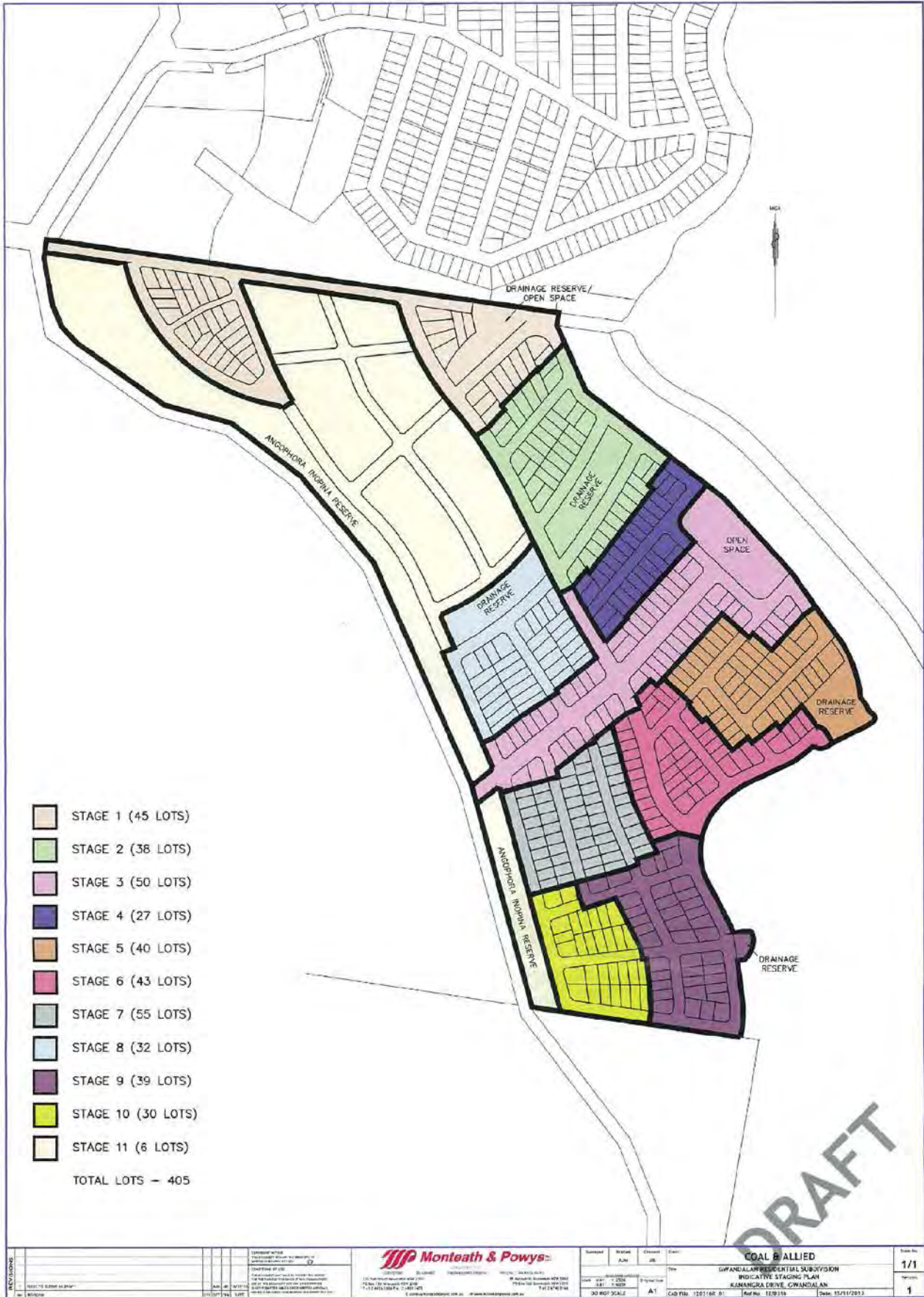
<p>Monteath & Powys</p> <p>100 St Albans Street, St Albans, Vic 3023 Tel: 03 9452 1111 Fax: 03 9452 1112 www.monteathandpowys.com.au</p>		<p>COAL & ALLIED</p> <p>PLAN OF PROPOSED SUBDIVISION KARANGRA DRIVE, GWANDALAN</p>		<p>4/6</p>
<p>DATE: 12/01/16</p> <p>DRAWN BY: [Name]</p> <p>CHECKED BY: [Name]</p> <p>SCALE: A1</p>		<p>DATE: 12/01/16</p> <p>BY: [Name]</p> <p>NO: 14933/16</p>		<p>6</p>





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<p>Monteath & Powys</p>				<p>COAL & ALLIED</p>					
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<p>PLAN OF PROPOSED SUBDIVISION HANANGNA DRIVE, GWANGALAN</p>				<p>PLAN OF PROPOSED SUBDIVISION HANANGNA DRIVE, GWANGALAN</p>					
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6.1 Economic Benefit of Sports Tourism Events

TRIM REFERENCE: F2004/06179 - D05281050

MANAGER: Maxine Kenyon, Director

AUTHOR: Brett Sherar, Manager

SUMMARY

This report outlines the capability constraint of Council's current sporting facilities to host regional sporting events. A summary of regional events held in the Wyong Shire is also outlined. An analysis is provided in relation to the type of events, facility requirements, provision of resources required and other key issues that would support attracting regional events to Wyong Shire.

The report identifies current strategies that are being implemented to improve the likelihood of event organisers and volunteers bringing events to Wyong Shire; in addition to actions required for Council to attract and accommodate future regional sporting events.

RECOMMENDATION

That Council receive the report on Economic Benefit of Sports Tourism Events.

BACKGROUND

At its Ordinary Meeting held on 13 March 2013, Council:

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

- 293/13 That Council note the numerous benefits (including tourism, economic and sporting) associated with hosting Regional Sporting events.*
- 294/13 That Council investigate the capability restraints of our current sports grounds to host Regional Sporting events and the need to formulate a strategic approach to maximise the usage of our facilities to attract such events.*
- 295/13 That Council request the General Manager to report proposals for regional sports events within Wyong Shire Council for its consideration.*
- 296/13 That Council liaise with local sporting organisations, via the Sports Committee, to seek feedback on hosting regional sporting events."*

CURRENT STATUS

Introduction

Sport and recreation is a large area of interest for the Wyong community, as is demonstrated by the number of local sporting clubs and associations, and the number of bookings recorded by Council. Good health and access to quality services and facilities are important for the wellbeing of the community, as identified in the Central Coast Quality of Life Survey. Wellbeing, good health and an active lifestyle combine to shape an overall level of satisfaction with life.

Council has dramatically improved its reputation in delivering and managing quality sporting facilities. The most dramatic improvements have occurred over the last five years, particularly in relation to design and maintenance of these facilities. The quality of the facilities encourages more people to utilise them formally through sporting groups and informal use.

Council maintains 33 field based sporting facilities, 16 tennis complexes, 7 netball centres including multi-use/basketball courts, 5 half courts, 3 bocce courts and 18 skate parks, all of which are primarily designed and positioned to meet the needs of the local communities where they are situated. Council manages a number of its sporting facilities via a booking system and there are 15,500 current seasonal users of Council sports fields, in addition to usage by approximately 21 local schools for training and sporting events. Seasonal users hire Council sports fields on average of 551.5 hours per week, and schools 25.5 hours per week. Council's self-managed netball complexes record seasonal user usage at 43 hours per week, and schools at 5.5 hours per week.

A number of Council sporting assets are leased to third parties. This arrangement benefits the community and Council, with the lessee responsible for maintenance obligations and costs of the leased premises, and not for profit community organisations lessees' providing numerous community services to users and residents. The usage of leased facilities is unknown by Council. A number of Council's facilities are also hired on a casual basis.

Apart from netball, there are no fields or courts co-located within the Shire that provide the large number traditionally required to hold regional sporting events in one area. However, in the past Council has identified a number of fields located geographically close to each other and offered them as a suite of fields for events. The facilities are listed in the below table:

Co-Located Facilities Table

Sport	Main Facility	No. Pitches	Co-located Facility	No. Pitches	Total Pitches
Soccer Rugby League Rugby Union	Harry Moore Oval	2 Senior, 2 junior soccer	Darren Kennedy	2 senior rugby league	4 senior 2 junior
Soccer Rugby League Rugby Union	Woongarrah Sports Complex	2 Senior, 1 off field training area	Hamlyn Terrace Wadalba Oval Warnervale Oval	2 senior soccer 2 senior soccer 1 senior league	7 senior 1 training area
Soccer Rugby League Rugby Union	Bill Sohler Park	3 senior rugby league, 1 senior pitch (no goals), 1 training area	Ourimbah Soccer Oval Ourimbah Rugby Oval	2 senior soccer 1 senior rugby union	7 senior 1 training area

Sport	Main Facility	No. Pitches	Co-located Facility	No. Pitches	Total Pitches
Soccer Rugby League Rugby Union	Edsacc North	3 senior soccer 2 junior soccer	Edsacc South	2 senior rugby league 2 junior rugby league	5 senior 4 junior
Softball	Bateau Bay Oval	2 senior diamonds 2 junior diamonds	Pat Morley Oval	3 to 5 junior diamonds (depending on age group)	2 senior 5 junior
Cricket	Harry Moore Oval	1 turf 1 synthetic Nets	Darren Kennedy	1 synthetic	6 turf 7 Synthetic 7 nets
	Woongarra Sports Complex	1 turf Nets	Hamlyn Terrace Sports Complex Wadalba Sports Complex	1 synthetic Nets 1 Synthetic	
	Baker Park	1 turf Nets	Don Small	1 synthetic	
	Jubilee	1 turf Nets	Taylor Park Edsacc North Edsacc South	1 turf/synthetic Nets 1 synthetic 1 synthetic	
	Sohier Park	1 turf 1 Synthetic Nets			
Netball	Baker Park	30 courts			

The improvement of Council sporting facilities links to the objectives of the Community Strategic Plan 2030 as follows:

“Communities will be vibrant, caring and connected with a sense of belonging and pride in their local neighbourhood.” Council will create and support communities where there is participation in the local community and a sense of belonging and pride in the local area.

“Communities will have access to a diverse range of affordable and coordinated facilities, programs and services.” Council will provide for a range of local and regional facilities that support the diverse needs of the community and contribute to its vibrancy, connections and pride, including complementary programs, services and activities that are affordable, financially sustainable and maximise use of facilities.

There are several State and regional plans that support the delivery of sporting infrastructure and regional events. The overarching plan of the NSW Government is the NSW State Plan 2021 which sets a priority for the allocation of resources including strengthening local environment and communities by enhancing cultural, creative, and sporting and recreation opportunities.

6.1 Economic Benefit of Sports Tourism Events (contd)

The Regional Visitor Economy Fund (RVEF), which is an initiative of the State Government, provides investment into the regional visitor economy on a matched dollar-for-dollar basis to deliver projects that work to reach the target of the Visitor Economy Industry Action Plan of achieving the 2020 objective of doubling overnight visitor expenditure for New South Wales. There is \$7.2M available under this initiative of contestable funds. Additionally, major regional events and the Regional Flagship Events Program are completely separate to the RVEF program and attract separate funding.

The Central Coast Destination Management Plan, developed by Central Coast Tourism, identifies attraction and growth of hero, business and tourism events where hero experiences include sporting festivals and events as a strategic priority and are working with various stakeholders to deliver on this.

Regional sporting events are recognised as an area where Council can assist in supporting sporting associations, the local community and the tourism industry to deliver economic benefits for our community. As such, even though Council does not have dedicated regional sporting complexes, over recent years we have been able to work with others to accommodate some events on our fields, including:

- State Rugby Union Country Championships
- Slalom Skateboard Race
- Boys Soccer State Carnival
- State Netball Titles
- State Softball Championships
- Junior Touch Football Championships
- NSW Primary Schools Sports Association (PSSA) State Girls Football Carnival
- NSW Primary Schools Sports Association (PSSA) State Boys Football Carnival
- NSW Primary Schools Sports Association (PSSA) State Boys Cricket Carnival.

The above events drew between 200 and 1,500 participants per event.

There is a current bid from Central Coast Cricket Association to host the NSW Country Girls Championships in the Shire in the near future which Council staff are supporting through discussion with Central Coast District Cricket Association and the championship organisers to determine timing and field availability. Council has also agreed to support the Central Coast Academy of Sport bid to host the Clubs NSW Academy Games. This is an annual event attended by approximately 700 participating athletes and 1,200 supporters.

Initial discussion with Oztag organisers to bring their championships to Wyong Shire commenced in April this year.

CURRENT STATUS

Regional sporting events are valuable to the local community, as not only do many bring a large number of competitors but they often also bring along families and spectators. The value of this can be measured in economic terms and also brand and place reputation.

The average economic value of visitor spend as a result of sports events has been calculated based on the Wyong Local Government Area, National Visitor Survey, Year ending 8 September 2011, from Tourism Research Australia. The value of an overnight visitor and day tripper to Wyong Shire has not varied significantly since 2011. \$133.00 is the

6.1 Economic Benefit of Sports Tourism Events (contd)

estimated average spend per night for domestic overnight travel per visitor and \$83.00 is the estimated average spend per domestic day trip travel per visitor.

The below table summarises the value of events depending on the number of visitors and the period.

Number of visitors	Potential economic impact per event type **	Period
Large 5000 or more	\$3,325,000.00 (Based on a minimum of 5000 visitors for 5 nights)	Sustained 5-7 days
Significant 1000 to 4999	\$1,197,000.00 (Based on an average of 3000 visitors for 3 nights)	2-5 days
Small 500 - 1000 visitors	\$133,000.00 (Based on an average of 1000 visitors for 1 night)	1-2 days
Variable - tend to be small and attract few visitors from outside of the area	\$12,450.00 (Based on an average of 150 day visitors)	1 day

** (Source: Travel to Wyong Local Government Area, National Visitor Survey, YE Sep 08-Sep 11, Tourism Research Australia).

PROPOSAL

Types of Regional Events

There are various types of events dependent on the approach, defining the type will assist in understanding Council's involvement and any contribution.

For Profit Competitor Dominant	These events have become popular in the form of extreme obstacle fitness races such as "The Beach Bash" and "Raw Challenge" events. They are niche market, often one day events that attract large numbers of competitors.
For Profit or Sponsored Spectator Dominant	For profit events require facilities that are conducive to restricting access so tickets can be sold. A stadium would be the best facility for this type of event but facilities such as golf courses could also support them, although fencing could be erected on some fields to provide an enclosed space. There are sponsored, high profile events such a professional surfing events which attract high numbers of spectators and do not require enclosed grounds as they don't sell tickets.

Field/Court Based Representative Level Events – Not-for-Profit	<p>These events are primarily run by volunteers from local sporting associations and are competitor dominant. They don't make large sums of money for the hosts with most of the income coming from canteen profits.</p> <p>Volunteers that manage these events don't tend to have a lot of experience in event management and often rely on greater guidance and support from Council.</p>
Non Field/Court Based Events	<p>This is a category of events which could provide the greatest opportunity in Wyong Shire. They are not restricted by numbers of fields or courts and are held on beaches, roads, parks or private facilities such as the six golf courses or Mingara Recreation Club.</p> <p>These could include events such as triathlons, on and off road bicycle events and foot races and could attract large numbers of competitors if marketed correctly.</p>

There are also different sized events that can be considered. This is important in terms of managing expectations, knowing the impact on facilities and the community where it is located, as well as the tangible outcomes and benefits for the community, organiser and Council.

Major Event - Hero Events	<p>These are major events that fit the region's image and goals, attract very large numbers of participants and visitors (generally over 5,000), usually over a period of several days (five-seven days), or attract a smaller number of visitors/participants (over 3,000) with wide TV and media interest. They are usually of national or international significance.</p> <p>Council may support these in conjunction with Destination NSW, Central Coast Tourism, State and regional sports associations or unilaterally. They are generally recurrent and subject to term contracts. Examples from other local government areas of similar size and capacity to Wyong Shire include Port Macquarie's 'Iron Man Australia Triathlon', and Noosa (Queensland) 'Noosa Triathlon Mutli Sport Festival' which is a five day festival of world-class sport and entertainment, celebrating the Australian sporting lifestyle.</p>
Major Event – Signature Events	<p>These events fit the region's image and brand, typically attract large numbers of visitors and participants (1,000 to 5,000), and/or attract interstate and intrastate media coverage and are generally of two to five days duration.</p> <p>These 'Signature Events' are the types of events that are so closely linked to the lifestyle, culture, or history of the Central Coast that they would be unlikely to be able to be relocated to another region.</p>

Major Events – Niche Events	Events in this category fit the region’s image and goals, but attract a smaller number of visitors and participants (500-1,000), have significant local participation, and niche media coverage. They often support other economic development or community development strategies and programs.
Local Events	<p>These events may attract large or small numbers of participants, predominately local residents (averaging 50-300 day visitors) and are usually of short duration (one day). Typically, their benefits are largely of a community, social or cultural nature. They are often very significant to the residents of the area and/or a local community but often tend to draw few visitors from outside the region due to their local focus.</p> <p>There are many events of this category supported each year, usually through minor, in-kind support to minimise negative impact and provide minimal infrastructure and planning support.</p>

Considerations for Hosting Regional Events

Wyong Shire has a number of local, niche and signature events, however the larger events are lacking. Council has worked with a number of groups to host regional sporting events in the past and through that involvement, discussions with Central Coast Tourism, Sports Federation and Council’s Sports Committee have identified a number of considerations. Each sport has different minimum requirements which are dependent on the number of competitors and spectators. However, considerations from both organisers and Council include, but not limited to the following:

The number and quality of fields / courts	<p>The number of competitors and spectators will determine the number of fields / courts required.</p> <p>Some events require a certain standard of turf, flooring, space between fields / courts, lighting etc. Wyong Shire is challenged in having the number and standard of facilities to meet the requirements for large events.</p> <p>Council has recognised this and is planning a number of larger regional sporting projects that will have the capacity to cater for this market.</p>
Impact on the facilities	<p>With so many competitors in addition to seasonal and casual users, the fields are often overused and the impact can be significant. The cost of repair after the event and the impact on regular seasonal users also needs to be considered.</p> <p>In the past Council has required bonds to ensure if there is damage, it can be repaired and the costs not borne by the rate payer. This also encourages organisers to look after the grounds and manage the event to limit the impact.</p>

