



Over 65 residents attended a community workshop to kick off the new east Wyong Masterplan on Thursday 26 November.

Wyong Shire Council

Business Paper

ORDINARY COUNCIL MEETING

09 December 2015

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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 9 December 2015 at 5.00pm,
for the transaction of the business listed below:**

OPENING PRAYER

ACKNOWLEDGEMENT OF COUNTRY

RECEIPT OF APOLOGIES

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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.

Rob Noble
ACTING CHIEF EXECUTIVE OFFICER

1.1 Disclosures of Interest

TRIM REFERENCE: F2015/00040-02 - D12153391

MANAGER: Lesley Crawley, Manager Corporate Governance

AUTHOR: Jacquie Elvidge; Councillor Services Officer

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

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

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

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

RECOMMENDATION

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

1.2 Proposed Inspections and Briefings

TRIM REFERENCE: F2015/00040-02 - D12153393
MANAGER: Lesley Crawley, Manager Corporate Governance
AUTHOR: Jacquie Elvidge; Councillor Services Officer

SUMMARY

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

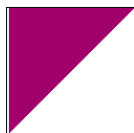
Date	Briefing	Directorate
9 December 2015	Tourism Update	Community and Recreation Services
9 December 2015	Skate Park	Community and Recreation Services
9 December 2015	Strategic Planning Calendar & Process	GM Unit
9 December 2015	2016/17 Environment Agenda	Development and Building
9 December 2015	Capital and Operational Budgets	CEO Unit
9 December 2015	The Entrance Town Centre management transition	Property and Economic Development

RECOMMENDATION

That Council receive the report on Proposed Inspections and Briefings.

ATTACHMENTS

- 1 Amended Proposed Briefings List - 9 December 2015 D12165511



Proposed Briefings List to Date



Briefing Title:	Directorate:	Proposed Month:	Proposed Date:
Tourism Update	Community and Recreation Services		09/12/2015
Skate Park	Community and Recreation Services		09/12/2015
Strategic Planning Calendar & Process	CEO Unit		09/12/2015
2016/17 Environment Agenda	Development and Building		09/12/2015
Capital and Operational Budgets	CEO Unit		09/12/2015
The Entrance Town Centre management transition	Property and Economic Development	December	09/12/2015
Development Infrastructure - Porters Creek Stormwater Diversion Project	Development and Building		27/01/2016
Rural Land Use Review & Strategy	Development and Building		27/01/2016
Kulnura Poultry farm - 127 Springs Rd Kulnura - DA/1058/2014	Development and Building		27/01/2016
Fees and Charges	CEO Unit		27/01/2016
RZ/6/2015 - Planning Proposal - Beachcomber Hotel, 200-214 Main Road, Toukley	Development and Building		27/01/2016
RZ/4/2015 - Doyalson RSL Club - Rezoning	Development and Building		27/01/2016
Ourimbah Masterplan	Property and Economic Development	February	10/02/2016
Agreement on financial projections / Councillor submissions	CEO Unit		10/02/2016
Q2 Financial Report (1.5hrs)	CEO Unit		24/02/2016
Final Draft Plan changes	CEO Unit		13/04/2016
Discuss and Consider Strat Plan Submissions + Q3 Report (1 1/2hours)	CEO Unit		08/06/2016
Central Coast Regional Plan	Property and Economic Development		

1.3 Address By Invited Speakers

TRIM REFERENCE: F2015/00040-02 - D12153406
MANAGER: Lesley Crawley, Manager Corporate Governance
AUTHOR: Jacquie Elvidge; 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 report on Invited Speakers.

ATTACHMENTS

Nil.

1.4 Confirmation of Minutes of Previous Meeting

TRIM REFERENCE: F2015/00040-02 - D12153409

MANAGER: Lesley Crawley, Manager Corporate Governance

AUTHOR: Jacquie Elvidge; Councillor Services Officer

SUMMARY

Confirmation of minutes of the previous Ordinary Meeting of Council held on Wednesday 25 November 2015.

RECOMMENDATION

That Council confirm the minutes of the previous Ordinary Meeting of Council held on Wednesday 25 November 2015.

ATTACHMENTS

1 MINUTES - Ordinary Meeting Meeting - 25 November 2015 D12158862

WYONG SHIRE COUNCIL

**MINUTES OF THE
ORDINARY COUNCIL MEETING OF COUNCIL
HELD IN THE COUNCIL CHAMBER
WYONG CIVIC CENTRE, HELY STREET, WYONG
ON 25 NOVEMBER 2015
COMMENCING AT 5.00PM**

PRESENT

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

IN ATTENDANCE

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

PRESENTATION

The Mayor, Councillor Eaton OAM, presented cheques to the Community Benefit Grant recipients.

The Mayor, Councillor Eaton OAM, declared the meeting open at 5.10pm and advised in accordance with the Code of Meeting Practice that the meeting is being recorded.

The Mayor, Councillor Eaton OAM, delivered the opening prayer and Councillor Matthews read an acknowledgment of country statement.

APOLOGY

There were no apologies.

At the commencement of the ordinary meeting report nos 1.1, 7.2 and 2.2 were dealt with first then the remaining reports in order. However for the sake of clarity the reports are recorded in their correct agenda sequence.

1.1 Disclosure of Interest

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

1237/15 That Council receive the report on Disclosure of Interest and the fact that no disclosure was made be noted.

PROCEDURAL MOTION

Councillor Vincent left the meeting at 5.12pm and as a result took no part in voting.

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

1238/15 That Council allow meeting practice to be varied.

1239/15 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 BEST:

1240/15 That with the exception of report numbers 2.2, 3.1, 4.1, 4.5, 4.6, 4.11, 7.1 and 7.2 Council adopt the recommendations contained in the remaining reports.

1.2 Proposed Briefings and Inspections

Councillor Vincent left the meeting at 5.12pm and as a result took no part in voting.

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

1241/15 That Council receive the report on Proposed Briefings and Inspections.

1.3 Address By Invited Speakers

Councillor Vincent left the meeting at 5.12pm and as a result took no part in voting.

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

1242/15 That Council receive the amended report on Invited Speakers.

1243/15 That Council agree meeting practice be varied to allow reports from Directors and/or the Acting Chief Executive Officer to be dealt with following an Invited Speaker's address.

1.4 Confirmation of Minutes of Previous Meeting

Councillor Vincent left the meeting at 5.12pm and as a result took no part in voting.

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

1244/15 That Council confirm the minutes of the previous Ordinary Meeting of Council held on 11 November 2015.

Business Arising

There was no business arising.

2.1 Proposed Additional Use of Crown Reserves R73287 at Shelly Beach, R55566 at Toowoan Bay and R55798 at Norah Head

Councillor Vincent left the meeting at 5.12pm and as a result took no part in voting.

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

1245/15 That Council request NSW Trade & Investment, Crown Lands to add the purpose of "Urban Development" to Shelly Beach Recreation and Flora (R73287) Reserve Trust, Toowoan Bay Recreation (R55566) Reserve Trust and North Entrance Peninsula (R55798) Reserve Trust.

2.2 Disposal of Surplus Council-Owned Land at Woongarra and Jilliby and Future Development of Land at Tuggerah

Councillor Vincent left the meeting at 5.12pm and returned to the meeting at 5.15pm during consideration of this item.

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

1246/15 That Council authorise the sale by expressions of interest of the following properties at Woongarra excluding those portions which form part of the former tip site:

- a) 99 Sparks Road, Woongarra (Lot 52 DP 561032)***
- b) 103 Sparks Road, Woongarra (Lot 51 DP 561032)***
- c) 107 Sparks Road, Woongarra (Lot 41 DP 1200210)***
- d) 236-260 Hakone Road, Woongarra (Lot 1 DP 375712)***
- e) 236-260 Hakone Road, Woongarra (Lot 1 DP 376264)***
- f) 236-260 Hakone Road, Woongarra (Lot 54 DP 7527)***
- g) 236-260 Hakone Road, Woongarra (Lot 55 DP 7527)***
- h) 236-260 Hakone Road, Woongarra (Lot 1 DP 371647)***

1247/15 That Council authorise the sale by expressions of interest of the following properties comprising the Warner Industrial Park at Jilliby:

- a) 225 Sparks Road, Jilliby (Lot 15 DP 259530)***
- b) 671 Hue Hue Road, Jilliby (Lot 16 DP 259530)***
- c) 689 Hue Hue Road Jilliby, (Lot 17 DP 259530)***

- d) 701 Hue Hue Road Jilliby, (Lot 18 DP 259530)
 - e) 725 Hue Hue Road Jilliby, (Lot 4 DP 239704, Lot 25 DP 259530 & Lot 26 DP 259530)
 - f) 749 Hue Hue Road, Jilliby (Lot 19 DP 259530)
 - g) 781 Hue Hue Road, Jilliby (Lot 6 DP 239704)
 - h) 791 Hue Hue Road, Jilliby (Lot 7 DP 239704)
 - i) 811 Hue Hue Road, Jilliby (Lot 8 DP 239704)
- 1248/15 That Council authorise the identification of development partners by expressions of interest to investigate commercial opportunities for the following property at Tuggerah:
- a) 7 Wyong Road, Tuggerah (Lot 2 DP 810238)
- 1249/15 That Council request the Acting Chief Executive Officer to present a further report to Council at the completion of the expression of interest process in relation to land at 7 Wyong Road, Tuggerah.
- 1250/15 That Council authorise the Acting Chief Executive Officer to obtain relevant planning approvals for the subdivision of lands as required to effect the disposals.
- 1251/15 That Council authorise the Acting Chief Executive Officer to finalise the terms of sale.
- 1252/15 That Council authorise the Acting Chief Executive Officer and the Mayor to execute all necessary documentation relevant to the sale of these properties.
- 1253/15 That Council authorise the Common Seal of Wyong Shire Council to be affixed to the formal documents associated with the sale of land as required between Wyong Shire Council and the purchaser.
- 1254/15 That Council not sell any of these properties that it purchased for anything less than the purchase price.

3.1 CPA/263887 – Magenta Shared Pathway Stage 1 – Construction

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

- 1255/15 That Council accept the tender from Bolte Civil Pty Ltd, for the lump sum amount of \$1,359,798.77 (excl GST) for Contract CPA/263887 – Magenta Shared Pathway - Stage 1 Construction.
- 1256/15 That Council determine the Tender Evaluation Report in Attachment A, remains confidential in accordance with Section 10 A (2) (d) of the Local Government Act 1993 as the report contains commercial information of a confidential nature, except for the name of the successful tenderer, which may be disclosed after Council has resolved to accept that tender.
- 1257/15 That Council approve the contingency sum as detailed in the Tender Evaluation Report in Attachment A.

4.1 Report on Breaches of Confidentiality and Related Matters

Councillor Troy arrived at 6.22 during consideration of this item.

Councillor Troy left the meeting at 6.30pm and as a result took no part in voting.

Councillor Best left the meeting at 6.34pm and returned to the meeting at 6.36pm during consideration of this item.

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

1258/15 That the Council note the report.

4.2 Review of Policy for Investment of Council Funds

Councillor Vincent left the meeting at 5.12pm and as a result took no part in voting.

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

1259/15 That Council adopt the Policy for Investment of Council Funds and the Investment guidelines.

4.3 Policy for Debt Recovery

Councillor Vincent left the meeting at 5.12pm and as a result took no part in voting.

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

1260/15 That Council adopt the Debt Recovery Policy per attachment 1 to apply from the date of this meeting.

4.4 Policy for Hardship

Councillor Vincent left the meeting at 5.12pm and as a result took no part in voting.

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

1261/15 That Council adopt the Hardship Policy per attachment 1 to apply from the date of this meeting.

4.5 Policy for Keeping of Animals

Councillor Troy left the meeting at 6.30pm and return to the meeting at 6.41pm during consideration of this item.

Councillor Greenwald left the meeting at 6.43pm and return to the meeting at 6.45pm during consideration of this item.

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

1262/15 That Council defer this matter pending a further report on amendments that may make this policy consistent with Gosford City Council.

4.6 Q1 Business Report 2015-16

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

1263/15 That Council receive the Q1 Business Report on progress against the 2015-19 Strategic Plan.

1264/15 That Council note that Council's Responsible Accounting Officer has declared the financial position of Wyong Shire Council to be satisfactory.

1265/15 That Council approve the proposed budget amendments for 2015-16 as contained within the Q1 Business Report with the following changes to the capital works program to result in a full year budget of \$104.9 million:

- Addback of Magenta Shared Pathway budget \$1.5 million***
- Addback strategic land acquisitions \$0.7million***
- Reduce mobile plant purchases \$1.0 million***

4.7 2016-17 Strategic Planning - Councillor Engagement

Councillor Vincent left the meeting at 5.12pm and as a result took no part in voting.

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

1266/15 That Council endorse the Councillor Engagement Schedule for the 2016-17 Strategic Planning process.

4.8 Councillor Attendance - LGNSW Councillor Weekend Seminar

Councillor Vincent left the meeting at 5.12pm and as a result took no part in voting.

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

1267/15 That Council authorise those interested Councillors to attend the 2015 LGNSW Councillor Weekend Seminar in accordance with the Council's Facilities and Expenses Policy for Councillors.

1268/15 That Council authorise the reimbursement of expenses for Councillors in accordance with the Council's Facilities and Expenses Policy for Councillors.

4.9 Wyong Action Team 2016 - Endorsement of Applicants

Councillor Vincent left the meeting at 5.12pm and as a result took no part in voting.

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

1269/15 That Council endorse the following young people as Wyong Action Team leaders 2016:

Name	Suburb	Age
Aimee Plorer	Kanwal	14
Ashley Clark	Blue Haven	16
Courtney McDermott	Hamlyn Terrace	16
Dale Williams	Gorokan	16
Karla Jacob	Lake Haven	17
Kieran Peters	Warnervale	15
Tallulah Cobban	Hamlyn Terrace	16
Chantel Johnston	Mardi	14
Kaleigh Croser	Watanobbi	16
Kaylah Ross	Killarney Vale	15
Sara Meiklejohn	Glennings Valley	16
Tamara Maher	Tuggerah	15

4.10 Disability Inclusion Reference Group Formation

Councillor Vincent left the meeting at 5.12pm and as a result took no part in voting.

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

1270/15 That Council receive the report on Disability Inclusion Reference Group Formation.

1271/15 That Council establish a reference group as part of the development of the Disability Inclusion Action Plan.

4.11 Free Wi-Fi at The Entrance Memorial Park Precinct

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

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

1272/15 That Council accept this report and approve the associated expenditure for the installation and provision of free Wi-Fi in The Entrance Memorial Park Precinct.

5.1 Investment Report for October 2015

Councillor Vincent left the meeting at 5.12pm and as a result took no part in voting.

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

1273/15 That Council receive the Investment Report for October 2015.

5.2 Quarterly Update on EP & A & LGA Developer Contributions

Councillor Vincent left the meeting at 5.12pm and as a result took no part in voting.

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

1274/15 That Council receive the report on Quarterly Update on EP & A & LGA Developer Contributions.

5.3 Activities of the Development and Rezoning and Building Certification Compliance and Health Units

Councillor Vincent left the meeting at 5.12pm and as a result took no part in voting.

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

1275/15 That Council receive the report on Activities of the Development and Rezoning and Building Certification Compliance and Health Units for the month of October 2015 and related job creation.

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

Councillor Vincent left the meeting at 5.12pm and as a result took no part in voting.

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

1276/15 That Council receive the report on Results of Water Quality Testing for Beaches and Lake Swimming Locations.

5.5 Wyong Water - Works in Progress

Councillor Vincent left the meeting at 5.12pm and as a result took no part in voting.

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

1277/15 That Council receive the report on Wyong Water - Works in Progress.

5.6 Outstanding Questions on Notice and Notices of Motion

Councillor Vincent left the meeting at 5.12pm and as a result took no part in voting.

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

1278/15 That Council receive the report on Outstanding Questions on Notice and Notices of Motion.

7.1 Notice of Motion - Waste Management Contract

It was MOVED on the motion of Councillor MATTHEWS and seconded by Councillor VINCENT:

That Council defer this matter to the Ordinary Meeting 9 December 2015 to allow the speaker's request to be submitted.

An AMENDMENT was moved by Councillor EATON and seconded by Councillor BEST:

1 That Council thank the Transport Workers Union for presenting at the Wyong Council Resident's Forum held on Wednesday 11 November 2015.

2 That Council acknowledge the clause provided by the Transport Workers Union to protect workers' wages and conditions and public safety;

- Campbelltown Council's recent waste contract renewal process included the following clause:*

"The Contractor must, as a minimum requirement, preserve employee pay rates and pay-related conditions(for all employees of the Contractor) as those provided in either the Remondis Enterprise Agreement 2018 or,

Any enterprise agreement approved by Fair Work Australia which applies to employees previously subject to the Remondis Australia Enterprise Agreement 2018 and comes into operation prior to the commencement of the Contract"

- The current Sydney Metropolitan Bus Service Contract included the clause:*

"33.8 Successor Operator to Make Offers

(a) TfNSW must procure that any Successor Operator makes offers of employment on equivalent terms and conditions (including all accrued entitlements) to Contract Bus Services Employees (other than the persons named in Schedule 11). Offers made by a Successor Operator must take effect from the expiry or termination of this Contract."

- 3 That Council staff advise at what part of the tendering process it would be appropriate for Council to consider the inclusion of the proposed clause in the new Waste Management Contract?

The AMENDMENT was put to the VOTE and declared CARRIED.

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

AGAINST: NIL

The AMENDMENT became the MOTION.

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

1279/15 That Council thank the Transport Workers Union for presenting at the Wyong Council Resident's Forum held on Wednesday 11 November 2015.

1280/15 That Council acknowledge the clause provided by the Transport Workers Union to protect workers' wages and conditions and public safety;

- Campbelltown Council's recent waste contract renewal process included the following clause:

"The Contractor must, as a minimum requirement, preserve employee pay rates and pay-related conditions (for all employees of the Contractor) as those provided in either the Remondis Enterprise Agreement 2018 or,

Any enterprise agreement approved by Fair Work Australia which applies to employees previously subject to the Remondis Australia Enterprise Agreement 2018 and comes into operation prior to the commencement of the Contract"

- The current Sydney Metropolitan Bus Service Contract included the clause:

"33.8 Successor Operator to Make Offers

- (a) **TfNSW must procure that any Successor Operator makes offers of employment on equivalent terms and conditions (including all accrued entitlements) to Contract Bus Services Employees (other than the persons named in Schedule 11). Offers made by a Successor Operator must take effect from the expiry or termination of this Contract."**

1281/15 That Council staff advise at what part of the tendering process it would be appropriate for Council to consider the inclusion of the proposed clause in the new Waste Management Contract?

7.2 Notice of Motion - Shark Summit Update / Community Forum

Councillor Vincent left the meeting at 5.12pm and returned to the meeting at 5.15pm during consideration of this item.

Councillor Vincent left the meeting at 5.17pm and returned to the meeting at 5.19pm during consideration of this item.

Mr Guy Graham, Marine Expert addressed the meeting at 5.15pm, answered questions and retired at 5.36pm.

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

- 1282/15 That Council, in partnership with Surf Life Saving and our Professional Life Guards, conduct a Community Forum to update key stakeholder groups and interested parties on the findings and initiatives recommended by the expert scientific panel at Council's recent Shark Summit.***
- 1283/15 That Council, with the assistance of our community and marine experts, identify suitable trial projects that could be submitted for consideration in the recently announced State Government Shark Management Project.***
- 1284/15 That Council note, as the Central Coast was the first region to conduct a local Shark Summit since the State Government's announcement of the \$16million Shark Fund, the Coast is now ideally positioned to contribute and access these resources subject to developing our submission expeditiously.***

LEAVE TO INTRODUCE A MOTION OF URGENCY

Councillor Taylor sought leave to introduce a Motion of Urgency concerning extension of dredging at The Entrance Channel.

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

- 1285/15 That Council consider a Motion of Urgency regarding the extension of dredging at The Entrance Channel as the dredging ceases at the end of November 2015.***

The Mayor ruled that the matter was of great urgency and could be introduced as a Motion of Urgency.

**U5/15 Extension of Dredging at The Entrance
Councillor Lloyd Taylor**

Councillor Matthews left the meeting at 7.38pm and returned to the meeting at 7.39pm during consideration of this item.

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

1286/15 That Council extend the period of dredging The Entrance channel by one week with the sand pumped onto The Entrance Beach.

QUESTIONS ON NOTICE

Nil.

THE MEETING closed at 7.49pm.

1.5 Notice of Intention to Deal with Matters in Confidential Session

TRIM REFERENCE: F2015/00040-02 - D12153420

MANAGER: Lesley Crawley, Manager Corporate Governance

AUTHOR: Jacquie Elvidge; Councillor Services Officer

SUMMARY

It is necessary for the Council to adopt a resolution to formalise its intention to deal with certain matters in Confidential Session. The reports are incorporated in the "Confidential" business paper which has been circulated to Councillors.

The Local Government Act, 1993 requires the Chief Executive Officer to identify those matters listed on the business paper which may be categorised as confidential in terms of Section 10A of the Local Government Act, 1993.

RECOMMENDATION

- 1 That Council consider the following matters in Confidential Session, pursuant to Section 10A (2)(c) of the Local Government Act 1993:**

7.1 – Library Management System

- 2 That Council note its reason for considering Report No 7.1 – Library Management System, as it contains information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.**
- 3 That Council request the Chief Executive Officer to report on these matters in open session of Council.**

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

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(i) alleged contraventions of any code of conduct requirements applicable under section 440.”*

ATTACHMENTS

Nil.

2.1 DA/1080/2014 - Section 83B staged mixed use development comprising shop top housing (residential tower) a hotel tower with multi-purpose function space, a restaurant, a shopping centre & parking, including demolition of existing structures at The Entrance

TRIM REFERENCE: DA/1080/2014 - D12157641

MANAGER: Tanya O'Brien, Manager

AUTHOR: Salli Pendergast; Senior Development Planner

SUMMARY

A development application has been received for a staged mixed use development under the key site provisions at 78-118 The Entrance Road; 1-3 Glovers Lane; 19-23 Taylor Street, The Entrance. The application has been assessed having regard to the matters for consideration detailed in Section 79C of the *Environmental Planning and Assessment Act 1979* and other statutory requirements.

Applicant	Paradigm Planning and Development Consultants Pty Ltd
Owner	The Entrance Plaza Pty Ltd, Dunnet Properties Pty Ltd
Application No	DA/1080/2014
Description of Land	78-118 The Entrance Road; 1-3 Glovers Lane; 19-23 Taylor Street, The Entrance. Lot 460 DP 738473; Lot 16 DP 1162334; Lots 1 & 2 DP620550; Lots A & B DP 392342; Lots 30, 31 & 32 DP 10294; Lots 341 & 342 DP 703997; Lots 33A & 33B DP 438600; Lot D DP377416.
Proposed Development	Staged mixed use development (under Section 83B) including demolition of existing buildings and construction of a shopping centre with a supermarket, shoptop housing, hotel accommodation, restaurant, multi-purpose function space, and ancillary parking and other works.
Site Area	21,357m ²
Zoning	B2 – Local Centre
Existing Use	Lakeside Plaza Shopping Centre and surrounding sites
Employment Generation	660 full time jobs (post construction)
Value of Works	\$298,088,724

RECOMMENDATION

- 1 That Council receive the report on DA/1080/2014 for a Section 83B staged mixed use development comprising shop top housing (residential tower) a hotel tower with multi-purpose function space, a restaurant, a shopping centre & parking, including demolition of existing structures at The Entrance Road, Glovers Lane and Taylor Street, The Entrance.**
- 2 That Council determine whether it wishes to make a submission to the Joint Regional Planning Panel regarding the application.**

2.1 DA/1080/2014 - Section 83B staged mixed use development comprising shop top housing (residential tower) a hotel tower with multi-purpose function space, a restaurant, a shopping centre & parking, including demolition of existing structures at The Entrance (contd)

BACKGROUND

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 2011 and Schedule 4A, Section 4 of the Environmental Planning and Assessment Act 1979.

Enclosed is the report being forwarded to the Hunter Central Coast JRPP's for determination on 14 December 2015.

ATTACHMENTS

1	Assessing Officers Report - for JRPP Panel	D12163565
2	Draft Conditions of Consent	D12162215
3	Public Domain Plan	D12163470
4	Shadow Diagrams	D12163465
5	Elevations	D12163462
6	Development Plans	D12163457
7	Staging Plans	D12163453
8	Photomontages	D12163451

**JOINT REGIONAL PLANNING PANEL
(Hunter Central Coast Region)**

JRPP No	2014HCC033
DA Number	1080/2014
Local Government Area	WYONG SHIRE
Proposed Development	Staged mixed use development (under Section 83B) including demolition of existing buildings and construction of a shopping centre with a supermarket, shoptop housing, hotel accommodation, restaurant, multi-purpose function space, and ancillary parking and other works.
Street Address	78 -118 The Entrance Road; 1-3 Glovers Lane; 19-23 Taylor Street, The Entrance. Lot 460 DP 738473; Lot 16 DP 1162334; Lots 1 & 2 DP620550; Lots A & B DP 392342; Lots 30, 31 & 32 DP 10294; Lots 341 & 342 DP 703997; Lots 33A & 33B DP 438600; Lot D DP377416.
Applicant/Owner	Paradigm Planning and Development Consultants P/L The Entrance Plaza Pty Ltd, Dunnet Properties Pty Ltd
Number of Submissions	19
Regional Development Criteria (Schedule 4A of the Act)	Clause 3 – General Development with a CIV exceeding \$20 million

List of All Relevant s79C(1)(a) Matters	<ul style="list-style-type: none"> • <i>State Environmental Planning Policy No. 65 – Design Quality of Residential Flat Buildings</i> • <i>State Environmental Planning Policy No. 71 – Coastal Protection</i> • <i>State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004</i> • <i>State Environmental Planning Policy 55 – Remediation of Land</i> • <i>State Environmental Planning Policy (Infrastructure) 2007</i> • <i>Wyong Local Environmental Plan 2013</i> • <i>Wyong Shire Development Control Plan 2013</i> <ul style="list-style-type: none"> - <i>Chapter 2.11 - Parking and Access</i> - <i>Chapter 2.4 - Multiple Dwelling Residential Development</i> - <i>Chapter 2.15 - Public Art</i> - <i>Chapter 5.1 - Retail Centres</i> - <i>Chapter 5.3 - The Entrance Peninsula</i> - <i>Chapter 3.7 - Heritage and Conservation</i> - <i>Chapter 6.1 - Key Sites</i> - <i>Chapter 3.1 Site Waste Management</i>
List all documents submitted with this report for the panel's consideration	<p>Annexure A – Assessing Officers Report Annexure B – Draft Conditions of Consent Annexure C – Development Plans</p> <p>Attachment 1 Numerical Compliance Table Attachment 2 Residential Flat Design Code Compliance Table Attachment 3 State Environmental Planning Policy No 71 – Coastal Protection Attachment 4 Key Sites Clause 7.11 Compliance Table Attachment 5 Wyong DCP Chapter 5.3 Compliance Table Attachment 6 Wyong DCP Chapter 6.1 (Key Sites) Clause 3.5 Requirements for Lakeside Plaza</p>
Recommendation	Approval subject to conditions
Report by	<p>Salli Pendergast - Senior Development Planner</p> <p>Tanya O'Brien – Manager Development and Rezoning</p> <p>Scott Cox – Director Building and Development</p>
Report date	25 November 2015

Assessment Report and Recommendation

WYONG SHIRE COUNCIL

For The Hunter Central Coast Joint Regional Planning Panel

SUMMARY

A development application has been received for a staged mixed use development under the key site provisions at 78-118 The Entrance Road; 1-3 Glovers Lane; 19-23 Taylor Street, The Entrance. The application has been assessed having regard to the matters for consideration detailed in Section 79C of the *Environmental Planning and Assessment Act 1979* and other statutory requirements.

Applicant	Paradigm Planning and Development Consultants Pty Ltd
Owner	The Entrance Plaza Pty Ltd, Dunnet Properties Pty Ltd
Application No	DA/1080/2014
Description of Land	78-118 The Entrance Road; 1-3 Glovers Lane; 19-23 Taylor Street, The Entrance. Lot 460 DP 738473; Lot 16 DP 1162334; Lots 1 & 2 DP620550; Lots A & B DP 392342; Lots 30, 31 & 32 DP 10294; Lots 341 & 342 DP 703997; Lots 33A & 33B DP 438600; Lot D DP377416.
Proposed Development	Staged mixed use development (under Section 83B) including demolition of existing buildings and construction of a shopping centre with a supermarket, shoptop housing, hotel accommodation, restaurant, multi-purpose function space, and ancillary parking and other works.
Site Area	21,357m ²
Zoning	B2 – Local Centre
Existing Use	Lakeside Plaza Shopping Centre and surrounding sites
Employment Generation	660 full time jobs (post construction)
Value of Works	\$298,088,724

RECOMMENDATION

- 1 That the Joint Regional Planning Panel grant consent to DA/1080/2015 at 78-118 The Entrance Road; 1-3 Glovers Lane; 19-23 Taylor Street, The Entrance for a Staged Mixed Use Development subject to the conditions provided in Attachment 2.***
- 2. That Council advise those who made written submissions of Council's decision.***

PRECIS

- Construction of a staged mixed use development including demolition of existing buildings and construction of a mixed use development including a shopping centre, shoptop housing, hotel accommodation, restaurant, multi-purpose function space, and ancillary parking and other works. The proposal includes a retail podium and two towers.

- The site is identified as a 'key site' under Wyong Local Environmental Plan (WLEP 2013) key site maps and the proposal uses these provisions which allow for a bonus building height of 113.8 metres (rather than 23 metres) as per Clause 7.11 of WLEP 2013.
- The development application has been lodged as staged development under Section 83B of the Act. The application seeks 'concept approval only' for the works to take place in three (3) operational stages with subsequent detailed development applications being lodged for each future stage.
- The proposal is permissible as shop top housing, a hotel and retail premises under WLEP 2013.
- Clause 7.11 (WLEP 2013) objectives and Clause 2.11 of DCP Chapter 6.1 Key Sites additionally require provision of significant public benefits to the community in return for bonus development potential.
- Under the notification of the proposal, 5 submissions being received for the first notification period (3 – 19 December 2014) and 14 submissions received for the second notification period (2 - 22 June 2015).
- The value of the development is approximately \$300 million. Due to the value of the development the DA will be determined by the Hunter and Central Coast JRPP.
- The proposal seeks variation to a number of Council's planning controls.

INTRODUCTION

The Site

The site contains the existing Lakeside Shopping Centre which includes a single storey Coles supermarket, and other retail shops with at grade parking for approximately 190 vehicles. The site has a total area of 21,357m² and comprises multiple lots located with a frontage to The Entrance Road, Denning Street and Taylor Street, at The Entrance. The site is located beyond the southern end of The Entrance Mall. Traffic signals operate at the corner of Denning Street and The Entrance Road.



Above: Aerial view of the site and its broader site context within The Entrance

Adjoining the site on the southern side is an existing residential flat building (fronting Warrigal Street) and commercial development along The Entrance Road. Located on the opposite side of Taylor Street and Warrigal Street exist residential buildings of varying densities. Located on the opposite side of Denning Street are commercial activities and The Entrance Police Station (heritage listed).

Located on the opposite side of The Entrance Road is a Catholic Church (heritage listed) and commercial and retail development. The Entrance Road and Glover Lane was recently closed and purchased by the applicant for inclusion in the development site. The site is not identified as bushfire prone land or flood affected. The site is identified as a Key Site under WLEP 2013.

The Proposed Development

The development application has been lodged under Section 83B of the Act seeking concept approval for a staged mixed use development comprising two towers, a smaller shoptop housing building and a shopping centre and including:

- a supermarket and retail space,
- shop top housing (478 dwellings),
- a hotel (108 rooms), a restaurant, a multi-purpose function space,
- parking (1433 spaces),
- landscape podium,
- vehicular access, plant and loading areas
- associated demolition and excavation works.

The site is identified as a 'key site' under WLEP 2013 key site maps. The application has been lodged under these provisions which allow for a bonus building height in return for significant public benefits to be provided to the community and to stimulate further development and viability of town centres. The development has a maximum height of 113.8 metres above ground level (RL.131.6 AHD) which complies with the Key Site provisions.

The development includes a podium containing retail space (13,250m² Gross Lettable Area (GLA) adjoining the three street frontages (Denning Street, Taylor Street and The Entrance Road). There are two levels of retail floor space along The Entrance Road frontage and ground floor retail space along the Taylor Street frontage containing a supermarket and a major retail tenancy. The proposal will result in an expansion of the existing shopping floor space on the site. The proposal includes a supermarket and shops (various sizes), two levels of basement parking (B1 – 493 spaces and B2 – 653 spaces) and rooftop parking (179 spaces) with shade sails above the podium (level 1).

Above the retail space, facing The Entrance Road (Level 1) shop top housing is proposed comprising 48 residential apartments over three storeys.

At Level 1 within the northern (Denning Street) end of the building is a restaurant and function/convention space (at the hotel lobby level).

At Level 2 within the northern (Denning Street) end of the development is a landscaped level (referred to as the oasis level) which is located directly below the tower buildings. This level contains two pools, landscaping, day spa, decks and a bar.

Above this level, the development proposes two towers which comprise:

- 250 residential apartments (27 storeys) within a residential tower located on the corner of The Entrance Road and Denning Street;
- 100 hotel rooms (6 storeys) and 110 residential apartments (11 storeys) within a tower building located on the corner of Taylor Street and Denning Street.

At the rooftop level of the hotel building is a public viewing platform and at the rooftop level of the residential tower is a private viewing platform.

Also proposed are public domain works including the creation of a piazza public space at the northern end of the site fronting Denning Street and creation of a bus hub on The Entrance Road, street tree planting and a lighting art work on the soffit of the residential tower which can be programmed with images and colours. This digital artwork will be visible from the street frontages and within the podium itself and is intended to activate the corner and to provide a gateway and way-finding element.

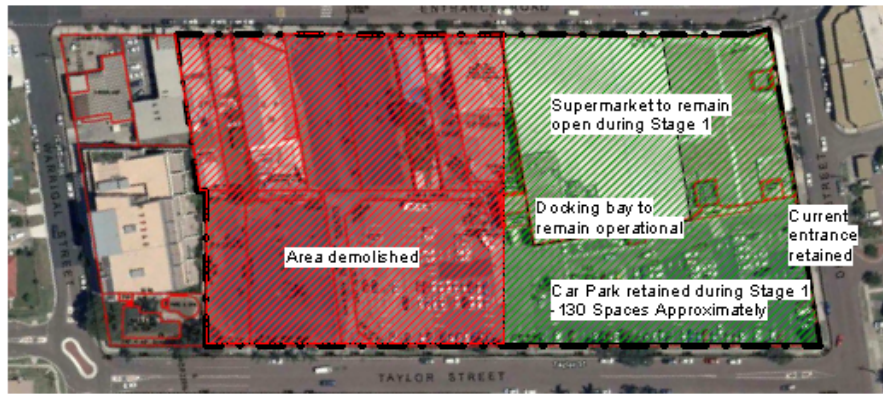
The total gross floor area for the development is:

Retail GFA –	15,603m ²
Hotel GFA –	9,355m ² (includes 500m ² restaurant and 750m ² convention)
Residential GFA –	39,110m ² (comprising 21,978m ² Tower 1; 13,024m ² Tower 2; 4599m ² Building 3 fronting The Entrance Road)
Total GFA	64,068m ²

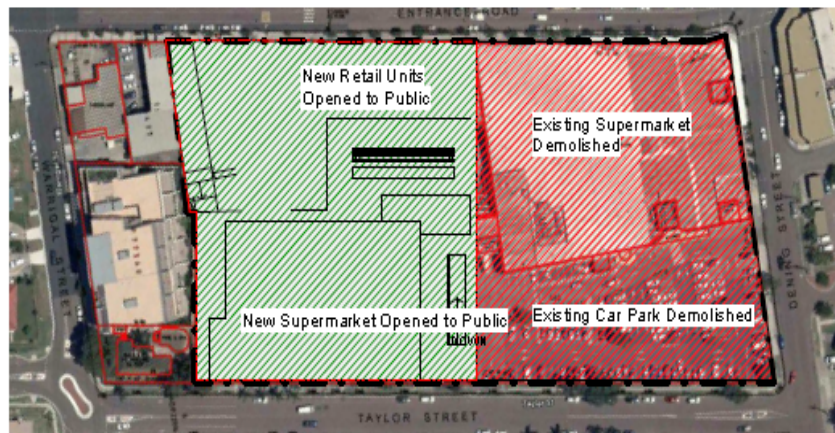
Staging

The staged application seeks 'concept approval only' for the works in three (3) stages with subsequent development applications being lodged for each future stage application as follows:

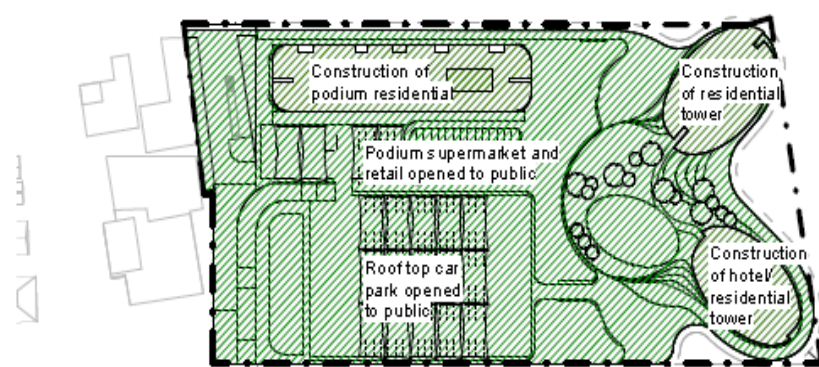
- Concept approval (current DA)
- Stage 1 - Demolition and excavation works within the southern half of the site. Construction of two levels of basement parking, escalators retail floor space (including retail tenancies and a supermarket), and loading area all within southern half of the site. The supermarket is to relocate from the existing (northern) side of the site to the completed southern side of the site and the retail space and parking including the supermarket will to be opened to the public. The existing supermarket and car park (130 spaces) and loading dock in the northern half of the site is to remain in operation during stage 1.
- Stage 2 - Demolition and excavation works within the northern half of the site. Construction of two levels of basement parking over the remaining northern half of the site. Construction of ground floor retail floor space and hotel back of house facilities.
- Stage 3 – New retail podium and conference centre opened to the public. Construction of podium residential fronting The Entrance Road. Construction of rooftop car park. Construction of hotel/residential tower. Construction of residential tower.



1 Stage 1 - Overview
SCALE 1: 1250



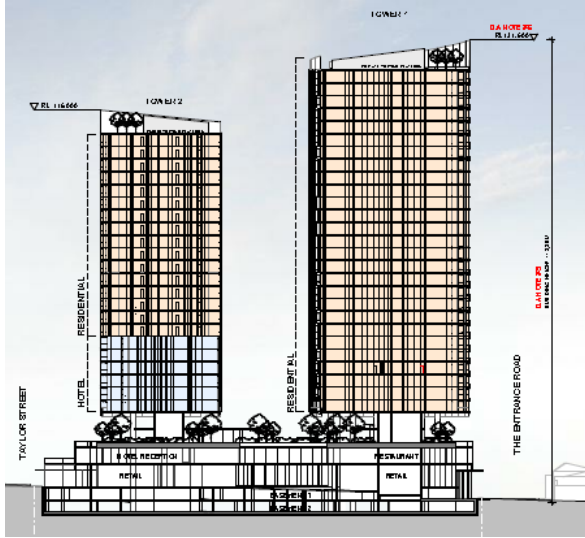
3 Stage 2 - Overview
SCALE 1: 1250



2 Stage 3_ Tower Plan
SCALE 1: 1250

Above: The three construction stages of the development

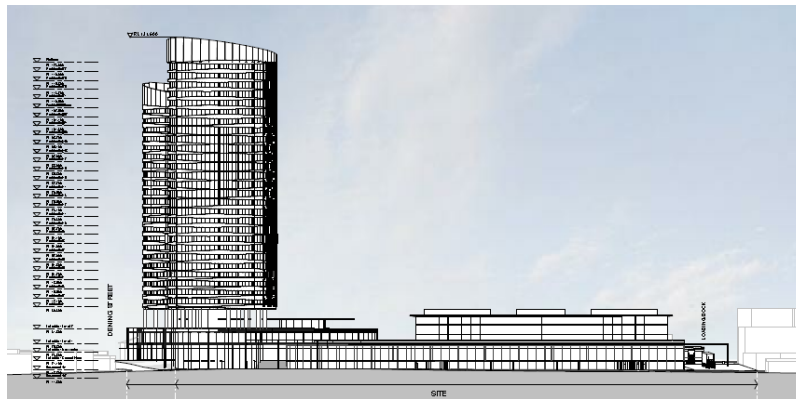
There are no operational stages included under the current development application as it is seeking 'concept only' approval and separate future development applications will need to be made detailing each of the proposed three stages of the development in order to obtain operational consents for each stage for construction purposes.



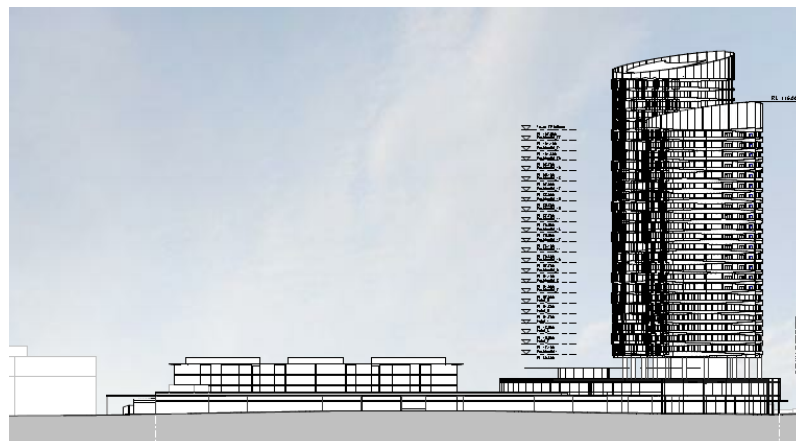
Above: Section through building showing hotel (blue) and residential apartments (yellow)



Above: South-west elevation showing loading area between The Entrance Road and Taylor Street



Above: North-west elevation (The Entrance Road)



Above: South-east elevation – Taylor Street



Above: Photomontages of the development -The Entrance Road & Denning Street (left) and Taylor Street (right)

VARIATIONS TO POLICIES

DCP	DCP Chapter 6.1 – Key Sites
Clause	2.11 – Other Public Benefits
Standard	Provision of significant public benefits in return for bonus development potential (being building height) based on a calculation of public benefit as follows (S94 x 2).
Departure basis	100% variation is proposed. The proposal does not demonstrate significant public benefit is provided as part of the development. The proposal does not comply with the DCP clause containing a calculation formula for the provision of significant public benefit.

DCP	DCP Chapter 2.11 – Parking and Access
Clause	3.2 - Land Use Parking Requirements Table (Table 1)
Standard	On-site parking requirements for specific land uses
Departure basis	Shortfall of 144 parking spaces (9% variation)

DCP	Chapter 5.3 – The Entrance Peninsula
Clause	3.2.5.1 – Streetscape
Standard	10 metres setback for tower buildings above podium
Departure basis	A minimum of zero provided (100% variation) for the residential tower on The Entrance Road and Denning Street

DCP	Chapter 5.3 – The Entrance Peninsula
Clause	3.2.8.1 – Landscape setbacks adjoining residential boundaries
Standard	Basement setback to residential a minimum of 6m & predominantly deep soil
Departure basis	A minimum of zero provided (100% variation) for the two levels of basement immediately adjoining the southern residential boundary.

DCP	Chapter 5.3 – The Entrance Peninsula
Clause	4.2.3v - New Public Open Spaces
Standard	A new town square approximately 2,000m ² in size with a minimum width of 30m and with 2/3 to be located on the site.
Departure basis	A piazza 750m ² in area is proposed on the site (44% variation). Denning Street not intended to be closed in the short term.

DCP	Chapter 5.3 – The Entrance Peninsula
Clause	5.1 – Key Sites – Concept plans/ Site Specific Development Control Plans: General Design Principle Requirements
Standard	Slender towers maximum longitudinal dimension of approximately 35m.
Departure basis	45m maximum longitudinal dimension of towers (28% variation)

INTERNAL CONSULTATION

The application was referred within Council to the following officers and the issues raised in the referral process are discussed below and in other relevant areas of the report.

Senior Development Assessment Engineer

Council's Senior Development Assessment Engineer has advised that the engineering aspects of the concept proposal are satisfactory, subject to the imposition of specified engineering conditions of consent on any approval issued.

Water and Sewer Planning

The application was referred to Council's Water and Sewer Planning section for assessment. No objection was raised subject to further details being provided at future operational stages. Information shall be provided under the future operational stages regarding the composition of proposed residential development in order to confirm the loading applicable to the Water and Sewerage network as well as the contributions payable.

Urban Designer

The application was referred to Council's Urban Designer who reviewed the concept proposal against the 10 principles outlined in SEPP 65 (Design Quality of Residential Flat Buildings) and advised that there are a number of outstanding issues related to the proposal (including detailed finishes, internal residential layout etc). However, these aspects maybe further addressed with regard to SEPP 65 compliance under the detailed plans and information lodged for the DA for each one of the future stages. The design concept shown in plans was however, considered appropriate.

Trade Waste

The application was referred to Council's Trade Waste Section who advised that the application will require the installation of appropriately sized pre-treatment devices (grease arrestors) to accommodate the retail food outlets proposed for this development. The future DA's for each stage will require further assessment and comment.

Traffic Transportation Engineer

The application was referred to Council's Traffic and Transportation Engineer who initially raised concerns regarding access arrangements, parking, traffic generation, modelling and traffic counts. Subject to recommended conditions and further information to be provided with the DA's for each future operation stage, no further objection was raised.

Senior Health and Building Surveyor (Building Certification)

Council's Senior Environmental Health Officer has reviewed the application and raised no objection to the concept proposal subject to recommended conditions.

Senior Environmental Health Officer (Compliance)

Council's Senior Environmental Health Officer raised concerns regarding the acoustic assessment, and the preliminary contamination assessment. Amended information was provided by the applicant and although concerns remain these can be addressed under the detailed design information to be provided under the future DA's for each stage. This is discussed further under the acoustic impacts section of the report. Subject to recommended conditions and further information to be provided with the DA's for each future operational stage, no further objection was raised.

Arborist and Landscape Design Assessment Officer

The application was referred to Council's Arborist and Landscape Design Assessment Officer for comment who advised of no objections to the design subject to conditions.

Heritage Consultant

The application was referred to Council's Heritage Consultant due to the site being in the vicinity of two locally listed heritage items. No objection was raised to the proposal on heritage impact grounds.

ANY SUBMISSION MADE IN ACCORDANCE WITH THIS ACT OR REGULATIONS**Any submission from the public.**

The application was notified on two occasions in accordance with DCP 2013 – Chapter 1.2 Notification of Development Proposals with 5 submissions being received for the first notification period (3 - 19 December 2014) and 14 submissions received for the second notification period (2 - 22 June 2015). The general issues raised in relation to the proposal are discussed below.

- **Traffic impacts – access, congestion, pedestrian safety**

Comment:

The applicant prepared a traffic assessment for the proposal which outlined the potential traffic, parking and access impacts associated with the proposal. Traffic surveys were undertaken as part of the assessment which indicated that the current traffic flows in and around the site are relatively low and well within acceptable limits. There will be a significant increase in traffic generation associated with the proposal and there will be upgrading of road infrastructure to support the development of the site

Concern has been raised regarding the number of access points proposed for the development along Taylor Street. There are three car park access points proposed along Taylor Street and two loading access points over a street frontage distance of over 200m. The multiple access points have been provided to allow the traffic movements to be dispersed over a number of intersections and roads, to reduce the traffic impacts at any one location. The design of the access points allows for all vehicles to enter and exit the site in a forward direction. Additionally, the DCP states that service areas and delivery docks are to be accessed from streets or laneways that are not commercially-significant, unless no alternative is available (DCP Chapter 5.3 - Clause 4.2.4).

The main two-way vehicle access to the shopping centre car park is currently located along Taylor Street. Loading and unloading activities currently associated with the existing shopping centre also take place access along Taylor Street. Additionally, the existing shops fronting The Entrance Road are accessed from Taylor Street via Glover Lane and this includes loading activities. There is a two-way access to the roof top car park which will be for staff parking and function centre / restaurant use only.

The development is expected to be a significant generator of pedestrian movements, both to the site and within the site. There are footpaths provided along both sides of Dening Street and The Entrance Road to allow for good pedestrian connection throughout the established commercial development within the centre of The Entrance. These allow for good connection between the site and the remainder of the town centre and will need to be upgraded with the future DA's.

- **Building Height**

Comment:

The ordinary height control that applies to the site under WLEP is 23 metres. However, the site has been identified as a 'key site' under Council's LEP height maps which allows a maximum height of 113.8m on the site. The proposal is therefore in accordance with the permitted maximum height under the planning controls that apply to the site. It is noted that the proposal does not include significant public benefits for the community that are intended to be associated with the additional building height. However, this will be addressed through the operational Stage 1, 2 and 3 DA's.

- **Noise and amenity**

Comment:

Concern has been raised regarding the potential noise impacts associated with the proposal caused by frequent deliveries and unloading activities, and noise associated with traffic and during construction.

An acoustic report which assessed the potential noise impacts of the proposal has been provided. There is potential for noise impacts from the loading docks, plant and equipment (yet to be detailed) and general traffic noise associated with the development as well as during construction. The applicant has identified future measures to be adopted to address noise impacts associated with the loading area including its enclosure and operating hours.

The southern end loading dock will need to be enclosed to preserve the amenity of the occupants of the adjoining residential building at the southern end of the site. This should be investigated under the DA for Stage 1 in order that potential noise concerns associated with its extended operation be satisfactorily addressed.

As the current DA is seeking 'concept approval only' with no works proposed, the level of detail accompanying the application is not sufficient to undertake a comprehensive assessment of the potential impacts. There will be an opportunity to consider and address the potential noise impact with the future DA's once more comprehensive details regarding the proposal have been provided. There will be the opportunity to limit the construction hours and the future operating hours for the retail component of the development under recommended conditions that will apply to the DA's for stages 1 and 2. A condition will be recommended requiring a further acoustic report and treatment of the loading dock to ensure that the design will address the potential for any noise impacts associated with its operation.

- **Overshadowing**

Comment:

Shadow diagrams have been prepared for the development at hourly intervals between 9:00am, midday and 3:00pm, on 21 June and also for 21 December at 9, midday and 3pm. The diagrams indicate the scenario mid-winter on the shortest day of the year as well as mid-summer on the longest day of the year in order to ascertain shadowing impacts from the development throughout the year.

DCP Chapter 2.4 (6.3.1) requires a minimum of 3 hours of unobstructed solar access to a minimum of 75% of the private open space (POS) area for a dwelling on an adjoining site between 9am and 3pm midwinter. The POS for the dwellings will continue to achieve solar access mid-winter at the early morning and mid-afternoon periods of the day. The extent of shadowing impact resulting from development to the boundary at the base LEP height limit of 23 metres, would result in some overshadowing impacts to the dwellings on the opposite side of Taylor Street. There is potential for redevelopment for the residential lots on the eastern side of Taylor Street including increased residential densities and a more significant building form than currently exists.

The design of the development takes the form of slimline towers located at the northern end of the site and oriented towards each street corner. The design of the towers in this form aims to minimise the impact of overshadowing on adjoining and surrounding properties. Concern has been raised by surrounding residents in Taylor Street, Dening Street and The Entrance Road regarding the extent of overshadowing as a result of the height of the proposal.

The location of the towers towards the northern end of the site assists in minimising significant shadowing impacts to properties located to the south of the site. Instead the majority of shadow falls across the subject site. A review of the shadow diagrams for midwinter indicates that during the morning, shadows extend southwards across the majority of the site. By mid-morning the shadows fall across the southern end of Taylor Street, and by midday through to 2pm shadowing extends towards the northern end of Taylor Street affecting residential properties. The sites on the eastern side of Taylor Street currently experience no shadowing impacts from the proposal by virtue of the site being largely an at grade car park within the immediate vicinity of nearby development.

The extent of shadowing impacts is exacerbated by the building height however, any amenity impacts are confined to the winter months and the depiction in the diagrams is the worst case scenario on the shortest day of the year. Every other part of the year results in more solar access than is depicted on the diagrams.

Additionally, it is acknowledged development of the subject site has been part of a very long and detailed process of planning and community consultation during the masterplan creation. This process culminated in the creation of 'iconic' or key sites which are embodied in the recently gazetted Wyong LEP and DCP 2013. These planning controls dictate the allowable height, FSR and envelope controls that direct the nature of building form on the site to a very specific degree. The proposal complies with both the FSR and height controls. There has been opportunity for public submissions regarding the built form on the site and the potential impacts of that built form during the master planning consultation process dating back to April 2011.

The extent of overshadowing impact as a consequence of the development is not deemed unreasonable given the transitional nature of the site context and the likelihood for the future development potential for these sites towards an increased density of development. In this regard, *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* (LEC Planning Principle on solar access *The Benevolent Society v Waverley Council* (2010) NSW LEC 1082).

The overall extent of shadowing impact resulting from the proposal is considered reasonable albeit greater than is currently experienced from the existing development on the site. This is due to the development site largely consisting of an at grade car park which is well below its development potential. The extent of additional shadowing is not deemed excessive given the nature of the development being high rise and the configuration and location of the site within an established area. The proposal is considered to be providing a building form which generally complies with the relevant planning controls and has less potential impact that could otherwise occur under a different development scenario having the same FSR.

It is acknowledged that shadowing mid-winter is the worst case scenario and at all other times of the year, solar access is greater and shadowing is reduced. Overall, considering the site constraints and the desired increased density of development on the site under Council's latest adopted planning controls, the proposed development is considered to be satisfactory in terms of impacts on the built environment.

- **Boundary treatments**

Comment:

A condition has been recommended that suitable landscaping and privacy boundary treatments are to be included under the future DA's lodged for each of the stages in order to minimise any adverse impacts on neighbouring amenity.

- **Location, appearance and operation of loading docks**

Comment:

The DCP requires the location of the loading docks to be at the southern end of the site, however, given the scale of the development, a second loading dock is required to service the development. Heavy vehicle access is provided separately to the access points for the parking to reduce the conflicts between heavy and light vehicles. The location for this other loading dock is along Taylor Street and there is existing residential development located opposite the loading dock access point. Operational restrictions will need to be placed on the loading docks under the DA's lodged for stages 1 and 2 to ensure residential amenity is not compromised. This will require further acoustic assessment and inclusion of design measures on the plans to mitigate potential impacts.

Additionally, a condition will be recommended in relation to the DA's for stages 1 and 2 requiring architectural treatment of the entry and exit to the loading areas and access control measures to restrict after hours use of the areas. The architectural treatments and landscape treatments are to improve the appearance of the proposed loading dock access points along Taylor Street and The Entrance Road.

- **Worsen parking availability and road infrastructure inadequate**

Comment:

Council's Transport Engineer and Development Engineer have reviewed the proposal. Although the proposal will result in the loss of existing on street parking and the existing shopping centre car park (of 190 spaces), the proposal includes 1433 new parking spaces on the site. Conditions may be imposed on future DA requiring upgrading of local infrastructure required to cater for the development. This will be provided as part of the development paid for by the development. Additionally, where section 94 contributions (including a roads contribution) are applicable to the development, appropriate conditions will be imposed on the relevant future consents to be granted.

Also, it is noted that a 9% variation to carparking is proposed. Any variation proposed via the Stage 1, 2 and 3 applications will be subject to a Section 94 carparking contribution to assist in funding public carparking in the area.

- **Architectural merit**

Comment:

The proposal is generally consistent with the principles under SEPP 65 (Design Quality of Residential Flat Buildings) and this is discussed in greater detail below and in the compliance table attached to the report. The current DA seeks concept approval only and a condition will be recommended requiring detailed architectural plans be provided for the podium facades and other SEPP 65 matters related to the residential accommodation. The architecture will require further resolution under the detailed plans lodged with the future DA's for each stage.

- **Impacts on views**

Comment:

Concerns were raised regarding the potential adverse impacts on views. The high quality views associated with buildings in the town centre are towards the Entrance Channel, Tuggerah Lake and the ocean. The potential view loss resulting from the proposal would impact on a number of properties surrounding the site to varying degrees. Within the town centre, the majority of taller buildings surrounding the site are located on the northern side of the subject site, between the site and the channel and their views northwards towards the channel will not be impacted by the proposal.

The existing residential building in Warrigal Street (adjoining the southern boundary of the site) will be impacted by view loss given that the outlook of the building's rear viewing balconies is northwards across the site towards the channel. At the lower levels of the building this is unavoidable, given the minimal setback between the existing/proposed development on each site.

The residential building at 18 Dening Street will be impacted with the loss of some westerly views towards the lake. Likewise, the westerly outlook of the three storey residential building at 6 Taylor Street will be impacted as these views currently extend in a westerly direction mid-way across the site. There will be some impact to existing ocean views for buildings in the vicinity of the site located west of The Entrance Road and some impact to lake views for those buildings in the vicinity of the site located east of The Entrance Road. The views that are impacted result from an outlook across an under-developed site.

In order to consider the impact of the view loss it is also important to consider how reasonable it is to expect to retain the views. The views for these properties are a result of an adjoining site being undeveloped and to a level far below its potential. In general the view loss for these surrounding buildings will be minor to intermediate. In acknowledging this, it is noted that the redevelopment of the site and its height and density has been the subject of long term planning (including The Entrance Town Centre Masterplan) which identifies the higher density for the site included extensive community consultation between April and December 2011.

The proposal is considered to be reasonable and includes slimline towers aimed at minimising impact to views. Additionally, it is noted that sites along Taylor Street are earmarked for future redevelopment opportunities under Council's masterplan for The Entrance. The proposal will be beneficial for the local economy and the development will provide a degree of economic stimulus for local business and investment the area.



Above: Photomontage of proposed development showing the surrounding coastal context.

- **Impacts on property values**

Comment:

Under the provisions of the EP&A Act, an applicant has the right to apply for developments that achieve the aim of orderly and economic use and development of land. There is no evidence to suggest the development would have a negative impact on adjoining land values. The proposal would more likely attract increased interest and activities in the area having a potentially positive impact on land values. In addition, the impact on land values is not a planning consideration under Section 79C of the EP&A Act, a matter which has been reinforced by planning and development decisions in the NSW Land and Environment Court.

The proposed variations are discussed in further detail under the relevant DCP Chapter discussion.