<p>The availability of the fields / courts and impact on existing users</p>	<p>All of Council's sport facilities have seasonal users in winter and the majority; also have seasonal users in summer. Seasonal users apply for ground allocations and prepare draws well in advance of their season commencing and currently don't allow periods within their season that would accommodate a break to allow an event to take place.</p> <p>If the event was known prior to the seasonal allocation of grounds being made it would make it considerably easier to accommodate the event.</p> <p>The balance between meeting the needs of hundreds of locals and maintaining the relationships with the sporting associations and clubs compared to an influx of new users and the economic benefit they bring to the local community needs to be balanced. By having the key sporting associations and networks on board with attracting larger regional events to the area and taking an active role in facilitation of the relationships, better outcomes could be negotiated.</p>
<p>The type and number of amenities for players and officials</p>	<p>Amenity buildings at all Wyong Shire sporting facilities have been designed to cater for seasonal users. A number of premier sporting facilities such as Woongarra, Hamlyn Terrace, Bateau Bay, Jubilee and Wadalba have amenities that, while not designed for large events, have a capacity to handle larger users than the older facilities.</p> <p>Within Wyong Shire only two grounds have more than two full size football fields directly co-located being Sohier Park and Pat Morley Oval, with The Entrance District Sporting and Community Centre (EDSACC) North and South having four full size football fields semi co-located being our largest grounds. However, Council does have a large number of fields and has in the past used sites which are located near each other.</p>
<p>The level of parking</p>	<p>There has been a focus when planning for sporting assets to include ancillary assets and an understanding of asset use. As such, parking at newly constructed or upgraded sporting sites provide for more adequate parking. A number of existing sporting facilities require improved and greater parking, particularly if a large event were to be held, however there are also other transport options discussed below that would alleviate car parking constraints.</p>
<p>The proximity to transport</p>	<p>Council's sporting assets have been located in areas which service numerous suburbs and are accessible by various forms of transport. However, access to regional sporting grounds via rail or close to major arterial roads will provide for greater access for visitors to the Shire. Council has limitations in this area, however with shuttle buses and kiss and ride areas, parking could be overcome (may be at a cost) if a large event were to be held.</p>
<p>The availability of a variety of accommodation options</p>	<p>For events that require accommodation for competitors or spectators it is preferable to have the event close to accommodation hubs. The majority of accommodation in Wyong Shire is on the coastal fringe from Long Jetty to Budgewoi. There is a cluster of sporting facilities in the Bateau Bay area close to accommodation but the other clusters of sporting facilities in Warnervale and Ourimbah have no substantial accommodation hubs in the area.</p>

	<p>With Wyong Shire being a popular destination during school holidays and predominantly over the Christmas period, having large events over these periods does create challenges with available accommodation.</p> <p>For the greatest financial impact it would be ideal to hold events during the lower occupancy rate period for accommodation in the Shire. For large events it is often useful to establish partnerships with accommodation providers to support competitors and spectators.</p>
<p>The costs associated with use of the venues</p>	<p>The benefit of regional events includes income for Council and the local community. Costs assigned to usage of sporting venues for events are published in Council's fees and charges schedule.</p> <p>Noting that often Council is asked to provide these free of charge, the current costs are already highly subsidised and typically very small in comparison to the income the event generates through player fees etc. However, if Council did decide to waive the fees it could be through the subsidy grant program or a formal sponsorship.</p>
<p>Appropriate development approvals, traffic management plans etc</p>	<p>To facilitate successful, safe and streamlined regional sporting events, often development applications are required which include traffic management and waste plans to name a few.</p> <p>This process can be daunting for groups. Council has a Duty Planner, staff in Events and the Open Space and Recreation Unit that can assist groups going through this process to ensure they understand the requirements up front and can provide the required information.</p> <p>This is an area which is often left to the last minute and creates angst with all parties. If the request for an event is planned this process can be easily managed.</p>
<p>Ability of the organisers to plan and facilitate an event</p>	<p>Often groups approach Council late in the planning of a regional event and have not considered some of the above concerns, which often take time to manage and / or facilitate. In addition, at times groups make requests on Council for improvements to the facilities or for Council to cover the costs of same. These improvements can be a requirement to host the event or have impacts on other users of the facilities and staff and financial resources may not be available.</p> <p>Identifying if the organising group has the time and capability to organise such a large event and liaise with the relevant people is also a factor for Council.</p> <p>Council does have an events kit and Central Coast Tourism have identified as a priority to increase the number of sporting events on the Coast. Council staff will also assist groups in working through the Council processes.</p>

Budget	Often the costs associated with hosting an event are not appropriately considered or realistic and there is no up-front agreement on who will manage or fund the various costs. Costs that should be considered up front include: upgrades to facilities; cleaning and maintenance prior to events; advertising; waste plans; DA fees; traffic management plans; reports on environmental effects; project management costs; shuttle bus and other transport options; insurances; booking / venue fees and charges; bonds; security
Media / Communications	With a large influx of people into an area it is important to inform the local community of the details of the event. Traffic congestion, limited parking or noise may all have an impact. The economic benefits and the value being brought into the Shire should also be highlighted. The linkages with our sporting groups, the value of sport on wellbeing and the partnership approach between organisers are also opportunities for media and communications with stakeholders. It is also important to highlight the success and value of these events to garner support from the residents.
Define roles	<p>It is important to define the role of stakeholders as there are many elements to these types of events, including:</p> <ul style="list-style-type: none"> • Researching and submitting the bid • Being the host organisation, the group that is accountable and organises the event • Sponsoring the event • Playing a supportive role <p>In the past Council has been called on to undertake many roles, including: fund activities through grants; be a sponsor; provide in-kind support through our subsidy program; make bookings; liaise and / or facilitate discussions with existing users; prepare the facilities and manage development applications. Defining the roles and who will take them on is imperative prior to making a bid, to ensure there are sufficient resources, staff time, budget and support to deliver a successful event.</p>

In organising any event there are many factors that need to be considered including those outside of the host organisation, other stakeholders (such as Council) have requirements or needs that must be met during the process. These elements must be considered up front to gain agreement from all parties and to develop a smooth, simple process that supports improved outcomes for stakeholders, participants and within the community where it is held.

Possible locations for future regional events

As identified in Attachment 1, Council has a number of sporting fields, courts and other sporting infrastructure across the Shire. Even so, they are developed for more localised activities, so there are limitations in the infrastructure we have to offer that could support larger regional sporting events. Even so, below are some of the key sites / locations that could be promoted more heavily.

EDSACC	<p>Four fields between North and South, only separated by 400m</p> <p>Large space for car parking</p> <p>Easily accessible from the main road</p> <p>Shopping Centre across the road</p>
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6.1 Economic Benefit of Sports Tourism Events (contd)

	<p>Large number of accommodation providers in close proximity</p> <p>Ancillary infrastructure such as tennis, croquet and a large hall at Police-Citizens Youth Club (PCYC)</p> <p>Within five minute drive there are also six fields located at Pat Morley Oval, Bateau Bay Oval, Jubilee Oval and Eastern Road Oval. These could be used as support sites</p>
Baker Park	<p>30 hard surface netball courts</p> <p>Large space for car parking</p> <p>Close proximity to the train and bus interchange</p> <p>Large number of accommodation providers within 25 minutes</p> <p>Ancillary infrastructure includes two fields, grand stand, Olympic pool and ten tennis courts</p>
North Wyong Regional Hockey Complex	<p>Two competition standard synthetic fields</p> <p>Located on Pacific Highway a short distance from train station</p> <p>Large car park</p>
Warnervale Cluster of Sports facilities	<p>Woongarah, Hamlyn Terrace and Wadalba Sports facilities each have two football fields with seven multi-use courts between them and ample parking</p> <p>Warnervale Athletics has one field and athletic infrastructure</p>

In addition to how we can support use of our existing facilities to host regional sporting events, there are other opportunities that Council is working on that could further enhance these opportunities:

Central Coast Regional Sporting and Recreation Complex

A key strategy to improve Wyong Shire's ability to attract regional sporting events is the construction of the Central Coast Regional Sporting and Recreation Complex. This project will include up to nine ovals, a grandstand and amenities that will facilitate large scale events. The complex will be located near key infrastructure such as the M1 Freeway and Tuggerah train station. There will need to be a staged approach to deliver the whole facility, however the Federal Government has promised \$1million to undertake some of the necessary planning studies.

Recreation Facilities in Budgewoi

Council is currently looking at the potential for a range of sporting and recreation facilities in the Budgewoi area. This may provide opportunities to accommodate a number of fields in the one vicinity, again offering an alternate site for larger events.

Magenta Shared Pathway

The Magenta Shared Pathway will close the gap in the existing shared pathway system from Chittaway to Noraville. Completion of this pathway will allow a scenic, continuous, off-road path long enough to hold half marathons, fun runs or cycling events.

Regional Airport

Delivery of a regional airport will enable greater access for visitors and sporting participants to access Wyong Shire.

Tourism

Council is establishing a framework for tourism that will assist Council in identifying our focus in addition to the role that Central Coast Tourism play. The actions within the newly published Central Coast Destination Management Plan will provide the development of a stronger and more intimate working relationship with Central Coast Tourism. The relationship will benefit the delivery of hero sporting events and priority projects including the Central Coast Regional Sporting Complex at Lake Road, Tuggerah.

CASAR (Community Automotive Sport and Recreation) Park

This project is a proposed motorsport facility at Bushells Ridge. Organisers for the proposed CASAR Park hope to offer driver training and track-day experiences along with promotion for local tourism. Along with employment opportunities it has been estimated that the facility could generate \$17M annually in benefits to the local economy. It is anticipated that the Park will generate approximately 200 jobs and 200 training positions onsite once the facility is fully operational, plus a further 150 indirect jobs.

Other opportunities that may, or may not, exist in the future include:

Stadium

To attract large numbers of spectators to field based events, a stadium would be required. This could then facilitate sporting events such as National Rugby League (NRL), A-League or other national games. No analysis into the likelihood of attracting these sports has been undertaken or a cost benefit analysis into the financial viability of a stadium.

Motocross – Sports Holidays

A niche market that has no operations anywhere in the local region is a motocross farm. This sport requires a large area of vacant land that could be provided for motocross riding at a cost of entry. Successful motocross farms in NSW provide camping facilities and amenities at a reasonable charge. There is a concern with many motor bike users riding illegally in the parks and bushland in Wyong Shire. A facility like this could reduce this illegal and damaging pastime.

Key Council Actions to Support Regional Sporting Events in Wyong Shire

Council requested the formulation of a strategic approach to maximising the usage of our facilities to attract such events. In the short term (the next five years), there are a range of actions that Council can take, and has already taken to support hosting an increased number of regional sporting events, including:

Council Strategic Plan 2013-2017	<p>Wyong Shire Council Strategic Plan 2013-2017 sets out Council's commitment to the following capital and strategic works which will support and enhance our facilities to have the capacity to deliver these types of events:</p> <ul style="list-style-type: none"> • Construction of sub soil drainage to improve the recovery time for Council's sporting fields and minimise closure times • Review and make improvements to skate facilities to provide better facilities for the Shire's youth • Improvement to the drainage and surface of a number of Council netball facilities • Relocation and construction of new skate park at Lake Haven • Replacement of sporting field floodlighting • Replacement and improvement to a number of sporting assets including cricket wickets and flood lighting • Improvement to ancillary assets including amenities blocks, shelter and seating. <p>Council is committed to initiatives that benefit the community and believe that business is strengthened when it is delivered collaboratively, resulting in better service to the community.</p>
Identification of events	<p>Work with Central Coast Tourism, Central Coast Sports Federation and the Sports Committee to identify a continual event calendar to assist in planning into the future and assessing the capability of the groups to make a bid for Wyong.</p> <p>The Sports Committee is currently undergoing a review and included in its new format should be regional events as a key agenda item for discussion each month.</p>
Training for organisers	<p>Council could undertake, in partnership with others, a workshop to assist sporting groups to understand the work required to make a bid to host an event and to deliver it. This will provide a more informed approach when submitting an application to host an event.</p>
Event Management Support	<p>Council has developed an event kit which is publicly available and in the past has provided information sessions and workshops to support groups to understand how the process works.</p> <p>Council will provide points of contact for each event to liaise with and guide the organiser through the required Council processes, for instance: facility bookings, DA approvals, traffic control plans and litter management prior to the event and other sundry duties during the events.</p>
Sponsorship Framework	<p>Council is currently developing a sponsorship framework which will provide a basis for all future sponsorship Council will be involved in, which will include any requests for sporting events. This framework will have a tiered model of sponsorship, i.e. the more people involved and contributing to the local community, the higher the opportunity for increased sponsorship.</p> <p>In these cases sponsorship could include prize money or appearance fees for major spectator events, prize money for large participant events or to cover costs for regional championship events.</p>

	<p>Council has also provided many improved services to the community through partnerships including Wadalba School, community facilities and high quality sports grounds. Leasing sporting assets to community organisations and businesses, such as Mingara Recreation Club, also provides for improved community benefit.</p>
Council Grants Programs	<p>Council offers numerous grants programs that could support these types of events through funding to support initiative or subsidise / waive fees. Information is distributed through the sporting networks encouraging applications.</p> <p>Council also has a funding program to support individuals / teams entering regional, national or international competitions.</p>
Gain stakeholder agreement	<p>There are a number of key stakeholders in Wyong who are interested in securing regional sporting events in the Shire, including Central Coast Tourism, Central Coast Sports Federation, Central Coast Academy of Sport and Council's Sports Committee. These peak bodies need to work together to submit hosting bids, organise events, sponsor events and be a champion, highlighting the value of the events in the Shire. As well they need to liaise with sporting associations, clubs and other stakeholders to balance with meeting the needs of the local users and communities.</p> <p>Council should formally liaise with these stakeholders to gain agreement on this approach, in particular:</p> <ul style="list-style-type: none"> • Clarity and agreement up front about the role of the organiser and what (if any) support they require from Council. This should occur prior to submitting a bid to host an event • Provision of as much lead time as possible should be provided to understand resource requirements and manage conflicting usage issues • If Council is to sponsor the event, the agreement must be signed prior to the event booking • Agreement must be sought from Council prior to making any bids to host an event on Council land and identify opportunities and challenges • Regional sporting events should be on the agenda of the Sports Council at every meeting
Identification of opportunities	<p>There are many possible events that occur throughout the year, a complete listing is required to identify opportunities and their timing and resources required.</p>
Report to Council	<p>Any regional events identified and supported by stakeholders will be reported to Council. This will be done through minutes of the Sports Committee and will include any request for financial or other support.</p>

Council has demonstrated over recent years a willingness to support regional events by working with groups to host events including State rugby union, touch football, netball, softball, cricket and skateboarding events.

Central Coast Tourism has identified regional sporting facilities as a key priority for them to deliver. These include the Motor Sport Precinct and the Central Coast Regional Sporting Complex as well as programs such as creating a calendar of events for off-peak and mid-week visitations and provide for recreation and experience seekers.

CONSULTATION

Gosford City Council

In preparing this report staff contacted officers from Gosford City Council to determine what strategies they have for attracting events. They have no strategies to attract events but try to accommodate any that they have capacity to support. They stated that they rely on Central Coast Tourism and Central Coast Sports Federation to attract events to their region.

Central Coast Sports Federation

Initial discussions with the Sports Federation included their wish to have a full time sports event support staff funded equally by Wyong and Gosford Councils.

They expressed a desire to support additional, large sporting events but understand the constraints of conflict with seasonal users and would work with the seasonal user associations to facilitate more events.

Wyong Shire Council Sports Committee

The WSC Sports Committee is a key stakeholder in the drive to increase sports tourism and will need to continually consult on the future of events. A permanent agenda item will be to discuss current and future large events as well as gaining support from affected associations.

Other Consultation

Wider consultation and ongoing dialogue between key stakeholders including, but not limited to Central Coast Sporting Federation, NSW Sport and Recreation, Central Coast Tourism, neighboring councils, sporting bodies and the State government is essential to the development of the Shire as a regional sporting destination.

CONCLUSION

Council has successfully facilitated a number of large scale regional sporting events, which is a positive reflection on Council's commitment to the growth of sport in the Shire, and its focus on construction, improvement and maintenance to sporting assets.

Council will work with funding bodies to access grant funding to support the implementation of key infrastructure projects to increase Wyong's capacity to hold regional sporting events and increase sports tourism. However, as discussed previously in this report there exist a number of issues Council needs to address to attract and facilitate future regional sporting events including managing the conflicting needs of seasonal users.

For Council to increase regional events being hosted in the Wyong Shire it needs to continue to support initiatives within the Central Coast Destination Management Plan, work with other sport bodies and associations to fund and facilitate events and by having a process that provides stakeholder consultation, sufficient planning and time to arrange an event as well as allocating skilled resources where required.

All identified and supported regional events will be reported to Council.

ATTACHMENTS

- 1 Event Types and Available Facilities D07751383

Sports Facility	Current usage Type Winter Seasonal	Current usage type Summer Seasonal	Current usage type general	No. of fields Winter Fields	No. of Fields Summer	No of training areas	Current usage % Winter	Current usage % Summer	Approx. No. of car parking spaces (off street)	Distance to train station (km)	Distance to M1 (km)	Clubhouse	Amenity Capacity (toilets)	Amenity Capacity (Change rooms)	Competition Floodlights	Field class	Notes
Sportsgrounds																	
Adelaide Street Oval	AFL	Baseball		1	1	1	100	100	50	8	9.3	Yes	5 pans 1 urinal	2 change rooms 40 people	Yes (AFL only)	2	Club house leased by AFL Club
Baker Park	Football	Cricket	school	2	1	1	100	60	65	0.5	4.5	No	12 pans 1 urinal	2 change rooms 40 people	no	2	Parking Station in vicinity of park
Bateau Bay Oval	AFL	Softball		1	2	0	58	64	80	13.3	16	Yes	8 pans 1 urinal	2 change rooms 40 people	Yes (AFL only)	1	
Bill Sohler Park	Rugby League	Cricket	school	3	3	1	76	50	40	0.5	2	No	2 pans	2 change rooms 40 people	Yes (2 fields only)	1	Public Toilets Oval 4 can be utilised for overflow parking
Blue Haven Oval	Rugby League Gridiron	Cricket Gridiron	school events	2 2	1 2	0	76	54	70	10.5	6.2	No	5 pans 1 urinal	2 change rooms 40 people	Yes	2	
Buff Point Oval	Nil	Nil		1	1	1	0	0	70	28.9	12.2	No	4 pans 1 urinal	2 change rooms 10 people	No	3	
Chittaway Oval	Football	Nil		1	1	1	98	0	70	3.5	4.7	No	6 pans 1 urinal	2 change rooms 40 people	Yes	2	
Darren Kennedy Oval	Rugby League	Cricket	school	2	1	0	60	42	100	6.5	14.2	No	8 pans 1 urinal	2 change rooms 40 people	Yes	1	
Don Small Oval	AFL	Cricket 6-a-side Football		1	1 6	0	70	66	70	9.6	4.8	No	2 pans	2 change rooms 40 people	Yes	1	Public Toilets
Eastern Road Oval	Football	Nil		1	1	1	100	6	55	9.8	11.2	No	5 pans 1 urinal	2 change rooms 20 people	No	2	
EDSACC North Oval	Football	Cricket	school	3	1	0	100	82	400	10.7	12.9	Yes	8 pans 1 urinal	2 change rooms 40 people	No	1	
EDSACC South Oval	Rugby League	Cricket Oztag Touch Football	school	2	1 6 6	0	100	74	150	10.2	13.3	Yes	6 pans 1 urinal	2 change rooms 40 people	Yes	1	
Halekulani Oval	Rugby League	Cricket	events	2	1	0	64	42	15	12	12.8	No	6 pans 1 urinal	2 change rooms 20 people	Yes	1	
Hamlyn Terrace Sports Complex	Football	Cricket/6-a-side Football	school events	2	1	0	100	74	60	1.9	5.8	No	6 pans	2 change rooms 40 people	Yes	1	Toilets unisex
Harry Moore Oval	Football	Cricket	school	3	2	1	100	42	25	6.4	13.5	Yes (cricket only)	8 pans 1 urinal	2 change rooms 40 people	Yes	1	
Joseph Banks Oval	Rugby Union	Kanga Cricket	events	1		2	76	14	115	11.1	12.5	Yes	6 pans 1 urinal	2 change rooms 40 people	Yes	1	Club house leased by Rugby Club
Jubilee Oval	Football	Cricket		1	1	0	100	58	45	12.8	15	No	8 pans 1 urinal	2 change rooms 40 people	Yes	1	
Kanwal Oval	Football	Cricket	school	2	1	0	76	34	35	6.5	7.1	No	5 pans 1 urinal	2 change rooms 10 people	No	2	change rooms & toilets combined
Killarney Vale Athletics Oval	Football	Football		2	2	0	36	0	65	9.3	11.5	No	8 pans 1 urinal	2 change rooms 40 people	No	1	change rooms & toilets combined
Kurraba Oval	Football	Cricket	school events	2	1	0	100	34	88	6.3	7.4	No		2 change rooms 10 people	Yes	1	Public toilets
Lake Haven Oval	Nil	Nil	school			0	0	0	90	7.7	7.1	No	5 pans 1 urinal	Nil	No	3	Portable toilets only
Mannering Park Oval	Soccer	Soccer Cricket		1	1 1	0	0	12	30	25	9.4	No			No	3	New facility built 2013
Norah Head Oval	Nil	Nil	Preseason Training events	0	0	0	0	0	100	8.6	15.6	No	5 pans 1 urinal	Nil	No	2	Portable toilets only
Northlakes Oval	AFL	Cricket		1	1	0	64	42	12	10.6	8.6	No	6 pans 1 urinal	2 change rooms 40 people	No	1	