HISTORY

Relevant Background:

- At its Ordinary Meeting on 24 November 2010 Council resolved to endorse the identification of a number of "Key Sites" within Wyong Shire. Council recognized an opportunity to stimulate the economy and create employment opportunities by offering incentives for the short term development of these sites. Each key site is to demonstrate design excellence involving the development of exceptional buildings that stand out from their surroundings and which other developments seek to emulate. The development of these key sites is required to demonstrate the provision of significant net community benefit.
- Lakeside Shopping Centre has operated since the late 1970's and accommodates a Coles supermarket (3005m² in area), around 23 retail tenancies (approx. 1997m² in area) and parking for 190 vehicles.
- A VPA has not been offered for the development of the site.
- Under a Deed of Agreement (LDOC008509) between Council and Dunnet Properties Pty Ltd and The Entrance Plaza Pty Ltd, Property Services assisted with the closure of Glovers Lane and transfer to the developers of the closed road (Lot 16 DP 1162334) and the laneway extension land (Lots 2 DP 620550 and Lot 342 DP 703997).

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 Clause 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 2013

Permissibility

Under WLEP 2013, the site is zoned B2 Local Centre. The proposal includes as permissible uses a number of land uses including 'tourist and visitor accommodation' or more specifically 'hotel or motel accommodation', 'retail premises' or more specifically 'food and drink premises', 'function centres', and 'shop top housing'. The following land use definitions are relevant:

"retail premises means a building or place used for the purpose of selling items by retail, or hiring or displaying items for the purpose of selling them or hiring them out, whether the items are goods or materials (or whether also sold by wholesale), and includes any of the following: "

- (a) bulky goods premises,
- (b) cellar door premises,
- (c) **food and drink premises**,
- (d) garden centres,
- (e) hardware and building supplies,
- (f) kiosks,
- (g) landscaping material supplies,
- (h) markets,
- (i) plant nurseries,
- (j) roadside stalls,
- (k) rural supplies,
- (l) **shops**,
- (m) timber yards,

- (n) vehicle sales or hire premises,

but does not include highway service centres, service stations, industrial retail outlets or restricted premises.

Note. Retail premises are a type of **commercial premises**—see the definition of that term in this Dictionary.

"tourist and visitor accommodation" means a building or place that provides temporary or short-term accommodation on a commercial basis, and includes any of the following:

- (a) backpackers' accommodation,
- (b) bed and breakfast accommodation,
- (c) farm stay accommodation,
- (d) **hotel** or motel accommodation,
- (e) serviced apartments,

but does not include:

- (f) camping grounds, or
- (g) caravan parks, or
- (h) eco-tourist facilities.

"shop top housing" means one or more dwellings located above ground floor retail premises or business premises.

Note. Shop top housing is a type of **residential accommodation**—see the definition of that term in this Dictionary.

"food and drink premises" means premises that are used for the preparation and retail sale of food or drink (or both) for immediate consumption on or off the premises, and includes any of the following:

- (a) a **restaurant** or cafe,
- (b) take away food and drink premises,
- (c) a pub,
- (d) a small bar.

Note. Food and drink premises are a type of **retail premises**—see the definition of that term in this Dictionary.

“restaurant or café” means a building or place the principal purpose of which is the preparation and serving, on a retail basis, of food and drink to people for consumption on the premises, whether or not liquor, take away meals and drinks or entertainment are also provided.

Note. Restaurants or cafes are a type of **food and drink premises**—see the definition of that term in this Dictionary.

“shop” means premises that sell merchandise such as groceries, personal care products, clothing, music, homewares, stationery, electrical goods or the like or that hire any such merchandise, and includes a neighbourhood shop, but does not include food and drink premises or restricted premises.

Note. Shops are a type of **retail premises**—see the definition of that term in this Dictionary.

“hotel or motel accommodation” means a building or place (whether or not licensed premises under the Liquor Act 2007) that provides temporary or short-term accommodation on a commercial basis and that:

- (a) comprises rooms or self-contained suites, and
- (b) may provide meals to guests or the general public and facilities for the parking of guests’ vehicles,

but does not include backpackers’ accommodation, a boarding house, bed and breakfast accommodation or farm stay accommodation.

Note. Hotel or motel accommodation is a type of **tourist and visitor accommodation**—see the definition of that term in this Dictionary.

“function centre” means a building or place used for the holding of events, functions, conferences and the like, and includes convention centres, exhibition centres and reception centres, but does not include an entertainment facility.

The objectives for the B2 zone are as follows:

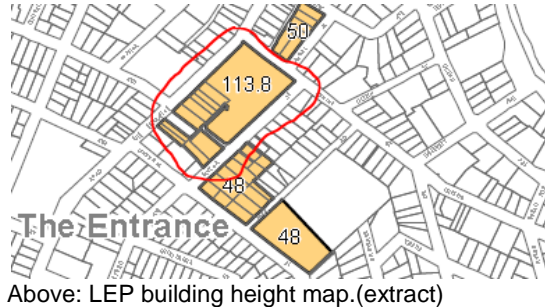
- *“To provide a range of retail, business, entertainment and community uses that serve the needs of people who live in, work in and visit the local area.*
- *To encourage employment opportunities in accessible locations.*
- *To maximise public transport patronage and encourage walking and cycling.*
- *To permit residential accommodation while maintaining active retail, business and other non-residential uses at street level.*
- *To minimise conflict between land uses within the zone and land uses within adjoining zones”.*

The proposal is considered to be consistent with the B2 zone objectives for the purposes of Clause 2.3(2). Under the proposal a range of future business and retail opportunities are created that will serve the needs of visitors to, and residents of, the local area. The proposal will create new employment opportunities in an accessible location and the residential accommodation is provided in a form that maintains the active retail uses at street level.

The development will provide for recreational and event amenities through the hotel, piazza and public viewing deck. Additional housing will help in meeting Central Coast Regional Growth targets and will contribute additional adaptable housing supply in the locality.

Height of Buildings

Under Clause 4.3 of Council's LEP and the Height of Buildings Map, the maximum height that applies to the site is 23 metres, however the site is identified as a key site and as such a greater height applies in some circumstances. Under Council's Key Sites Maps (Clause 7.11(3)) the site is permitted a maximum building height of 113.8m.



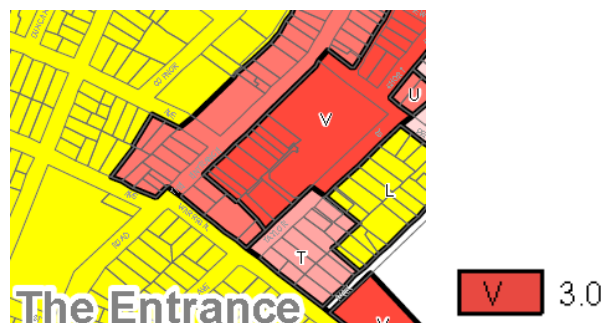
The definition of 'building height' under WLEP states:

"building height (or height of building)" means the vertical distance between ground level (existing) and the highest point of the building, including plant and lift overruns, but excluding communication devices, antennae, satellite dishes, masts, flagpoles, chimneys, flues and the like.

The proposal complies with the maximum building height permitted on the site under the Key Site provisions of WLEP 2013. Key site provisions are discussed further later in this report.

Floor Space Ratio

The maximum floor space ratio (FSR) for a building (under clause 4.4) on any land is not to exceed the FSR shown for the land on the FSR map which for this site is 3:1. The site has an area of 21,357m² and therefore an allowable FSR of 64,071m². The development has a GFA of 64,068m² and the proposal therefore does not exceed the maximum FSR and complies with the control.



Heritage Conservation

The site is located in the vicinity of the following identified local heritage items under WLEP 2013:

- Catholic Church (Item I88 – Our Lady of the Rosary Catholic Church at 239-243 The Entrance Road)
- The Entrance Police Station (Item I89 – 12 Denning Street (corner of Short Street))

In relation to these two items, Council's Heritage Inventory Sheet states:

- *"Item 88 - This relatively recent building is historically significant for reflecting the scale of post-war resident population locally, and the corresponding expansion of the Catholic Church in The Entrance. It is the first local example of 'Post War Ecclesiastical' style. It indicates the scale of the resources, and style of worship of the local Catholic Church in the mid 20th Century. Locally significant socially and spiritually for providing a major gathering place for generations of local and holiday making Catholics."*
- *"Item 89 - A typical and representative example of a late inter-war functionalist building on a prominent corner site. It demonstrates the development of a community infrastructure in the locality and is a fine example of the capacity of listed heritage buildings for adaptive re-use. The Police Station has undergone many modifications over the years, however the original station and house can still be seen. After the Ambulance Station next door closed in 1990 the police station expanded onto this site and in 2004 an addition was added to the rear of the former Ambulance Station"*.

Clause 5.10(5) states that prior to granting consent to any development on land within the vicinity a heritage item, information to assess the impacts of the development on the heritage significance of the item may be required. The applicant provided information in accordance with Clause. The proposal will have a visual impact on the heritage items as they are both located directly opposite the development site. The proposal will generate more pedestrians and allow for greater exposure and enjoyment of the historic items. The development does however, sit within the commercial centre of one of the Central Coast's main town centres, The Entrance. Within the setting of The Entrance, large buildings and residential flat buildings contribute to establishment of a diverse urban fabric which draws from its picturesque seaside location and has potential to grow. Information will be required to accompany future DA's to identify and mitigate any potential adverse impact the proposal may have on the heritage significance of the item.

WLEP 2013 - Key Sites -Clause 7.11- Development requiring preparation of a development control plan)

Clause 7.11 relates to the development of land identified as a 'key site' on the Key Sites Map and states:

7.11 " Development requiring the preparation of a development control plan (key sites)

- (1) *The objectives of this clause are as follows:*
 - (a) *to deliver a high standard of design excellence for certain key sites in Wyong,*
 - (b) *to encourage the amalgamation of those key sites to provide opportunities for the expansion of, and improvements to, the public domain,*
 - (c) *to provide a catalyst for the social and economic development of centres within Wyong,*
 - (d) *to deliver significant public benefit to the community.*
- (2) *This clause applies to land identified as "Key Site" on the Key Sites Map.*

- (3) *Despite clause 4.3, the maximum height for a building on land to which this clause applies is the height shown on the Key Sites Map in relation to that land if the consent authority is satisfied that a development control plan that provides for the following matters has been prepared for the land that is the subject of the development application:*
- (a) the application of the principles of ecologically sustainable development,*
 - (b) green building solutions,*
 - (c) design excellence, including a high standard of expertise in urban and landscape design, interior design, construction and historic preservation,*
 - (d) a high standard of architectural design, materials, unique facade treatment and detailing appropriate to the type and location of the development,*
 - (e) encouraging sustainable transport, including increased use of public transport, walking and cycling,*
 - (f) road access, including the circulation network and the provision of car parking,*
 - (g) the impact on, and improvements to, the public domain,*
 - (h) environmental constraints, including acid sulfate soils, flooding, contamination and remediation,*
 - (i) the relationship between the development and neighbouring sites, including urban and natural environments,*
 - (j) the relationship between the development and any other development that is, or may be, located on or near the site in relation to overshadowing, privacy, setbacks and visual amenity.”*

The clause allows for bonus development potential - being a greater height than ordinarily permitted – subject to the consent authority being satisfied that a site specific development control plan that provides for the above nominated matters has been prepared.

A site specific DCP has not been prepared and adopted for the site that provides for the above specified matters. However, the applicant has argued that under Section 83C of the EP&A Act, the staged development application lodged under these provisions of the Act satisfies this requirement. Section 83C states:

“83C Staged development applications as alternative to dcp required by environmental planning instruments

- (1) An environmental planning instrument cannot require the making of a staged development application before development is carried out.*
- (2) However, if an environmental planning instrument requires the preparation of a development control plan before any particular or kind of development is carried out on any land, that obligation may be satisfied by the making and approval of a staged development application in respect of that land.*
Note. Section 74D (5) also authorises the making of a development application where the relevant planning authority refuses to make, or delays making, a development control plan.
- (3) Any such staged development application is to contain the information required to be included in the development control plan by the environmental planning instrument or the regulations.”*

A table of compliance for the proposal against the requirements of Clause 7.11 is attached to the report (in Attachment 4). The proposal is considered inconsistent with the objective (d) of the clause related to public benefit. Contrary to Council’s planning controls, the development does not include a separate proposal detailing the provision of significant public benefits for the community. Rather, the applicant argues that the proposed development itself provides significant public benefits to the community and provision of an additional benefit to justify the bonus height it is therefore unnecessary and unlawful.

It is Council staff's opinion that a significant public benefit (in addition to that argued by the applicant) will need to be offered and accepted before the granting of approval of any operational Da's that seek the bonus height. This is discussed later in the report under the section on public benefit.

The development concept, as a masterplan for the site, is however considered to express quality design, suitable to the locality, connects to available public transport, walking, cycling in line with Clauses 7.11. Also the subsequent operative DA's for Stages 1, 2 and 3 have capacity to meet these provisions appropriately and in line with site constraints.

Coastal Zone

Clause 5.5(2) applies to development within the coastal zone and requires consideration of specified matters prior to consent being granted. The specified matters relate to:

Clause 5.5(2) Coastal zone matters	Comment
<ul style="list-style-type: none"> maintaining existing and identifying new pedestrian access to and along the foreshore, 	The proposal does not directly affect pedestrian access to/along the foreshore but will increase pedestrian activity in the area surrounding the site including the foreshore. The development is considered likely to attract visitors, customers, workers as well as direct residents of the proposal.
<ul style="list-style-type: none"> the suitability of the development and its impact on scenic quality, 	The towers will be visible from various vantage points around The Entrance and beyond. However, the proposal will not disturb views to any coastal headlands. The subject site has been the subject of long term planning and is identified in the broader planning strategies for the area (eg. The Entrance Town Centre Masterplan). This masterplan encouraged development of a range of sites with this site being identified as a key site (with height bonuses through the WLEP.
<ul style="list-style-type: none"> the impact of the proposal on the amenity of the coastal foreshore (including shadowing or view loss), 	The site is approximately 400m from The Entrance Channel. There are no direct or unreasonable impacts on loss of amenity to the foreshore resulting from the proposal.
<ul style="list-style-type: none"> protection of the visual amenity and scenic qualities of the coast, 	Due to the height of the towers, the proposal will be readily visible from some distance away. As noted, the redevelopment of the site has been the subject of long term planning and is identified in the broader planning strategies for the area including the WLEP.
<ul style="list-style-type: none"> conservation of coastal biodiversity and ecosystems, and 	The site is currently a commercial shopping centre and carpark. The proposal does not adversely impact upon the conservation of coastal biodiversity and ecosystems including rock platforms or coast vegetation.

<ul style="list-style-type: none"> the cumulative impacts of the development on the coastal catchment. 	<p>The proposal does not have any cumulative impacts on the coastal catchment. With regard to visual impacts, the proposal has been the subject of long term planning and is identified in the broader planning strategies for the area. The concept design is compatible with the vision for The Entrance as a thriving sea side destination.</p>
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The proposal is considered satisfactory in relation to the protection of the coastal zone.

Acid Sulphate Soils

Clause 7.1 requires special assessment to be given to certain development on land being subject to actual or potential acid sulphate soils. The site is identified as Class 5 on the Acid Sulphate Soils (ASS) Planning Map and the proposal does include works that are proposed within 500 metres of adjacent Class 3 land and that are below 5 metres Australian Height Datum.

With the proposed excavation of up to 6 metres, an Acid Sulphate Soils Assessment Report and Management Plan shall be prepared by a suitably qualified person for the future developments. The current application is for concept approval only and appropriate information to address this matter will need to be provided with the operational development applications lodged for Stages 1 and 2 in relation to the basement car park construction. This requirement is included in the proposed conditions of consent.

Essential Services

Clause 7.9 requires that services that are essential for the development are available or that adequate arrangements have been made to make them available when required prior to consent being granted. These services include water supply, electricity supply, sewage management and disposal, stormwater drainage or on site conservation and suitable road access.

Water service is available for the new proposed development from The Entrance Road and Taylor Street. Council's existing system is adequate to provide water supply to the proposed development, with localised upgrades and renewals required as part of the development. The site is located on a high point within the catchment and is currently serviced for sewer via two separate sewer lines that gravitate to a Sewerage Pump Station catchment area. There is potential for several existing mains to become overloaded from the proposed development. Therefore, the applicant will be required to provide a staged loading plan that indicates the split of sewage loadings across the available connection points. Council can then review the adequacy of the proposed connection points in more detail and determine what upgrades may be required.

Under future Stage 1, the existing sewer mains on the southern side of the existing shopping centre will be affected, with some existing mains being abandoned as part of the works. A new manhole should be constructed as a point of connection within the proposed development boundary and link into Council's sewer network. In accordance with Clause 7.9, the future stages of the proposed development will need to demonstrate the manner in which the development can be adequately serviced. Water and sewer contributions will be applicable to the future operational stages of the development.

As this is a concept DA conditions can be applied requiring the provision of additional detail with the DA's for subsequent stages 1, 2 and 3.

b) Relevant SEPPs**State Environmental Planning Policy 65 – Design Quality of Residential Flat Buildings**

State Environmental Planning Policy 65 – Design Quality of Residential Flat Buildings applies to the development and requires the design quality of the residential flat development to be taken into consideration and evaluated against the ten design quality principle, and the Residential Flat Design Code (RFDC). The proposal is accompanied by a Design Verification Statement prepared by the architect of the building addressing the SEPP 65 design principles as follows.

Principles	Proposal
Context	The proposed development replaces an existing small shopping centre located beyond the southern end of The Entrance Mall. The proposal reinforces the site as the civic and retail hub of the town that is strongly linked to the remainder of the Entrance retail area and foreshore. The building is designed as a 'marker' for the town and a designated 'iconic site' and as such the building is to stand out from its immediate context to help improve the character of the town centre and to act as a catalyst for future development. The proposal is a bold architectural design that will promote confidence in the revitalization of the region.
Scale	The precinct is undergoing a transition and the proposal achieves a scale, bulk and height identified in the future planning strategy for the area under The Entrance Town Centre Masterplan' and the 'Key Iconic Development sites report'. The development is to be designed as a catalyst for the area.
Built Form	<p>The building is designed to utilize the majority of the site and create a small piazza at the northern end of the site. The building podium is designed to create a strong connection with the buildings across Denning Street and The Entrance Road. The curved nature of the podium assists in defining small spaces off the open space area along Denning Street and improves the link between the shopping centre and piazza area. The mass of the podium is stepped back via terraces at levels 2 and 3 which assists to reduce the scale of the building and to relate the podium to the scale of the surrounding buildings.</p> <p>The residential and hotel towers are raised above the podium by 9 metres which helps to reduce the building mass at low level, allowing views and sunlight through into the piazza and surrounding streets.</p> <p>The raising of the towers helps to create an open, sheltered space on top of the podium for use by residents and hotel guests. The elliptical plan of the towers creates a soft organic form that changes as the viewer moves around the building and enables strong coastal winds to pass easily reducing down drafts to the street below.</p>

Density	The high residential density of the development is consistent with longer term strategic vision for the site. The proposal complies with the allowable FSR and height that applies to the site. The number of residential and hotel units proposed is appropriate and reflects the transitional nature of the site context towards higher density development.
Resource, Energy and Water Efficiency	The proposal will include the efficient use of natural resources and water including the harvesting, storage and reuse of rainwater and the use of energy efficient building materials and appliances. Passive solar design principals, stormwater harvesting/re-use and waste management recycling are proposed to be integrated with the development. The orientation of the building allows for ideal solar penetration into all apartments with the optimization of coastal breezes to sufficiently ventilate each unit. Basix will be addressed under the future DA for Stage 3.
Landscape	The Oasis level (podium top) is to be carefully landscaped with primarily native species. This area is to be designed to provide a variety of passive and active recreational areas and to provide a suitable outlook from units. The streets fronting the site are to be planted with new trees. This helps to continue the tree lined character of the streets, improving the visual amenity and providing shaded walkways for pedestrians.
Amenity	<p>Privacy between the tower buildings is created by the curved form of the building which maximizes outlook and views from all rooms without compromising visual privacy between apartments. The residential tower is oriented to enable the maximum number of apartments to gain the required access to direct sunlight. In total 75% of apartments gain the required 3 hours as outlined in SEPP 65.</p> <p>The corner apartments within the towers have a dual aspect created by the curve of the building and the cut provided into the towers at each end. This enables 50% of apartments to be cross ventilated directly from outside. The other remaining single aspect apartments can be cross ventilated via the central corridor which is ventilated through openings at each end. Therefore the buildings satisfy the 60% natural ventilation requirements of SEPP 65.</p>
Safety and Security	The entrance to the apartment buildings are clearly identifiable elements positioned off the main road with direct line of sight to the street. The proposal activates the street frontages to the north, east and west. The entrance to the podium and public areas along the boundaries are overlooked by a number of apartments and hotel rooms. An allocated security lobby provides access to each level of the residential building. Appropriate surveillance systems will be installed around both of the loading dock areas. The car park for the apartment towers and building are separated from the adjacent hotel and retail parking. This car park has controlled access and has direct access to the apartment foyer and will include necessary bypass keys. The residential units are only accessible through controlled lobbies.

Social Dimensions	The proposal aims to provide improvements to the retail, hospitality and residential mix of the area in order to suit the demands of the current and desired future community. The design of the built form activates surrounding public spaces and activates street conditions. An appropriate mix of apartment sizes is proposed.
Aesthetics	<p>The proposed development aims to provide an iconic form to further continue and ultimately elevate the architectural built form benchmark for The Entrance and its surrounding Central Coast region. The proposal provides an appropriate composition of building and open space with the incorporation of communal open space zones located on the podium and Oasis levels as well as the street interface on the ground level.</p> <p>A material and finishes concept statement accompanies the proposal which will be further detailed in future DA's for each stage. This includes a careful selection of material finishes that continue this language of light and coastal elements. The proposal includes curving white concrete balustrades and low iron glass balustrades that continue around the towers. There are timber and timber look aluminium external screens on the external side of each tower between the buildings. The podium includes high quality anodized aluminium and low iron glazing to the facades with hardwood timber batten awning.</p>

A new urban context is being established by this development which will modify the character, scale and place that currently exists in The Entrance town centre consistent with the adopted desired future character and form. The changes are in line with Council's planning controls which seek to create a new direction and vision for the future of The Entrance and stimulate economic growth in The Entrance. The concept proposal is considered consistent with the provisions of SEPP 65 with further details regarding aspects of the design to be provided with the future operational development applications. Areas of compliance related to the Residential Flat Design Code can be addressed under the DA's for the future stages of the consent particularly stage 3 that relates to the three residential shop top housing buildings. A table of compliance for the proposal against the criteria outlined under the RFDC is attached to the report (in Attachment 2)

SEPP 65 – Design Quality of Residential Apartment Development

The changes to SEPP 65 (under SEPP 65 – Design Quality of Residential Apartment Development and the Apartment Design Guide) were notified on the NSW legislation website on 19 June 2015, and commenced on 17 July 2015. Under the changes, the Apartment Design Guide replaces the former Residential Flat Design Code. However, the changes to SEPP 65 include savings provisions for development applications lodged prior to 19 June 2015 wherein the Residential Flat Design Code applies.

Clause 31 of the SEPP refer to Transitional provisions for State Environmental Planning Policy No 65—Design Quality of Residential Flat Development (Amendment No 3) and subclause 2 reads:

“(2) If a development application or an application for the modification of a development consent has been made before the notification on the NSW legislation website of the making of State Environmental Planning Policy No 65—Design Quality of Residential Flat Development (Amendment No 3) and the application has not been finally determined before the commencement of that amendment, the application must be determined as if the amendment had not commenced.”

The DA was lodged prior to 19 June 2015 and therefore the Residential Flat Design Code continues to apply to the proposal rather than the Apartment Design Code.

State Environmental Planning Policy 71 – Coastal Protection

State Environmental Planning Policy 71 – Coastal Protection applies to the development. The site is located wholly within a coastal protection zone under the SEPP. In accordance with Clause 7, the proposal has been assessed within the context of the matters for consideration outlined under Clause 8 and found to be satisfactory (as outlined in the attached table Attachment 3).

The proposal has also been considered under Part 4 of the SEPP and is generally consistent with this part. The proposal will not impact on foreshore access. The site is locally prominent and the visual implications of the building when viewed from a range of locations has been considered in the long term and detailed planning for the site. This includes the adoption of Council’s recent planning controls to allow for this form and scale of development on the site. The site is not directly affected by coastal processes and the proposal will not affect natural environments.

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

The proposed residential component of the development constitutes ‘BASIX affected development’ as defined within the Regulations, however, BASIX Certificates have not been submitted with the development application. Under Clause 70A of the EPA Regulation, required information under a staged development application may be deferred to a subsequent development application. Stage 3 includes the residential component of the proposal and the requirements for Basix Certificates for the development under Stage 3 will be deferred to the Stage 3 DA. In this case the applicant has requested that the requirement for Basix Certificates for the residential components be deferred to the future development application to be lodged for Stage 3. This matter will be conditioned as a requirement of future development applications for the site wherein residential development is proposed.

State Environmental Planning Policy 55 – Remediation of Land

Two of the parcels (102 and 106 The Entrance Road) comprising the site are identified under Council’s database as contaminated due to their previous use as a service station. Clause 7(1) of State Environmental Planning Policy 55 requires that Council must not consent to the carrying out of any development on land unless

it has considered whether the land is contaminated and if contaminated that the land is suitable in its contaminated state (or will be suitable, after remediation) for the development proposed to be carried out. Clause 7(2) requires where there has been a change of use on any of the land (as specified under subclause 7(4)), that Council consider a report specifying the findings of a preliminary investigation of the land in accordance with the contaminated land planning guidelines.

In this regard, a preliminary site investigation (PSI) was prepared to assess the potential contamination of the site and to comment on the need for further investigation and or management of contamination. On the basis of the investigation findings, it was concluded that the site presents generally a low to moderate risk of soil and groundwater contamination. The key areas of concern relate to potential impact of soil and groundwater from previous uses including service station, current commercial uses and the presence of fill (potentially containing demolition rubble and asbestos). Based on the PSI outcomes, additional investigations are recommended and these should be provided with the DA's for stages 1 and 2.

State Environmental Planning Policy 64 - Advertising and Signage

There are no details for advertising or signage proposed or approved under the concept application.

State Environmental Planning Policy (State and Regional Development) 2011

The proposal constitutes regional development under Part 4 of the SEPP and as identified under Part 4A of the EP&A Act due to the estimated value of the development (exceeding \$20 million). As such, the determining authority for the development application is the Hunter and Central Coast Joint Regional Planning Panel.

Clause 22 of the SEPP identifies that in the case of a staged development (under Section 83 of the Act), the functions of a Council conferred on the regional panel extend to the determination of the separate future development applications for the stages.

State Environmental Planning Policy (Infrastructure) 2007

Clause 104 and Schedule 3 of State Environmental Planning Policy (Infrastructure) 2007 applies to the development as (under Column 3) the proposal includes 1433 parking spaces. The proposal also includes new access and a new roundabout on The Entrance Road. Additionally, there are existing traffic signals at Denning Street and The Entrance Road. Accordingly, the application was referred through to the NSW Roads and Maritime Services (RMS) for comment. The requirements of the RMS have been addressed in the recommended conditions of consent and are adequately able to be addressed in the preparation of DA's for the future stages.

c) Relevant DCPs

Wyong Development Control Plan 2013 (DCP)

DCP 2013 Chapter 2.11 – Parking and Access

The existing shopping centre operating on the site provides 190 parking spaces. The proposed development generates the need for on-site parking under Chapter 2.11 of the DCP.

Land Use	DCP Parking Rate										
Multi Dwelling Housing and Residential Flat Buildings	<p>1 space per 1 bedroom dwelling</p> <p>1.2 spaces per 2 bedroom dwelling</p> <p>1.5 spaces per 3 (or more) bedroom dwelling</p> <p><i>Note: The above requirements may be reduced to 1 space per dwelling if development is in the Regional Centre or a District Centre, subject to submission of a Transport Management Plan and approval by Council.</i></p> <p>In addition, 1 space per 5 units for visitor parking with a minimum of 1 visitor space per development</p> <p>1 visitor space is to be available for car washing</p> <p>On average, only one space per unit is to be allocated as resident parking. The remaining spaces are to be provided as separate parking and available for common use at all times</p>										
Hotel, Motel and Serviced Apartments	<p>1 space per unit</p> <p>1 space for the manager PLUS 1 space per 2 employees</p> <p>Where other facilities are provided as part of the development (such as restaurants, conference and function rooms, etc.), allowance is to be made as specified in the relevant sections of this table.</p> <p><i>Delivery/Service Vehicle Requirements: For accommodation units, 1 space per 50 units up to 200 units PLUS 1 space per 100 units thereafter.</i></p>										
Shops in District Centre	<table border="1"> <thead> <tr> <th>For GFA (m²)</th> <th>Spaces/100m² (GFA) #</th> </tr> </thead> <tbody> <tr> <td>Up to 13,000m²</td> <td>4.7</td> </tr> <tr> <td>13,000-26,000m²</td> <td>4.3</td> </tr> <tr> <td>26,000-40,000m²</td> <td>3.3</td> </tr> <tr> <td>Over 40,000m²</td> <td>3.1</td> </tr> </tbody> </table> <p><i>Note: Apply the requirement from the GFA grouping for the previous group that the development suits, then apply the remainder at the rate for the appropriate grouping e.g. a 28,000m² centre would require 4.3 spaces per 100m² up to 26,000m² then 3.3 spaces per 100m² for the remaining 2,000m².</i></p> <p># Parking rates may be reduced subject to approval of a TMP by Council</p> <p><i>Service Requirements: 1 space per 500m² GFA up to 2,600m² GFA then 1 space per 1,300m² GFA thereafter</i></p>	For GFA (m ²)	Spaces/100m ² (GFA) #	Up to 13,000m ²	4.7	13,000-26,000m ²	4.3	26,000-40,000m ²	3.3	Over 40,000m ²	3.1
For GFA (m ²)	Spaces/100m ² (GFA) #										
Up to 13,000m ²	4.7										
13,000-26,000m ²	4.3										
26,000-40,000m ²	3.3										
Over 40,000m ²	3.1										
Restaurant and Function Centre	<p>15 spaces per 100m² GFA or 1 space per 3 seats, whichever is the greater</p> <p><i>Service Requirements: 1 space per 400m² GFA up to 2,000m² GFA then 1 space per 1,000m² thereafter.</i></p>										

Parking for the development is proposed to be provided in two levels of basement car park across the whole of the site and rooftop above the shops on level 1 of the building as follows:

Parking Provision	Retail	Residential	Hotel	Convention/ restaurant	Total
Basement Accessible	2 256	406 37	-	-	699
Basement Accessible	1 287	129 12	103	-	531
Level 1	166	37	-	-	203
Total parking	709	621	103	-	1433

Parking for the development is required under DCP 2.11 on the following basis under the proposal.