Sports Facility	Current usage Type Winter Seasonal	Current usage type Summer Seasonal	Current usage type general	No. of fields Winter Fields	No. of Fields Summer	No of training areas	Current usage % Winter	Current usage % Summer	Approx. No. of car parking spaces (off street)	Distance to train station (km)	Distance to M1 (km)	Clubhouse	Amenity Capacity (toilets)	Amenity Capacity (Change rooms)	Competition Floodlights	Field class	Notes
Sportsgrounds																	
Ourimbah Soccer Oval	Football		school	2	0	1	100	0	90	0.2	1.6	Yes			Yes	1	Toilet and canteen managed by Soccer Club
Ourimbah Rugby Union Oval	Rugby Union	Nil		2	2	0	?	Nil	in excess of 200	0.4	1.8	Yes			Yes	1	Facility managed by Rugby club, Utilises University carpark
Pat Morley Oval	Football	Cricket		3	1	0	100	42	90	12	14.7	No	8 pans 1 urinal	2 change rooms 40 people	Yes	1	
Slade Park	Rugby Union	Gridiron		1	1	1	60	0	30	10.5	14.2	Yes			Yes	2	Public toilets clubhouse managed by club canteen in clubhouse.
Taylor Park	Nil	Cricket	school	0	1	0	0	46	22	13.73	15.947	No	8 pans 1 urinal	2 change rooms 30 people	No	1	No canteen facilities
Tuggerah Dog Park	Dog Training	Dog Training		2	2	0	12	12	100	1.5	4	No	5 pans 1 urinal	2 change rooms 20 people	No	3	No canteen facilities
Tunkuwallin Oval	Football	Cricket		2	1	0	92	42	100	31.7	15.8	No	5 pans 1 urinal	2change rooms 30 people	Yes	2	
Wadalba Sports Complex	Football	Cricket	school events	3	1	0		34	145	7.2	7115.4	No	8 pans 1 urinal	2 change rooms 40 people	Yes	1	
Warnervale Oval	Rugby League	Athletics	school events	1	1	0	60	40	65	0.8	4.7	No	8 pans 1 urinal	2 change rooms 40 people	No	2	Canteen situated in adjacent hall
Watanobbi Oval	Baseball Rugby League	Baseball	school	1 1	2	0	100	100	50	2.8	7.5	No	8 pans 1 urinal	2 change rooms 40 people	Yes	1	
Woongarra Sports Complex	Rugby Union Junior Oztag	Cricket Junior Oztag	school	2 6	1 6	1	80	48	120	4.7	7.2	No	8 pans 1 urinal	2 change rooms 40 people	Yes	1	
Netball Courts																	
Baker Park		Netball	school	28	28	0	30	0	30	0.5	4.5				Yes		Club house and amenities managed by Netball association Parking Station in vicinity
Blue Haven Netball		Netball	school events	2	2	0	14	0	included in oval	10.5	6.2	No	uses oval toilets	Uses oval change rooms	Yes		
Halekulani Netball		Netball	school	2	2	1	22	0	included in oval	12	12.8	No	uses oval toilets	Uses oval change rooms	No		
Hamlyn Terrace Netball		Netball	school	3	3	0	32	0	included in oval	1.9	5.8	No	uses oval toilets	Uses oval change rooms	Yes		
Harry Moore Netball		Netball	school	2	2	0	16	0	included in oval	6.4	13.5	Yes (cricket only)	uses oval toilets	Uses oval change rooms	No		
Lake Munmorah Netball		Netball	school	2	2	0	30	0	0	17.8	10	No	4 pans		No		facilities shared with tennis club
Woongarra Netball				2	2	0	0	0	included in oval	4.7	7.2	No	uses oval toilets	Uses oval change rooms	Yes		

6.2 Works in Progress - Water Supply and Sewerage

TRIM REFERENCE: F2004/07830 - D07252848

MANAGER: Daryl Mann; Manager Water and Sewerage Operations

AUTHOR: Vanessa Trzcinka; Technical Operations Engineer Water and Sewerage Operations

SUMMARY

Water supply and sewerage works in progress and completed for April 2014.

RECOMMENDATION

That Council receive the report on Works in Progress - Water Supply and Sewerage.

WATER SUPPLY

The table below is a status report of current major new and upgrade water projects.

Item Description	Est. Cost \$	Start Date	% Spent	% Comp	Est. Comp Date	Comments
Water Meter Replacement Programme	1.3M	July 2013	70%	80%	July 2014	All identified 80-100mm water meters and 40-50mm water meters currently replaced. 9,800 20-25mm water meters have been replaced, with 2,200 remaining to be done by end of June 2014. This is being funded by the Water and Sewerage Capital Works Program. Program accelerated with 2014/15 funds brought forward.

Item Description	Est. Cost \$	Start Date	% Spent	% Comp	Est. Comp Date	Comments
Mardi WTP Process Improvement Works	275,000	July 2013	90%	90%	May 2014	<p>Upgrading of dosing and process equipment including new mass flow meters, turbidity meters and automatic pH control to improve treated water quality and process reliability completed. Electrical switchboard and other works for the pre-lime dosing to be completed by May 2014. The estimated cost has been increased to cover additional lime and CO2 dosing work to be completed this year.</p> <p>This is being funded by the Water and Sewerage Capital Works Program.</p>
New water flowmeter, telemetry and switchboard upgrades.	110,000	Feb 2014	60%	60%	June 2014	<p>New flow meter installed in trunk main at Tuggerah. New switchboard and telemetry installed at coastal Gosford boundary flow meter. Minor telemetry system upgrades at various locations</p> <p>This is being funded by the Water and Sewerage Capital Works Program.</p>

SEWERAGE

The table below is a status report of current major new and upgrade sewerage projects.

Location	Est Cost \$	Start Date	% Spent	% Comp	Est Comp Date	Comments
Bateau Bay Buff Point Chittaway Point Gorokan Watanobbi Wyong	1.25M	Oct 2013	70%	70%	Jun 2014	Contract sewer main inspection & maintenance programme to improve system reliability and to reduce blockages and possible overflows. Contractor on site. Work commenced on 10 November 2013. This is being funded by the Sewerage Operational Works Program.
Electrical Switchboard replacements at sewer pumping stations	110,000	Feb 2014	60%	60%	Jun 2014	Five new upgraded switchboards at SPS's to be replaced for asset improvement works, one installed, 4 purchased and to be installed by June

PROCESS**Water Treatment**

All treated water produced by Mardi Water Treatment Plant, for the period 1 April to 30 April 2014 met the health requirements of the Australian Drinking Water Guidelines produced by the National Health and Medical Research Council.

Sewage Treatment

The effluent discharged from Toukley Sewage Treatment Plant and Bateau Bay Sewage Treatment Plant for the period 1 April 2014 and 30 April 2014 has met Environmental Protection Authority Licence requirements.

Sewage Overflows

There were 3 sewage overflow incidents in the sewer network reported to Council's "HOTLINE" in April 2014 with follow up reporting completed for each incident.

One of these incidents was related to the Anzac Day storm with some significant wet weather overflow occurring following storm related power failure in the Toukley and Charmhaven areas.

The other two overflow incidents in April related to minor dry weather overflow from blockages related to tree roots.

WATER STORAGE

Sunday, 4 May 2014				
DAM STORAGES				
Storage	Capacity Full	Volume in	Percent Full [%]	Storage Change over
Mangrove Dam	190,000	113,720	59.9	Down 349
Mardi Dam	7,400	4,222	57.0	Down 220
Mooney Dam	4,600	1,927	41.9	Up 29
Total	202,000	119,869	59.3	Down 541
Total Dam Storage this time last month was				58.6 Percent
Total Dam Storage this time last year was				59.7 Percent
GROUNDWATER & HUNTER TRANSFERS (ML)				
Period	Groundwater	From Hunter	To Hunter	
Week to Date	0.1	0.0	7.3	
This year to date	5.2	142.1	88.3	
RAINFALL(mm)				
Period	Somersby WTP	Mardi WTP	Mangrove Dam	
Week to Date	12	18	12	
Previous Week	5	24	12	
Current week last year	0	0	0	
This year to date	448	375	363	
Same period last year	891	776	639	
Water Usage (ML)				
Period	Usage			
Week to Date	521			
Previous Week	565			
Percent change from previous week	7.8 % less			
Current week last year	514			
Percent change from same week last year	1.3 % more			
This year to date	10,703			
Same period last year	9,657			
Percent change from same period last year	10.8 % more			
MARDI- MANGROVE DAM TRANSFERS (ML)				
Period	To Mangrove Dam		From Mangrove Dam	
	From Mardi Dam		To Mangrove Creek	To Mardi Dam / WTP
Last week	490		68	0
This year to date	2,862		2,945	1,337
Total to date *	32,672		6,784	8,051

* Post M2M Commissioning

ATTACHMENTS

Nil.

6.3 Activities of the Development Assessment and Building Certification Compliance and Health Units

TRIM REFERENCE: F2004/07830 - D07315858
 MANAGER: Scott Cox, Manager
 AUTHOR: Jane Doyle; Senior Administration Support Officer

SUMMARY

The report includes information and statistics regarding the operations of the Development Assessment Unit and the Building Certification and Health Unit which covers the submission and determination of development, construction and subdivision applications for the month of April 2014.

RECOMMENDATION

That Council receive the report on Activities of the Development Assessment and Building Certification Compliance and Health Units for the month of April 2014.

Development Applications Received and Determined – Development Assessment Unit April 2014

Type:	Number Received:	Estimated Value \$:	Number Determined:	Estimated Value \$:
Commercial	10	8,087,100	6	981,800
Industrial	2	692,000	-	-
Residential (Multiple Dwellings/Dual Occupancy)	6	2,059,000	4	15,618,759
Other Applications	-	-	1	22,500
Subdivisions	4	45,000	4	502,000
Section 96 Applications	5	-	11	-
Total	27	10,883,100	26	17,125,059

Note: Included in the Lodged "Commercial" category was an application for Office Premises located at Tuggerah valued at \$7.2M.

6.3 Activities of the Development Assessment and Building Certification Compliance and Health Units (contd)

Development Applications Received and Determined – Building Certification and Health Unit - April 2014

Type:	Number Received:	Estimated Value \$:	Number Determined:	Estimated Value \$:
Commercial	2	13,950	2	190,000
Industrial	-	-	1	26,120
Residential (Dwellings)	21	5,241,603	12	3,591,885
Residential (Alterations and Additions)	51	2,805,115	50	2,391,495
Other Applications	-	-	-	-
Section 96 Applications	8	-	7	-
Total	82	8,060,668	72	6,199,500

Subdivision Applications Received and Determined April 2014

Type:	Number Received:	Number of Lots:	Number Determined:	Number of Lots:
Commercial	-	-	-	-
Industrial	-	-	1	4
Residential	6	6	5	107
Rural	-	-	-	-
Total	6	-	6	111

Net Median Turn-around Time – April 2014

The net median turn-around time in working days for development applications determined within the Development Assessment Unit during April 2014 was **11** days.

The net median turn-around time in working days for development applications determined in the Building Certification Compliance and Health for April 2014 was **15** days.

Employment Generating Development Applications

There were two (2) Employment Generating Applications determined during the month of April which included a Community facility providing a drug, alcohol & life skills program within existing buildings on the site at Yarramalong and a Change of Use – Warehouse to Industry for the construction of food production facility at Berkeley Vale. The net median turn-around time in working days for both Applications was 15 days.

6.3 Activities of the Development Assessment and Building Certification Compliance and Health Units (contd)

Other Approvals and Certificates

Type:	Number Determined April 2014
Trees	34
Section 149 D Certificates (<i>Building Certificates</i>)	9
Construction Certificates	54
Complying Development Certificates	17

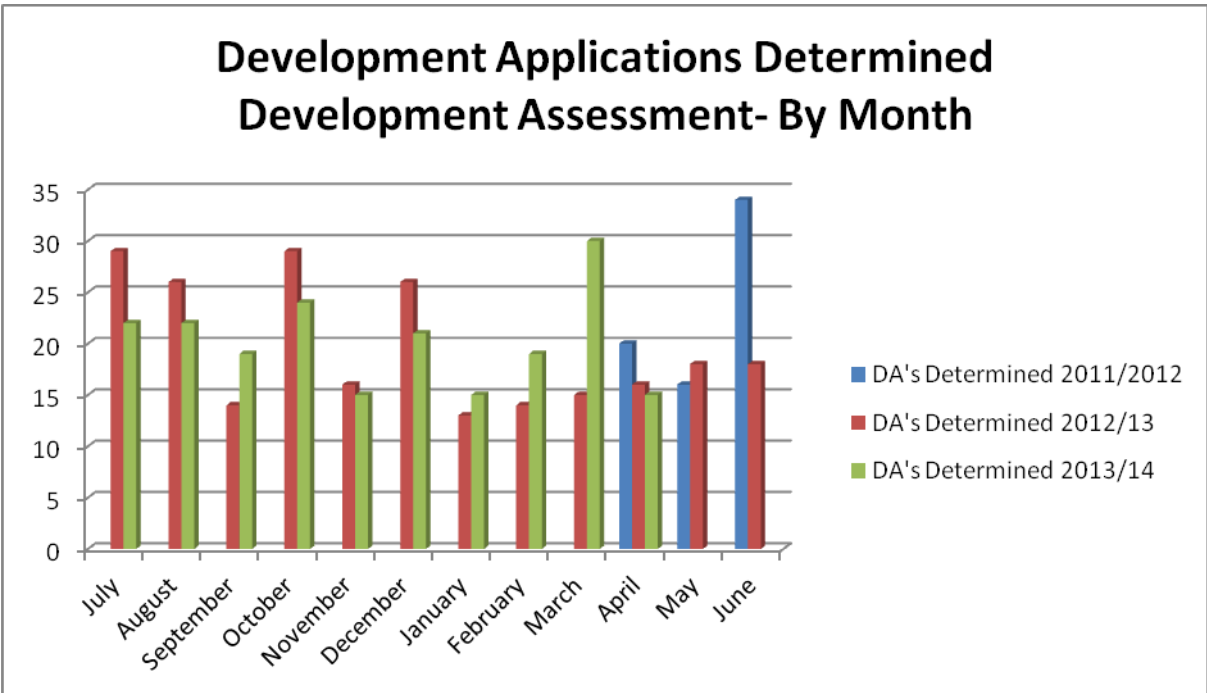
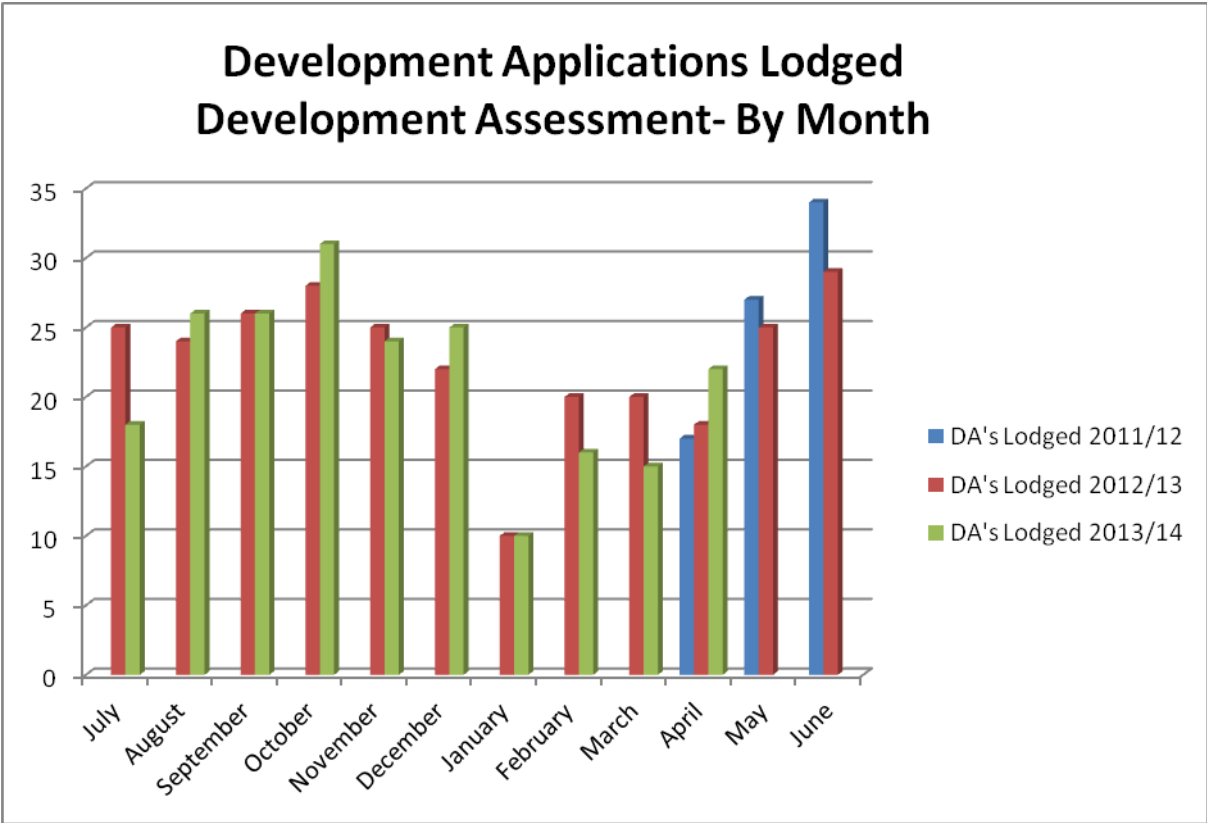
Waiving of Development Application Fees

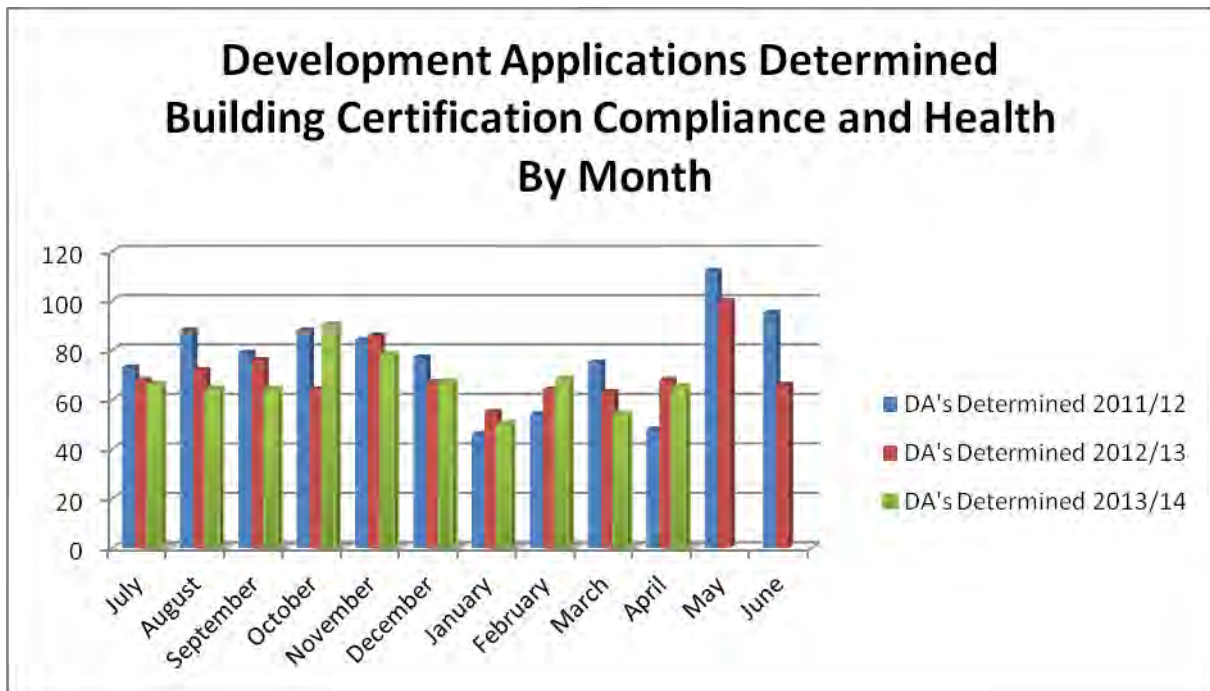
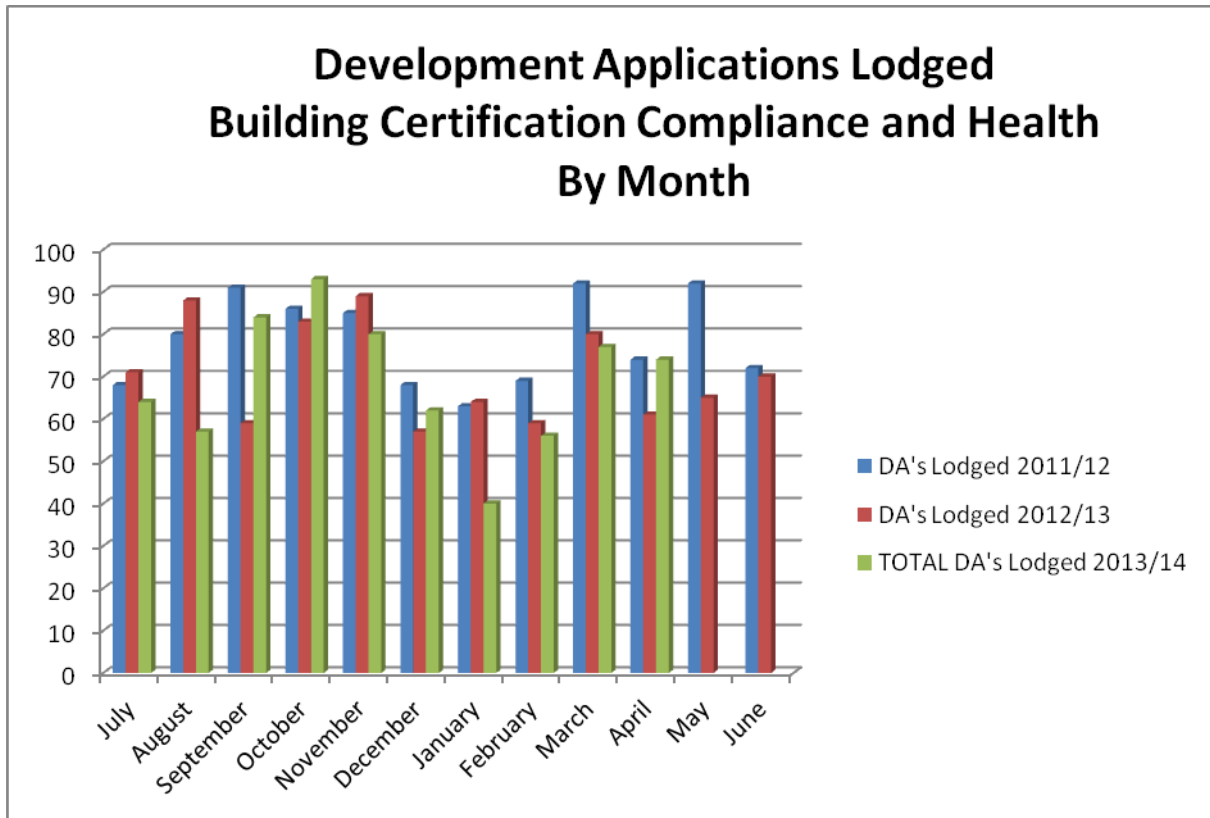
DA No	Amount
DA/285/2014 – 50 Church Rd, Tuggerah Amenities Building (non for profit organisation)	\$285.00 (Advertising Fee) <u>\$200.00</u> (Development Assessment Fee) <u>\$485.00</u>

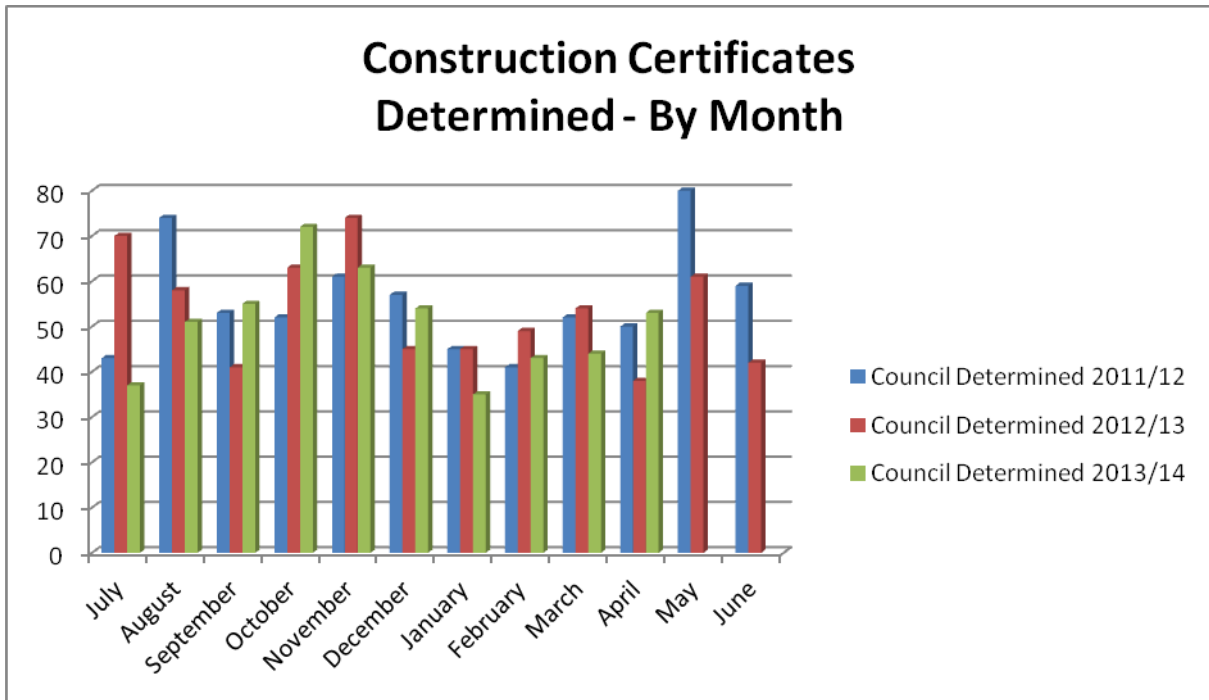
ATTACHMENTS

- 1 Graphs - Development Applications Lodged, Determined and Construction Certificates Determined

D07544068







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

TRIM REFERENCE: F2004/06822 - D07315966

MANAGER: Jamie Loader, Manager

AUTHOR: Tabitha Kuypers; Environmental Assurance Protection Officer

SUMMARY

Reporting the results of bacteriological tests for primary recreation water quality for the beaches in Wyong Shire and lake swimming sites in the Tuggerah Lakes catchment for the month of April 2014.

RECOMMENDATION

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

Primary Recreation Water Quality Monitoring Program

Wyong Shire beaches are regularly monitored for swimming safety in accordance with the latest National Health and Medical Research Council (*NHMRC Guidelines for Managing Risks in Recreational Water (2008)*). These guidelines have superseded NHMRC (1991), however, they still allow for beaches to be awarded a star rating based upon the potential for sewage and stormwater contamination. These star ratings are awarded as detailed in the Table 1 below.

Wyong Shire Council has been in partnership with the Office of Environment and Heritage (OEH) in implementing the "Beachwatch" program during the bathing season of summer, October through to April. During summer weekly samples are taken.

Council is currently in the Winter season for sampling - April through to September. Although the OEH Beachwatch program becomes inactive during the winter season, Council continues to sample once a month to assess any changes in water quality.

If results indicate high levels of sewage and stormwater contamination, further investigations are triggered to determine the source of its origin. Council have continued to apply Beachwatch's acceptable indicator levels for faecal contamination "enterococci" of 200cfu/100ml and apply our results to their star rating, see Table 1 below.

Additionally, Council is still required to monitor the ocean outfalls five times a month, year round. This monitoring and sampling regime is undertaken in accordance with the OEH "Environmental Protection License's", this sampling is carried out at ten sites around Norah Head and Wonga Point.

Council also monitors by way of water quality testing, lake locations that are not designated swimming locations to detect changes in water quality.

6.4 Results of Water Quality Testing for Beaches and Lake Swimming Locations (contd)

As a part of the National Health and Medical Research Council - Guidelines for Managing Risks in Recreational Water 2008 (NHMRC 2008), OEH's Beachwatch program required that all sites be re-evaluated to identify their potential pollution sources and the risk that they may pose to human health. Any potential pollution sources identified in the re-evaluation lead to management strategies being developed for each site so that risk to human health can be minimised. Advisory signs have been erected at all lake sampling sites advising "This area can be affected by Stormwater Pollution for up to 3 Days after heavy rain. Swimming during this period is NOT Recommended". The signs have been erected to advise the public that there is a potential for poor water quality at the site due to the stormwater inundation after heavy rain. It does not mean that the water quality is poor at all times.

Summary of results for April 2014 (Winter Program)

Of the 22 sites sampled, 18 were classified as "good", two were classified as "fair" and two were classified as "bad" (see Table 1). A significant storm event on Friday 25th April caused the failure of a number of sewerage pump stations around Toukley and Lake Munmorah. It is considered that this is the likely cause of the elevated readings at the Lake Munmorah Baths and Canton Beach. Under the NHMRC (2008) star rating system, these two sites were not considered suitable for swimming (see Table 2 below). Wyong Shire Council provided a media release to the local communities so to ensure that they were aware of the potential risk of swimming at that time. Council staff will continue to carry out water sampling of these sites until they receive a star rating that is acceptable under the NHMRC (2008) guidelines.

Table 1: Beachwatch average star rating

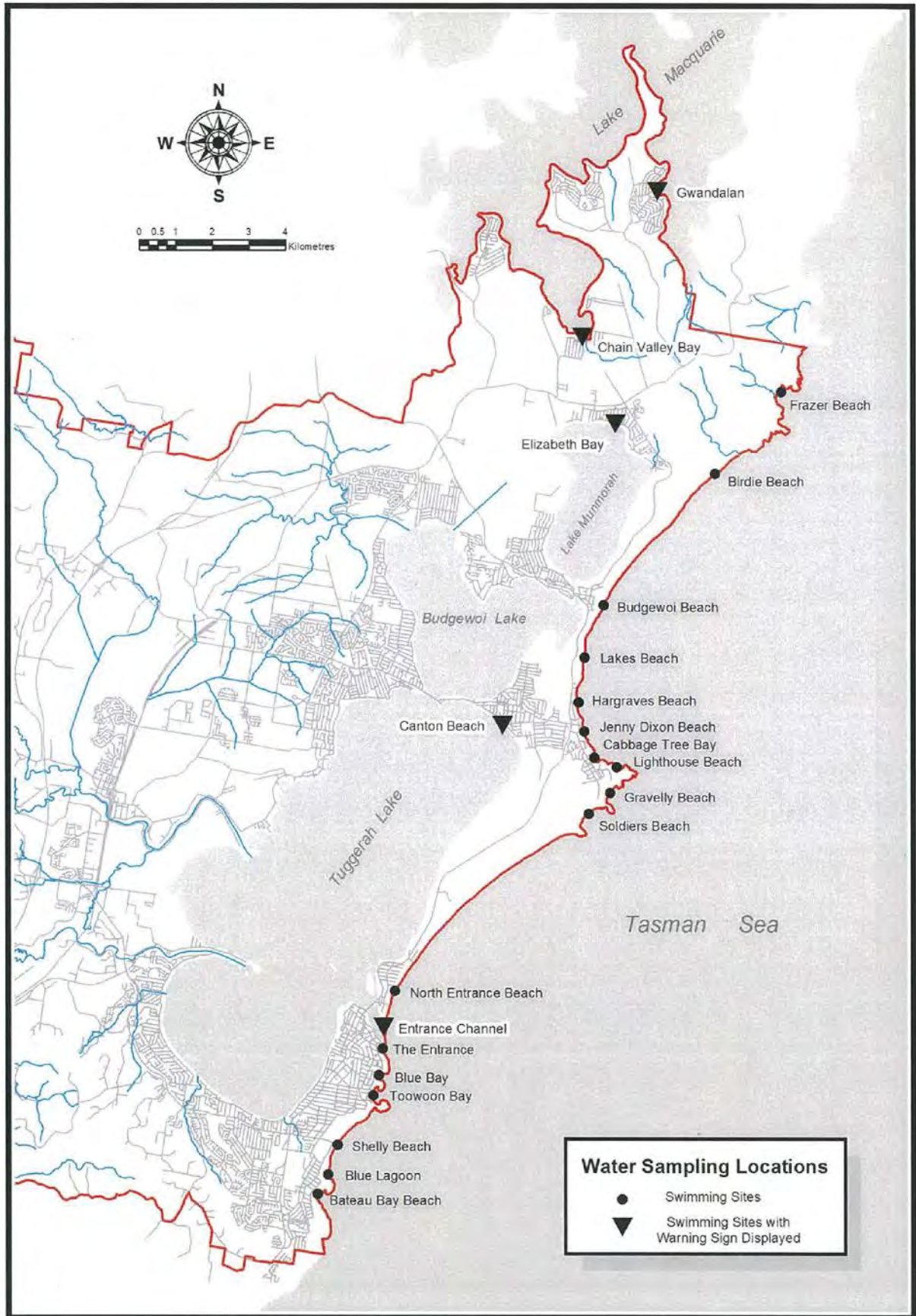
Swimming Site	Site Type	Rating	Stars
North Entrance Beach	Ocean Beach	Good	****
The Entrance Channel	Estuarine	Good	****
The Entrance Beach	Ocean Beach	Good	****
Blue Bay	Ocean Beach	Good	****
Toowoona Bay	Ocean Beach	Good	****
Shelly Beach	Ocean Beach	Good	****
Blue Lagoon	Ocean Beach	Good	****
Bateau Bay	Ocean Beach	Good	****
Chain Valley Bay	Lagoon/Lake	Fair	***
Gwandalan	Lagoon/Lake	Fair	***
Frazer Beach	Ocean Beach	Good	****
Birdie Beach	Ocean Beach	Good	****
Lake Munmorah Baths	Lagoon/Lake	Bad	*
Budgewoi Beach	Ocean Beach	Good	****
Lakes Beach	Ocean Beach	Good	****
Hargraves Beach	Ocean Beach	Good	****
Jenny Dixon Beach	Ocean Beach	Good	****
Canton Beach	Lagoon/Lake	Bad	*
Cabbage Tree Bay	Ocean Beach	Good	****
Lighthouse Beach	Ocean Beach	Good	****
Gravelly Beach	Ocean Beach	Good	****
Soldiers Beach	Ocean Beach	Good	****

Table 2: NHMRC Star Rating Interpretation

Star Rating		Enterococci (cfu/100mL)	Interpretation
****	Good	≤ 40	NHMRC indicates site suitable for swimming.
***	Fair	41 – 200	NHMRC indicates site is suitable for swimming.
**	Poor	201- 500	NHMRC indicates swimming at site is not recommended.
*	Bad	>500	NHMRC indicates swimming at site is not recommended.

ATTACHMENTS

1 Water Sampling Sites D03238043



6.5 Investment Report for April 2014

TRIM REFERENCE: F2004/06604 - D07386008
MANAGER: Stephen Naven, Chief Financial Officer
AUTHOR: Devini Susindran; Financial Accountant

SUMMARY

This report details Council's investments as at 30 April 2014

RECOMMENDATION

That Council receive the Investment Report for April 2014.

BACKGROUND

WSC's investments are made in accordance with the Local Government Act (1993), the Local Government (General) Regulation (2005), Council's Investment Policy, Ministerial Investment Order issued February 2011 and Division of Local Government Investment Policy Guidelines published in May 2010.

CURRENT STATUS

Cash and Term Deposit Funds

Cash flows in April were managed through term deposit maturities, with a net outflow of \$4.38m. Maturities during the month were utilised for transactional purposes.

Table 1 - Movement in Cash and Term deposits

Institution	Term (Approx. Months)	Interest Rate %	Maturity	Investment / (Redemption) \$'000
Movement in Term Deposits				
ME Bank	12	4.31%	Apr 2014	(\$5,000)
ME Bank	11	4.18%	Apr 2014	(\$5,000)
Total Term Deposit Movement				(\$10,000)
Movement in cash at call				
AMP		3.35%		-
Westpac		2.60%		\$5,600
CBA		2.50%		-
Interest earned on all call accounts				\$16
Total Cash at Call Movement				\$5,616
Total Cash & Term Deposit Movement				(\$4,384)

Total Portfolio

Total net return for April 2014 was \$0.50m in interest earnings.