Parking (Chapter 2.11)	Details of development	DCP rate	Required Spaces	Parking provision
Residential - 1 Bed - 2 Bed - 3 Bed Visitor TOTAL RESIDENTIAL	169 dwellings 260 dwellings 49 dwellings - 478 dwellings	1 x 1 Bed 1.2 x 2 Bed 1.5 x 3 Bed 1 per 5 units -	169 312 74 96 651	621
Accessible (for adaptable units)	10% (48 units) 49 spaces	1 per unit	48 (included)	
Retail - Existing GFA - New GFA Up to 13000m ² Over 13000m ² TOTAL RETAIL	15,603m ² 6667m ² 8936m ² - 6 333m ² - 2 603m ² -	Existing - 4.7/100m ² . 4.3/100m ² . - -	190 onsite 298 112 600	709
Hotel	108 rooms 60 staff	1 space/unit 1 space manager + 1 space/2 staff	108 30	103
Restaurant Service	500m ²	15/100m ² 1/400m ² -2000m ²	75 - 1	-
Convention Service TOTAL RESTAURANT & CONVENTION	750m ²	15/100m ² 1/400m ² -2000m ²	113 - 1 326	-
TOTAL			1577	1433 9 % variation (shortfall of 144)
Residential Spaces			651	621
Retail			600	709
Hotel/restaurant/etc			326	103
Delivery spaces Retail - 1/1300m ² Hotel - 1/50 units Restaurant - 1/400m ² -2000m ² Convention - 1/400m ² -2000m ²			14 10 2 1 1	Shared loading areas (2) & 4 delivery van spaces

As identified above, the application seeks approval for a 9% variation to the DCP 2.11 based on a shortfall of 144 spaces from the number required. The applicant has argued that the proposed variation to the parking is reasonable because of:

- The multi-purpose nature of land uses within the development and the strong likelihood of multi-purpose trips.
- The cross use between the proposed shops and nearby established shops and activities.

- The site has good access to public transport and the proposal includes and upgrade to the bus stop potentially including new seating and a shelter.
- The development caters for pedestrian and cyclist access and is well connected to The Entrance shops and foreshore.

The applicant has argued that the calculation of parking generation for the retail component should include as a credit the existing shopping centre gross floor area and associated 190 existing parking spaces. It is argued that the calculation of additional retail parking demand for the development (ie. above the existing GFA) should be based on the *new* retail GFA. On this basis, parking demand in excess of 190 spaces should be based on the new retail GFA of 8936m².

The overall extent of variation proposed to Council's DCP parking rate is 9% (ie. 144 spaces). There is a contributions plan that applies to the site for the parking shortfall and this will be applied to the operational DA's for the future stages of the development.

Clause 3.11 of DCP Chapter 2.11 refers to dual and complementary use of facilities. This section includes a provision for a reduction in the cumulative parking allowances within large scale multiple use developments where there are demonstrated dual and complimentary uses of parking areas which is expected to reduce the total parking demand.

The DCP states that the reduction should be identified in the Traffic Impact Study/Traffic Management Plan with specific details for justification for any discount in parking numbers for consideration by Council. The applicant's traffic report has argued for the following discounting in relation the DCP parking demand:

- It is argued that the convention centre and hotel would likely be utilised by the same guests (eg. For attendance at a conference or wedding) therefore a 50% reduction (56 spaces) be applied to the required (113) spaces for the convention centre.
- It is argued that the restaurant will cater for guests of the hotel and also that the restaurant peak would be in the evening (rather than the day) and as such patrons could use the shopping centre parking. Therefore it is argued that a 50% reduction (38 spaces) be applied to the required parking (75 spaces) for the in restaurant.

The applicant has advised that there may be further reductions in parking provision once the design aspects of the proposal are further detailed and the parking numbers refined under future applications. Additionally, it is not clear where the nominated percentage discount of 50% has been derived. Information further clarifying the extent of any shortfall and any discounting can be provided under the relevant future DA's for the operational stages of the development. It is noted that Section 94 contributions will apply to the nominated parking shortfall under the future operational development applications for each of the stages. This thereby will allow for off-site public carparking to be provided by Council.

The proposed parking provision is considered satisfactory for the nature and scale of development proposed. The shortfall is considered satisfactory in the local context of the site within the town centre having regard for the following;

- the nature of the development as a key site catalyst for other development within the area;
- and the payment of a contribution under Council's Section 94 plan for the area for the shortfall in parking spaces or further information provided in a Traffic Management Plan justifying any discount based on specified dual and complementary use of facilities.

As this proposal is concept only, the applicant states that *the final number of parking spaces could alter as part of the detailed design process to allow for circulation and access requirements as well as for the separate controls required between the hotel, residential and commercial shopping areas.*

Loading and unloading for the development has been designed to cater for large rigid and semi-trailer vehicles with access from Taylor Street. There are two loading areas proposed that are considered satisfactory for the scale of the development. There are also 4 delivery van spaces at Basement Level 1, in close proximity to the proposed shops fronting the Entrance Road. Garbage collection vehicles for both residential and non-residential uses will occur within the two loading docks. An internal arrangement will transfer the residential garbage from the garbage rooms beneath the towers to one of the loading dock via a waste lift.

There are 12 accessible parking spaces at basement level 1 for the retail activities on the site and 49 accessible parking spaces for the residential component which will be allocated to the future adaptable dwelling units within the development. Clause 3.8 of the DCP outlines the bicycle parking requirements for the development which includes bicycle parking facilities at a rate of one per three dwellings for residential flat development and one bicycle space per ten car spaces for any other type of development.

The proposal has not nominated the location of bicycle parking facilities as the proposal is concept only, however, the details for proposed bicycle parking will be provided under future applications for operational stages. Likewise, Clause 3.9 outlines parking for motorcycles and motor scooters and requires that parking is to be provided at a ratio of at least 1 motorcycle space per 50 car spaces. The required motorcycle parking spaces for the development will be detailed under the future applications for the operational stages of the development.

DCP 2013 Chapter 6.1 Key Sites

The site is identified as a key site under DCP Chapter 6.1 - Key Sites to which Clause 3.5 (Lakeside Plaza provisions) and Clause 3 (Generic Development Controls) apply. The proposal has been assessed against the DCP objectives and the following generic development controls:

Controls	Proposal
<ul style="list-style-type: none"> • Design Excellence 	<p>The design demonstrates design excellence. The design responds to and contributes to its town centre context. The proposal utilizes the advantages of its immediate and broader site context. The locations current character is undergoing transition and the design is consistent with the vision for the area</p>
<ul style="list-style-type: none"> • Design Quality 	<p>The design achieves the ten (10) SEPP 65 principles and this has been discussed elsewhere in the report. It is noted that design will be detailed further in subsequent DA's.</p>

<ul style="list-style-type: none"> • Green Building Design 	<p>The proposal includes additional commitments to at least two PV power generation systems of minimum 10kw (rooftop of supermarket and rooftop of residential building No.3) and water conservation measures beyond the minimum BASIX requirement (increased rainwater harvesting and reuse) to provide significant additional operational benefits as well as the inherent design benefits of the development with respect to achieving a green building solution. Conditions require additional information as part of future stage DA's.</p>
<ul style="list-style-type: none"> • Livability 	<p>The proposal is in a podium and tower configuration and contains a landscaped area on the podium referred to as the 'oasis'. Details regarding the use of the oasis will be provided in the future DA for stage 3.</p> <p>The application also provides for both public and private rooftop viewing terraces and a piazza space along Denning Street. The mixed use style of the development promotes convenience and activity within the public domain.</p> <p>There is no deep soil planting as the development extends across 100% of the site, and a condition has been included that this matter be addressed under the future DA's.</p>
<ul style="list-style-type: none"> • Employment Generation 	<p>There are an estimated 660 jobs associated with the proposal. Some of these are to replace those already existing on the site. The applicant has advised these are further detailed as 80 jobs related to the supermarket; 400 jobs related to the additional specialty retail; 125 jobs related to the hotel/restaurant; 15 jobs related to the convention/function space; 40 jobs related to the residential. There will also be a large number of construction jobs created by the project over an extended period with further multiplier effects.</p> <p>The development will also attract visitors and tourists who will contribute to the local economy and support the ongoing prosperity of The Entrance.</p>
<ul style="list-style-type: none"> • Pedestrian Access 	<p>The proposal aims to reinforce the site as a civic and retail hub of the town centre with strong links to the existing mall and foreshore areas. The proposal will encourage increased levels of pedestrian activity within the town centre and along the surrounding streets. The proposal includes activation of the street through its retail frontages extending around the site perimeter and by attracting visitors and tourists to the locality throughout both day and night destinations.</p>

<ul style="list-style-type: none"> • Traffic/Public Transport/Vehicular Access 	<p>The proposal is located within an existing town centre location where public transport is available in the form of bus services and taxi's. There will be an increase in traffic generation associated with the proposal and the potential impacts associated with the increased traffic generation have been assessed. The RMS have been consulted and appropriate traffic management plans are to be required to inform future operative DA's. Further details will be required at future stages to demonstrate that the vehicle turning paths for the access points to/from the development are satisfactory.</p>
<ul style="list-style-type: none"> • Carparking 	<p>There is a shortfall of 144 spaces and a Section 94 plan for parking applies to the site. The current proposal is concept only and the parking provision on site will be further refined in future applications for the operational stages.</p>
<ul style="list-style-type: none"> • Natural Hazards 	<p>The proposal is not subject to any natural hazards that would constrain the development of the site as proposed.</p>
<ul style="list-style-type: none"> • Public Domain 	<p>The proposal will improve the amenity of the existing street frontage through the provision of retail and commercial uses at ground floor and above. The existing shopping centre building has poor streetscape activation and the current proposal maximizes the opportunity for the active use of the public domain area around the northern and western edges of the site.</p>
<ul style="list-style-type: none"> • Other Public Benefits 	<p>The development provides quality architecture and allows public access through designed piazza spaces in addition to the rooftop viewing terrace. No VPA has been offered for the proposal for the provision of public benefit and the proposal does not strictly comply with the intent of the DCP requirements. However, the proposal is concept only with the operational stages being the subject of future DA's and Section 94 contributions and public benefit contributions will be applicable to the future operational stages. This is discussed in greater detail immediately below.</p>

There are specific controls under Clause 3.5 (Lakeside Plaza) of the DCP that apply to the site and proposed development. The proposal is generally consistent with the objectives and requirements that specifically apply to the subject site as outlined in the attached table (in Attachment 6).

Public Benefit

Clause 2.11 of Chapter 6.1 requires significant public benefits to be provided to the community in return for bonus height potential and to stimulate further development, vitality and viability of town centres. The objective of the clause specifies:

- *“To facilitate the provision of public domain improvements and other public benefits through iconic development of the key sites”.*

At this concept stage the proposal does not comply with the objective of this clause in that 'public domain improvements and other public benefits' in the order envisaged by the DCP have not been provided. Under the requirements, Clause 2.11 specifies:

"The Masterplan and site specific DCP for each Key Site must provide a detailed proposal for significant public benefit. Such public benefit will be in addition to any development contributions levied in accordance with an adopted Section 94 or Section 94A contribution plan".

The detailed proposal for significant public benefit in addition to any development contributions levied in accordance with an adopted S94 contribution plan has at this stage not been provided. The application is therefore seeking a 100% variation to the DCP requirement. There is no levying of Section 94 contributions at the concept stage proposed under the current DA. The clause requires the following criteria to be satisfied prior to the granting of development consent for development utilising the bonus height provision.

"A The following criteria must be satisfied prior to the granting of development consent:

- A contributions plan must apply to the land, or an appropriate Voluntary Planning Agreement has been entered into in respect to the development of the land; and
- Any consent granted must be subject to a condition that requires developer contributions having a value no less than the public benefit value ("PB") calculated in accordance with the following formula: **PB = (s.94 x PBR)**, where:

s.94 is the value of s.94 contributions generated, excluding any contribution for carparking; and

PBR is the Public Benefit Ratio, which is:

- 2.0, where the maximum height of the development exceeds 70 metres or the ratio of the height of the development to the maximum height that would be permitted under cl. 4.3 of the WLEP, 2013, is equal to or greater than 3.0; or
- 1.5 in all other circumstances."

The proposal is required to demonstrate that significant public benefit will be delivered by the proposal and accordingly that the additional building height permitted under Clause 7.11 is acceptable. Under this clause, a Public Benefit of 2 (PBR) x S94 is applicable as the proposal exceeds 70 metres in height. In numerical terms this would equate to:

- Public Benefit \$23,098,510.54 (\$11,549,255.27 x 2)

There has been no VPA negotiated for the proposal for the provision of a public benefit contribution. The applicant has argued that the requirement for a VPA under the DCP has no legal basis and therefore will not be provided. No Section 94 contributions are able to be levied on this DA as the application contains no operational works but is concept only. Contributions would apply to the relevant operational stage that generates the demand for the contribution. A condition is included covering this requirement.

The application seeks approval for 'concept only' and subsequent development applications will be lodged for future operational stages of the development. Section 94 contributions will therefore be levied on the relevant future operational consents (for stages 1, 2 and 3) that are issued for the proposal. The contribution specifically applicable to providing significant public benefit (referred to in the DCP) would be generated under Stage 3 of the proposal for the residential towers (which trigger the bonus height provisions).

Accompanying the DA is a concept public domain plan for the development which includes concept works to be carried out along the street front of the development (along Dening Street, The Entrance Road and Taylor Street) as part of the proposal. The works include the first stage of the Piazza in Dening Street, a bus hub and a digital light artwork. There has not been a costing provided with the application for any of these works. While these works will improve the public domain, the works would be standard for a development of this nature and value. The development itself benefits directly and the greatest from the works proposed. The piazza is located at the entry to the shopping centre and will serve to directly benefit the development as well as the public domain.

The Public Art works are required as a standard part of a development of this scale and nature under DCP Chapter 2.15 (Public Art).

The applicant has provided the following describing elements of the development that provide public benefit:

- 660 jobs created which will boost local employment
- The proposal includes the only supermarket in the Entrance which will be expanded and more retail space will be provided, increasing the range and convenience
- The proposal will be a catalyst for re-investment. The site is in a key location anchoring the southern end of the retail core of the town centre.
- The proposal includes two levels of basement car parking which is a substantial increase in amenity for centre users through removal of surface carparking
- Creation of the Piazza (750m²) is a new public space at the northern end of the site adjoining the shopping centre, however the size of the space is half that envisaged on the site under the DCP. The quality and usability of the space is to be demonstrated with further details under the future DA stages.
- The proposal provides a bus hub. Few details have been provided regarding the works proposed for the bus hub as these are to be definitively identified at a later DA stage.
- The development creates an iconic building form which is potentially a 'postcard' development that will promote The Entrance.
- The proposal will attract more visitors to the site and encourage additional services to the town centre.

These works do not comply with the intent of Council's DCP planning controls in relation to the provision of significant public benefit for the community. Appendix A of DCP Chapter 6.1 includes works that can be readily proposed as 'potential public benefits' under a development proposal. However, no works outlined within the Appendix have been proposed as part of the application to achieve a potential public benefit for the community.

The applicant has also argued that:

“the provisions of Clause 2.11 of the DCP are not for a purpose authorised under Section 74BA of the Act and are not enforceable statutory requirements...as a non-statutory instrument it is not possible for a DCP to seek to extend requirements under Section 94 of the Act beyond those contained in an applicable Section 94 Developer Contributions Plan nor is it possible for a DCP to require that a Voluntary Planning Agreement be entered into prior to the granting of development consent. “

Additionally, the applicant argues:

“there is no statutory basis under the Act for what is in effect a betterment levy. Clearly in some instances there are sites where there is an commercial incentive for owners to voluntarily enter into such arrangements with Council due to significant increases in development potential and therefore value of development sites (eg through provision of increased floor space ratios). As we have previously noted, the sole purpose of the Key Sites height increase for the Lakeside site is to allow the concentration of floorspace at the northern end of the site to better achieve Council’s urban design objectives as adopted in The Entrance Town Centre Masterplan as well as make the development more feasible. The maximum 3:1 FSR for the site could be achieved under the permissible building height under clause 4.3 of the LEP and therefore no additional development density will result from the proposed development using the Key Site provisions.”

The applicant’s statement is noted, however, the intent of the control is to provide a significant public benefit to the community that is generally to the monetary value identified under the DCP Chapter 6.1 (Clause 2.11). The application proposes a 100% variation to Council’s planning control. The information accompanying the application does demonstrate the benefits of the development but does not satisfy the public benefits control or the objectives for this control.

However, the reasons in support of the variation at the concept stage only are:

- A concept DA which will not result in an operational consent against which any building can be constructed.
- All the building elements within the concept whether they exceed the LEP height or not must be subject of a further detailed DA.
- As such any subsequent detail DA which seeks to take up the heights contemplated by the concept DA will also be assessed against the DCP provision and will trigger the need to provide public benefit under the DCP.
- There is currently no S94 developer contribution plan provision to request this.
- There will be no additional demand on infrastructure as a result of the approval of the development concept as no physical works are being carried out.
- A condition of consent will be imposed to require to public benefits offer prior to determination of Stage 3 or what height in excess of 23m in height.

DCP 2013 Chapter 5.1 - Retail Centres

Under DCP Chapter 5.1, the site is located within a 'town centre' (ie. The Entrance Town centre) under the retail network plan. Additional retail floorspace is included under the proposal (additional GLA 8253m² / 9016m² GFA). Assessment of the economic impacts and benefits of the additional floorspace have been previously considered in identifying the site as an iconic site, and as such a net community benefit test is not required for the application.

The applicant's economic appraisal for the proposal (MacroPlanDimasi 2013) states: "*The only way to offset the deterioration in the local economy is through a catalyst project that would encourage further investment at The Entrance. ... The wide frame of investment that is necessary to re-establish the predominance of The Entrance town centre cannot be achieved by a single shop owner in isolation. Nonetheless, the proposed redevelopment of the amalgamated Lakeside Plaza shopping centre site project represents a significant and important foundation for the transformation of the town centre, providing an important southern 'book-end' that supports balanced development across the centre. In its absence, it can only lead to less foot traffic along The Entrance Road. On the other hand, with the project, it would encourage economic activity that supports employment in the commercial zone.*"

The building will define and create the street and public spaces and the proposal will generate significant pedestrian activity around the site. Retail activities on the street level and the shop fronts will create visual interest and improve pedestrian safety. Awnings will need to extend continuously over the footpath and corner elements are to be expressed in the building design and façade. Conditions will be recommended to ensure that the architectural character and articulation of the building provides visual interest, legibility and human scale under the detailed plans to accompany the DA's for each stage. There are public domain works proposed for along the street frontage of the development site which will enhance the aesthetic setting and usability of areas external to the development.

The concept design of the development is generally consistent with the design criteria outlined under Clause 6. However, as the application is a concept proposal, details are therefore to be provided under future applications for the specific operational stages of the development in order to demonstrate strict compliance with the design criteria under the DCP. Sufficient detail regarding the specific treatment for the shop facades, awning designs and other aspects will be provided under the future DA's for each stage.

2013 Chapter 5.3 - The Entrance Peninsula

The concept proposal is generally consistent with the relevant aims and requirements of DCP Chapter 5.3. The DCP identifies The Entrance Road and Denning Street as both being commercially significant frontages for the design of the development. The proposal is consistent with the following requirements identified under the DCP as follows:

- The architectural design of the building is consistent with the coastal character considerations for mixed development in The Entrance.
- The proposal provides elements of a pedestrian friendly scale which will encourage pedestrian activity along adjoining streets.
- The taller elements of the development are to slender towers and the new development would be configured as podium elements with towers.
- Podium elements accommodate communal recreation areas through the provision of piazzas.
- Blank exterior walls are oriented away from commercially significant frontages.
- New pedestrian spaces are to integrate with existing pedestrian connections within the town centre and link key areas of the development.

- Satisfactory sunlight will be available for the proposed piazza under the proposal.

The DCP (under Clause 3.2.8.1) requires a setback which is predominantly to provide for deep soil for screen planting to be provided next to any residential property and any basement to be setback from any boundary that faces a residential property by a minimum of 6m. At the southern end of the site, the development adjoins the rear yard of an existing residential property. The two levels of basement car park extend up to the boundary line immediately adjoining the residential property. Although, it is noted that there is a small setback containing proposed planting (but not deep soil) provided along the western half of the southern boundary adjoining a commercial building on The Entrance Road.

As the proposal does not include the required deep soil setback minimum of 6 metres for the basement levels adjoining a residential property, this has been included under the recommended conditions to be addressed under the Stage 1 DA.

Another variation proposed under the DCP relates to the required 10 metres minimum tower setback to the street frontages (Clause 3.2.5.1c). In this regard, the residential tower located on the corner of The Entrance Road and Dening Street does not include any setback from the podium below. The objective of the clause is as follows:

- *“To maintain appropriate amenity and built form, all new buildings shall comprise a podium and tower element.”*

The proposed zero setback is considered appropriate in this instance as:

- The design of the building with an open space on the podium creates a visual break in the building form between the podium and tower elements. A double storey height will exist between the podium and tower.
- The proximity of the tower to the street front allows the public to readily view the digital art show on the soffit (underside) of the residential tower building.
- Council’s controls required a gateway element to be provided on this corner (under the Entrance masterplan) to create an iconic building and a wayfinding element. The visibility of the digital lighting artwork will achieve this.
- There is tree planting and other landscape greening to occur on top of the podium which will create a visible distinction between the podium uses and the tower element directly above.

DCP Clauses 4.2.1b and 4.2.3 identifies that a new open space in the form of a town square is to be provided as part of the development in the vicinity of Dening Street, The Entrance Road and Short Street. The Entrance Masterplan envisaged this town square as involving the closure of Dening Street and the creation of a pedestrian only retail square. The proposal does not provide a town square in the same scale as envisaged under the DCP. Clause 4.2.3 of the DCP requires the town square as follows:

“A minimum width of approximately 30m and an area of approximately 2,000m², with at least two thirds of the required space located on the Lakeside Plaza property with a minimum width of 20m;”

The proposal includes a small public open space area referred to as a 'piazza' around 750m² in size to be located at the northern end of the shopping centre adjoining Dening Street. There is no proposal to close Dening Street so traffic flows for emergency vehicles will not be constrained. The size and usability of the piazza open space will need to be further demonstrated under the details to accompany the future DA for Stage 2.

Additionally, Clause 4.2.2b requires a public transport layover to be provided along The Entrance Road in the vicinity of Dening Street as part of the Lakeside Plaza 'Key Site' redevelopment. The proposal includes a bus hub along The Entrance Road and details are to be provided at the future operational Stages of the development.

The proposal is not consistent with some of the specific provisions that apply to the tower width under Clause 5 of the DCP. In particular the proposal does not comply with the maximum longitudinal dimension of 35m for the towers. The proposed maximum longitudinal dimension of the towers is approximately 45m. This represents a 28% variation to the DCP. It is noted that the curvilinear shape of the towers includes more of an oval form.

The built form including the zero setback is considered acceptable given the context of the site and the design. The concept proposal is also generally consistent with the relevant design considerations under Section 4 including those related to the transport and access infrastructure, public open spaces, active frontages and the provision of pedestrian links.

A table of compliance with the relevant provisions of DCP Chapter 5.3 is included under Attachment 5.

DCP 2013 Chapter 3.7 Heritage and Conservation

The site is located opposite the following identified local heritage items under WLEP 2013:

- Catholic Church - Item No. I88 – Our Lady of the Rosary Catholic Church at 239-243 The Entrance Road.
- The Entrance Police Station - Item I89 – 12 Dening Street (corner of Short Street).

Given the significant scale of the proposal and its redevelopment of streetscape, there will be visual impacts to the heritage items as they are both located directly opposite the development site. The proposal will generate more pedestrians and allow for greater exposure and enjoyment of the historic items. Information will be required to accompany future DA's to identify and mitigate any potential adverse impact the proposal may have on the heritage significance of the item. No design mitigation was offered by the proponent in relation to the heritage items, however, the extent of impact was accepted by Council's Heritage Consultant.

DCP 2013 Chapter 2.4 – Multiple Dwelling Residential Development

DCP Chapter 2.4 applies to the development and compliance with some relevant controls under the DCP outlined under the attached table (Attachment 1). A number of aspects of compliance will be subject to the detailed design to be provided with the Stage 3 DA as opposed to this concept DA.

Under the DCP communal open space is required to be provided on site in up to 2 locations at a minimum rate of 20m² per dwelling with a minimum dimension of 5 metres. An area for communal open space for the residential occupants and the hotel users has been provided on the podium. However, no distinction has been provided in the design at this stage to cater for the various users of the area (hotel and residential users). The details for this area will be provided under the future operational DA and compliance will be demonstrated within the future stage 3 DA.

Clause 6.1.6 requires that for development above shops each dwelling shall have a private balcony, terrace or ground level courtyard comprising at least 10m² in area with a minimum dimension of 2 metres directly accessible from a living area of a dwelling. The indicative floor layout plans for the residential component demonstrates compliance can be achieved. Clause 6.3.2 requires a minimum of 3 hours of unobstructed solar access mid-winter to a minimum of 75% of the communal open space area. Again, the indicative floor layout plans for the residential component demonstrates compliance can be achieved.

Clause 12.1b of the DCP requires the provision of 10% of units be designed as suitable for adaption for occupation by aged persons or a person with a disability. No details have been provided but a condition will be recommended that the plans under the Stage 3 DA to demonstrate compliance.

As the application is a staged application under Section 83B of the Act, certain aspects of the proposal may be deferred and conditions can be included to ensure that these aspects of the development are addressed under future DA's lodged for each stage.

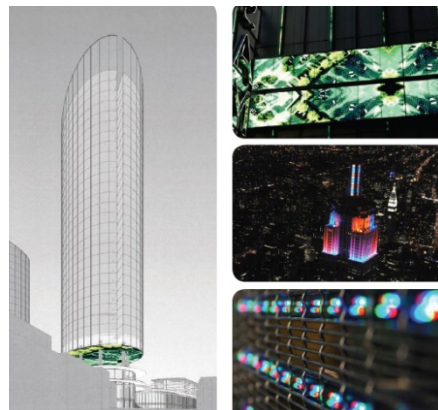
DCP 2013 Chapter 2.15 – Public Art

DCP Chapter 2.15 requires major development to implement public art as part of the development. The DCP defines 'major development' as referring to commercial, public administration, and retail (shops) development valued at \$5 million or greater in terms of total development cost. The estimated value of the non-residential component for each stage exceeds \$5 million.

The public art proposal includes an illuminated lighting art work on the soffit of the residential building which will activate the corner day and night. The art work will be programmed with variable colours and digital images. The art work will provide a luminous gateway element to The Entrance. The art work will act as a wayfinding element for visitors to The Entrance and a lighting calendar is to be established to display for seasonal and event oriented images.

The art work is to be provided under Stage 3 of the development although the requirement for art work to be provided is generated under Stages 1 and 2 of the development. Conditions will apply to the DA's for Stages 1 and 2 (non-residential part of the development) requiring public art be implemented as part of the

development in the event that stage 3 does not proceed.



Above: The proposed illuminated art work and other similar examples

DCP Chapter 3.1 Site Waste Management

A Waste Management Plan will need to be submitted with the operational development applications for each stage of the development. The Plan shall outline the waste disposal, re-use and recycling (on and off site) for the construction and operational stages of the development.

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 DCP compliance and in terms of the submissions received.

Site context and local setting

The site is the southern anchor of The Entrance town centre with the waterfront and memorial park being the northern anchor. Significant pedestrian traffic is expected to be generated between these two town centre anchors which will benefit surrounding businesses located between these sites. The architectural appearance of the building is modern and visually impressive and will not detract from the scenic qualities of the local setting.

The size of the development site has been used to draw the main development components to the north of the site as an integral part of the town centre retail core. The Entrance Town Centre Masterplan defines the vision and direction for the development of the locality. The site context is planned to undergo substantial change under the revised controls adopted for a number of key sites within The Entrance. The potential redevelopment of surrounding sites has also been identified under Council's planning controls.

The proposal is consistent with the planning controls that apply to the site. Although there will be some amenity impacts to surrounding development (including shadowing, privacy, visual and acoustic impacts), these impacts are not viewed as unreasonable in the transitioning context of The Entrance town centre. Where appropriate, the amenity impacts can be addressed in greater detail with further detailed information to be provided with each DA lodged for the future operational stages of the development.