Table 2 - Net Return

	Full Year 2012-13 \$m	Qtr 1 to Sep 2013 \$m	Qtr 2 to Dec 2013 \$m	Qtr 3 to Mar 2014 \$m	Apr 2014 \$m	YTD 2013-14 \$m
Capital Gain/(Loss) Realised	-	(0.33)	0.01	-	-	(0.32)
Capital Gain/(Loss) Unrealised	0.68	0.12		-	-	0.12
Net Capital Gain/(Loss)	0.68	(0.21)	0.01	-	-	(0.20)
Income Distribution on Managed Funds*	-	0.32	-	-	-	0.32
Net Income from Managed Funds	-	0.32	-	-	-	0.32
Interest Earnings on Call Deposits Received	0.53	0.15	0.09	0.08	0.02	0.34
Interest Earnings on Term Deposits received at Maturity	7.04	1.51	1.61	1.48	0.48	5.08
Total Interest Earnings	7.57	1.66	1.70	1.56	0.50	5.42
Total return for the period	8.25	1.77	1.71	1.56	0.50	5.54

* Until October 2013, Council's portfolio included investments in managed funds held under the "grandfather" provisions of the current Ministers Order. The investment in Blackrock Care and Maintenance Fund was liquidated in October 2013.

Full year returns to April of 4.27% is favourable compared to benchmark bank bill swap (BBSW) full year Bank Bill Index of 2.74% and Council guidelines of BBSW + 10 basis points. The full year return excluding capital losses on managed funds of \$0.20m is 4.42%.

Table 3 - Investment Portfolio by Risk Category

Investment Class	Apr 2014 Portfolio \$ '000	YTD Return \$ '000	YTD Return %
Cash at Call	12,910	331	2.96
Term Deposits	137,913	5,087	4.33
Managed Funds	-	124	13.55
Total Investments	150,823	5,542	4.27

Council investments are evaluated and monitored against a benchmark appropriate to the risk (Standard and Poor's BBB long term or above) and time horizon of the investment concerned. The investment strategy includes rolling maturity dates to ensure that Council has sufficient funds at all times to meet its obligations. A summary of the Term Deposit maturities are listed in Table 4 below.

Table 4 - Term Deposits Maturities

Time Horizon	Value \$ '000
At Call	12,910
Term Deposits	
0 - 3 months	26,870
4 - 6 months	35,000
7 - 12 months	51,043
1 - 2 years	10,000
2 - 3 years	-
3 - 4 years	6,000
4 - 5 years	9,000
Total Term Deposits	137,913
Total Portfolio	150,823

The target maximum allocation limit in each category and the current spread of investments is listed in Table 5.

The portfolio is still overweight in A1 but moving more into A2 within policy guidelines in order to obtain the best rates offered.

Table 5 - Portfolio Credit Framework

Investment Category Short Term	Target Maximum Allocation	Portfolio Allocation Apr 2014
A1	10.0%	46.30%
A2	75.0%	50.39%
A3	10.0%	2.65%
Unrated	15.0%	0.66%
TOTAL		100.00%

The Investment Guidelines allow the General Manager to approve a variation to the investment Strategy if the investment is to the Council's advantage. The General Manager has approved the variations listed in Table 6 as they presented the best investment return relative to risk at the time of investment.

Table 6 – Variations to the Investment Guidelines approved by General Manager

Date of Approval	Institution	Investment value	Return	Maturity	Counter party risk %		
					At Approval	Guide lines	At Current Month End
27/9/13	NAB	\$5m	3.81%	13/10/14	21.28%	20%	23.21%
4/3/14	ING	\$5m	3.80%	3/12/14	19.01%	15%	19.89%
4/3/14	ING	\$5m	3.80%	12/1/15	19.01%	15%	19.89%
11/3/14	NAB	\$5m	3.76%	27/4/15	21.84%	20%	23.21%

6.5 Investment Report for April 2014 (contd)

The Counter party risk percentages fluctuate subject to changes to the Value of the portfolio and maturities.

Investment transactions and earnings during April 2014 are shown in Table 7 - Portfolio Movements.

Table 7 - Portfolio Movements

	Full Year 2012-13 \$m	Qtr 1 to Sept 2013 \$m	Qtr 2 to Dec 2013 \$m	Qtr 3 to Mar 2014 \$m	April 2014 \$m	YTD 2013-14 \$m
Movement in Assets						
Opening Balance	153.81	154.99	162.49	156.92	155.20	154.99
Capital Gain/(Loss) on Managed funds	0.68	(0.21)	0.01			(0.20)
Capital Distribution on sale of Managed Fund	(1.93)	(4.81)				(4.81)
Managed fund income Distribution		0.32				0.32
Net Cash/Investments (Withdrawals)	2.40	12.20	(5.58)	(1.72)	(4.38)	0.52
Closing Balance	154.99	162.49	156.92	157.98	150.82	150.82

Portfolio Interest and Investment Returns

Year to date returns as at 30 April 2014 on Council's investment portfolio of deposit accounts, term deposits and managed funds, show a \$0.490m or 8.12% *unfavourable* variance when compared to the year to date revised budget at April 2014.

Table 8 - Annual Investment Portfolio Performance as at 30 April 2014

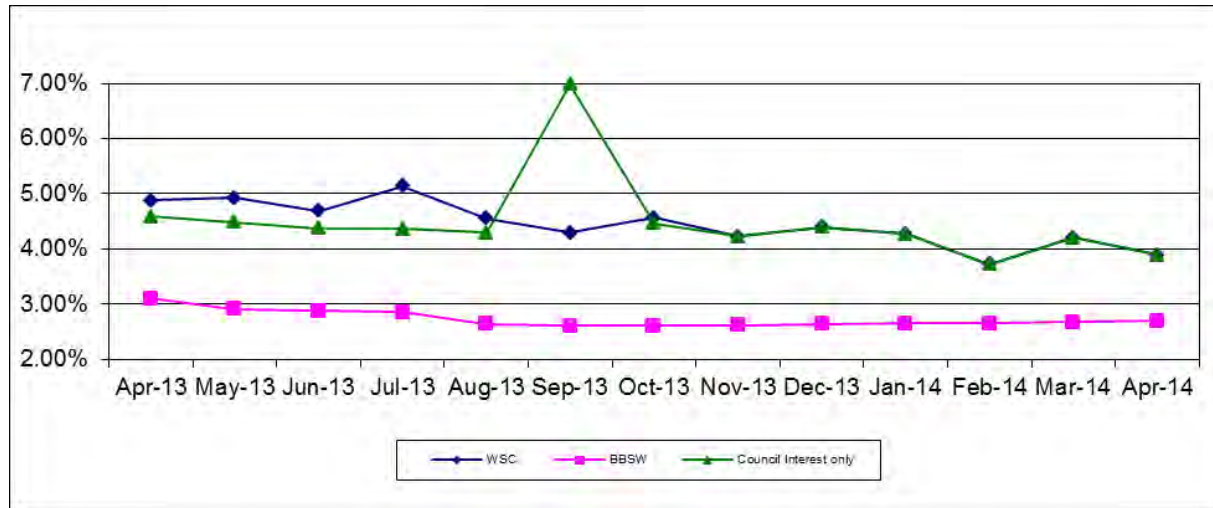
Investment Source	YTD Investment revaluation \$ '000	YTD Interest \$ '000	YTD Actual Income \$ '000	YTD Adopted Budget \$ '000	YTD Variance to Budget \$ '000	FY Q2 Adopted Budget \$'000
	A	B	C=A+B	D	E=C-D	
General	(117)	3,286	3,169	3,338	(169)	3,958
Water	(36)	1,009	973	898	75	1,086
Sewerage	(44)	1,445	1,401	1,796	(395)	2,163
Total	(197)	5,740	5,543	6,032	(489)	7,207

Interest rates in the month, ranged from 3.40% to 5.20% with the exception of WorkCover deposit with ANZ at 3.30% and Heritage Bank at 7.25%, all of which exceeded the March Bank Bill Swap Rate (BSW) benchmark of 2.65%.

Benchmark - Monthly Returns (Annualised)

Council’s overall investment return compared to the benchmark BBSW Index on a 12 monthly basis is as follows:

Graph 1 - Annualised Monthly Return – Comparison to Benchmark



Note: The spike in yield for September 2013 is from an interest distribution received from the liquidated managed fund prior to its disposal.

Comparison to Neighbouring Councils

Portfolio Valuation

WSC’s investment portfolio reflects our strong cash position which is comparable with Lake Macquarie City Council and above Gosford City Council’s portfolio as summarised in table 9 below. Graph 2 shows the monthly portfolio balances over a 12 month period for all three Councils.

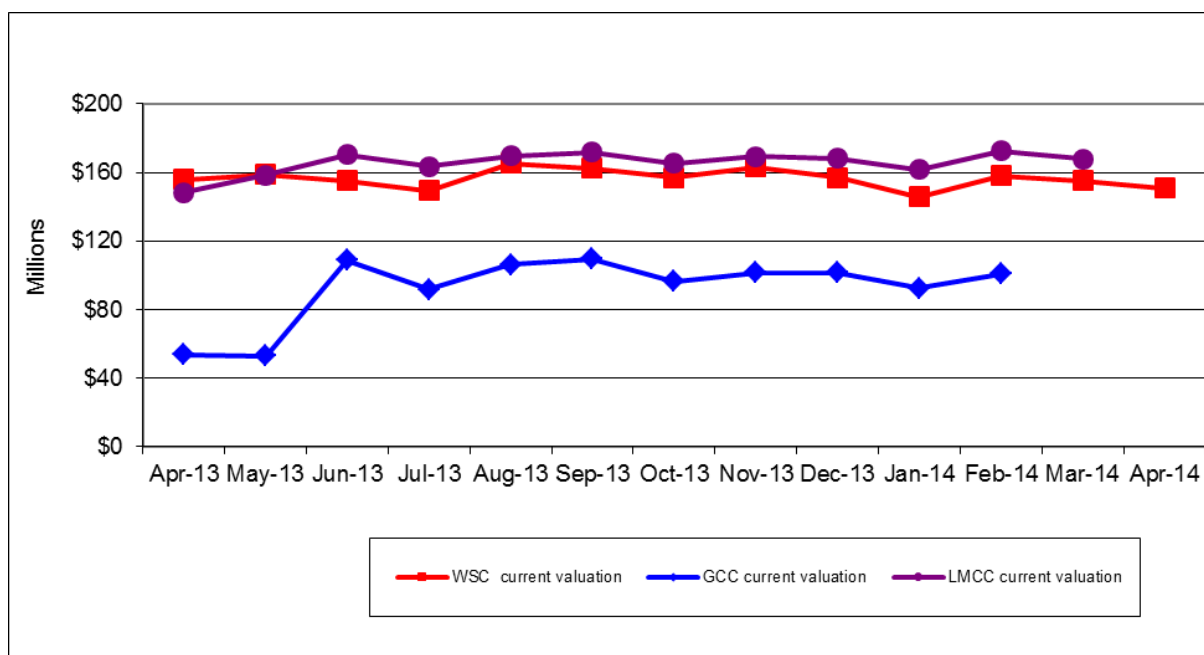
There is a lag in the information available for neighbouring Councils and reports for March and April were not available at the time of writing this report.

Table 9 – Summary of Investment Portfolio Balances

Month / Council	Wyong Shire Council \$m	Gosford City Council \$m	Lake Macquarie Council \$m
Dec 2013	\$156.93	\$101.67	\$168.35
Jan 2014	\$145.66	\$92.43	\$161.79
Feb 2014	\$157.99	\$100.90	\$172.44
Mar 2014	\$155.20	Not available	\$167.88
Apr 2014	\$150.82	Not available	Not available

Graph 2 – Portfolio Valuations – Comparison to Neighbouring Councils

Gosford City Council’s investment portfolio increase in June 2013 includes \$51.9m of loans raised.



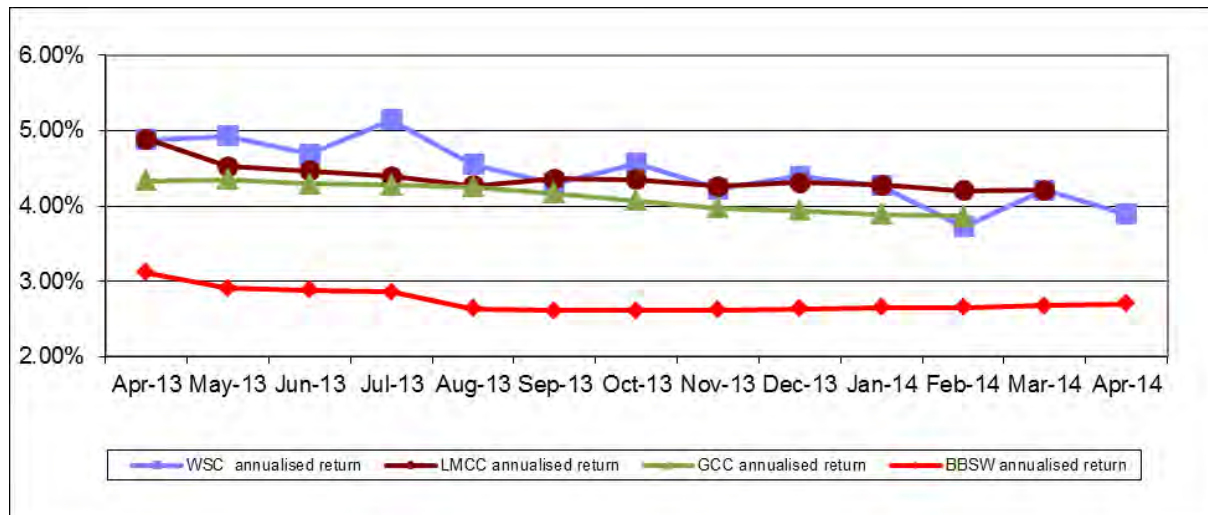
Portfolio Returns

WSC’s investment yield compares favourably to neighbouring Councils as outlined in table 10 below. Graph 3 shows the monthly annualised portfolio returns over a 12 month period for all three Councils compared to BBSW.

Table 10 – Summary of Annualised Investment Portfolio Returns

Month / Council	BBSW	Wyong Shire Council	Gosford City Council	Lake Macquarie Council
Dec 2013	2.64%	4.39%	3.94%	4.31%
Jan 2014	2.65%	4.27%	3.89%	4.28%
Feb 2014	2.66%	3.73%	3.86%	4.20%
Mar 2014	2.68%	4.21%	Not available	4.21%
Apr 2014	2.70%	3.89%	Not available	Not available

Graph 3 – Portfolio Return – Comparison to Neighbouring Councils



INVESTMENT STATEMENT

In accordance with the Local Government (General) Regulation 2005, Part 9, Division 5, Clause 212, it is certified that the investments held as at 30 April 2014 have been made in accordance with the Act, the Regulations and Council's Investment Policies.

ATTACHMENTS

- 1 Summary of Investment by Type - April 2014 D07386988

Wyong Shire Council Summary of Investments - By Type As at 30 April 2014								
FUND MANAGER	TYPE OF INVESTMENT	RATINGS		MATURITY	PORTFOLIO BALANCE 31.03.14 \$	PORTFOLIO BALANCE 30.04.14 \$	INCOME FOR MONTH OF APRIL \$	INTEREST RATES %
		Short Term	Long Term					
CASH AT CALL:								
Westpac	Corporate Investment Account	A1	AA	Daily	5,310,723	10,921,208	10,486	2.60
AMP	Business Saver Account	A1	A	Daily	1,983,424	1,988,885	5,461	3.35
Total Cash At Call					7,294,147	12,910,094	15,947	
TERM DEPOSITS & BONDS								
<u>Short term deposits & bills (less than 90 days)</u>								
ME Bank	Term Deposit	A2	BBB	14/04/2014	5,000,000		7,675	4.31
ME Bank	Term Deposit	A2	BBB	28/04/2014	5,000,000		15,460	4.18
ING	Term Deposit	A1	A	19/05/2014	5,000,000	5,000,000	16,192	3.94
CUA	Term Deposit	A2	BBB	28/05/2014	5,000,000	5,000,000	17,260	4.20
NAB	Term Deposit	A1	AA	10/06/2014	5,000,000	5,000,000	16,151	3.93
NAB	Term Deposit	A1	AA	27/06/2014	5,000,000	5,000,000	16,151	3.93
Rural Bank	Term Deposit	A2	A	15/07/2014		5,000,000		3.90
CBA	Term Deposit	A1	AA	30/07/2014		1,870,000		3.65
					30,000,000	26,870,000		
<u>Medium Term Deposits (up to 365 days)</u>								
Rural Bank	Term Deposit	A2	A	15/07/2014	5,000,000		16,027	3.90
CBA	Term Deposit	A1	AA	30/07/2014	1,870,000		5,610	3.65
ING	Term Deposit	A1	A	19/08/2014	5,000,000	5,000,000	16,274	3.96
NAB	Term Deposit	A1	AA	28/08/2014	5,000,000	5,000,000	16,192	3.94
NAB	Term Deposit	A1	AA	9/09/2014	5,000,000	5,000,000	16,110	3.92
NAB	Term Deposit	A1	AA	22/09/2014	5,000,000	5,000,000	16,192	3.94
Bendigo/Adelaide	Term Deposit	A2	A	22/09/2014	5,000,000	5,000,000	15,822	3.85
NAB	Term Deposit	A1	AA	13/10/2014	5,000,000	5,000,000	15,740	3.83
CUA	Term Deposit	A2	BBB	30/10/2014	5,000,000	5,000,000	16,233	3.95
ING	Term Deposit	A1	A	12/11/2014	5,000,000	5,000,000	15,822	3.85
Suncorp	Term Deposit	A1	A	18/11/2014	5,000,000	5,000,000	14,630	3.56
ING	Term Deposit	A1	A	3/12/2014	5,000,000	5,000,000	15,616	3.80
CBA	Term Deposit	A1	AA	18/12/2014	5,000,000	5,000,000	14,795	3.60
ING	Term Deposit	A1	A	12/01/2015	5,000,000	5,000,000	15,616	3.80
Wyong Shire Credit Union	Term Deposit	UNRATED	UNRATED	31/01/2015	1,000,000	1,000,000	2,795	3.40
ME Bank	Term Deposit	A2	BBB	4/02/2015	5,000,000	5,000,000	15,616	3.80
Bendigo/Adelaide	Term Deposit	A2	A	24/02/2015	5,000,000	5,000,000	14,795	3.60
ANZ	Term Deposit	A1	AA	10/03/2015	43,000	43,000	117	3.30
CUA	Term Deposit	A2	BBB	23/03/2015	5,000,000	5,000,000	15,205	3.70
Bank of Queensland	Term Deposit	A2	BBB	13/04/2015		5,000,000		3.75
NAB	Term Deposit	A1	AA	27/04/2015		5,000,000		3.76
					82,913,000	86,043,000		
<u>Non - Current</u>								
Bank of Queensland	Term Deposit	A2	BBB	13/04/2015	5,000,000		15,411	3.75
NAB	Term Deposit	A1	AA	27/04/2015	5,000,000		15,452	3.76
Bank of Queensland	Term Deposit	A2	BBB	25/11/2015	5,000,000	5,000,000	16,644	4.05
ING	Term Deposit	A1	A	26/11/2015	5,000,000	5,000,000	16,438	4.00
Bank of Queensland	Term Deposit	A2	BBB	2/08/2016	6,000,000	6,000,000	25,643	5.20
Heritage	Senior Bond	A3	BBB	20/06/2017	4,000,000	4,000,000	23,836	7.25
ANZ	Term Deposit	A1	AA	30/10/2018	5,000,000	5,000,000	20,014	4.87
					35,000,000	25,000,000		
Total Term Deposit & Bonds:					147,913,000	137,913,000	481,533	
TOTAL PORTFOLIO					155,207,147	150,823,094	497,480	
Current					120,207,147	125,823,094		
Non-Current					35,000,000	25,000,000		
TOTAL PORTFOLIO					155,207,147	150,823,094		

6.6 Beach Safety Services - Completion of First Year of Contract

TRIM REFERENCE: F2013/01750 - D07517050

MANAGER: Maxine Kenyon, Director

AUTHOR: Brett Sherar, Manager

SUMMARY

With the awarding of the Beach Safety Services contract to Council's Lifeguard service for a period of three years commencing September 2013, an improved service was delivered. This report will outline the achievements of Council's Beach Safety Services for the initial season of the service provision agreement.