Energy efficiency, green solutions and sustainability

Council's Key Site planning controls require development to clearly identify all the sustainability commitments to be provided as part of the development (other than those that would typically be required under BASIX for the residential component and Section J of the BCA for the commercial component) that would satisfy Clause 7.11 of WLEP and the DCP. This is necessary to demonstrate consistency with the objective of the clause to deliver a high standard of design excellence for the site.

The applicant has nominated the following energy efficiency and water conservation measures to be included as part of the proposal.

- Rainwater harvesting for all on-site irrigation and car washing. The capacity is to include both the residential parts and the retail parts.
- Water efficient shower heads and taps
- Water efficient toilets
- Water efficient dishwashers

- Native planting and low water use species.
- Energy efficient HVAC systems
- Energy efficient lighting including low watt fittings such as LED.
- Electronic systems will be intelligently controlled.
- Photovoltaic systems (at least 2 exceeding 10kW) one on the rooftop of supermarket and the other on the rooftop of residential building No.3.
- Density of development means residents enjoy direct access to shops, other town amenities and beaches so fewer car trips.
- Installation of high efficiency appliances and mechanical services.
- Preparation of a waste management plan that includes on site automated waste compacting, separation of waste streams, 90% of demolition material reused/recycled and avoidance of plastics in favour of raw or natural products and timbers for construction.
- Oasis level open space to reduce urban heat and encourage a sense of community.

The proposal includes at least two Photovoltaic (PV) power generation systems and water conservation measures beyond the minimum BASIX requirement (increased rainwater harvesting and reuse) to provide significant additional operational benefits as well as the inherent design benefits of the development with respect to achieving a green building solution. Additionally, the applicant argues *the design of the development in concentrating the majority of residential development in the two towers at the northern end of the site results in a significantly greater number of units with more than minimum standard solar access and natural ventilation than would occur for development spread across the site.*

These matters are to be detailed further in DA's for Stages 1, 2 and 3.

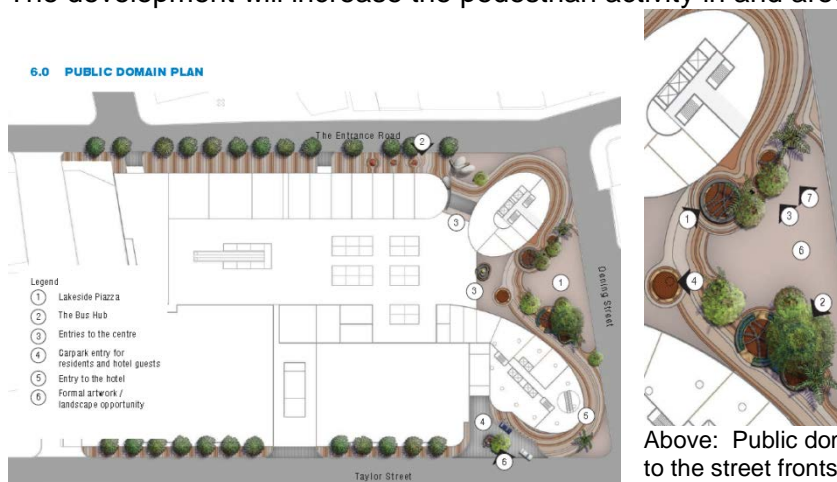
Public Domain

The proposal includes a public domain plan which identifies potential upgrading works around the perimeter of the site including:

- Iconic paving for the external areas.
- A piazza which could include dining and performance spaces, trees and vegetation, artwork platforms, sculptural elements, a kids treehouse, flexible space, water features.
- A bus hub which may include seating, information, signage, weather protection, swings, cycle parking, interactive games and puzzles.
- Artwork and landscape treatment at the formal entry to the hotel building.

Further details are to be provided as part of the detailed DA's.

The development will increase the pedestrian activity in and around the site



Above: Public domain plan showing external works to the street fronts of the site

Access, transport and traffic

Traffic generation

The applicant prepared a traffic assessment for the proposal which outlined the potential traffic, parking and access impacts associated with the proposal. Traffic surveys were undertaken as part of the assessment which indicated that the current traffic flows in and around the site are relatively low and well within acceptable limits (indicating there is spare capacity for additional traffic). The site currently generates significant traffic flows, operating as a shopping centre.

Based upon the RMS rate of 7.6 trips per 100 m² GFA, the current retail activity in the centre generates 375 vehicle movements per hour. The applicant estimates that the additional morning peak hour traffic movements generated by the development would be 503 whilst the afternoon additional peak hour movements would be 1006. The development has the potential to generate significant daily traffic flows. The non-commercial element of the project could generate some 2,693 vehicle movements per day. It is considered that these additional traffic movements overall will have an acceptable impact upon the daily traffic movements along the Central Coast Highway. The nature of the development will lead to significant variation in seasonal traffic flows, dependent upon the time of year, as The Entrance is typically much busier over the summer months and of a weekend.

Heavy vehicle movements in the vicinity of the subject site are relatively low, reflective of the limited through traffic movements through The Entrance and this location. During the traffic surveys, the vast majority of the traffic was noted to be light vehicles with the heavy vehicle content representing some 2-3% of the overall traffic movements. The majority of these heavy vehicle movements were associated with deliveries within the town centre. The traffic movements along The Entrance Road suffer minimal delays with through traffic movements generally not impacted upon by turning traffic. The operation of the intersections around the subject site have been reviewed with the Sidra intersection modelling tool which confirms that all of the intersections in the locality currently operate at a level of service of A during both the AM and PM peak periods.

Road Infrastructure

Future development will necessitate the completion of road infrastructure in accordance with the relevant provisions of Council's Civil Works Design Guidelines. The proposal will require the provision of at least a roundabout, upgraded road pavement, new driveway crossings and laybacks and removal of the redundant driveway crossings and laybacks in the frontage road reserve. The footway formation of a maximum +4% from the top of kerb shall be adopted (not -1% as per the plan).

Road Safety Audits will need to be provided as part of future development applications for both the external and internal vehicle movement arrangements. These shall be prepared prior to DA lodgement in order to establish and resolve design deficiencies. The respective auditor must include comment on the separation of all access arrangement and need for pedestrian refuges. The Entrance Town Centre Masterplan identified The Entrance Road frontage as a 'Town Centre Cycleway'. This cycleway will likely be provided within the road carriageway (potentially removing the existing on-street car parking spaces).

The Entrance Road frontage

Three (3) driveway locations have been proposed along The Entrance Road including one (1) roundabout controlled ingress / egress (retail), one ingress / egress (hotel and residential) and one egress only (loading dock – heavy commercial vehicles) driveway.

In relation to the north-western access (hotel and residential), concern is raised with potential retail customers mistakenly entering this driveway and having to reverse back into the road reserve. This area is protected by means of boom gates, however, appropriate signage and boom gate control can be provided in order to minimise potential disruption. Right turn in / out from this access will need to be restricted by means of a concrete median in the road carriageway.

In relation to the 'exit only' driveway (heavy commercial vehicles), additional splays will be required in order to accommodate the egress manoeuvre of a heavy commercial vehicle. Right turn in / out from this access will need to be restricted by means of a concrete median in the road carriageway.

Towards the corner of The Entrance Road and Dening Street is an existing bus stop. This will be retained and activated (as indicated on the Public Domain Plan). The relevant bus companies and Council will need to be consulted as part of the future development applications. The safety of all patrons would need to be considered as part of this future assessment.

Taylor Street frontage

Six (6) driveway locations have been proposed along Taylor Street including one ingress driveway (hotel concierge loading), one ingress / egress driveway (hotel entry / exit), one ingress / egress (loading dock), one ingress / egress driveway (retail – basement parking), one ingress / egress driveway (retail – roof top parking), and one ingress only (loading dock – heavy commercial vehicles) driveway.

The southern loading area appears to be identified for 19m Articulated Vehicles (AV) and will likely be only for the larger supermarkets. Access will need to be via a right-in movement only, as insufficient area is available for a left-in movement. The northern loading area from Taylor Street seems to be for the other retail outlets and will need to accommodate waste management vehicles. Two loading docks have been proposed fronting Taylor Street with AV deliveries limited to right-in only via The Entrance Road and Dening Street. Suitable upgrade of the road pavement may be required for the surrounding road network.

General Parking

The proposed off-street car parking dimensions and internal driveway grades will need to comply with AS/NZS 2890.1 (2004) - "Off-street car parking". All vehicles will be required to enter and exit the site in a forward direction. The length of the blind aisles will need turning areas to be provided in order to enable vehicles to turn around and drive out forward.

The proposed loading areas, vehicle manoeuvrability, clearance heights and internal driveway grades will need to comply with AS 2890.2 (2002) – "Off-street commercial vehicle facilities". Commercial vehicles shall be able to enter and exit the site in a forward direction. All traffic matters will be detailed further through the detailed Stage 1, 2 and 3 DA's.

Earthworks

The proposed 2 storey basement will involve excavation of up to 6 metres in depth generating a significant number of truck movements required to remove the material. This will impose a significant impact upon the surrounding road network and reduce pavements durability and quality. As part of all future applications, a plan detailing the preferred route shall be provided outlining movement times and restricted areas. Construction and Traffic Management Plans shall be prepared for future developments that include suitable truck routes with due consideration of the surrounding road network.

Further geotechnical investigation will be necessary as recommended in the applicant's submitted preliminary report. Future development applications shall be prepared with pre-construction geotechnical / structural advice concerning intended vibrations and vibration monitoring, dilapidation reporting and excavation support (including shoring, propping and / or anchoring works).

Groundwater

The applicant's preliminary geotechnical investigation included a groundwater assessment of the site (expected to flow north-west). Four of the nine bores were observed to contain groundwater ranging from about 0.7 to 2.6m deep. The report stated that it is expected that the permanent groundwater level would be of considerable depth below excavation level and that the water observed during drilling was simply seepage from either the overlying fill material or along the residual soil / weathered rock boundary.

Notwithstanding this statement, similar existing developments within The Entrance involving basement carparks have required continuously operated pump-out systems to cater for movement of groundwater in this area. During construction, de-watering systems will need to be provided to ensure that discharge to the public drainage system is appropriately controlled with any contaminants removed. Future DA's are to provide detailed information.

Waste removal

The applicant has advised that waste collection vehicles will not enter the basement areas. Waste collection for the towers will be internally transferred to the general loading dock fronting Taylor Street via a waste lift. A second waste lift has been identified on the south-western corner of the basement. Therefore no internal waste collection is necessary for the development. Waste removal will only take place within the loading dock areas at ground floor level. Waste collection services will be provided by a private contractor. Suitable area shall be allocated for bulk waste collection bins and shall be sized according to Council's Waste Control Guidelines. No kerb collections will be permitted for this development.

The proposed loading areas, vehicle manoeuvrability, clearance heights and internal driveway grades will need to comply with AS 2890.2 (2002) – "Off-street commercial vehicle facilities" and Council's Waste Control Guidelines. Commercial vehicles shall be able to enter and exit the site in a forward direction. Details are to form part of each Stage's DA.

Stormwater

The site falls towards The Entrance Road. There have been no concept stormwater drainage plans provided as part of this development application. An on-site stormwater detention and drainage system will be required to control the rate of runoff leaving the site. The detention system 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. Council has recently upgraded the downstream drainage system as part of The Entrance Town Centre works.

Pump-out systems will be required to facilitate the likelihood of groundwater flows and underground basement car parks. The provision of stormwater quality control facilities to treat stormwater will be required prior to entering Council's stormwater drainage system, and shall incorporate Water Sensitive Urban Design (WSUD) techniques. This will be considered further in assessing the detailed Stage 1, 2 and 3 DA's.

Noise and vibration

There are a number of potential noise sources under the proposal including plant and equipment, traffic movements, the use of the top level car park, and the use of each of the two loading areas. One of the loading areas is located along the southern boundary which directly adjoins a site accommodating an existing residential flat building. The other loading area is located along Taylor Street which faces existing residential development opposite.

A number of concerns were raised in relation to the potential acoustic impacts associated with the proposal and the adequacy of the noise assessment in identifying and addressing these impacts. The site is surrounded by residential activities, particularly along Taylor Street opposite the site, along Warrigal Street and the eastern side of Denning Street. The existing residential building at the southern end of the site will potentially be significantly affected by the use of the southern end loading dock that services the supermarket.



Above: Residential building located at Warrigal Street facing new loading dock

The applicant prepared an acoustic report in relation to the impacts from these potential noise sources. The information in the report states that due to *the proximity of residential units to the proposed location of the supermarket loading dock will require that this dock either be acoustically treated (enclosed) or only used between the hours of 7am and 6pm.* The applicant has advised that as the dock is only to be used for the supermarket and *that the time restriction is a realistic and appropriate mitigation measure in the circumstances.*

However, the option of enclosing the dock to address the potential for noise impacts to the residential building is preferable given the proximity of the loading activities to the existing residential use and the orientation of the dwellings with the balconies overlooking the loading area. The long term suitability and practicality of imposing restrictive hours for the future operation of the loading dock is questioned. The case for enclosing the dock would appear more practical in the circumstances and in terms of the longer term operational considerations for the site.

The current operating hours for the existing Coles supermarket on the site are between 7.00am – 9.00pm Saturday to Wednesday and between 7:00am – 10:00pm Thursday and Fridays. Seasonal trading hours can extend outside these hours. It is therefore recommended under the conditions that details for the enclosing and acoustic treatment of the loading docks are to be provided with the DA's for Stages 1 and 2.

A number of deficiencies were identified in the acoustic report and additional concerns will need to be adequately addressed with any operational consent issued for each of the future stages. A further acoustic impact assessment will need to be undertaken for consideration under the Stage1 development application. It is noted that there will be potential for future redevelopment of surrounding sites with increased densities over time.

There will be potential for construction noise for a limited duration as a consequence of the development, however this concern can be addressed under the DA's to be lodged for each of the future stages.

Whether the development provides safety, security and crime prevention.

The principles of Crime Prevention Through Environmental Design (CPTED) have been considered under the design of the proposed new development. The applicant has identified a number of general design considerations and measures to be included with the proposal to discourage anti-social behaviour and minimise the opportunities for criminal activities.

The general measures includes CCTV security camera coverage within the centre which will extend to the external areas around the street front of the development. Natural surveillance to external areas will be maximised through the design of the development that includes viewing from the podium level and from adjoining tenancies. The loading dock and service areas will not be covered by CCTV but further details regarding their management for safety and security will be provided with each future DA stage. Electronic gated access will be included between retail, hotel and residential parking areas. Access control measures will prevent access to the retail car park during non-operating times. The proposal will include electronic control of access to residential lift levels and secure access to lobbies for hotel and residential guests. A detailed CPTED assessment identifying the specific measures to be adopted as part of the development will be provided with the DA for each stage.

Services

The existing services within the road reserve along with overhead electricity will need to be adjusted in future along the Denning Street and Taylor Street frontages. These services will need to be provided underground in order to facilitate the development, with particular attention given to the Taylor Street hotel residential entry / exit. Detailed assessment will be required as part of the future DA's.

Street lighting

A future investigation of the existing lighting category will need to be undertaken to determine if the existing street lights need to be upgraded in accordance with the current Australian Standards. The internal lighting of the carpark will be required in accordance with the relevant Australian Standards. This matter can be addressed during detailed Stages 1, 2 and 3 DA's.

Air quality

There are no physical works under the current application, however, air quality and dust will need to be addressed under the future operational DA's for stages 1, 2 and 3 during demolition, earthworks and construction phases requiring adoption of appropriate measures to minimise emissions into the surrounding environment.

Infrastructure Impacts (water and sewer)

The proposed development will impact upon Council's water and sewer mains. With the acquisition of the 112-114 The Entrance Road The Entrance (Mitre 10), the trunk sewer mains can be reduced in length to the southern boundary. Certain construction protection measures will need to be provided in order to ensure the integrity of the gravity sewer line servicing 2-6 Warrigal Street The Entrance. A minimum of 1.5 metre horizontal clearance shall also be provided from the outer edge of the entire existing manhole structures. Any proposed roundabout in The Entrance Road / Ashton Ave will impact upon the existing trunk water main in the road carriageway. The site is located within The Entrance Development Servicing Plan. As previously stated, water and sewer contributions will be required for this proposal and will be determined as part of future developments.

Lot Consolidation

The development site comprises multiple lots and lot consolidation will be necessary to ensure that the development is located entirely on a single allotment. There are a number of burdens associated with all of these properties including Right of Ways and easements for sewer. The removal of redundant burdens may also be done as part of this consolidation process. This is to be addressed through an appropriate condition.

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

b) Natural Environment

The site is an urban infill lot currently used as a supermarket, retail and carparking. There will be no significant impact upon the natural environment as a result of the proposal.

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

ECOLOGICALLY SUSTAINABLE PRINCIPLES

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

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

Climate Change

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

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

Sustainable building design: The proposal includes initiatives for energy and water efficiency which are further detailed later in the report.

Reduced Car Dependence: There is a bus stop located along The Entrance Road site frontage that is serviced by Red Bus Service who provides a frequent and regular service to and from the site and links to other centres, employment areas and train stations.

THE SUITABILITY OF THE SITE FOR THE DEVELOPMENT

The site is identified as a “Key Site” and the design of the proposal utilizes the bonus height provisions. The site is situated within an established town centre location which is well serviced with a high level of amenity. The site context is undergoing a transition and the proposal is consistent with the planned future character and higher density form of development on the identified key sites located within The Entrance town centre. The relevant planning controls that apply to the site encourage a higher density of development on each of the nominated key sites.

Any submission from public authorities.

NSW Police Force

The application was referred to the NSW Police Tuggerah Lakes Local Area Command Crime Prevention Officer for comment in relation to Crime Prevention Through Environmental Design (CPTED). As no comment was received within the specified 28 days nominated for comments, therefore in accordance with Council’s Protocol, Council can assume that the NSW Police raise no objection to the proposal. A condition has however, been added that requires a safer by design report for each stage.

NSW Roads and Maritime Authority

The application was referred to NSW RMS for comment under the provisions of SEPP Infrastructure 2007 (Schedule 3 Column 2) and in consideration of Section 87 of the Roads Act 1993 in relation to traffic control signals. The RMS reviewed the proposal and advised *Roads and Maritime's main area of interest in the subject development is in the impact of the development on the safety and efficiency of The Entrance Road and Denning Street traffic control signals. Further, Roads and Maritime understands that the proposed improvement to facilities at the bus hub will not involve an indented bus bay or adjustment to the existing kerb line.*

The RMS have raised no objections to the proposed development, however, advice was provided regarding The Entrance Road and Denning Street intersection and traffic arrangements to improve the operation of the intersection. Concern was raised in relation to adequacy of various turning paths proposed for the development acknowledging that Council should ensure vehicular accesses to the site associated with the proposal are of sufficient width to enable the design vehicle to enter and exit in a safe manner. Relevant requirements from the NSW RMS have been included in the recommended conditions.

NSW Fire Brigade

The application was referred to the NSW Fire Brigade for comment. No response within the nominated timeframe was received. Fire Safety will be a matter for consideration as part of future DA's.

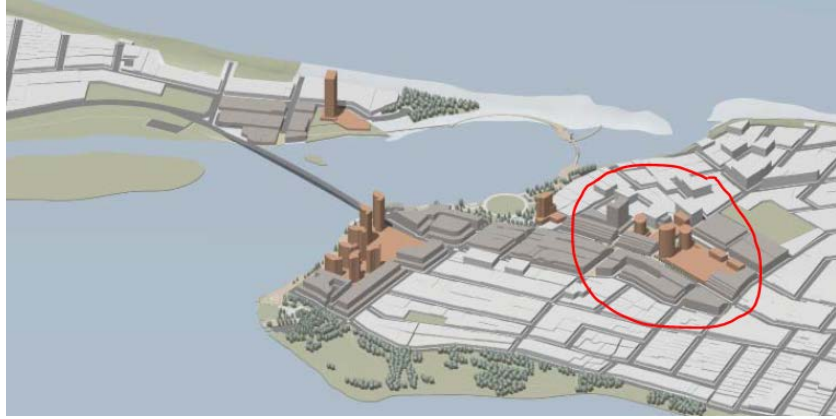
THE PUBLIC INTEREST (s79C(1)(e)):***Any Federal, State and Local Government interests and community interests.***

There are no matters associated with the proposal that would be considered contrary to the local or community interest. The proposal will create additional employment and retail opportunities for the Central Coast Region.

The Entrance Town Centre Masterplan

Under the Masterplan, the site is identified as a 'key iconic development site'. The Masterplan states that key development sites have the capacity provide change and harness investment in The Entrance. The masterplan created a vision for the future of the Entrance town centre and was based on *The Entrance Peninsula Planning Strategy* and the *Iconic Development Sites* program. The master plan was based on a series of stakeholder open forum community workshops held over a period of 6 months starting in April 2011. The purpose of the masterplan was to establish a direction and vision for the future of the town.

Under the Masterplan, the site is one of seven key sites identified within The Entrance Town Centre. The Masterplan recognises the relationships between the identified key sites as anchors in the urban framework that encourage pedestrian activity through The Entrance. The location of the key sites is intended to influence the formation of precincts as the key sites will become hot spots and destinations within the pedestrian framework and allow for the construction of related public spaces, promenades and forecourts. The Civic Hub of The Entrance will be significantly altered by the design of the key iconic development sites

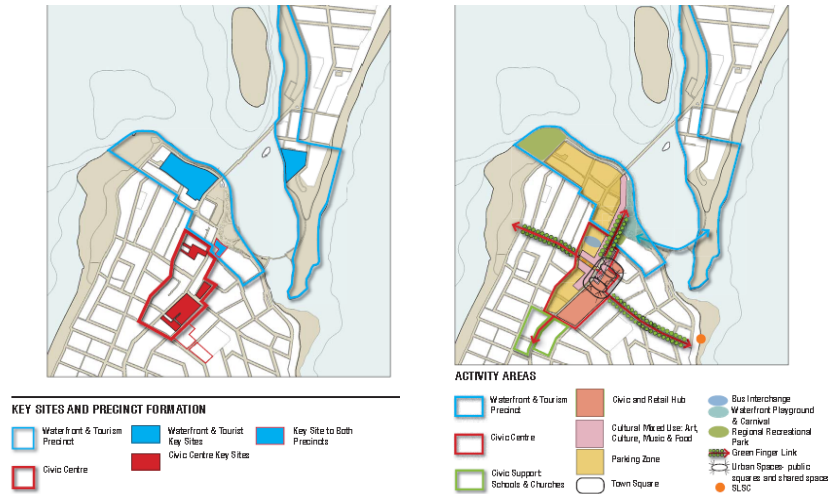


Above: Extract from the Masterplan showing view of iconic sites within The Entrance looking east with the subject site circled in red



Above: Extract from the Masterplan showing view of iconic sites within The Entrance looking west with the subject site circled in red

The proposal is generally consistent with the urban form envisaged for the redevelopment of the site. The masterplan envisages the establishment of a *town square as a precinct as opposed to a single urban piazza*. The town square is seen as the civic heart of The Entrance. The masterplan identifies a 'pedestrian only' retail square outside the subject site. However, at this stage Council is not supporting any closure of Dening Street due to the limitation closure would cause to emergency vehicles including the Police Station on Dening Street. Therefore, the design of the development as proposed is not consistent with some aspects of the adopted Masterplan for The Entrance, including the establishment of a town square that includes the closure of Dening Street.



Above: The key sites precincts and activity areas showing the key site as part of the civic centre (left) and the civic and cultural hub (right).

The proposal is generally consistent with the other principles outlined in the masterplan which include the creation of social spaces, pedestrian activation of streets, creation of key sites as hotspots. The masterplan identifies a cycleway along Dening Street in front of the site. The masterplan states, *the heights of key iconic development buildings will be greater than surrounding development to assist in the creation of public spaces such as plaza's parks and other facilities for community benefit.*

The Masterplan also highlights the relationship between the two northern towers proposed on the Lakeside site and other development anticipated in The Entrance. The Masterplan demonstrates the potential redevelopment of surrounding sites, including residential sites along Taylor Street which potentially benefit from floor space ratio and height bonuses under the LEP (for site amalgamations).

The Entrance Peninsula Planning Strategy

Under the Strategy, the site is located within Precinct 6 known as 'The Entrance Town Centre' and the subject site is identified as the 'Lakeside Plaza Site'. The strategy acknowledged the importance of the site as an anchor at the southern end of the town centre. The proposal is generally consistent with the recommendations of The Entrance Peninsula Planning Strategy to provide active frontages along The Entrance Road, Dening Street and Taylor Street and to provide gateway features at the junctions of The Entrance Road and Dening Street. The strategy identifies the importance of the corner at The Entrance Road and Dening Street for appropriate public art.

The recommendations of the strategy informed the current controls that apply to the site. Although the strategy had envisaged lower height than those currently permitted on the site (ie. 18m height limit). The proposal facilitates 'catalyst development' and utilizes the adopted changes to building height under the strategy.

OTHER MATTERS FOR CONSIDERATION***Environmental Planning and Assessment Act 1979*****• Division 2A – Special procedures concerning staged development applications.**

The application is a staged development application having been lodged under the provisions of Sections 83B and 83C of the EP&A Act. Section 83B reads:

83B Staged development applications

- (1) For the purposes of this Act, a **staged development application** is a development application that sets out concept proposals for the development of a site, and for which detailed proposals for separate parts of the site are to be the subject of subsequent development applications. The application may set out detailed proposals for the first stage of development.*
- (2) A development application is not to be treated as a staged development application unless the applicant requests it to be treated as a staged development application.*
- (3) If consent is granted on the determination of a staged development application, the consent does not authorise the carrying out of development on any part of the site concerned unless:
 - (a) consent is subsequently granted to carry out development on that part of the site following a further development application in respect of that part of the site, or*
 - (b) the staged development application also provided the requisite details of the development on that part of the site and consent is granted for that first stage of development without the need for further consent.**

The DA seeks concept approval only with three operational stages to be lodged under future separate DA's. Therefore, no physical works are to be carried out under this DA.

- Schedule 4A – Development for which regional panels may be authorised to exercise consent authority functions of councils

The proposal has a nominated capital investment value of \$298,088,724 which in accordance with Clause 3 exceeds \$20 million and is therefore development for which a regional panel can exercise the consent authority functions of the Council. Accordingly, the application is referred to the Hunter and Central Coast JRPP for determination.

Environmental Planning and Assessment Regulation 2000

Clause 70A identifies that information required for a staged DA may be deferred to a subsequent DA and states:

Despite clause 50 (1) (a), the information required to be provided in a staged development application in respect of the various stages of the development may, with the approval of the consent authority, be deferred to a subsequent development application.

The current application seeks concept approval only with no operational works to be approved under the current DA. All construction works shall be the subject of separate development application in three stages. The applicant has requested a number of matters be conditioned to be provided and further detailed in each of the future DA's for the proposal.

Contributions

As the DA is seeking concept approval only, with no operational works under the application, Section 94 contributions are not applicable to this application. Section 94 contributions will be applicable to each of the stages under the future DA's that include physical works and additional demand on existing infrastructure.

Additionally, there is a contributions plan that applies to the site for any parking shortfall and this will be applied to the operational DA's for the future stages of the development.

Water and Sewer Contributions

As the DA is seeking concept approval only, with no operational works under the application, Water and sewer contributions are not payable at this stage but will be applicable for the proposal under the future stages of the development wherein approval under the *Water Management Act 2000* and will need to be obtained.

Public Benefit Contributions

While this application seeks a 100% variation to public benefit contributions, it is noted that the DCP Clause relates to those applications which allow development beyond the base height limit. This application, is a concept DA and any development on the site will be subject of a further DA which provides detailed consideration of a the development plans. A condition is proposed which notes that the development shown in Stage 3 will be subject to public benefit contributions.

CONCLUSION

The application seeks concept approval for the construction of a staged mixed use development including demolition of existing buildings and construction of a mixed use development including a shopping centre, shoptop housing, hotel accommodation, restaurant, multi-purpose function space, and ancillary parking and other works. The application has been lodged under Sections 83B and 83C of the Act and proposes three construction stages.

The proposal includes a retail podium and two towers which utilise the bonus LEP height of 113.8 metres (rather than 23 metres) as the site is identified as a 'key site' under LEP 2013. The bonus building height is permitted where a proposal demonstrates significant public benefits. Although it would have been preferable to have an accepted significant public benefit offer confirmed for this initial concept development application, there is however, opportunity to secure significant public benefit through later stage development applications when the height bonus and additional infrastructure demand is triggered. The variation is therefore supported at this concept DA stage.

Clause 70A of the Regulation 2000 allows for the information required to be provided in a staged development application to be deferred to a subsequent application. In this instance, the development application seeks approval for concept only approval with no operational works. Three operational stages will be the subject of future development applications for each stage.

The proposal has been assessed using the heads of consideration in Section 79C and under 83B and 83C of the *Environmental Planning and Assessment Act 1979*. It is generally considered the proposed development is suitable for approval subject to conditions. The proposal is recommended for approval.

ATTACHMENTS

Attachment 1 – Numerical Compliance Table

Attachment 2 – Residential Flat Design Code – Compliance Table

Attachment 3 – State Environmental Planning Policy No 71 – Coastal Protection

Attachment 4 – Key Sites Clause 7.11 Compliance Table

Attachment 5 – Wyong DCP Chapter 5.3 Compliance Table

Attachment 6 – Wyong DCP Chapter 6.1 (Key Sites) Clause 3.5 Requirements for Lakeside Plaza.

Attachment 1 – Numerical Compliance Table

Numerical Compliance Table (Relevant controls under related DCP LEP SEPP)			
Control	Proposed	Required	Compliance
Site Area	21,357m ²	-	-
Height (WLEP 2013)	113.8 m 30 storeys	113.8 m	Yes
FSR (WLEP 2013)	3:1	3:1	Yes
Gross Floor Area	64,068m ²	64,071m ²	Yes
- Retail	15,703m ²	-	
- Residential	39,110m ²	-	
- Hotel	9,355m ²	-	
- -Restaurant	500m ² GLA		
- -Convention	750m ² GLA		
Apartment Mix	478 (total)	Satisfactory mix	Yes
-1 Bed	169 (34.5%)		
-2 Bed	260 (54.4%)		
-3 Bed	49 (10.3%)		
Podium setbacks	Nil	Nil	
Tower setback -The Entrance Road (Chapter 5.3)	Nil- 6m	10m	No
Tower setback- Dening Street (Chapter 5.3)	Nil - 3.5m	10m	No
Tower setback- Taylor Street (Chapter 5.3)	5m	10m	No
Separation distances - Between habitable rooms/balconies - (SEPP 65)	23.5m	24 metres	No
Building depth (SEPP 65)	29 metres, adequate light and ventilation available on concept plans but this can be further demonstrated under DA for Stage 3	10-18 metres if wider than 18 metres must demonstrate how satisfactory daylighting and natural ventilation are to be achieved.	No but to be further demonstrated under the DA for Stage 3
Solar access (DCP Ch 2.4 and SEPP 65)	70%	70% of apartments receive 3 hours direct sunlight between 9am - 3pm mid-winter. In dense urban areas a minimum of 2 hours. • Limit single aspect apartments with a southerly aspect to a maximum of 10% of total units.	Yes
Cross Ventilation (SEPP 65)	60%	60% of units to be naturally cross ventilated.	Yes

Control	Proposed	Required	Compliance
Private open space Balconies & Courtyards: <ul style="list-style-type: none"> - Min area - Min dimension - Directly accessible from living area Solar access	Indicative only 10m ² /each dwelling 2m Adjoining living area 70%	10m ² /each dwelling 2m Adjoining living area 70% receive 3 hrs btn 9am-3pm mid-winter	To be specified at stage 3 DA.
Communal Open Space Min dwelling Min dimension Min 3hrs solar access (DCP Ch 2.4)	Details to be provided at Stage 3	20m ² /dwelling Min 2m 75% of area	To be specified at stage 3 DA
Parking (DCP Ch 2.11) <ul style="list-style-type: none"> - Retail - Restaurant - Convention - Hotel - Residential - Disabled 	1433 709 - - 103 621	1577 600 75 112.5 138 650	No, 144 spaces shortfall
Residential (as above) <ul style="list-style-type: none"> - Visitor - Washbay - Accessible 	No details provided	172 1 48	To be specified at stage 3 DA
Adaptable Units (DCP Ch 2.4)	Details to be provided at Stage 3	10%	Details to be provided at Stage 3
Laundries (Ch 2.4)	Internal laundry for each dwelling	1/dwelling	To be specified at stage 3 DA
Storage (DCP Ch 2.4) 1-2 bedrooms 3 or more bedrooms	To be specified at stage 3 DA	3m ² 6m ²	To be specified at stage 3 DA
Basix Certificate Nathers (SEPP BASIX)	Not provided as to be deferred to future Stage 3 DA		To be provided at stage 3 DA
Public benefits (DCP Ch 6.1)	Not provided. To be deferred to future stage 3 DA		To be specified at stage 3 DA
Bicycle parking facilities <ul style="list-style-type: none"> - Residential - Non residential 	To be specified at stages 1 and 2 DA's	1/3 dwellings 1/10 car spaces	To be specified at stages 1 and 2 DA's
Motorcycle parking	To be specified at stages 1 and 2 DA's	1/50 car spaces	To be specified at stages 1 and 2 DA's

**Attachment 2 - Residential Flat Design Code – Compliance Table
(SEPP No. 65 (Design Quality of Residential Flat Buildings))**

	Guideline	Comment	Compliance
Part 1 Local Context			
Context	Local Context • Undertake a local context analysis.	The site has been identified as a key site within a transitioning local context.	Satisfactory
	Residential Flat Building Types • Tower apartments are best used where higher densities are desired; provide for strong urban forms and precincts; and mixed uses at lower levels.	The planning controls require a mixed use development with a podium and tower form, acknowledging the importance of the site within the town centre.	Satisfactory
	Amalgamation • Consideration of streetscape and existing lot pattern.	The lots comprising the site will be amalgamated.	Satisfactory
	Building Envelopes • Establish the allowable bulk, height and location of a development on a site.	The envelope and primary development controls have been determined under Wyong DCP 2013.	Satisfactory
	Building Height • Test height controls against the FSR and the proposed number of storeys and minimum ceiling heights.	A bonus height applies to the site under the planning controls for key sites. The proposal complies with the allowable height and FSR for the site.	Satisfactory
	Building Depth • An apartment building depth of 10-18 metres is appropriate. Developments that propose wider than 18 metres must demonstrate how satisfactory daylighting and natural ventilation are to be achieved.	Building depth for the proposal ranges between 10m-29m with the maximum 29m depth only applicable in the mid-section of the oval shaped building. An average depth of around 19 metres.	Unsatisfactory
	Building Separation Increase building separation distances as building height increases as follows: Up to four storeys: • 12m between habitable rooms/balconies. • 9m between habitable rooms/balconies and non-habitable rooms. • 6m between non-habitable rooms. Up to five to eight storeys: • 18m between habitable rooms/balconies. • 13m between habitable rooms/balconies and non-habitable rooms.	The development does not comply with the required separation distances between the two towers. A separation distance of 24m is required between habitable rooms/balconies (for 9 storeys & above) There is a separation distance of around 22.5m between the tower buildings.	Unsatisfactory

	<ul style="list-style-type: none"> • 9m between non-habitable rooms. <p>Nine storeys and above:</p> <ul style="list-style-type: none"> • 24m between habitable rooms/balconies. • 18m between habitable rooms/balconies and non-habitable rooms. • 12m between non-habitable rooms. 		
	<p>Street Setbacks</p> <ul style="list-style-type: none"> • Identify desired streetscape character. • Minimise overshadowing of street and buildings. • Consider secondary upper level setbacks to reinforce desired scale of buildings on the street. • Underground parking structures, awnings and balconies may encroach on the setback. 	Although the street setbacks are not strictly consistent with the DCP, the intent of the DCP for a gateway building form is achieved.	Satisfactory
	<p>Side and Rear Setbacks</p> <ul style="list-style-type: none"> • To retain or create rhythm or pattern of development that positively defines the streetscape so that space is not just what is left over around the building form. • Consider building separation, open space and soil zones. • Relate setbacks to existing streetscape pattern. 	The street setbacks are considered satisfactory.	Satisfactory
	<p>Floor Space Ratio</p> <ul style="list-style-type: none"> • Height, setbacks and FSR are to be consistent. 	Height, and FSR are included under Wyong LEP 2013 and the proposal complies with these. The setbacks are considered to be appropriate for the site despite the variation sought for the street setback for the residential tower building.	Satisfactory
Part 2 Site Design			
Site Analysis	Site analysis to include plans and sections of the existing site conditions and their relationship to the surrounding context.	Site context is intended to undergo change. Appropriate consideration of the opportunities and constraints of the site has been undertaken as part of the overall site analysis.	Satisfactory
Site Configuration	<p>Deep Soil Zones</p> <ul style="list-style-type: none"> • Optimise provision of deep soil zones. • Support a rich variety of vegetation type and size. • Increase permeability of paved areas. • 25% of open space to be deep soil zone. 	Negligible deep soil zones (45m ²) are proposed as part of the development. The SEPP requires 25% of open space to be deep soil and the proposal includes 0%. Conditions have been recommended for the	Unsatisfactory to be considered under future DA's.

		provision of deep soil planting adjoining the residential building on the southern boundary.	
	Fences and Walls	The proposed design does not include courtyards or ground level open space areas facing the public domain requiring fencing or wall treatments.	N/A
	<p>Open Space</p> <ul style="list-style-type: none"> • Area of communal open space at least 20-30 % of site area. Alternatively in smaller sites increased private open space (POS) be provided or a contribution to open space. • Minimum area of ground/podium level POS per dwelling (ie.courtyards) is 25m² & min dimension 4 m. <p>Where communal open space (COS) may be provided on podium. Where COS inadequate consideration be made of adequacy of public open space provision in locality.</p> <ul style="list-style-type: none"> • Contribute to streetscape character and the amenity of the public domain. 	<p>Communal open space area is proposed on the podium level for each one of the three shoptop buildings. However, calculations have not been provided at this concept stage. Details will be provided in the DA for stage 3 containing the residential accommodation.</p> <p>Private open space in the form of balconies sizes will also be detailed as part of the Stage 3 DA.</p>	Satisfactory Cconditioned to be considered under future DA's.
	<p>Orientation</p> <ul style="list-style-type: none"> • Optimise solar access (maximise north facing walls) • Provide adequate building separation • Align buildings to the street on east-west streets • L shape configurations 	The proposal optimises solar access to living spaces within the confines of the site. Adequate separation has been provided.	Satisfactory
	<p>Planting on Structures</p> <ul style="list-style-type: none"> • Optimum conditions for tree planting and plant growth including soil conditions, soil depth and irrigation. 	The proposal includes tree planting on the podium level and details for the appropriate soil depths etc will be included under the future DA's for each relevant stage of the development.	Satisfactory Conditioned to be considered under future DA's.
	<p>Stormwater Management</p> <ul style="list-style-type: none"> • Retaining and reuse of rainwater run off • Use of grey water • Contribute to water and stormwater efficiency. 	Harvested rainwater will be reticulated to all irrigation systems throughout the development and for car washing.	Satisfactory This matter can be further considered under the further details to be provided with the future DA for stage 3.
Site Amenity	<p>Safety</p> <ul style="list-style-type: none"> • Delineate private and public space. • Optimise visibility, functionality, and 	The principles of Crime Prevention Through Environmental	Satisfactory Conditioned to be

	<p>safety of building entrances.</p> <ul style="list-style-type: none"> • Improve opportunities for casual surveillance. • Minimise opportunities for concealment. • Control access to the development. 	Design (CPTED) have been considered under the concept proposal with further details to be provided with the future DA's for each stage.	considered under future DA's.
	<p>Visual Privacy</p> <ul style="list-style-type: none"> • Maximise visual privacy between adjoining buildings by separation, setbacks and site layout. • Design layouts to minimise direct overlooking of rooms and private open spaces. • Use site and building design elements to increase privacy without compromising light and air access. 	There is potential for privacy impacts. Visual privacy will be addressed under the future DA's for each stage. A condition is recommended to in relation to this aspect of the proposal.	Satisfactory Conditioned to be considered under future DA's.
Site Access	<p>Building Entry</p> <ul style="list-style-type: none"> • Improve presentation to street by entry treatment. • Direct connection and clear transition between street and entry. • Ensure equal access for all. • Provide safe and secure access. • Separate building entry from car parks. • Design entries/circulation to allow furniture movement. Provide mailboxes to be convenient, but not clutter the appearance of the development from the street. 	Good legibility and design has been considered under the concept proposal with further details to be provided with the future DA's for each stage.	Satisfactory to be considered under future DA's.
	<p>Parking</p> <ul style="list-style-type: none"> • Determine car spaces by access to public transport, density and ability to accommodate on site. • Limit visitor spaces, where impact on landscape and open space is significant. • Give preference to underground parking. • Provide bicycle parking which is easily accessible. 	This matter has been assessed under Council's relevant DCP controls.	Satisfactory
	<p>Pedestrian Access</p> <ul style="list-style-type: none"> • Accessible routes to public and semi-public areas. • Promote equity by entry location and ramps. • Ground floor apartments to be accessible from the street and associated open space. • Maximise number of accessible, visitable and adaptable apartments in a building. • Barrier free access to at least 20% of dwellings. 	Pedestrian access and accessible design has been considered under the concept proposal with further details to be provided with the future DA's for each stage.	Satisfactory to be considered under future DA's.
	<p>Vehicle Access</p> <ul style="list-style-type: none"> • Ensure adequate separation between vehicle entries and street intersections. • Optimise opportunities for active street frontages and streetscape design. • Improve appearance of car parking entries. • Limit width of driveways to 6 metres. • Locate vehicle entries away from pedestrian entries and on secondary 	Access to the development has been considered under the concept design for the proposal with further details to be provided with the future DA's for each stage.	Satisfactory to be considered under future DA's.

	frontages.		
Part 3 Building Design			
Building Configuration	<p>Apartment Layout</p> <ul style="list-style-type: none"> • Determine apartment sizes in relation to location, market, spatial configuration and affordability. • Ensure apartment layouts are resilient over time. • Design layouts to respond to natural and built environments and optimise site opportunities. • Avoid locating kitchen in circulation space. • Include adequate storage in the apartment. • Ensure apartments facilitate furniture removal and placement. • Single aspect apartments to have maximum depth of 8m from a window. • Kitchen to be maximum of 8m from window. • Minimum apartment sizes outlined under the SEPP as affordable housing. 1 bed -50m² min 2 bed -70m² min 3 bed -95m² min 	This matter can be further considered under the further details to be provided with the future DA for stage 3.	Satisfactory to be considered under the future DA for Stage 3.
	<p>Apartment Mix</p> <ul style="list-style-type: none"> • Provide variety of apartments in larger buildings. • Refine appropriate mix by considering population trends and proximity to transport, employment and services. • Locate mix of 1 and 3 bed units on ground floor to enable access by disabled, elderly and families. • Optimise accessible and adaptable apartments. 	The development provides for an appropriate mix of 1 bedroom (35.4%), 2 bedroom (54.4%), and 3 10.3%) bedroom units. There are 48 apartments (10% which are to be adaptable units. Adaptable units are not detailed and conditions are to be recommended to address this under the future DA for Stage 3.	Satisfactory to be considered under future DA
	<p>Balconies</p> <ul style="list-style-type: none"> • Provide at least one primary balcony. • Primary balconies to be adjacent to living area. • Consider secondary balconies in larger apartments, adjacent to bedrooms and for clothes drying. • Balconies to respond to local climate and context, solar access, wind and privacy. • Design balustrades to allow views and casual surveillance, while providing safety and privacy. • Coordinate and integrate building services with façade and balcony design. • Primary balcony to have minimum depth of 2m. 	Balcony design and compliance will be further detailed under the future DA for Stage 3.	Satisfactory to be considered under future DA

Building Configuration	<p>Ceiling Heights</p> <ul style="list-style-type: none"> • Coordinate internal ceiling heights and slab levels with external height requirements. • Minimum floor to ceiling height of 2.7m. • Variations to demonstrate satisfactory daylight. 	Ceiling heights have been considered under the concept design for the proposal with further details to be provided with the future DA for stage 3.	Satisfactory to be considered under future DA
	<p>Flexibility</p> <ul style="list-style-type: none"> • Provide robust building configurations which utilise multiple building entries and circulation cores. • Promote accessibility and adaptability by accessible and visitable apartments and pedestrian access. 	Adaptable apartments are to nominated and detailed under the future DA for Stage 3.	Satisfactory
	<p>Internal Circulation</p> <ul style="list-style-type: none"> • Increase amenity and safety by generous widths, lighting, minimising lengths, avoiding tight corners, legible signage and adequate ventilation. • Maximum of 8 units accessible from a single core. Support better apartment layouts by designing buildings with multiple cores. • Articulate longer corridors by using series of foyer areas and windows along or at end of window. • Minimise maintenance and maintain durability by using robust materials in common circulation areas 	10 units are proposed to access from a single core/corridor which exceeds the maximum of 8 units. There are no tight corners and the corridors have a window at either end. This matter can be further considered under the further details to be provided with the future DA for stage 3.	Unsatisfactory but to be further considered under future DA.
	Mixed Uses	Retail activities are proposed on the ground floor street level and are integrated into the overall development. The retail uses activate the street frontage of the development.	Satisfactory
	<p>Storage</p> <ul style="list-style-type: none"> • 50% of storage to be within apartment and accessible from hall or living area, and dedicated storage rooms on each floor and car parks. • Storage to be suitable for local area and able to accommodate larger items (e.g. bicycles). • Ensure storage is secure for individual use. <p>1 bed 6m³ min; 2 bed 8m³ min; 3 bed 10m³ min</p>	Storage can be further considered under the details to be provided with the future DA for Stage 3.	Satisfactory to be considered under future DA for stage 3.
Building Amenity	<p>Acoustic Privacy</p> <ul style="list-style-type: none"> • Maximise acoustic privacy by adequate separation. • Internal layout to separate noise from quiet areas by grouping bedrooms and service areas. • Resolve conflicts between noise, outlook and views by design measures, such as double glazing. 	Acoustic privacy can be further considered under the details to be provided with the future DA for Stage 3.	Satisfactory to be considered under future DA's.

	<ul style="list-style-type: none"> • Reduce noise transmission from common corridors • Provide seals to entry doors. 		
	<p>Daylight Access</p> <ul style="list-style-type: none"> • Orient building to optimise northern aspect. • Ensure daylight access to communal open space March- September and shade in summer. • Optimise apartments receiving daylight access to habitable rooms and principal windows. • Design for shading and glare control. • Living rooms and private open space of at least 70% of apartments should receive 3 hours direct sunlight between 9am and 3pm in mid-winter. In dense urban areas a minimum of 2 hours may be acceptable. 	<p>The indicative concept plan for each residential floor shows 7 of the 10 apartments on each floor receive a minimum of 3 hours solar access midwinter. This equates to 70% of units which complies. This matter will be further considered under the future DA for Stage 3 as the unit configurations on each floor may change.</p>	Satisfactory
	<ul style="list-style-type: none"> • Limit single aspect apartments with a southerly aspect to a maximum of 10% of total units. 	<p>The indicative concept plan for each residential floor shows 4 out of 10 units on each floor being single aspect apartments. This exceeds 10 % of total units and can be further considered under the future DA for Stage 3 .</p>	Unsatisfactory but further considered under the future DA for Stage 3
	<p>Natural Ventilation</p> <ul style="list-style-type: none"> • Promote and guide natural breezes. • Utilise building layout and section to increase potential for natural ventilation. • Internal layout to minimise disruptions and group rooms with similar usage together. • Select doors and operable windows to utilise air pressure or windows to funnel breezes. • Coordinate design with passive solar design. • Explore innovative technologies to ventilate rooms. • 10-18m building depth recommended for natural ventilation. • 60% of units to be naturally cross ventilated. • 25% of kitchens to have access to natural ventilation. 	<p>The indicative concept plan for each residential floor shows 6 of the 10 apartments on each floor have a dual aspect created by the curve of the building or a recess allowing cross ventilation. This equates to 60% of the units which complies with the SEPP. The other single aspect apartments can be cross ventilated via the central corridor which is ventilated through openings at each end.</p> <p>This and other SEPP 65 matters will be further considered under the future DA for Stage 3 as the unit configurations on each floor may change.</p>	Satisfactory but further considered under the future DA for Stage 3
Building Form	<p>Awnings and Signage</p> <ul style="list-style-type: none"> • Locate awnings over building entries. • Enhance safety by providing lighting. 	No details provided	Details with future stages of applications

	<p>Facades</p> <ul style="list-style-type: none"> • Consider relationship between building form and façade or building elements. • Facades to have appropriate scale, rhythm and proportion responding to use and desired character. • Facades to reflect orientation of site using sun shading devices. Coordinate and integrate building services and utility items. • Express important corners by giving visual prominence to parts of the façade. 	<p>Concept façade design is satisfactory, however, this aspect of the proposal will be further considered under the future DA for Stage 3</p>	<p>Satisfactory but further considered under the future DA's for each stage.</p>
	<p>Roof Design</p> <ul style="list-style-type: none"> • Relate roof design to desired built form. • Relate to size and scale of building, elevations, building form. • Respond to orientation of site. • Minimise visual intrusiveness of service elements. • Facilitate use of roof for sustainable functions. 	<p>Proposal includes a skillion roof design accommodating plant and equipment. The building roof has been designed as an architectural feature of the building form.</p>	<p>Satisfactory</p>
Building Performance	<p>Energy Efficiency</p> <ul style="list-style-type: none"> • Incorporate passive solar design to optimise heat storage in winter and heat transfer in summer. • Improve control of mechanical heating and cooling. • Plan for photovoltaic panels. • Improve hot water system efficiency. • Reduce reliance on artificial lighting. • Maximise efficiency of household appliances. 	<p>Concept details provided for the proposal indicate the proposal will adopt a number of measures for energy efficiency. Basix Certificates will be provided for the future DA for the residential accommodation in Stage 3.</p>	<p>Satisfactory</p>
	<p>Maintenance</p> <ul style="list-style-type: none"> • Design windows to enable internal cleaning. • Select manually operated systems, such as blinds. • Incorporate and integrate building maintenance systems into the design of the building form, roof and façade. • Select durable materials which are easily cleaned. • Select appropriate landscape elements and vegetation and provide appropriate irrigation systems. • Provide garden maintenance and storage area. 	<p>This aspect of the proposal will be further considered and detailed under the future DA for Stage 3</p>	<p>Satisfactory but further considered under the future DA's for each stage</p>
	<p>Waste Management</p> <ul style="list-style-type: none"> • Incorporate existing built elements where possible. • Specify building materials that can be reused or recycled. Recycle and reuse demolished materials. • Integrate waste management into all stages of project. Support waste management by specifying project needs and reducing waste by using standard product sizes. • Prepare waste management plan. • Locate storage areas for bins away from 	<p>A condition will be included requiring a waste management plan to accompany each future application for each stage of the development.</p>	<p>Satisfactory but further considered under the future DA's for each stage</p>

	<p>street frontage.</p> <ul style="list-style-type: none"> • Provide waste cupboards or temporary storage area. • Incorporate on-site composting where possible. 		
	<p>Water Conservation</p> <ul style="list-style-type: none"> • Use AAA rated appliances. • Encourage use of rainwater tanks. • Collect, store and use rainwater on site. • Incorporate local native vegetation in landscape. • Consider grey water recycling. 	<p>Concept details provided for the proposal indicate the proposal will adopt a number of measures for water conservation. Rainwater harvesting for on-site irrigation and car washing is proposed. A BASIX Certificate shall be required to be submitted for each of the Basix affected buildings within the development under the future DA for Stage 3.</p>	<p>Satisfactory but further considered under the future DA's for each stage.</p>

Attachment 3 - State Environmental Planning Policy No 71 – Coastal Protection

Cl.8	Matters for Consideration	Proposed
a	The aims of the Policy	The proposal is consistent with the aims of the Policy in terms of protection of the coastal zone and environment; and the proposal will not affect access to foreshore areas.
b	Existing public access to and along the coastal foreshore for pedestrians or persons with a disability should be retained and, where possible, public access to and along the coastal foreshore for pedestrians or persons with a disability should be improved.	Existing public access to the site and foreshore is not diminished under the proposal. The proposal involves the provision of facilities that will support the access to and use of the site by persons with a disability.
c	Opportunities to provide new public access to and along the coastal foreshore for pedestrians or persons with a disability.	The site does not directly adjoin the foreshore. Access to the foreshore is not diminished under the proposal.
d	The suitability of development given its type, location and design and its relationship with the surrounding area.	The proposal will attract more visitors to enjoy the foreshore. The development is considered suitable for the site and surrounding area.
e	Any detrimental impact that development may have on the amenity of the coastal foreshore, including any significant overshadowing of the coastal foreshore and any significant loss of views from a public place to the coastal foreshore.	The proposal is not expected to result in any significant overshadowing of the coastal foreshore or significant view loss from a public place to the coastal foreshore.
f	The scenic qualities of the New South Wales coast, and means to protect and improve these qualities.	The proposal will be readily visible along the coastline, however, given the long term planning of the redevelopment of the site, the impact on the scenic qualities of the coastline is considered acceptable.
g	Measures to conserve animals (within the meaning of the <u>Threatened Species Conservation Act 1995</u>) and plants (within the meaning of that Act), and their habitats.	The proposal does not adversely impact on any threatened species or habitat.
h	Measures to conserve fish (within the meaning of Part 7A of the <u>Fisheries Management Act 1994</u>) and marine vegetation (within the meaning of that Part), and their habitats.	The proposal has no impact on the conservation of fish and marine vegetation.
i	Existing wildlife corridors and the impact of development on these corridors.	The proposal will not affect any identified wildlife corridor.
j	The likely impact of coastal processes and coastal hazards on development and any likely impacts of development on coastal processes and coastal hazards.	The subject site is not identified subject to coastal hazards.
k	Measures to reduce the potential for conflict between land-based and water-based coastal activities.	The proposal has no impact on water-based coastal activities.
l	Measures to protect the cultural places, values, customs, beliefs and traditional knowledge of Aboriginals.	The subject site does not contain known aboriginal objects or relics.
m	Likely impacts of development on the water quality of coastal waterbodies.	Sediment and erosion controls will be adopted during construction and there is no likely adverse impact on water quality.

n	The conservation and preservation of items of heritage, archaeological or historic significance.	The proposal is in the vicinity of two local heritage items. The impacts have been assessed as acceptable by Council's Heritage Consultant.
o	Only in cases in which a council prepares a draft local environmental plan that applies to land to which this Policy applies, the means to encourage compact towns and cities.	Not applicable.
p(i)	The cumulative impacts of the proposed development on the environment.	There are no unreasonable or significant cumulative impacts .
p(ii)	Measures to ensure that water and energy usage by the proposed development is efficient.	The application includes water efficiency fixtures.
CI.13	A provision of an environmental planning instrument that allows development within a zone to be consented to as if it were in a neighbouring zone, or a similar provision, has no effect.	The application does not propose to utilise such a clause.
CI.14	A consent authority must not consent to an if, in the opinion of the consent authority, the development will, or is likely to, result in the impeding or diminishing, to any extent, of the physical, land-based right of access of the public to or along the coastal foreshore.	Public access along the coastal foreshore is not impeded or diminished under the proposal.
CI.15	The consent authority must not consent to a development application in which effluent is proposed to be disposed of by means of a non-reticulated system if the consent authority is satisfied the proposal will, or is likely to, have a negative effect on the water quality of the sea or any nearby beach, or an estuary, a coastal lake, a coastal creek or other similar body of water, or a rock platform.	The development can be connected to the existing reticulated sewer system.
CI.16	The consent authority must not grant consent to a development application if the consent authority is of the opinion that the development will, or is likely to, discharge untreated stormwater into the sea, a beach, or an estuary, a coastal lake, a coastal creek or other similar body of water, or onto a rock platform.	Stormwater is to be connected to the existing Council stormwater system.