RECOMMENDATION

That Council note the report on Beach Safety Services - Completion of First Year of Contract.

BACKGROUND

At its meeting on the 11 September 2013, Council resolved to let the tender to Council's Lifeguard Service. The resolution included the following:

- "1170/13 That Council not accept the tenders from the two external tenderers.*
- 1171/13 That Council approves the management of its lifeguard services in accordance with the tender submitted by Tenderer No 1 Wyong Shire Council trading as Wyong Shire Lifeguard Service, under a Service Level Agreement that will be entered into between Council's Representative (Director Infrastructure and Operations) and the Service Unit Manager from the Delivery Unit, for the sum of \$2,124,069 (excl GST) ('SLA Sum').*
- This amount is for the provision of the 'baseline' conforming level of service as set out in the Tender Specification (i.e. does not include a Winter Beach Safety Service or Budgewoi Beach Safety Service), for three Patrol Seasons commencing with the 2013/14 Patrol Season (with no option for an extension). This amount includes the savings from the Cost Saving Alternatives offered by Wyong Shire Lifeguard Services recommended below.*
- 1172/13 That Council accept the Cost Saving Tender Alternatives No 2, 3, 5, 6 & 7 offered by Wyong Shire Lifeguard Service as detailed in the Tender Evaluation Report in Attachment A.*
- 1173/13 That Council approve a Service Level Agreement Budget as detailed in the Tender Evaluation Report that includes the Cost Saving Tender Alternatives.*

- 1175/13 That Council request the General Manager to instruct the Director Community and Recreation Services to provide an annual report by the 31 May each year on service delivery, including costs.
- 1176/13 That Council allocate the savings resulting from this tender to a special fund for coastal, community and environmental services.
- 1178/13 That Council request the General Manager to change Council Lifeguards to highly visible red and yellow uniforms.”

CURRENT STATUS

The first season of the Beach Safety Services contract commenced on 30 September 2013 and concluded on 24 April 2014. It was another successful season with no lives lost on Wyong Shire beaches during patrol hours. As outlined in this report, Council’s lifeguards provided a high quality service making 260 life saving rescues, preventing more than twelve thousand people from needing to be rescued and when required, providing exceptional quality first aid, including the twelve people unlucky enough to suffer serious injuries.

The Beach Safety Service achieved this success whilst working within the implemented cost saving initiatives that reduced the level of service in times when it would not impact on users.

Statistics for the Wyong Shire Lifeguard Service

Operational issues	Number for Season
Rescues	260
Preventative actions	12,010
Beach closures due to dangerous conditions	15
Complaints	4
Major first aid and resuscitation	12

Complaints

Two written complaints were received in relation to surfers being inside the flagged areas at Soldiers Beach and one relating to a kite surfer being too close to the flagged area at Toowoona Bay Beach. The other complaint was in relation to the way lifeguards tow the jet ski off the beach area at Soldiers Beach.

Procedures have been reviewed in relation to towing the jet ski off the beach when there are large numbers of people in the area. The other three complaints were addressed by the Lifeguard Coordinator.

Major Incidents

There were 12 major incidents throughout the season resulting in patients being removed by ambulance for further medical evaluation. These incidents included a number of spinal injuries and dislocated or broken bones. There was also a patient with a suspected heart attack and a rescue of a student and her teacher who were carried 200 metres out to sea in a rip.

Success of Initiatives

Council adopted two initiatives proposed by the in-house bid for the Beach Safety Services. The first initiative was the reduction of level of service at the Entrance North Beach to one lifeguard outside of school holiday periods. This was achieved with the addition of a jet ski at The Entrance Beach being launched to support the lifeguard at The Entrance North if and when needed.

The below table outlines adopted alternatives which are in accordance with the tender cost savings offered by Wyong Lifeguard Service that provide the saving in man hours by reducing the number of lifeguards at the North Entrance Beach, The Entrance Beach and The Channel from four lifeguards to three outside of peak school holidays when the lifeguards then revert back to four in attendance. A beach was only to be closed when dangerous surf conditions occurred and/or when levels of patronage are low. A risk analysis is completed to determine the level of staff required after a beach is closed. As detailed in the table below, between these two initiatives, the service saved over 1,119 man hours.

Adopted alternatives	YTD hours saved
The Entrance – North Entrance – The Channel - savings achieved by retaining three lifeguards instead of the four previously used (outside of school holidays where four lifeguards are retained)	1,016
Conditional closures due to weather conditions (lifeguards are reduced from two lifeguards to one during beach closures due to inclement weather)	103
Total	1,119

Uniform Change

Under the terms of the contract and in consultation with Council, the Beach Safety Service adopted the new red and yellow lifeguard uniforms. The change in uniform was carried out with the support of Surf Life Saving Central Coast and resulted in consistency across the Central Coast. This is now a regional uniform for Council lifeguards on the Central Coast. The new uniforms were implemented on Monday, 3 March 2014.

Permanent Lifeguards

Council now has 3 permanent lifeguards,

BUDGET

The Beach Safety Services agreement allowed for a three year total budget of \$2,124,069.00. The first year of this budget is \$669,112.00.

Although the financial year hasn't ended, the majority of expenditure has finished with \$24,700.00 budgeted expenditure remaining in the 2013/14 financial year. Year to date expenditure shows a positive variance of \$67,822.00.

YTD Budget	YTD Actuals	YTD Variance	Full Year Budget
\$644,412.00	\$576,590.00	\$67,822.00	\$669,112.00

Costs saved in man hours using the above Adopted Alternatives is \$36,121.00. As required in the resolution, any budget savings (to be finalised at the end of financial year) will be allocated to a restricted fund.

CONCLUSION

The conditions and the specifications of the Beach Safety Services contract were successfully achieved without any reduction in performance efficiencies of the lifeguard service.

Staff have worked hard to deliver consistent and quality services at our six patrolled beached this season. The statistics are over and above previous years. With efficiencies created by staff, further financial savings have also been achieved.

The recruitment process for the 2014/15 lifeguards has commenced and selection will be finalised on the 30 August 2014.

Upgrade and maintenance of equipment is underway and will be completed prior to the commencement of the next season on Monday, 22 September 2014.

Staff are looking forward to carrying out the next two seasons with the same successful outcomes.

ATTACHMENTS

Nil.

6.7 Quarterly Update on EP & A and LGA Developer Contributions

TRIM REFERENCE: F2004/00552 - D07603469
MANAGER: Stephen Naven, Chief Financial Officer
AUTHOR: Sandy Rose; Developer Contributions Officer

SUMMARY

This report provides an update of Council's Developer Contributions levied under the *Environmental Planning and Assessment Act 1979* and the *Local Government Act 1993* from 1 July 2013 to 31 March 2014.

RECOMMENDATION

That Council receive the report on Quarterly Update on EP & A and LGA Developer Contributions.

BACKGROUND

This report covers any developer contributions received by Council under the Environmental Planning and Assessment Act 1979

- section 93F - Voluntary Planning Agreements (VPA)
- section 94 - Contribution towards provision or improvement of amenities or services
- section 94A - Fixed development consent levies

and Local Government Act 1993

- section 64 – Water and sewer contributions

All developer contributions received are reported as part of our General Fund reporting with the exception of drainage and water infrastructure contributions which are reported in our Water Fund and sewer infrastructure contributions which are reported in our Sewer Fund.

Previously contributions received under s93F were not budgeted or reported separately. With changing reporting requirements we have now separated the actual contributions received under s93F and s94 from 1 July 2013.

CONTRIBUTIONS RECEIVED

Council received a total of \$1.6m in Developer Contributions from July 2013 to the end of March 2014 (includes only s93F, 94 and 94A contributions). Water and sewer contributions received for this period were \$1.8m.

There is a current shortfall in General Fund s94 income of \$177k - please refer to Table 1 for more detail. A Q2 budget reduction was processed to align the budget more closely to income.

6.7 Quarterly Update on EP & A and LGA Developer Contributions (contd)

Section 94A contributions received for July 2013 to March 2014 totalled \$461k which is \$161k favourable compared to a budget of \$300k.

Table 1 – s93F and s94 developer contributions (excluding drainage) reported in the General Fund

Contribution Plan #	Contribution Plan Name	Original Budgeted Income	Revised Budgeted Income	S93F VPA Actual Income	S94 Actual Income	Total Actual Income	Variance
1	Wyong	\$17,730	\$262,500		\$231,196	\$231,196	(\$31,304)
2	Southern Lakes	\$25,740	\$150,000		\$70,706	\$70,706	(\$79,294)
3	The Entrance	\$383,490	\$112,500		\$150,276	\$150,276	\$37,776
5	Ourimbah	\$26,370	\$15,000		\$0	\$0	(\$15,000)
6	Toukley	\$93,690	\$7,500		\$14,417	\$14,417	\$6,917
7	Gorokan	\$38,790	\$22,530		\$34,685	\$34,685	\$12,155
7a	Warnervale	\$492,930	\$322,750		\$244,654	\$244,654	(\$78,096)
8	San Remo	\$35,100	\$7,500		\$3,116	\$3,116	(\$4,384)
9	Budgewoi	\$35,190	\$22,500		\$33,584	\$33,584	\$11,084
13	Shire Wide	\$109,980	\$93,750		\$79,009	\$79,009	(\$14,741)
15	Northern Districts	\$152,550	\$105,000		\$83,084	\$83,084	(\$21,916)
	Warnervale Town Centre	\$2,430,000	\$0			\$0	\$0
	General Fund Total	\$3,841,560	\$1,121,530	\$0	\$944,727	\$944,727	(\$176,803)

Section 94A	\$164,970	\$300,000	\$0	\$461,207	\$461,207	\$161,207
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Overall, drainage contributions received for the period of July 2013 to March 2014 of \$244K is unfavourable to budget by \$138k – please refer to Table 2 for more information.

Table 2 – s93F and s94 Drainage contributions reported in Water Fund

Water Fund - s94 Drainage							
Contribution Plan #	Contribution Plan Name	Original Budgeted Income	Revised Budgeted Income	S93F VPA Actual Income	S94 Actual Income	Total Actual Income	Variance
1	Wyong	\$2,100	\$2,100		\$0	\$0	(\$2,100)
2	Southern Lakes	\$10,425	\$10,425		\$91,087	\$91,087	\$80,662
3	The Entrance					\$0	\$0
5	Ourimbah					\$0	\$0
6	Toukley					\$0	\$0
7	Gorokan					\$0	\$0
7a	Warnervale	\$347,250	\$368,736		\$152,778	\$152,778	(\$215,958)
8	San Remo	\$225	\$225			\$0	(\$225)
9	Budgewoi					\$0	\$0
13	Shire Wide					\$0	\$0
15	Northern Districts					\$0	\$0
	Warnervale Town Centre					\$0	\$0
	Water Fund Drainage Total	\$360,000	\$381,486	\$0	\$243,865	\$243,865	(\$137,621)

Year to date Water Fund contributions received of \$832k is favourable to budget by \$102k. It is expected that income will align closer to the full year budget by the end of the financial year – please refer to Table 3.

Table 3 – s64 Water Developer contributions reported in the Water Fund

Water Fund - Water							
Contribution Plan #	Contribution Plan Name	Original Budgeted Income	Revised Budgeted Income	S93F VPA Actual Income	S94 Actual Income	Total Actual Income	Variance
1	Wyong				\$47,503	\$47,503	\$47,503
2	Southern Lakes				\$119,099	\$119,099	\$119,099
3	The Entrance				\$75,407	\$75,407	\$75,407
5	Ourimbah				\$105,528	\$105,528	\$105,528
6	Toukley				\$6,884	\$6,884	\$6,884
7	Gorokan				\$93,316	\$93,316	\$93,316
7a	Warnervale				\$264,544	\$264,544	\$264,544
8	San Remo				\$60,305	\$60,305	\$60,305
9	Budgewoi				\$9,818	\$9,818	\$9,818
13	Shire Wide					\$0	\$0
15	Northern Districts				\$50,032	\$50,032	\$50,032
	Warnervale Town Centre				\$0	\$0	\$0
		\$730,921	\$730,921				(\$730,921)
Water Fund Drainage Total		\$730,921	\$730,921	\$0	\$832,436	\$832,436	\$101,515

Year to date Sewer Fund contributions received total \$985k. However, the budget has been phased incorrectly. This will be corrected as part of the Q3 review.

Table 4 – s64 Sewer developer contributions reported in the Sewer Fund

Sewer Fund - Sewer							
Contribution Plan #	Contribution Plan Name	Original Budgeted Income	Revised Budgeted Income	S93F VPA Actual Income	S94 Actual Income	Total Actual Income	Variance
1	Wyong				\$213,497	\$213,497	\$213,497
2	Southern Lakes				\$153,346	\$153,346	\$153,346
3	The Entrance				\$44,698	\$44,698	\$44,698
5	Ourimbah				\$171,085	\$171,085	\$171,085
6	Toukley				\$3,335	\$3,335	\$3,335
7	Gorokan				\$67,994	\$67,994	\$67,994
7a	Warnervale				\$249,165	\$249,165	\$249,165
8	San Remo				\$42,402	\$42,402	\$42,402
9	Budgewoi				\$8,332	\$8,332	\$8,332
13	Shire Wide					\$0	\$0
15	Northern Districts				\$30,991	\$30,991	\$30,991
	Warnervale Town Centre				\$0	\$0	\$0
Water Fund Drainage Total		\$0	\$0	\$0	\$984,845	\$984,845	\$984,845

Table 5 – Summary of Developer Contributions received

Contribution Type	Original Budgeted Income	Revised Budgeted Income	S93F VPA Actual Income	S94 Actual Income	Total Actual Income	Variance
Total s93F and s94 Income	\$4,201,560	\$1,503,016	\$0	\$1,188,592	\$1,188,592	(\$314,424)
Total Water and Sewer income	\$730,921	\$730,921	\$0	\$1,817,281	\$1,817,281	\$1,086,360
Section 94A	\$164,970	\$300,000	\$0	\$461,207	\$461,207	\$161,207
Total EPA & LGA Developer Contributions	\$5,097,451	\$2,533,937	\$0	\$3,467,080	\$3,467,080	\$933,143

SPECIFIC PURPOSE VPA CONTRIBUTIONS RECEIVED

No VPA payments have been received for the period from 1 July 2013 to 31 March 2014.

Contributions totalling \$514,465 received in 2012-13 from Fabcot Pty Limited were required to be spent on specific works. Any unspent funds at the end of the 4 year period from when the VPA was entered into will need to be refunded. Under the VPA we are required to deliver the following works:

- Pathway 1 – 2013-14 Saliens Avenue to Tall Timbers Road
- Pathway 2 – 2014-15 Pacific Highway South – Tall Timbers to Colongra Bay Road

Table 6 below shows the actual project costs to March 2014. The second stage of Pathway 1 commenced in January 2014. Any surplus funds from Pathway 1 will be allocated to Pathway 2. Pathway 1 is expected to be completed by July 2014 and Pathway 2 November 2014.

Table 6 – Fabcot Pty Limited VPA funds spent compared to budget

Project	Financial Year	Budget	Spend @ Mar 13	Balance
Pathway 1	2013-14	\$206,506	\$75,610	\$130,896
Pathway 2	2014-15	\$308,138		\$308,138

RESTRICTED ASSET

Council's currently has a restricted asset totalling \$40m which represents the developer contributions received with interest income that has not yet been spent as at 31 March 2014. The break up is as follows:

Contribution Type	Restricted Asset Value
S93F	\$1,039,727
S94 - General	\$2,593,881
S94 - Drainage	\$9,739,372
S94A	\$983,831
S64 - Water	\$11,063,341
S64 - Sewer	\$14,886,549
Total	\$40,306,701

DEVELOPER CREDITS

Council's current unfunded liabilities (non-cash contributions) total \$15m as at March 2014. This includes s94 credits totalling \$13.9m and s64 credits totalling \$1.1m.

ATTACHMENTS

Nil.

6.8 Wyee Sewerage Servicing Strategy

TRIM REFERENCE: F2012/00268 - D07780406

MANAGER: Daryl Mann, Manager

AUTHOR: Greg Cashin; Commercial Manager Water and Sewerage

SUMMARY

A water and sewerage servicing strategy has been prepared for the existing Wyee district as resolved by Council at its 26 March 2014 meeting. Water Supply arrangements for the existing residential areas requires no further investigation as these sites currently have access to the reticulated water supply network. Three potential sewerage servicing options have been documented with initial costs per residential lot in the order of \$27,000 to \$30,000 noting commentary on the cost estimates contained in the Servicing Strategy. The strategy also identifies an option involving an arrangement being made with the private utility operator which is being set-up to service the adjoining development area immediately west of Wyee.

RECOMMENDATION

That Council receive the report on Wyee Sewerage Servicing Strategy.

BACKGROUND

Wyee currently lies within the Lake Macquarie Local Government Area (LGA) immediately to the north of Wyong Shire. Water and sewer servicing is currently the responsibility of Hunter Water Corporation (HWC).

The Independent Local Government Review Panel recommended that consideration be given to transferring some southern areas of Lake Macquarie City Council to Wyong Shire. Wyong Shire supported such a boundary change in its comments on the report. All of the potential urban areas that may be transferred are serviced with water and sewerage, other than Wyee. As a consequence Wyong Shire Council resolved at its 26 March 2014 meeting to prepare a water and sewer servicing strategy for the Wyee district.

A preliminary servicing strategy has been prepared and the findings are set out in the attachments.

The estimates in the attachments are prepared with Council's best knowledge at the time of writing the report and are undertaken without full survey and design being available. The estimates for each option may change as detailed design is completed however Council believes the relativities between the options will remain.