Attachment 4 - Key Sites Clause 7.11 Compliance Table

Clause 7.11 Objectives	Comment	Complies Yes/No
(1) <i>(a) to deliver a high standard of design excellence for certain key sites in Wyong,</i>	The architectural design provides for a high quality appearance that would be associated with design excellence.	Yes
<i>(b) to encourage the amalgamation of those key sites to provide opportunities for the expansion of, and improvements to, the public domain,</i>	The development site includes the amalgamation of 14 lots and includes the expansion of the shopping centre and some improvements to the streetscape surrounding the site.	Yes
<i>(c) to provide a catalyst for the social and economic development of centres within Wyong,</i>	The development will provide a catalyst for growth and development within the Entrance Town Centre.	Yes
<i>(d) to deliver significant public benefit to the community.</i>	The proposal is associated with some public benefit although significant public benefit as envisaged by the planning controls has not been provided.	No
(2) <i>This clause applies to land identified as "Key Site" on the Key Sites Map.</i>	The site is identified as a Key Site on the Key Sites map.	Yes
(3) <i>Despite clause 4.3, the maximum height for a building on land to which this clause applies is the height shown on the Key Sites Map in relation to that land if the consent authority is satisfied that a development control plan that provides for the following matters has been prepared for the land that is the subject of the development application:</i>	The proposal includes the bonus height as shown on the Key Sites map for the site and although a DCP has not been prepared for the site, the provisions of Section 83C of the act allow for the lodgement of a staged application instead of preparation of a DCP. The application was required to demonstrate that the nominated matters were addressed under the information for the Staged DA.	Yes
<i>(a) the application of the principles of ecologically sustainable development,</i>	Refer below. Further details will be provided with the DA's for the future operational stages of the development.	-

Clause 7.11 Objectives	Comment	Complies Yes/No
<p>(b) <i>green building solutions, In this clause, green building solution means a design, construction or operational solution that significantly reduces or eliminates the negative impact of the building to which it relates on the environment and includes strategies for addressing the following matters:</i></p> <p>(a) <i>energy efficiency,</i> (b) <i>greenhouse gas emission abatement,</i> (c) <i>water conservation,</i> (d) <i>waste avoidance, reuse and recycling,</i> (e) <i>pollution prevention,</i> (f) <i>enhanced biodiversity,</i> (g) <i>reduced natural resource consumption,</i> (h) <i>productive and healthier environments,</i> (i) <i>flexible and adaptable spaces.</i></p>	<ul style="list-style-type: none"> • Rainwater harvesting for all on-site irrigation and car washing. The capacity is to include both the residential parts and the retail parts. • Water efficient shower heads and taps • Water efficient toilets • Water efficient dishwashers • Native planting and low water use species. • Energy efficient HVAC systems • Energy efficient lighting including low watt fittings such as LED. • Electronic systems will be intelligently controlled. • Photovoltaic systems (at least 2exceeding 10kW)one on the rooftop of supermarket and the other on the rooftop of residential building No.3. • Density of development means residents direct access to shops, other town amenities and beaches so fewer car trips. • Installation of high efficiency appliances and mechanic services. • Preparation of a waste management plan that includes on site automated waste compacting, separation of waste streams, 90% of demolition material reused/recycled and avoidance of plastics in favour of raw or natural products and timbers for construction. • Oasis level open space to reduce urban heat and encourage sense of community. 	Yes
<p>(c) <i>design excellence, including a high standard of expertise in urban and landscape design, interior design, construction and historic preservation,</i></p>	<p>The current DA is concept only and is consistent with the SEPP 65 principles. The future DA's for each stage will see the further resolution of the architecture including the façade details for the podium levels and the materials and finishes for the building.</p>	Yes
<p>(d) <i>a high standard of architectural design, materials, unique facade treatment and detailing appropriate to the type and location of the development,</i></p>	<p>The concept DA includes a concept materials scheme only. The future DA's for each stage will see the further resolution of the architecture including the façade details for the podium levels and the materials and finishes for the building.</p>	Yes
<p>(e) <i>encouraging sustainable transport, including increased use of public transport, walking and cycling,</i></p>	<p>The concept DA includes a proposed bus hub with improvements to existing bus stop However, further details regarding the bus stop upgrade and what improvement works this involves will be provided with the operational DA for stage 2.</p>	Yes

Clause 7.11 Objectives	Comment	Complies Yes/No
(f) <i>road access, including the circulation network and the provision of car parking,</i>	The concept DA is satisfactory in relation to the road network and access and parking subject to recommended conditions that specifically apply to each DA lodged for the future operational stages of the development.	Yes
(g) <i>the impact on, and improvements to, the public domain,</i>	The concept DA includes a public domain improvements with some general improvements planned for the street frontages immediately adjoining the site. Although requested, no costing has been provided for these works.	Yes
(h) <i>environmental constraints, including acid sulfate soils, flooding, contamination and remediation,</i>	The identified environmental constraints are not such that would render the site as unsuitable for the development. The DA for concept approval only and appropriate conditions have been recommended in relation to any relevant environmental constraints requiring further information to be provided with each DA lodged for the future operational stages of the development.	Yes

Clause 7.11 Objectives	Comment	Complies Yes/No
(i) <i>the relationship between the development and neighbouring sites, including urban and natural environments,</i>	The Masterplan highlights the relationship between the two northern towers proposed on the Lakeside site and other development anticipated in The Entrance. The Masterplan demonstrates the potential redevelopment of surrounding sites, including residential sites along Taylor Street which potentially benefit from floor space ratio and height bonuses under the LEP (for site amalgamations).	Yes
(j) <i>the relationship between the development and any other development that is, or may be, located on or near the site in relation to overshadowing, privacy, setbacks and visual amenity.</i>	Although the proposal impacts on the amenity of surrounding residential development, the urban form of the development has been the subject of extensive planning and consultation. The impacts are not considered as significant or unreasonable considering the changing context of the site and its surrounds under the planning controls that apply. The Masterplan identifies the potential redevelopment of surrounding sites, including residential sites along Taylor Street.	Yes
(4) <i>This clause does not apply to a development application made 5 years after the commencement of this Plan.</i>	The DA has been made within 5 years after the commencement of the plan.	Yes

Attachment 5 – Wyong DCP Chapter 5.3 – Compliance table

Wyong DCP Chapter 5.3 – Compliance table	
Control	Compliance Yes/No
2.7 Desired Character: Mixed Development in The Entrance Town Centre	
<p>2.7.1 Encourage an Outdoor Lifestyle and Increased Levels of Pedestrian Activity</p> <ul style="list-style-type: none"> • Provide reasonable levels of midwinter sunlight for street frontages and open spaces. • Provide a pedestrian friendly-scale next to any pedestrian frontage by avoiding “street wall” building forms with sheer vertical facades that are excessively long. • Stimulate the highest levels of pedestrian activity around open spaces and along commercially-significant street frontages. • Provide views from pedestrian areas toward scenic backdrops or the sky by limiting the width of upper storey facades and by separating the upper storeys of adjoining buildings. • Contribute to the Council’s improvements strategies for street frontages and open spaces. • Incorporate facilities for public transport, pedestrians and cyclists. 	<p>Yes</p> <p>The open space on the podium and the public space at the northern end of the site will receive adequate solar access midwinter.</p> <p>The proposal will stimulate pedestrian activity and is of a suitable scale. A bus hub will be provided along The Entrance Road.</p>
<p>2.7.2 Stimulate Highest Levels of Pedestrian and Business Activity</p> <ul style="list-style-type: none"> • Concentrate shops, entertainment or business-related premises, community facilities or major pedestrian entrances in podium facades that that will face and abut an open space area or a commercially-significant street frontage. • Avoid blank walls, building services, vehicle entrances or above-ground carparking that would face any open space area or commercially-significant street frontage. • Locate carparking predominantly in basements or behind “active” floor space. • Limit pedestrian links across any site to those which would service destinations that are commercially or socially significant, incorporating an outdoor fresh-air character rather than conventional indoor arcades, but only if such links would not detract from the desired level of street activity. 	<p>Yes.</p> <p>The proposal has been designed with basement parking and with business and pedestrian activity around the street edge, particularly the commercially significant frontages of The Entrance Road and Denning Street. There are three access points along The Entrance Road frontage.</p>

Wyong DCP Chapter 5.3 – Compliance table	
Control	Compliance Yes/No
2.7 Desired Character: Mixed Development in The Entrance Town Centre	
2.7.3 Protect Scenic Quality and Promote an Outdoor Lifestyle	Yes.
<ul style="list-style-type: none"> • Limit the height of street facades to podiums which generally are no taller than two storeys. • Require that storeys above any podium have a pronounced setback from the podium façade. • Provide green roofs above podiums which may be used as communal open spaces. • For buildings up to six storeys, apply built-form character guidelines for residential flat buildings up to six storeys. • For buildings taller than six storeys, apply built-form character guidelines for residential flat buildings taller than six storeys. • Coordinate the size, number and location of business signs, and avoid major corporate logos. 	<p>The podiums are no taller than 2 storeys. The hotel tower has a pronounced setback from the podium but the residential tower at its closest point has no setback to Denning Street or The Entrance Road but there is a physical break (at the open space level above the podium) which visually separates the podium form from the tower above.</p>
3.0 Building Envelope Provisions	
3.2.5 Mixed Development in Zones B2, SP3 over Six Storeys: Frontages to Streets, Lanes and Civic Spaces	
3.2.5.1 Streetscape To maintain appropriate amenity and built form, all new buildings shall comprise podium and tower elements.	Yes. The proposal comprises podium and tower elements.
a. Maximum building height and floor space ratio shall be in accordance with Clauses 4.3 and 4.4 of the WLEP 2013.	Yes. The proposal complies.
b. For podium elements, heights and setbacks to be the same as for buildings up to six storeys.	N/A
c. For buildings taller than six storeys, tower elements to be setback from building lines by a minimum of 10m.	No. The residential tower has a zero setback.

3.2.6 Mixed Development in Zones B2, SP3 and RE2: Sunlight to Footpaths and Open Spaces	
<p>a. Significant public places occur within zones B2 and SP3 at The Entrance Town Centre. As well as satisfying other envelope controls, new buildings are to:</p> <ul style="list-style-type: none"> maintain the amount of sunlight that is currently available to significant public places between the hours of 10 am and 2.00pm during midwinter (June 21); and ensure specified sunlight is to be available to at least half of any public open space, and at least half of the width for the specified footpaths. 	<p>Yes. Shadow diagrams were submitted demonstrating satisfactory solar access is available to public places and open space surrounding the site.</p>
3.2.8 Mixed Development in Zones B2, SP3 and RE2: Boundary Facing Residential Development	
3.2.8.1 Landscaped Setbacks	
<p>a. A setback which is predominantly deep soil is to be provided next to any residential property.</p>	<p>No. Deep soil planting is required for the length of the southern boundary. Half the boundary adjoins residential setback for planting.</p>
<p>b. Podium elements and any basement to be setback from any boundary that faces a residential property by a minimum of 6m.</p>	<p>No. The 2 basement levels have zero setback from the residential boundary. The podium element complies.</p>
3.2.8.2 Sunlight Access	
<p>a. The setback should be half of the "distance separation" which is specified by the SEPP No 65 Residential Flat Design Code.</p> <p>b. Neighbouring dwellings to receive the amount of sunlight that is specified by the SEPP No 65 Residential Flat Design Code.</p> <p>c. If a neighbouring dwelling currently receives less than the required amount of sunlight, there is to be no further reduction.</p> <p>d. To protect existing sunlight, adjustment may be necessary to the form, siting and dimensions of upper storeys that are permitted by the general envelope controls.</p>	<p>No. Half the distance separation between habitable rooms is 12m.</p>

Clause 4.1 - Design Guidelines: Residential Development	
4.2.1 Pedestrian Networks	
<p>a. Footpaths that have potential to/already contribute to simulating significant social and commercial activity of centres are:</p> <ul style="list-style-type: none"> • The Entrance Town Centre: <ul style="list-style-type: none"> ▪ The Entrance Road northwards from Campbell Avenue/Warrigal Street; ▪ Denning Street from The Entrance Road to Taylor Street; 	<p>Yes. These foot paths adjoin the site to the west and north and the design supports and encourages increased pedestrian activity along these paths.</p>
<p>b. New open spaces with the potential to simulate significant social and commercial activity are:</p> <ul style="list-style-type: none"> • The Entrance Town Centre: <ul style="list-style-type: none"> ▪ A town square in the Denning Street, The Entrance Road, Short Street vicinity; 	<p>Yes. The proposal includes a public open space 'piazza' at the northern ends of the site adjoining Denning Street.</p>
<p>Development proposals upon lands which face any of the nominated public places (whether existing or as desired) are to be planned and designed to maximise pedestrian and business activity:</p> <ul style="list-style-type: none"> • incorporate new open spaces as specified above; • provide active frontages facing pedestrian footpaths that are nominated above, or facing any desired open space that is specified above; • locate major facilities, services and parking areas where they would not disrupt the desired level of pedestrian activity; • include new cross-site pedestrian pathways only where they would follow "desire lines" to major destinations or facilities. 	<p>Yes. New public open space has been provided as part of the development along Denning Street. This area will adjoin the proposed shopping centre entry to support and maximise pedestrian activity along this street frontage.</p>
4.2.2 Transport and Access Infrastructure	
<p>a. Public carparking is to be provided as part of the following "Key Site" developments in The Entrance Town Centre and at Picnic Point:</p> <ul style="list-style-type: none"> • Lakeside Plaza; 	<p>Yes. Parking available to shopping centre customers is proposed on the site.</p>
<p>b. A public transport layover area is to be provided along The Entrance Road in the vicinity of Denning Street as part of the Lakeside Plaza "Key Site" redevelopment.</p>	<p>Yes. A bus hub is to be provided along The Entrance Road and is to be detailed in future DA's.</p>

<p>c. To accommodate new public open spaces, the redirection of existing town centre traffic is to be evaluated and, where desirable, implemented as part of the following "Key Sites":</p> <ul style="list-style-type: none"> • Lakeside Plaza; 	<p>Yes. There is to be no road closures associated with the proposal.</p>
<p>d. To improve road safety and efficiency of traffic flows, existing site access should be realigned for the following "Key Site" developments:</p> <ul style="list-style-type: none"> • Lakeside Plaza: rear lane access is to be provided to properties fronting The Entrance Road, and possibly extended through to The Entrance Road; 	<p>No longer relevant. No isolated sites will result under the proposed development.</p>
<p>Subclause (e) not applicable</p>	<p>N/A</p>
<p>f. Cycle access to be promoted by all new developments:</p> <ul style="list-style-type: none"> • bike storage is to be provided in safe and accessible locations, either at street level or as part of basement carparks; • cycle storage is to be provided at a rate required by Council or specified by Council policy. 	<p>Yes. Details can be provided in the future DA's for each stage. A condition has been recommended.</p>
<p>4.2.3 New Public Open Spaces</p>	

<p>a. A new town square is to be provided as a focal point for The Entrance Town Centre:</p> <ul style="list-style-type: none"> • the square is to be located along Dening Street between The Entrance Road and Short Street; • the square ought to be provided as part of "Key Site" developments upon the Lakeside Plaza and the Dening Street Carpark Sites; • subject to a positive traffic assessment and the redirection of existing vehicles, the square may incorporate portion of the Dening Street road reserve; • the square is to be designed to accommodate planned events as well as informal social interaction; • the square is to have a minimum width of approximately 30m and an area of approximately 2,000m², with at least two thirds of the required space located on the Lakeside Plaza property with a minimum width of 20m; • pavements in the square are to be generally level and may include steps to raised areas around the perimeter that are suitable for pavement dining and spectators; • the square is to be shaded by rows of trees, and its surface area should not be encumbered by any fixed furniture or substantial structures. 	<p>No. A new town square is proposed but it is not to the scale envisaged in the masterplan and there is no associated closure of Dening Street proposed. However, the proposal does include a small piazza (750m² in area) along the Dening Street frontage adjoining the shopping centre entry. The piazza does not comply with size requirements for an area of 2000m² and with at least 2/3 located within the site boundaries. The area will include pavement works, seating, tree planting and will be space to socialise.</p>
<p>Subclauses b – g not applicable</p>	<p>N/A</p>
<p>h. Consistent design standards are to be applied by all new open spaces:</p> <ul style="list-style-type: none"> • surfaces, gradients and level changes are to accommodate visitors with impaired mobility or sight, and should satisfy relevant requirements of AS 1428; • tree plantings are to be consistent or compatible with the Council's established town centre plans; • surfaces, materials and furniture (including play structures, shelters, seating and lighting) are to be designed and constructed according to the applicable Australian Standards as well as satisfying the Council's established works standards or town centre plans. 	<p>Yes. Matters can be detailed and addressed under the future DA for Stage 2.</p>

Clause 4.2.4 - Active Frontages	
<p>Active frontages display a variety of land uses or building elements which are visible and attractive to pedestrians, and enhance the safety and amenity of publicly-accessible places:</p> <ul style="list-style-type: none"> • active frontages in any facade are measured by the width of windows or balconies; • at street level, active frontages include building entrances or lobbies, and premises with substantial display windows such as business premises, food and drink premises, and shops; • immediately above street level, active frontages include balconies, and premises that accommodate substantial numbers of customers such as food and drink premises or lobbies and foyers of entertainment facilities, function centres and registered clubs; • on higher storeys, active frontages are achieved by residential balconies and living room windows. 	<p>Yes. Concept plans appear to be generally consistent with these requirements. Details of façade designs are to be provided with the future DA's for the operational stages.</p>
<p>Active frontages are to be provided along footpaths and other publicly-accessible places, and the extent of active frontages within any facade is to be in proportion to the commercial-significance of the adjacent footpath or publicly-accessible place:</p> <ul style="list-style-type: none"> • facing new civic spaces, active frontages are to occupy at least 90% of any ground floor facade and 80% of facades for the first three storeys above the ground floor; • facing existing streets that are commercially-significant, active frontages are to occupy 85% to 90% of any ground floor facade, and at least 80% of the first storey above the ground floor; • facing rear laneways that are significant pedestrian routes and streets that provide vehicle access, active frontages are to occupy at least 30% of any ground floor facade, and 50% of the first storey above the ground floor; • facing streets that are not defined as commercially-significant, there is no requirement to provide active frontages at ground floor level or on the storey immediately above. 	<p>Yes. Concept plans appear to be generally consistent with these requirements. Details of façade designs are to be provided with the future DA's for the operational stages.</p>

<p>Certain facilities or building elements interrupt the continuity and effectiveness of active frontages, and are not to be located in any facade which faces a new open space, a commercially-significant footpath or a new cross-site pedestrian link:</p> <ul style="list-style-type: none"> • carparks and delivery docks are to be accessed from streets or laneways that are not commercially-significant, unless no alternative is available; • carparks are to be located in basements or if located above-ground level, are to be hidden behind active frontages that face any new open space, cross-site link, or commercially-significant footpath; • above-ground carparks are to occupy 50% of a facade that faces a laneway or a street which is not commercially-significant provided that parking decks are shrouded completely by architecturally-designed screens which complement the form and design of the development’s facades; • “big box” retailers and entertainment facilities that are enclosed by blank walls are subject to the same restrictions as above-ground carparks; • service areas and delivery docks are to be accessed from streets or laneways that are not commercially-significant, unless no alternative is available. 	<p>Yes. The design includes 2 basement parking levels and a rooftop car park. Neither of these parking areas directly impact on the view of the building façade. An active frontage curtain walls the Basement 1 parking area from The Entrance Road. Access points have been confined to The Entrance Road and Taylor Street.</p>
<p>Clause 4.2.5 – Pedestrian Links</p>	
<p>a. a New cross-site pedestrian links are be provided as part of the following “Key Site” developments:</p> <ul style="list-style-type: none"> • Lakeside Plaza; 	<p>Yes. Internal pedestrian links are proposed through the site and external links around the site perimeter.</p>

<p>b. An outdoor character is preferred for new cross-site pedestrian links:</p> <ul style="list-style-type: none"> i. walkways are to be designed like a public street or courtyard, and the major thoroughfares should incorporate rows of shade trees; ii. the width of new links are to be between 5m and 10m according to commercial significance of the link, and the desirability of providing winter sunlight to active frontages; iii. walkways are to be flanked by awnings and active frontages which occupy at least 90% of the walkway's facades at "ground" level and on the storey immediately above (if any); iv. alignment of walkways is to highlight major destinations within or surrounding the development, and is to emphasise the location of lifts, stairs and travelators; v. 24 hour access is desirable. 	<p>Yes.</p> <p>External pedestrian links incorporate planting of shade trees. Concept plans appear to be generally consistent with these requirements. Details of footpath designs can be provided with the future DA's for the operational stages.</p>
<p>c. Indoor pedestrian links are to be compatible with the desired outdoor lifestyle:</p> <ul style="list-style-type: none"> • length of arcade-style links are to be minimised; • width of arcades are to be at least 5m; • arcade ceilings are to be tall, and alignment is to provide a direct outlook to sunlit outdoor areas or scenic backdrops; • alignment is to highlight major destinations within or surrounding the development, as well as emphasising the location of lifts, stairs and travelators, and is not to include any hidden recesses or blind corners. 	<p>Yes.</p> <p>Concept plans appear to be generally consistent with these requirements. However, details of arcade and centre design are to be provided with the future DA's for the operational stages.</p>
Clause 5.1 – Key Sites- Concept Plans/Site Specific DCP's: General Design Principle Requirements	
<p>a. Design the taller elements as slender towers which have a maximum longitudinal dimension of approximately 35m, and locate these elements to maximise the sharing of iconic coastal views which may be available from existing dwellings nearby.</p>	<p>No.</p> <p>Design includes slender towers although exceeding the maximum longitudinal dimension (45m x 29m).</p>

b.	Employ simple streamlined building forms, for example using curvilinear/sculptured facades that are oriented toward coastal views, and avoid roof-top plant rooms that are not designed to complement the form of towers.	Yes. Design includes simple streamlined, curvilinear façade oriented towards coastal views. Rooftop plant not visible but integrated.
c.	Configure new developments as podiums with towers that are separated by broad courtyards.	Yes. Tower elements on podium separated by open space on top of podium.
d.	Provide green roofs above podiums, and upon those rooftops, locate a variety of communal recreation spaces which are designed to protect the privacy of surrounding dwellings.	Yes. Open space including trees on podium rooftop, Future DA's to further detail.
e.	Ensure that development design does not compromise the ability of adjoining properties to develop with building forms which are consistent or mutually-compatible.	Yes. Concept design appears generally consistent.
f.	Avoid orientating blank exterior walls towards town centre footpaths that are commercially-significant.	Yes. Concept design avoids any blank walls to The Entrance Road and Denning Street.
g.	Screen the impact of service areas or above-ground parking by providing deep soil setbacks that are planted with medium sized trees.	No. Recommended conditions to address.
h.	Screen the impact of service areas or "big box" retailers which might face residential properties or developments by providing deep soil setbacks that are planted with medium sized trees that are indigenous coastal species.	No. Recommended conditions to address.
i.	Employ co-ordinated non-slip and durable paving for indoor and outdoor areas, including street pavements.	Yes. Details can be provided with operational DA's for Stages 1 & 2
j.	Establish new pedestrian spaces around the sites, and integrate those spaces with pedestrian desire lines that are evident in the town centre.	Yes. Concept design appears generally consistent with further details to be provided with future DA's.
k.	Maintain areas of deep soil in generous setbacks facing all boundaries where practically possible.	No. Recommended conditions to address.

Attachment 6 – Wyong DCP Chapter 6.1 (Key Sites) – Clause 3.5 Requirements for Lakeside Plaza

Wyong DCP Chapter 6.1 (Key Sites) Clause 3.5 Requirements for Lakeside Plaza	Compliance Yes/No
a. The coastal character, building envelope, design guidelines, and matters for consideration within Chapter 5.3 - The Entrance Peninsula apply to this site and must be addressed.	Refer to relevant part of report
b. Development shall adequately address the relevant requirements of State Environmental Planning Policy (SEPP) 71 – Coastal Protection.	Yes
c. Development shall incorporate a gateway design element(s) on the corner of The Entrance Road and Denning Street.	Yes
d. Provide visible activity along The Entrance Road and Denning Street frontages. Locate retail and commercial land uses on the two lower storeys, with residential and tourist accommodation on the levels above.	Yes
e. Development should incorporate effective functional physical connections between this site and Key Site No 6 - The Greens (The Entrance Bowling Club) and Key Site No 4 - Denning/Short Streets Carpark.	To be detailed in future DA
f. Establish mid-block pedestrian links from The Entrance Road to Denning and Taylor Streets.	To be investigated in future DA
g. Provide adequate on-site public parking to cater for the future land use mix with access from Denning or Taylor Streets.	Yes
h. Maintain adequate rear service access to affected properties facing The Entrance Road via relocation of Glover Lane.	No longer relevant
i. Development should incorporate a bus layover facility facing The Entrance Road, Denning or Taylor Streets to the requirements of the Bus Service Administrator and Council.	To be detailed in future DA
j. Consideration shall be given to the principles and objectives of other DCP Chapters, in particular Chapter 3.7 – Conservation of the Built Environment.	Yes
k. Developments are to identify the desirable qualities to be incorporated in appropriate heritage infill design on the site. The qualities should be illustrated in the Masterplan by annotated drawings addressing the principles of scale, form, siting, materials and colours.	To be detailed in future DA
l. Improve the range of existing retail and business premises in order to consolidate the existing convenience shopping and service role of The Entrance Town Centre.	Yes

m	Ensure that the primary focus for retail areas is the north-facing footpath in Denning Street together with adjacent portions of The Entrance Road and Taylor Street, and emphasise that focus by appropriate configuration of this site's existing pedestrian pathways and retail areas.	Yes
n	Locate retail, commercial and community service/facility type activities facing those frontages or nearby, and accommodate a variety of visible activities on the lower two to three storeys which face the streets, previously nominated.	Yes
o	Concentrate "big box" retailers (e.g., supermarkets and discount stores) and service areas toward the site's southern end where blank exterior walls would not front town centre footpaths that are commercially-significant.	Yes
p	Provide a plaza forecourt facing Denning Street as a focal point for future development upon this site, and as the kernel of a possible future town (civic) square.	Yes
q	Design the forecourt, and possible future town (civic) square, to accommodate public events, to provide opportunities for outdoor dining, and to highlight pedestrian pathways through the development.	To be detailed in future DA
r	Divide the site into retail precincts which are separated by suitable pedestrian links that provide convenient access to adjacent sites including The Greens The Entrance Bowling Club (Iconic) Development Site, Denning Street and residential neighbourhoods which are located to the east and south.	To be detailed in future DA
s	Promote an outdoor pedestrian environment by a combination of broad open air walkways that are landscaped, and short arcades which are covered by glass roofs and sunshades.	To be detailed in future DA
t	Shade any Denning Street plaza with medium-sized trees that complement the town centre's established street tree plan.	To be detailed in future DA
u	Screen the impact of service areas or "big box" retailers which might face residential properties in Taylor Street by providing a deep soil setback with an avenue of medium sized trees that are indigenous coastal species.	To be detailed in future DA
v	Consolidate vehicle access and service areas at the site's southern end.	No. One area for loading is midway along Taylor Street.
w	Concentrate vehicle access to this site via Taylor and/or Warrigal Streets only.	No. Vehicle access also along The Entrance Road

x	Provide a street or laneway from Taylor Street along the site's southern boundary for access to this site and the rear of neighbouring properties, flanked by verges that are landscaped with rows of trees to screen neighbouring apartment dwellings.	Yes Loading at this end with landscaping
y	Evaluate the benefits of connecting the access street/laneway through to The Entrance Road, subject to the restriction of certain turning movements in order to maintain efficient traffic flows throughout the town centre.	Yes. Loading connection for service vehicles
z	Evaluate town centre access around this site, and evaluate whether road closures or turn restrictions would be beneficial.	No road closures proposed

Date: 27 November 2015
Responsible Officer: Salli Pendergast
Location: 78-94, 96, 98, 100, 102-104, 106-110, 112-114, 116, 118 The Entrance Rd; 1,3 Glovers Lane; 19-21, 23 Taylor St; 112-114 The Entrance Road, THE ENTRANCE NSW 2261
 Lot 460 DP 738473, Lot 16 DP 1162334, Lot 1 DP 620550, Lot 2 DP 620550, Lot A DP 392342, Lot B DP 392342, Lot 31 DP 10294, Lot 341 DP 703997, Lot 342 DP 703997, Lot 33A DP 438600, Lot 33B DP 438600, Lot 32 DP 10294, Lot D DP 377416, Lot 30 DP 10294
Owner: The Entrance Plaza Pty Ltd - The Entrance and Dunnet Properties Pty Ltd
Applicant: Paradigm Planning & Development Consultants Pty Ltd
Date Of Application: 25 November 2014
Application No: DA/1080/2014
Proposed Development: Section 83B staged mixed use development comprising shop top housing (residential tower) a hotel tower with multi-purpose function space, a restaurant, a shopping centre & parking, including demolition of existing structures
Land Area: 21,357m²

PROPOSED CONDITIONS

Approved Plans

- The development is to be undertaken in accordance with the approved development plans and specifications listed below and supporting information 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
Site Plan	A002	D	24/11/15	Architectus
Stage Plan – Stage 1	A004	D	8/05/15	Architectus
Stage Plan – Stage 2 & 3	A005	D	8/05/15	Architectus
Basement 2	A006	F	8/05/15	Architectus
Basement 1	A007	G	8/10/15	Architectus
Ground Floor	A008	G	8/05/15	Architectus
Level 1	A010	F	8/05/15	Architectus
Level 2	A012	F	8/05/15	Architectus
Typical Tower Level	A013	F	8/05/15	Architectus
Typical Tower Residential Mid Rise	A014	D	8/05/15	Architectus
Typical Residential Floor Plan Tower 1	A015	E	8/05/15	Architectus
Typical Hotel Floor Plan	A016	E	8/05/15	Architectus
Typical Residential Floor Plan Tower 2	A017	B	11/05/15	Architectus

Typical Residential Floor Plan Building 3	A018	A	8/05/15	Architectus
Elevation North-East Dening Street	A020	F	8/05/15	Architectus
South-West Elevation Warrigal Street	A021	F	8/05/15	Architectus
North-West Elevation Entrance Road	A022	F	8/05/15	Architectus
South-East Elevation Taylor Street	A023	F	8/05/15	Architectus
Site Section 1	A030	G	8/05/15	Architectus
Site Section 2	A031	F	8/05/15	Architectus
Site Section 3	A032	F	8/05/15	Architectus
Site Section 4	A033	F	8/05/15	Architectus
Public Domain Plans	-	-	25/11/14	The Design Partnership

Limitation of this consent – DAs for subsequent stages

- 2 Consent is granted for the development in ‘**concept only**’ in accordance with Section 83B of the Act. This consent does not authorise or approve any physical works. In accordance with Section 80(5) of the Act, the following stages must be the subject of subsequent detailed development applications for final approval under the provisions of Section 78A of the Act:
- Stage 1 - For the south-western half of site as shown on the staging plan
 - Stage 2 - For the north-eastern half of the site as shown on the staging plan
 - Stage 3 - For the residential accommodation and works on the top of the podium level

Conceptual approval only for the above stages is implied through the granting of the staged consent. Separate development applications will need to be made for each future stage in order to obtain operational consents for construction purposes. All subsequent development applications for each of the above stages must be generally consistent with the approved plans and conditions contained in the consent.

Advisory note: Under Section 80(4) of the Act, a determining authority is able to grant a Staged Development Consent for a development, except for a specified part or aspect of that proposed development. In this Consent, the specified part of the proposed development that is not approved relates to the works nominated under Stages 1, 2 and 3.

Certification following further consent

- 3 A Construction Certificate is not to be issued for works under this consent as the works are approved in concept only and further development consent needs to be obtained for those works.
- 4 An Occupation Certificate is not to be issued for any building under this consent as the works are approved in concept only and further development consent needs to be obtained for all works.

Public Benefit

- 5 Stage 3 DA. Public Benefit is to be addressed under the development application for Stage 3 (being for the two towers for residential and hotel purposes) in accordance with Wyong DCP Chapter 6.1 (Key Sites) Clause 2.11 prior to the issue of consent for Stage 3.

Acid Sulphate Soils – Investigation and Reporting Requirements

- 6 All Stages - Prior to the lodgement of a development application, an Acid Sulphate Soils Assessment Report and Management Plan prepared by a suitably qualified person.