ATTACHMENTS

- | | | |
|---|---|-----------|
| 1 | Wyee Water Supply and Sewerage Servicing Strategy | D07977051 |
| 2 | Wyee Water Supply and Sewerage Servicing Strategy - Figures | D07788773 |

Wyee Servicing Strategy – Wyong Shire Council

Background

Wyee currently lies within the Lake Macquarie Local Government Area (LGA) immediately to the north of Wyong Shire. Water and sewer servicing is currently the responsibility of Hunter Water Corporation (HWC).

The Independent Local Government Review Panel recommended that consideration be given to transferring some southern areas of Lake Macquarie City Council to Wyong Shire. Wyong Shire supported such a boundary change in its comments on the report. All of the potential urban areas that may be transferred are serviced with water and sewerage, other than Wyee. As a consequence Wyong Shire Council resolved at its 26 March 2014 meeting to prepare a water and sewer servicing strategy for the Wyee district.

A preliminary servicing strategy has been prepared and the findings are set out in this report.

Study Area

The study area included the existing urban zoned areas of Wyee, as shown in Figure 1, with an allowance for potential infill development or minor rezoning. This corresponds to 455 Equivalent Tenements (ET) for the purpose of this strategy.

In May 2013, the NSW Government published an amendment to the Lake Macquarie Local Environmental Plan (LEP) 2004, which rezones approximately 164 hectares of land west of the Wyee railway station to allow a new residential subdivision and future residential development. The existing water and sewer infrastructure at Wyee will not support the rezoned development area. This development area is excluded from this study. The issue of a licence to a private operator to service the area with water and sewer is imminent (licence to be issued by IPART under the *Water Industry Competition Act 2006* (WICA)).

Current Situation

Water supply

The Study Area is already serviced by Hunter Water's Morisset–Wyee water supply system. A high level tower reservoir approximately 800m east of the town centre serves the area. No additional water supply infrastructure is needed.

Sewerage

Sewage within the Study Area is currently managed through on-site septic systems with pump out or through on-site disposal.

Sewer servicing Options

Potential sewer servicing options for the Study Area are as follows:

- Option 1: Gravity system with transfer to Charmhaven Sewage Treatment Plant (STP)
- Option 2: Low pressure system with transfer to Charmhaven STP
- Option 3: Gravity system with transfer to Dora Creek STP
- Option 4: Low pressure system with transfer to Dora Creek STP
- Option 5: Low pressure system with private operator

Option 1: Gravity system to Charmhaven STP

A traditional gravity sewerage system would be constructed predominantly in 150 mm PVC pipe. A site visit confirmed that construction would be feasible provided the majority of the reticulation could be constructed in the road reserve (gravity sewer is usually constructed within the customer boundary). If not there would be significant disruption to backyards, gardens, sheds, fences and the like at increased costs. Collected flows would be transferred to Charmhaven STP. Charmhaven STP has spare capacity at present to service the development.

A 250mm nominal diameter rising main would be needed to transfer a design flow rate of 34L/s to Charmhaven STP. The largest "Charmhaven Transfer" pump station would be approximately 2.4m in diameter, and 6m deep. The remaining pump stations would be approximately 1.8-2m in diameter and 3m deep.

The likely sewerage layout for Option 1 is shown in Figure 2. The main components of Option 1 include:

- 10.1km of DN150 gravity mains
- An underground rail & road crossing (Thrust bore or HDD)
- 5 new sewer pump stations
- 1km of local rising mains
- A 5.5km DN250 rising main to transfer flow to Charmhaven STP

The 250 mm rising main would likely run in a southerly direction along the railway access road on the eastern side of the railway some 3km. The route would then follow a fire trail (1km) before joining the existing Blue Haven rising main alignment for the final 1.1km. This route minimises disturbance in the highly valued wildlife corridor between the STP and the railway. The route is relatively direct and obstruction free. Approvals and a sewer easement would need to be acquired from Sydney Trains, the Darkinjung Local Aboriginal Council and Crown Lands to utilise this route. No discussions have been held with these bodies during the preparation of this report.

The preferred alignment of the rising main to Charmhaven STP is shown in Figure 4.

Option 2: Low pressure system to Charmhaven STP

A network of DN40 – DN110 PE pressure pipes would be laid at minimum cover in the road reserves. Collection "pots" with an internal submersible pump, alarms and controls are installed below ground on each property and replace the existing septic tank. Small diameter (DN40) PE pressure pipes transfer flow from the pots to the pressurized street mains.

A 180mm nominal diameter rising main would be needed for the low pressure system design flow of 15L/s. (Note that the design flow rate for a low pressure system is lower than a gravity system as it experiences less inflow and infiltration). The largest "Charmhaven Transfer" pump station would be approximately 2m in diameter, and 3m deep. The remaining pump station would be approximately 1.8m in diameter and 3m deep.

Similar to option 1, the rail corridor and fire trail would be utilised to transfer flow to Charmhaven STP. The layout associated with Option 2 is shown on Figure 3 and the main components would include:

- 7.3km of pressure mains (DN40 – DN110) (not including property mains)
- 1.1km of gravity mains
- 2 new sewer pump stations
- 0.9km of local rising mains
- A 5.1km DN180 rising main to Charmhaven STP
- A collection pot, small valve pit, switchboard modifications, and a rising main on each property

Option 3: Gravity system to Dora Creek STP

This option would have similar system components to Option 1. Sewage would be pumped some 10.6km to Dora Creek STP and servicing would remain the responsibility of HWC. The 10.6km DN250 transfer rising main would run in a northerly direction to Morisset utilising either the rail corridor, or Wyee Road. The pipe would then head north-east in the B53 Motorway road reserve to Dora Creek STP.

Option 4: Low pressure system to Dora Creek STP

Again, servicing would be the responsibility of HWC. A 10.6km DN180 rising main would transfer sewage to Dora Creek STP. Sewerage infrastructure at Wyee would be similar to Option 2.

Option 5: Low pressure sewer system with private operator

The private WICA operator is proposing to construct a low pressure sewer system with a localised treatment plant to service the new development area. This system could potentially also service the existing Wyee township. This option would benefit the developer as existing residents could connect as soon as the infrastructure is built. The local treatment plant could be put under load and service charges would be applied without having to wait for the area to be

developed. This option may well be more cost effective than all other. The feasibility of this option would depend upon the outcome of commercial discussions with the private operator.

It is understood that there has been dialogue between the private operator and HWC during the preparation of HWC's Wye sewerage servicing strategy (being prepared in parallel with this investigation). As a consequence cost estimates are not available for this option.

Cost Assessment

Cost estimates were developed using a combination of HWC Estimating Guidelines and the NSW Reference Rates (NSW Office of Water). Design features and assumptions adopted in the development of the estimates are as follows:

- Easement cost are excluded
- Power supply/network upgrade cost are excluded
- Operation and maintenance costs are excluded
- 20% survey, investigation & design
- 30% construction contingency
- ET estimates include a 10% allowance for future residential subdivision within the Study Area. Existing ET is approximately 409ET and the design ET is 455.
- Appropriate restoration allowances have been allocated where pipes run through heavily developed areas
- Gravity reticulation can be constructed in the road reserve where beneficial
- Below ground rail & road crossing is permitted (Option 1)
- Average of 10m between collection pots and street pressure main (Option 2)
- Low pressure system design and design flow based on HWC design manual (Option 2)
- Low pressure system pumps to local high points (to avoid air locks) utilising a gravity line back to the nearby transfer pump station (Option 2)

The cost breakdown for Option 1, Option 2, Option 3 and Option 4 is provided in the tables below:

Table 1 Cost breakdown: Gravity system with transfer to Charmhaven STP

Item	Gravity system with transfer to Charmhaven STP
Gravity mains (includes rail crossing)	\$5.24M
5 sewer pump stations	\$4.26M
Local rising mains	\$0.41M
5.5 km DN250 rising main to Charmhaven STP	\$2.42M
Total	\$12.30M
\$/Design ET	\$27,100

Table 2 Cost breakdown: Low pressure system with transfer to Charmhaven STP

Item	Low Pressure System with transfer to Charmhaven STP
Pressure network mains	\$1.66M
Gravity mains	\$0.46M
2 Sewer pump stations	\$1.61M
Local rising mains	\$0.30M
5.1 km DN180 rising main to Charmhaven STP	\$1.75M
Household collection pots and property mains	\$7.20M
Total	\$12.90M
\$/Design ET	\$28,500

Table 3 Cost breakdown: Gravity system with transfer to Dora Creek STP

Item	Gravity system with transfer to Dora Creek STP
Gravity mains (includes rail crossing)	\$5.24M
5 sewer pump stations	\$4.26M
Local rising mains	\$0.41M
10.6km DN250 rising main to Dora Creek STP	\$4.98M
Total	\$14.90M
\$/Design ET	\$32,700

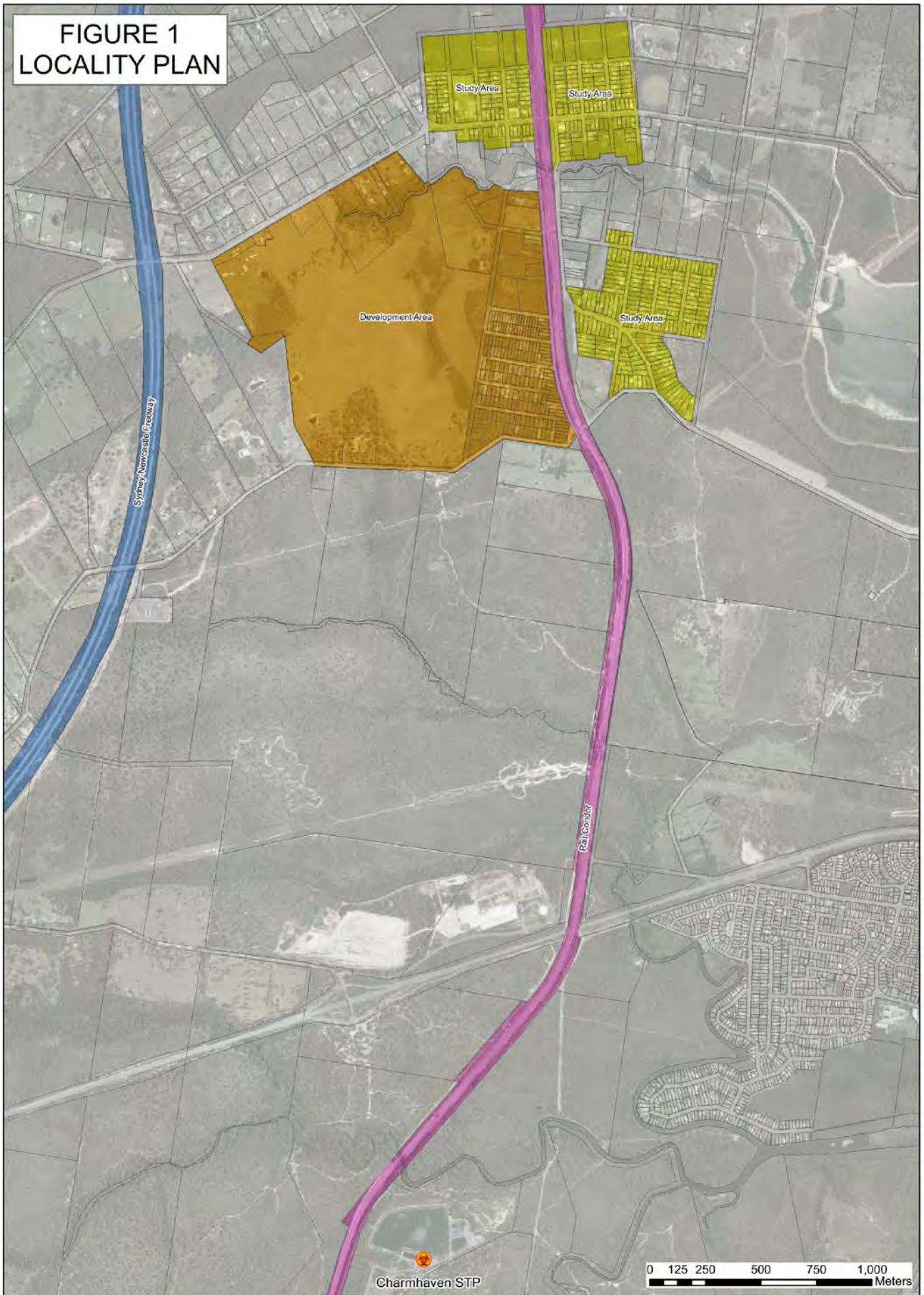
Table 4 Cost breakdown: Low pressure system with transfer to Dora Creek STP

Item	Low Pressure System with transfer to Dora Creek STP
Pressure network mains	\$1.66M
Gravity mains	\$0.46M
2 Sewer pump stations	\$1.61M
Local rising mains	\$0.30M
10.6km DN180 rising main to Charmhaven STP	\$3.97M
Household collection pots and property mains	\$7.20M
Total	\$15.20M
\$/Design ET	\$33,400

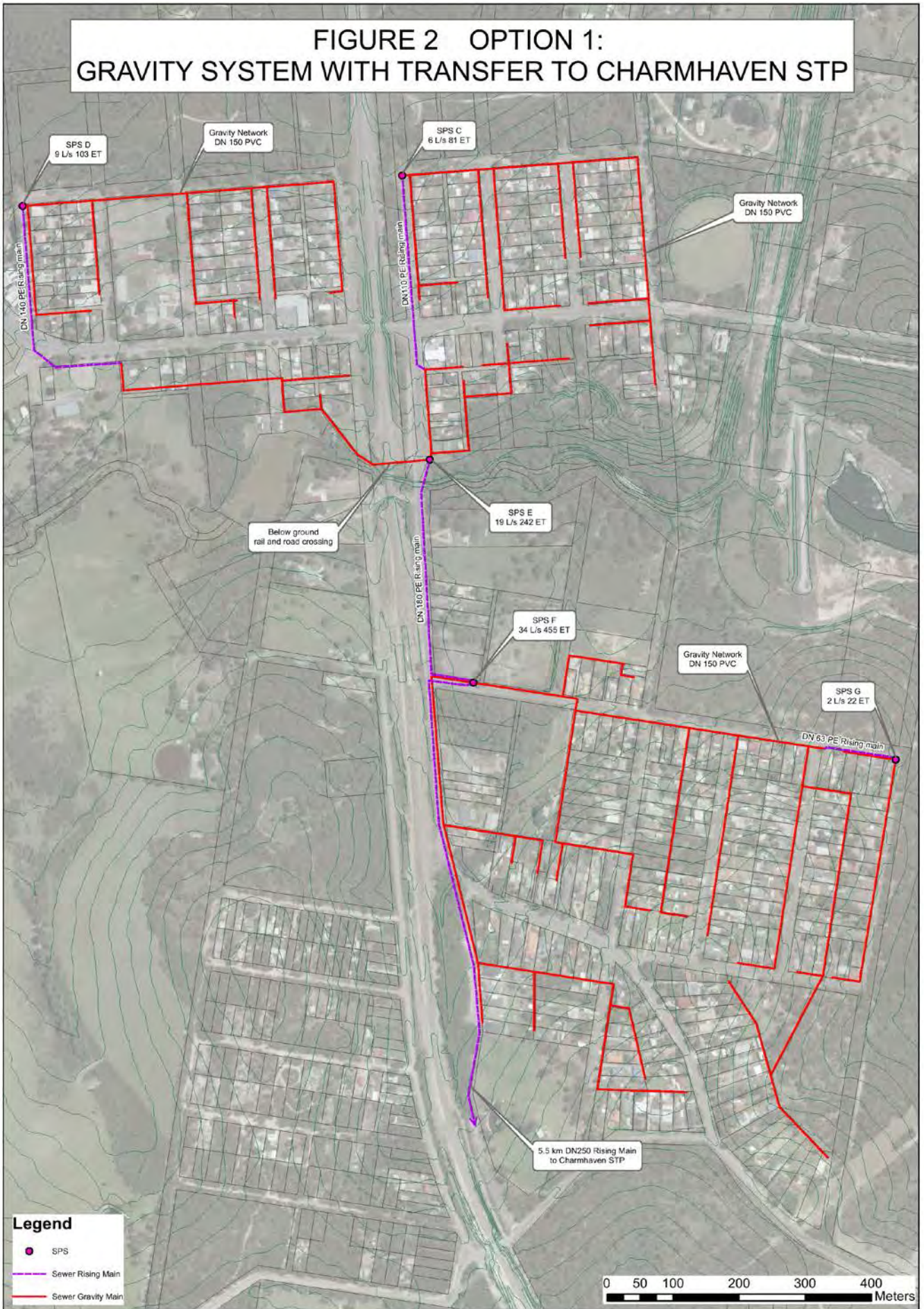
Sewer Servicing Discussion

This study has been undertaken at a high level. Significant further work including site and property surveys, geotechnical investigations and resolution of land matters would be required to confirm costs and route feasibility. As such the cost estimates provided in this report are indicative only. Nevertheless it is likely that the provision of sewerage to Wyee will cost in the order of \$27,000 to \$30,000 per residential lot. A potential lower cost may be achieved if a suitable arrangement can be agreed with the private operator for the new development area.

The cost for HWC to service Wyee and send sewage to Dora Creek STP would be more expensive at approximately \$32,000 to \$35,000 per residential lot.



**FIGURE 2 OPTION 1:
GRAVITY SYSTEM WITH TRANSFER TO CHARMHAVEN STP**



**FIGURE 3 OPTION 2:
LOW PRESSURE SYSTEM
WITH TRANSFER TO CHARMHAVEN STP**

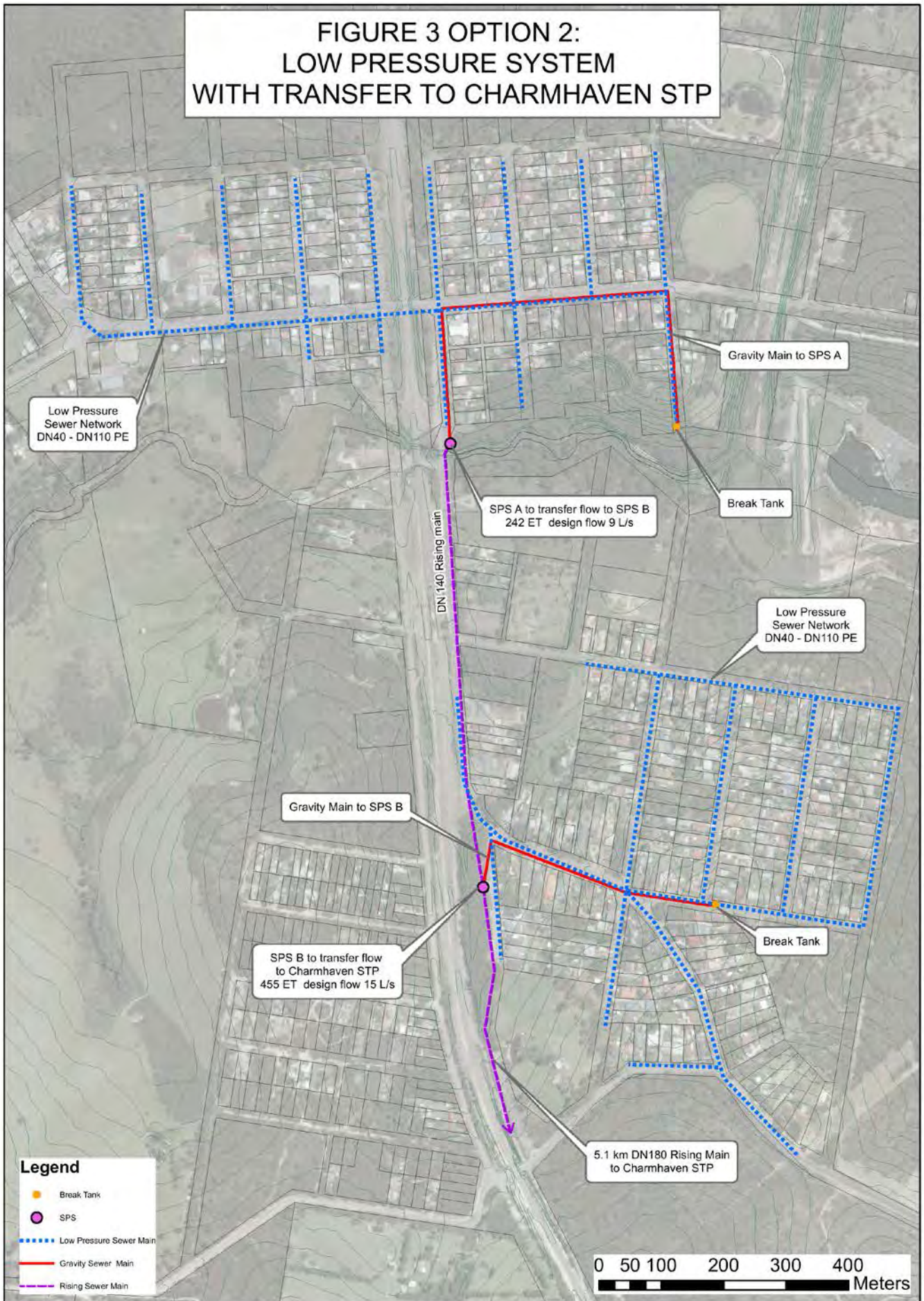


FIGURE 4
SEWER RISING MAIN TO CHARMHAVEN STP



6.9 Outstanding Questions on Notice and Notices of Motion

TRIM REFERENCE: F2013/02042 - D07485709

MANAGER: Lesley Crawley, Manager

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.

ATTACHMENTS

- 1 Outstanding Questions on Notice and Notices of Motion - 28 May 2014 D07827902

No	Department	Responsible Officer	Question Asked / Resolution	Meeting Asked/ Councillor	Status
12.	Property and Economic Development.	Stefan Botha	<p>8.2 Notice of Motion - Waste Initiatives</p> <p>1 That Council <u>note</u> the recent announcement by the New South Wales Government of their 'Waste Less, Recycle More' program.</p> <p>2 That Council <u>note</u> the 'Supporting Local Communities – Local Government Program' that provides access to \$137.7 million over 5 years to reduce illegal dumping and littering.</p> <p>3 That Council <u>request</u> the General Manager to provide a briefing to Councillors which identify possible applications to the 'Supporting Local Communities – Local Government Program'.</p> <p>4 That Council <u>note</u> that the waste levy will cost Ratepayers \$12.5 million in 2013/14.</p> <p>5 That Council <u>write</u> to The Hon Robyn Parker MP, Minister for the Environment expressing ongoing concerns with the cost to Council of the Waste Levy.</p>	13 March 2013 Cr Nayna	<p>Resolution 3 – Currently waiting on EPA to provide more information – expected in the first quarter of 2014.</p> <p>Resolution 5 – Completed.</p> <p>The remaining resolutions are to be noted.</p>
36	Property and Economic Development.	Kathryn Heintz	<p>9.1 Notice of Motion - Councils Reduction in Red Tape</p> <p>1 That Council <u>indicate</u> its intention to rescind all controls over residential side and rear boundary fencing.</p> <p>2 That Council <u>acknowledge</u> that in Wyong Shire all dividing fence matters are controlled by the Dividing Fences Act 1991.</p> <p>3 That Council <u>insert</u> "Front Boundary Fences" within Schedule 2, Exempt Development, as part of major Amendment No.1 to the Wyong Local Environmental Plan 2012, subject to the following standards:</p>	24 July 2013 Cr Taylor	Response to be provided by end of 2014.

No	Department	Responsible Officer	Question Asked / Resolution	Meeting Asked/ Councillor	Status
			<p><i>a be not higher than 1.8 metres above ground level (existing); and</i></p> <p><i>b be located within, not over, the front boundary; and</i></p> <p><i>c be designed to preserve traffic sight line requirements at intersections; and</i></p> <p><i>d be not constructed of barbed or razor wire.</i></p>		
56	General Managers Unit	Brian Glendenning	<p>Mayoral Minute – Central Coast Water Board General Meeting</p> <p>1255/13 <i>That Council <u>note</u> the Central Coast Water Corporation proposes to hold its Annual General Meeting at Gosford City Council on Thursday 14 November 2013 at 6.00pm to consider the audited financial statements and that clause 7.8 of the Constitution of the Central Coast Water Corporation permits Council to attend and vote at that proposed Annual General Meeting by proxy.</i></p> <p>1256/13 <i>That Council <u>appoint</u> the Mayor as Council's proxy at the proposed Annual General Meeting of Central Coast Water Corporation, with that appointment being for the purposes of clause 7.8 of the Constitution of the Central Coast Water Corporation.</i></p> <p>1257/13 <i>That Council <u>resolve</u> that the Council Seal be affixed to the attached instrument to effect the above appointment.</i></p> <p>1258/13 <i>That Council <u>request</u> the General Manager to invite all Councillors to attend the Annual General Meeting of the Central Coast Water Corporation once formal notice for that Meeting has been received.</i></p>	23 October 2013 Cr Eaton	<p>1255/13 - Completed</p> <p>1256/13 - Completed.</p> <p>1257/13 - Completed.</p> <p>1258/13 - Completed.</p> <p>1259/13 – Options are being investigated and a report will be prepared – Date of submission to Council to be advised.</p>

No	Department	Responsible Officer	Question Asked / Resolution	Meeting Asked/ Councillor	Status
			1259/13 <i>That Council <u>direct</u> the General Manager to investigate and report the governance options around the Wyong Water Authority.</i>		
57	Development Building and	Jane Doyle	<p>7.1 - Notice of Motion – Proposed Amendments to Tree Policy</p> <p>1 <i>That Council <u>resolve</u> to allow the owners of residential land, of 1,000sq m or less, the right to remove a single tree in any 12 month period if the tree is deemed to be hazardous to life or property, by the owner.</i></p> <p>2 <i>That Council <u>note</u> that where more than 1 tree is identified to be hazardous, to life or property, removal will require Council approval.</i></p> <p>3 <i>That Council <u>request</u> the General Manager to provide a report to Council, outlining further possible amendments to Council's Tree Policy that will streamline processes, reduce red tape and achieve the following objectives:</i></p> <p style="margin-left: 20px;">a <i>to reduce, real or perceived, hazards arising from trees to life or property including, bushfires, falling trees and branches, tree root damage and the like.</i></p> <p style="margin-left: 20px;">b <i>to minimise Council's exposure to claims and litigation arising from damage caused by trees and</i></p> <p style="margin-left: 20px;">c <i>to reduce the number of circumstances in which Council's approval is required for the removal of trees on private property.</i></p> <p>4 <i>That Council <u>request</u> the General Manager provide a report to Council that addresses possible amendments to the proposed Wyong LEP 2013 to provide that the removal of trees (in accordance</i></p>	13 November 2013 Cr Best	Response to be provided June 2014.

No	Department	Responsible Officer	Question Asked / Resolution	Meeting Asked/ Councillor	Status
			<p><i>with points 1 and 2 above) be Exempt Development.</i></p> <p>5 <i>That Council <u>note</u> that these additions will be in addition to the 6 and 12 metre current policy for the removal of trees.</i></p>		
66	Development and Building Department	Jane Doyle	<p>Q49/13 - Darkinjung Large Scale manufactured Home Estate, Budgewoi (DA 493/2012 lodged 21 June 2012</p> <p><i>"Mr General Manager, my question is on behalf of the good people of the greater Budgewoi area. As their local Councillor, I have received numerous calls and representations around the inordinate amount of time that this major development is taking for Council to determine. Understandably, with Council receiving more than 2,000 submissions on this particular DA, the most ever, it is only fair and reasonable that after more than a year, this matter be determined. Could you please advise Council, and in deed the community, when will this happen?"</i></p>	11 December 2013 Cr Best	Response to be provided July 2014.
74	Property Development and	Jari Ihaleinan	<p>7.1 Notice of Motion – Shire Wide Spring Clean and Free Tip Access</p> <p>230/14 That Council <u>recognise</u> the urgent need to provide more flexible tipping options in an effort to curb escalating illegal dumping.</p> <p>231/14 That Council <u>direct</u> the General Manager to investigate and report around the following improvement initiatives to assist ratepayers and minimise the risk of illegal dumping in our Shire:</p> <p>213/1 Convert a number of the current free kerb side pick-ups to free tip access, thereby providing ratepayers with tangible tipping options.</p> <p>213/2 The feasibility / logistics of 'whole area pick ups' similar to many Sydney LGAs to provide a suburb wide spring clean</p>	Cr Best 12 March 2014	Item going to the Expenditure Review Committee – Extraordinary Meeting 26 June 2014.

No	Department	Responsible Officer	Question Asked / Resolution	Meeting Asked/ Councillor	Status
			option in the lead up to the 2014 Christmas break. 213/3 Review, in partnership with Remondis, the kerb side pick-up booking process with a view to improved service delivery and systems efficiencies.		
82	Community and Recreation Services	Maxine Kenyon	U3/14 Matter of Urgency – Green Army Programme Applications 449/14 That Council note the Federal Government has invited applications for the Green Army Programme and that submissions for applications close on 9 May 2014. 450/14 That Council prepare a submission for projects that will deliver practical environmental improvements.	Cr Webster 23 April 2014	A submission is being prepared for lodgement by 9 May 2014. The date of submission has been extended to 23 May 2014.
83	Development and Building Department	Scott Cox	Q63/14 Anti-Social Behaviour in the Wyong CBD <i>“Mr Mayor, Can the General Manager inform whether there has been any marked increase in juvenile related anti-social incidents in the Wyong CBD area; and in the CBD in general if there are any trends relating to this?”</i>	Cr Greenwald	Response to be provided June 2014.
84	Property and Development	Jari Ihaleinan	5.1 Notice of Motion - Council Policy Results in Vandalism 1 That Council <u>note</u> further reports of large scale public tree poisoning at Mazlin Reserve Norah Head. 2 That Council <u>investigate</u> the complaints and report on this and other similar recent vandalism events. 3 That Council <u>recognise</u> that policing this type of vandalism is often unproductive and that the catalyst for such acts may well be a consequence of past Council Policy. 4 That Council <u>note</u> its previous resolution to undertake a common sense review of its Tree Policy for private land. 5 That Council <u>undertake</u> a review of its Tree Policy for	Clrs Best, Taylor, Troy 14 May 2014	Response to be provided at a future meeting.

No	Department	Responsible Officer	Question Asked / Resolution	Meeting Asked/ Councillor	Status
			<i>Public Lands with a view to developing a more balanced approach to future planting and species choice, particularly around the issue of 'View Sharing' and how that is legislated for in the area of construction and building ."</i>		
85	General Manager	Stephen Naven	<p>Q64/14 Central Coast Regional Development Corporation Funding</p> <p><i>"As jobs are so important to our region and we have seen the recent announcements of closures of Blue Tongue Brewery and Kellogg's in the Shire.</i></p> <p><i>Can the General Manager inform Council the funding supplied to the Central Coast Regional Development Corporation or predecessors from the two Councils, Wyong Shire and Gosford City, and the NSW State Government, from 2010 to the present and please advise?"</i></p>	Clr Greenwald 14 May 2014	Response to be provided June 2014
86	Community and Recreation Services	Maxine Kenyon	<p>Q65/14 Standard of Parks and Gardens in Wyong Shire</p> <p><i>"Mr General Manager, I noted over the Mother's Day weekend thousands of residents enjoying the many hundreds of local parks and reserves in our Shire and I also received very encouraging feedback from locals and visitors alike applauding the high standard and quality of the various Council facilities. Would you please, on behalf of Council, pass on our sincere appreciation to the Manager of Open Space and Recreation, Brett Sherar and his team for the excellent efforts?"</i></p>	Clr Best 14 May 2014	Response to be provided June 2014
87	Development and Building Department	Jari Ihaleinan	<p>Q66/14 Chelmsford Road, Charmhaven</p> <p><i>"I have received a number of enquiries from members of the public concerning the operations concerning the Flip Out business at Unit 1/132 Chelmsford Road, Charmhaven, and assertions as Council's role in regulating that business. I ask the following questions:</i></p>	Clr Best 14 May 2014	Response to be provided June 2014

No	Department	Responsible Officer	Question Asked / Resolution	Meeting Asked/ Councillor	Status
			<p>1 Which public authorities have roles in the regulation of the activities of the Flip Out business?</p> <p>2 If Council has a role in the regulation of the activities of the Flip Out , what steps has Council undertaken to fulfil that role?"</p>		
88	Property Development and	Jari Ihaleinan	<p>Q67/14 Tuggerawong Hall Update</p> <p>"Could Council be given an update on the status of Tuggerawong Hall?"</p>	<p>Clr Troy</p> <p>14 May 2014</p>	Response to be provided at a future meeting

**QUESTIONS ON NOTICE AND NOTICES OF MOTION REMOVED SINCE
14 MAY 2014**

	Department	Question on Notice / Notice of Motion	Date Asked/ Councillor	Status
11	Community and Recreation Services	<p>8.1 Notice of Motion - Regional Sport Economic Benefit</p> <p>1 <i>That Council <u>note</u> the numerous benefits (including tourism, economic and sporting) associated with hosting Regional Sporting events.</i></p> <p>2 <i>That Council <u>investigate</u> the capability restraints of our current sports grounds to host Regional Sporting events and the need to formulate a strategic approach to maximise the usage of our facilities to attract such events.</i></p> <p>3 <i>That Council <u>request</u> the General Manager to report proposals for regional sports events within Wyong Shire Council for its consideration.</i></p> <p>4 <i>That Council <u>liaise</u> with local sporting organisations, via the Sports Committee, to seek feedback on hosting regional sporting events.</i></p>	13 March 2013 Cr Nayna	Response on 28 May 2014 Ordinary Meeting
80	Development and Building	<p>Q62/14 Hoons Taking Over Norah Head</p> <p><i>"Mr Mayor, I have received numerous complaints from local residents living near the Norah Head launching ramp due to the huge number of Hoons that now nightly take over the car park turning it into a highly dangerous booze filled burn out strip.</i></p> <p><i>I appreciate this is a Police matter, however I feel obligated as the local area Councillor to request Council formally raise this issue with the Local Area Command LAC / Police for urgent action?"</i></p>	Cr Best 9 April 2014	Response on 28 May 2014 Ordinary Meeting

7.1 Answers to Question on Notice

TRIM REFERENCE: F2013/02042 - D07543331 AUTHOR: JL

7.1 Q62/14 Hoons taking over Norah Head

The following question was asked by Councillor Best at the Ordinary Meeting on 9 April 2014:

“Mr Mayor, I have received numerous complaints from local residents living near the Norah Head launching ramp due to the huge number of Hoons that now nightly take over the car park turning it into a highly dangerous booze filled burn out strip”.

Staff have written to the Tuggerah Lakes Area Command requesting that they undertake regular patrols. The Police have responded and advised that they are aware of the issues occurring in this location and have attended on a number of occasions. They further advised that they will continue to target this area upon completion of the current construction works on the Norah Head Boat Ramp.

ATTACHMENTS

Nil.

28 May 2014

To the Ordinary Council Meeting

Councillor

8.1 Notice of Motion - Littering in Wyong Shire

TRIM REFERENCE: F2010/00500 - D07520242

AUTHOR: Lynne Webster; Councillor

Councillor L Webster has given notice that at the Ordinary Council Meeting to be held on 28 May 2014 she will move the following Motion:

- “1 That Council erect warning signs at sites subject to repeated littering as identified by the General Manager or his delegate.***
- 2 That Council include the maximum penalties for littering on the signage erected under point 1.***
- 3 That Council note that Council’s Rangers will continue to have a targeted approach to littering, including the regular monitoring of identified sites and the issue of Penalty Infringement Notices for all detected offences.”***

RESOURCES

Resolution No 1 - The sum of \$150.00 per identified site would be required to provide the requested signage. (Open Space and Recreation)

Resolution No 2 and 3 - The implementation of this Notice of Motion will be undertaken by existing staff within the Development and Building Department. It is not envisaged that any additional resources would be required. (Development and Rezoning Department)

8.2 Notice of Motion - Asbestos Amnesty

TRIM REFERENCE: F2010/00500 - D07972406

AUTHOR: Greg Best; Councillor

Councillors G Best, L Taylor and A Troy have given notice that at the Ordinary Council Meeting to be held on 28 May they will move the following Motion:

- “1 That Council note the prevalence of illegally dumped asbestos within the Wyong local government area, which presents significant potential health risks to the public and which Council cleans up at significant cost.**
- 2 That Council recognise the urgent need to reduce the incidence of illegal dumping of asbestos within the Wyong local government area.**
- 3 That Council direct the General Manager to prepare an Asbestos Amnesty program, such program to:**
 - a. Enable people who reside in the Wyong local government area to safely dispose of asbestos waste from their permanent home at no cost for a specified period;**
 - b. Be subject to the NSW Environment Protection Authority granting relevant exemptions such that no waste levy or contributions are required to be paid by Council in respect to asbestos waste it receives pursuant to the Asbestos Amnesty program;**
 - c. Include a requirement for educating the public about the risks associated with the illegal dumping of asbestos and of the operation of the Asbestos Amnesty program.**
- 4 That Council acknowledge that such an education and disposal program will have significant cost around its safe delivery.**
- 5 That Council request that the NSW Government partner with Council in the formulation and future implementation of the Asbestos Amnesty program, with that partnership to include the following:**
 - a. the prompt consideration and determination of any request to the NSW Environment Protection Authority by Council seeking exemptions from any waste levy in respect to asbestos received by Council pursuant to the Asbestos Amnesty program;**
 - b. provision of financial assistance to Council to assist in the funding of the significant costs associated with the promotion and delivery of the Asbestos Amnesty program;**
 - c. providing assistance to Council in the formulation of the Asbestos Amnesty program, including technical assistance from the NSW Environment Protection Authority.**

- 6 ***That Council direct that the proposed Asbestos Amnesty policy be reported to Council for consideration and adoption.***

- 7 ***That Council note that it is of the opinion that the Waste Levy was originally established to provide the region with improved waste management options and as only a fraction of this \$11M annual levy has been spent locally, the proposed 'Asbestos Amnesty' program is an excellent opportunity for the NSW Government to partner with Council and honour the original intent of the NSW Government's Waste Levy."***

RESOURCES

Additional resources may be required depending on whether the State Government agrees to fund the pilot program.