Roadworks - Design Requirements

- 7 Stage 1 – Prior to the lodgement of a development application, a detailed roundabout design for The Entrance Road. The submitted concept design by Henry & Hymas (refer Drawing No. 14624_SK_001, Revision 02, dated 1/5/2015) shall be updated to include design vehicle turning paths, existing services and safe pedestrian crossing movements. The design must consider overhangs, existing and proposed street furniture, existing line marking, existing pedestrian crossing, sight distances, safe harbour, splitter islands, road widening, parking restrictions, street lighting etc.
- 8 All stages - Prior to the lodgement of a development application, a detailed design Road Safety Audit for the works in the road reserve and internal carparks / circulation areas. An audit team with at least one (1) Level 3 Road Safety Auditor (recognised on the NSW Register of Road Safety Auditors) shall prepare the audit report. Any deficiencies identified within the audit must be resolved in consultation with Council.
- 9 Stage 1 - A detailed intersection design for The Entrance Road / Denning Street. Modifications as suggested by the Roads and Maritime Services in their correspondence dated 23/7/2015 shall be addressed.

Stormwater Drainage - Design Requirements

- 10 All stages - Prior to the lodgement of a development application, a detailed stormwater management plan featuring:
- The provision of an onsite stormwater detention system. The detention system 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.
 - 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.
 - Full details of the holding tank capacity, pump type and system, discharge rate and the delivery line size for the basement drainage.

The plans must be prepared by a suitably qualified and experienced civil / hydraulic engineer in accordance with *AS/NZS3500.3:2004* and Council's *Civil Works Design Guidelines*.

Structural Design Requirements

- 11 All stages - Prior to the lodgement of a development application, a report prepared by a suitably qualified and experienced geotechnical / structural engineer concerning intended vibrations and vibration monitoring, dilapidation reporting, protection of adjoining properties (including public road), de-watering, excavation methods and excavation support (including shoring, propping and / or anchoring works).

Construction and Traffic Management Plan

- 12 All stages – Prior to the lodgement of a development application, a Construction and Traffic Management Plan (CTMP) is to be prepared by a suitably qualified and experienced traffic consultant including consideration of haulage routes, road restrictions, school zones, height limits, road safety etc.

Vehicle Access and Parking - Design Requirements

- 13 Stages 1 & 2 - Prior to the lodgement of a development application, a detailed car parking design featuring:
- Pavement marking, appropriate signage and physical controls detailed for the carpark, access driveway and circulation roads.
 - Amendment to parking spaces to achieve geometric compliance with *AS/NZS 2890.6 (2009)* – “Off-street parking for people with disabilities”.
 - Appropriate clearance heights.
 - Compliant blind aisle lengths.
 - Provision for waste collection vehicles.

- Vehicle templates demonstrating adequate turning area is available for the relevant design vehicles.
- Compliant sight distances.

The design drawings shall be certified by a suitably qualified and experienced civil / traffic engineer in accordance with the requirements of AS/NZS 2890 – Parts 1, 2 and 6 and Austroad Guidelines.

Water and Sewer Services - Design Requirements

- 14 Stage 1 - Prior to the lodgement of a development application, detailed structural design drawings and supporting information for structures within the zone of influence of the sewer main, prepared by a suitably qualified and experienced structural engineer. The design shall indicate the proposed method of protecting the sewer main in accordance with Council's *Requirements for Building Over or Adjacent to Sewer Mains* policy.

Waste Management Requirements

- 15 All Stages - Prior to the lodgement of a development application, a Waste Management Plan is to be prepared for each stage of development outlining the waste disposal, re-use and recycling (on and off site) for the relevant stages of the development (i.e. demolition, construction and ongoing use). This is to include the types and estimated volume of waste generated and waste minimisation strategies. This is also to include the details for the location of garbage storage areas and waste transfer and removal arrangements within the development at each stage.
- 16 All stages - Prior to the lodgement of a development application, detailed design plans are to be provided for the waste storage area/s servicing the development. The plans shall be designed to achieve compliance with Council's relevant controls.

Lot consolidation

- 17 The separate lots comprising the site are to be consolidated into one lot by registered subdivision at the completion of stage 2.

Contamination

- 18 Development Applications for Stages 1 and 2 - A detailed contamination assessment must be submitted for the DAs for Stage 1 & 2 of the development. The contamination assessment must address all the recommended actions outlined in the document titled "Preliminary Site Investigation – Proposed Lakeside Shopping Centre Development 78-118 The Entrance Road, The Entrance" dated 7 August 2014, project reference 84304 by Douglas Partners.

Safer by Design (CPTED)

- 19 All stages - Prior to the lodgement of a development application, a detailed crime risk assessment prepared by a suitably qualified person is to be submitted. The assessment shall identify how the proposal addresses the Crime Prevention Through Environmental Design (CPTED) Principles, including specific measures to be adopted as part of the development (of each stage).

Adaptable units

- 20 For Stage 3 – Prior to the lodgement of a DA for Stage 3, the plans are to nominate 10% of units to be designed as suitable for adaptation for occupation by disabled/aged persons. The plans shall include units of various sizes, with various outlooks and in various locations within each of the three residential buildings.

Public Domain Improvements

- 21 Stage 2 DA - The development application for Stage 2 is to be accompanied by a Public Domain Works Plan detailing the proposed improvements to the public domain adjoining the site. The plan is to provide details of the treatment of these areas, including paving, seating, awnings, litter receptacles, lighting, tree and other planting, bus hub, drainage, shade structures and other features. The improvement of the public domain is in addition to any Section 94A Contributions.

Architectural and Urban Design Report

- 22 DA for Stage 3 - The shop top residential accommodation is to be accompanied by a detailed statement identifying how the detailed design for each one of the three shoptop housing buildings addresses State Environmental Planning Policy No. 65 – Design Quality of Residential Flat Development and the provisions of the Residential Flat Design Code. The design is to demonstrate compliance or fully justify any non-compliance with SEPP 65. The detailed design of the buildings is to be consistent with the concept approval.

External Finishes

- 23 DA for Stages 1, 2 and 3 are to be accompanied by information fully detailing the external finishes and materials for each stage of the development and are to be generally compliant with the elevation plans A020, A021, A022 and A023.

Basix

- 24 DA for Stage 3 is to be accompanied by Basix Certificates for the shop top residential accommodation and an ecologically sustainable development report that details the 'green building solutions' in accordance with Clause 7.11 Wyong LEP 2013 for each of the shop top residential buildings.

Water Conservation and Energy Efficiency & Sustainability commitments

- 25 All Stages - Prior to the lodgement of a development application, details are to be provided for each stage of the development outlining the specific water conservation and energy efficiency measures proposed as part of the development. Information is also to be provided at each stage of the development further detailing how the development will achieve a 'green building solution' as defined under Clause 7.11 of WLEP 2013.

Public Art

- 26 Stages 1 and 2 are to address the requirements for public art as an interim in advance of Stage 3.
- 27 DA for Stage 3 is to be accompanied by comprehensive details for the proposed public art on the tower soffit.

Motorcycle and Bicycle Parking

- 28 DA for stages 1 and 2 shall include on the plans motorcycle parking within the basement levels and bicycle parking and storage and end of trip facilities within the development.

Sun control measures

- 29 Details of sun protection and glare control measures for north and west facing residential units are to be provided with the DA for Stage 3 for the shoptop residential accommodation. The measures are to maximise internal amenity for occupants.

Landscape Plan

- 30 DA for Stage 3 is to be accompanied by a detailed Landscape Plan, prepared by a Landscape Architect or Landscape Designer, for the internal podium open space areas. Detailed landscape plans and specifications shall address the following:
- Selection of tree and plant species that will suit the climatic and physical conditions of the site.
 - Specifications for the growing of trees to achieve the landscape goals of the proposed development.
 - Provision of adequate root zone volumes to allow the trees and plants to reach their landscape potential, without conflicting with other elements of the proposal such as pavement and services.
 - Provision of irrigation and drainage to all landscaped areas.
 - Development of maintenance programs for the proposed landscaping.

Landscaping

- 31 DA for Stage 1 – Deep soil planting and landscape screening is to be provided along the full length of the southern boundary. This is to allow for a satisfactory setback for planting along the section of the boundary adjoining the residential development (facing Warrigal Street).

Acoustic

- 32 DAs for all stages are to be accompanied by a detailed *Noise Impact Assessment* addressing the requirements of any plant, equipment, vehicles (traffic movement on and off the site) and any other noise associated with the operation of the proposal that may have an impact upon the surrounding environment.
- 33 DAs for Stage 1 and Stage 2 - Detailed plans for the suitable acoustic treatment and enclosure of the loading docks are to be provided with the DA's for Stages 1 and 2.

Communal open space – Residential

- 34 Stage 3 DA - The communal open space for each one of the three podium residential buildings within the development are to be clearly nominated on the plans.

Street Facade Details

- 35 Stages 1 and 2 – Detailed elevations are to be provided for the podium (street) levels of the building. The plans are to detail the design of the street façades at ground level and first floor along The Entrance Road and Taylor Street. Blank walls are to be avoided and details to activate these frontages are to be provided. The facade elevations are to be designed to provide a high quality, visual interesting street presentation and maximise public amenity.

Accessibility

- 36 An accessibility report is to be provided for the future DAs of each stage identifying the provision of accessible facilities and paths of travel within the development for each stage, in accordance with AS 1428.

Section 94

- 37 Section 94 contributions are applicable to the future stages of the development.

DA Fees

- 38 All fees applicable to each future stage shall be paid in full with lodgement of each development application.

Bus Hub

- 39 Further details regarding the proposed bus hub are to be provided with the DA for Stage 2. This should include the type of works and embellishments proposed.

Basement levels

- 40 The basement levels are not to extend outside the site boundaries.

Loading areas

- 41 DAs for stages 1 and 2 are to include architectural treatments and landscape treatments to improve the appearance of the proposed loading dock access points along Taylor Street and The Entrance Road. The loading docks are to be secured to prevent access outside of operating hours. Details of the access control arrangements are to be provided and should not detract from the overall appearance of the development.
- 42 Operational restrictions shall be placed on the loading docks under the DA's for stages 1 and 2 to ensure residential amenity of neighbours and within the development is not compromised. This will require further acoustic assessment and inclusion of design measures on the plans to mitigate potential impacts.

Overlooking and privacy

- 43 DAs for all stages are to include planting and design measures to satisfactorily address potential overlooking and privacy impacts to surrounding residents including those along Taylor Street (opposite the site), along Warrigal Street, along The Entrance Road and along Denning Street in the vicinity of the site.

Height

- 44 DA for Stage 3 - The tower buildings are not to exceed the maximum allowable height under Council's LEP controls and this shall be verified on the plans using existing survey levels. Site section plan A030 – D shows the building to a height just exceeding 113.8m. Any exceedance of the WLEP 2013 height limit is not permitted and the plans are to be revised.

Odour nuisance - Waste

- 45 DAs for Stages 1 and 2 - Details are to be provided for the ventilation arrangements for the waste storage and collection areas. The design of such areas shall minimise any potential for odour nuisance to surrounding residential activities.



- Legend
- ① Lakeside Plaza
 - ② The Bus Hub
 - ③ Entries to the centre
 - ④ Carpark entry for residents and hotel guests
 - ⑤ Entry to the hotel
 - ⑥ Formal artwork / landscape opportunity

LAKESIDE - PUBLIC DOMAIN PLAN
Project No. 14.040 25 November 2014 NTS

THE DESIGN PARTNERSHIP

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1 037_SHADOWS - June20th - 9AM
SCALE: 1:2500



6 037_SHADOWS - June20th - 10AM
SCALE: 1:2500



7 037_SHADOWS - June20th - 11AM
SCALE: 1:2500



2 037_SHADOWS - June20th - 12PM
SCALE: 1:2500



4 037_SHADOWS - June20th - 1PM
SCALE: 1:2500



5 037_SHADOWS - June20th - 2PM
SCALE: 1:2500



3 037_SHADOWS - June20th - 3PM
SCALE: 1:2500



Shadow Diagrams -
Mid Winter

Lakeside, The Entrance

8/05/2015 5:17:40 PM

Prepared for

The Entrance Plaza Pty Ltd

Drawing

Shadow Diagrams - Mid Winter

Scale: 1:2500 @A1

@A3

Drawing no A055

Issue D

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Shadow Diagrams -
Mid Summer

Lakeside, The Entrance

8/05/2015 5:21:12 PM

Prepared for

The Entrance Plaza Pty Ltd

Drawing

Shadow Diagrams - Mid Summer

Scale 1:2500 @A1

@ A3

Drawing no A056

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Elevation North-East
Denning St



Lakeside, The Entrance

8/05/2015 4:47:14 PM

Prepared for The Entrance Plaza Pty Ltd

Drawing Elevation North-East Denning St

Scale 1:500 @ A1

1:1000 @ A3

Drawing no A020

Issue F

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Interior Architecture



South-West Elevation
Warrigal Street

Lakeside, The Entrance

8/05/2015 4:47:53 PM

Prepared for

The Entrance Plaza Pty Ltd

Drawing

South-West Elevation Warrigal Street

Scale 1: 500 @ A1

1: 1000 @ A3

Drawing no A021

Issue F

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Interior Architecture



North-West Elevation
Entrance Road

Lakeside, The Entrance

8/05/2015 4:48:28 PM

Prepared for

The Entrance Plaza Pty Ltd

Drawing

North-West Elevation Entrance Road

Scale 1:500 @ A1

@ A3

Drawing no A022

Issue F

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Interior Architecture



South-East Elevation
Taylor Street

Lakeside, The Entrance

8/06/2015 4:49:12 PM

Prepared for: The Entrance Plaza Pty Ltd

Drawing: South-East Elevation Taylor Street

Scale: 1:500 @ A1

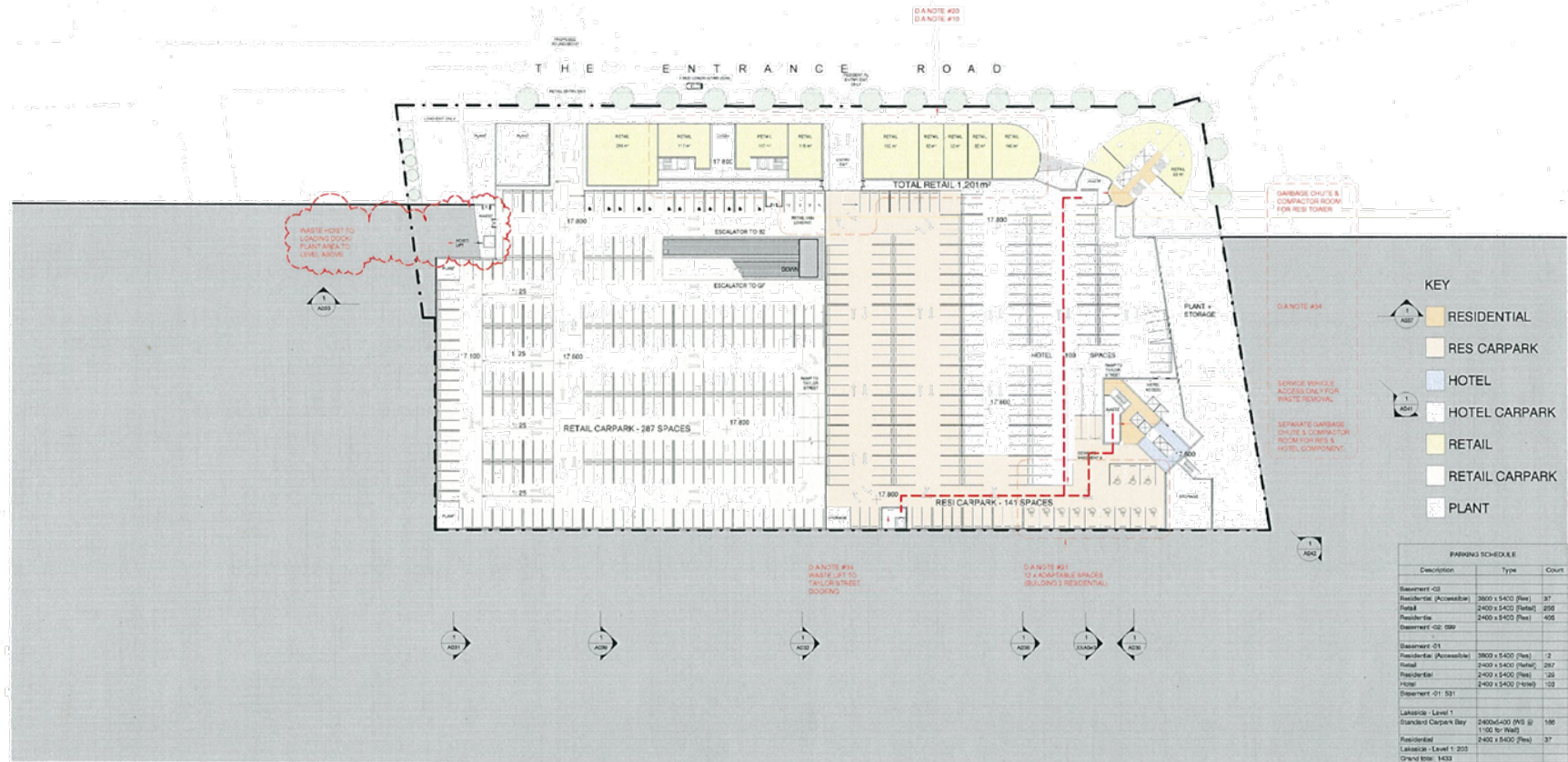
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Drawing no A023

Issue F

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Interior Architecture.



Basement 1

RL:17.800

Lakeside, The Entrance

8/10/2015 6:35:02 PM

Prepared for The Entrance Plaza Pty Ltd

Drawing Basement 1

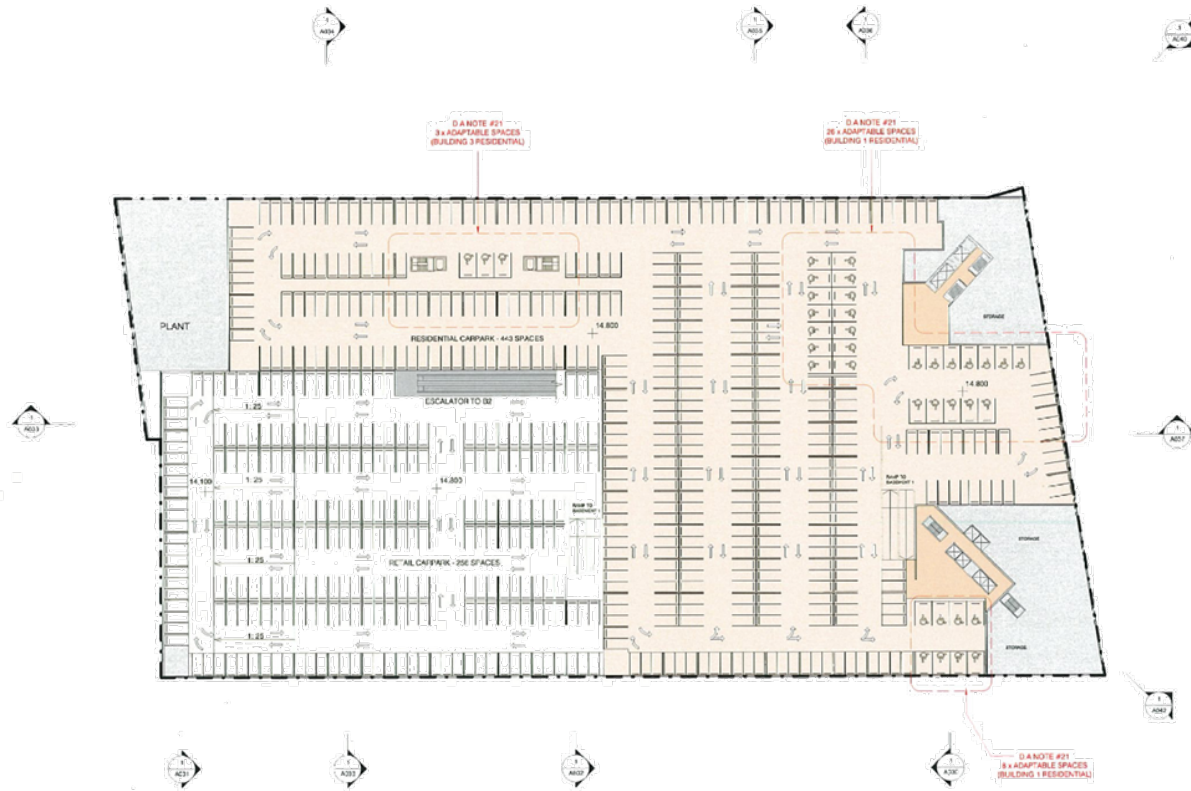
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Drawing no A007

Issue G

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- KEY**
- RESIDENTIAL
 - RES CARPARK
 - HOTEL
 - HOTEL CARPARK
 - RETAIL
 - RETAIL CARPARK
 - PLANT

PARKING SCHEDULE		
Description	Type	Count
Basement #02		
Residential (Accessible)	3000 x 5400 (P&R)	37
Hotel	2400 x 5400 (Hotel)	755
Residential	2400 x 5400 (P&R)	405
Basement #02	850	
Basement #01		
Residential (Accessible)	3000 x 5400 (P&R)	15
Hotel	2400 x 5400 (Hotel)	287
Residential	2400 x 5400 (P&R)	129
Hotel	2400 x 5400 (Hotel)	153
Basement #01	531	
Lakeside Level		
Residential Carpark - Rwy	2400x5400 (NS @ 1109 for Walls)	156
Residential	2400 x 5400 (P&R)	25
Lakeside - Level 1: 203		
Grand total:		1433

Basement 2
RL:14.800

Lakeside, The Entrance

8/05/2015 4:44:08 PM

Prepared for The Entrance Plaza Pty Ltd

Drawing Basement 2

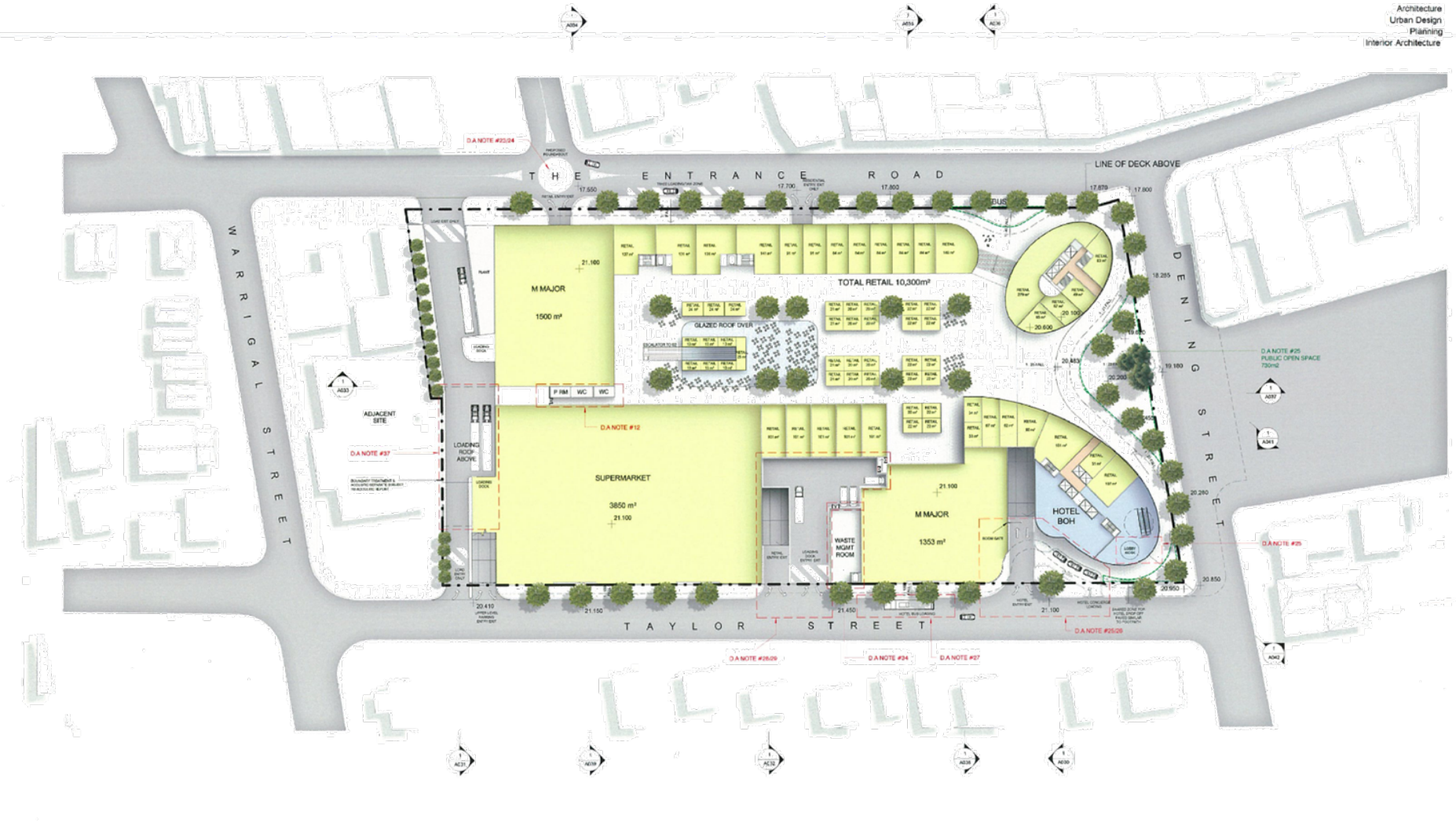
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Drawing no A006

Issue F

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Ground Floor

RL:21.100

Lakeside, The Entrance

8/05/2015 5:55:19 PM

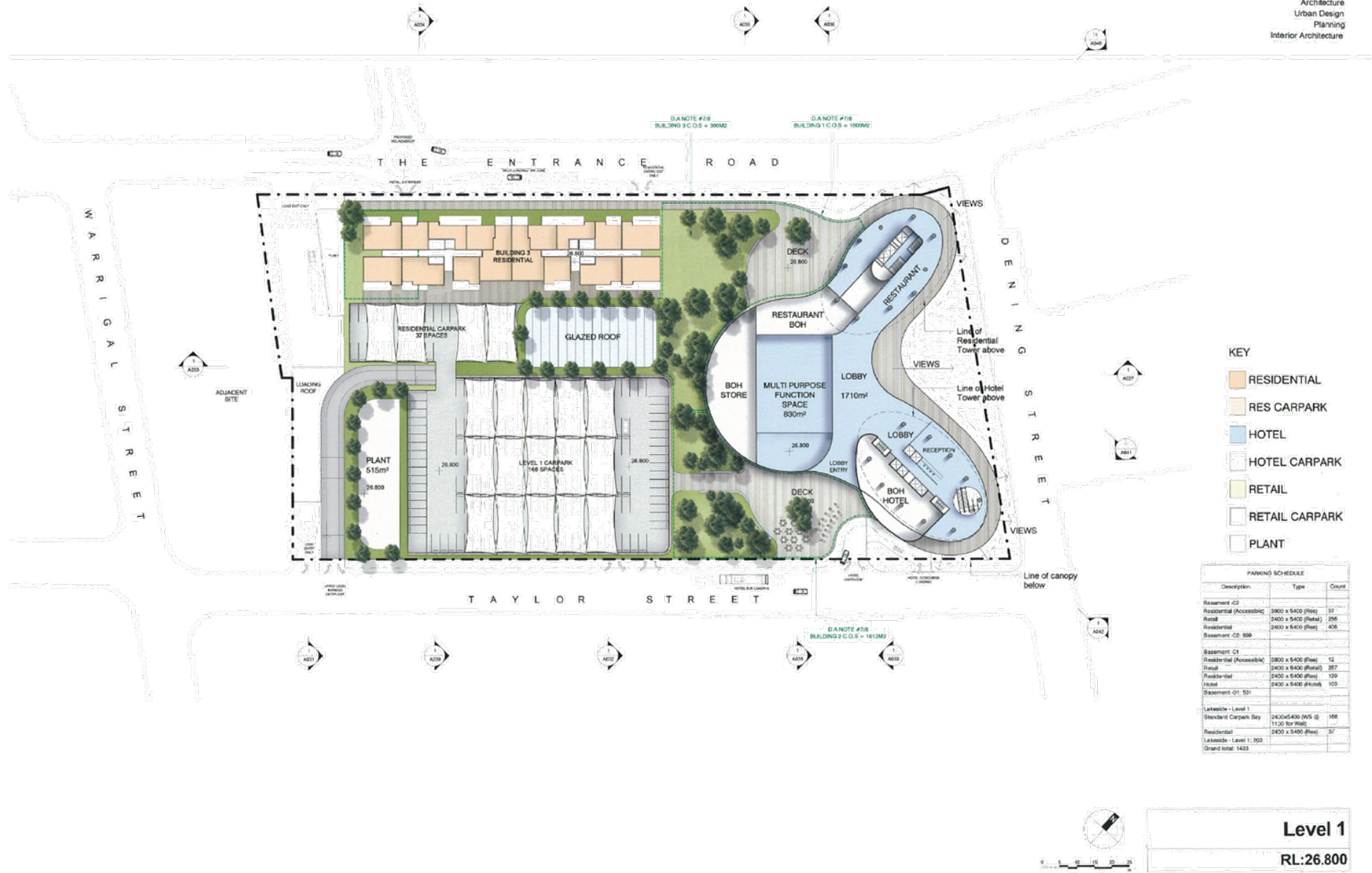
Prepared for The Entrance Plaza Pty Ltd

Drawing Ground Floor

Scale 1:500 @ A1 | 1:1000 @ A3

Drawing no A008

Issue G



KEY

- RESIDENTIAL
- RES CARPARK
- HOTEL
- HOTEL CARPARK
- RETAIL
- RETAIL CARPARK
- PLANT

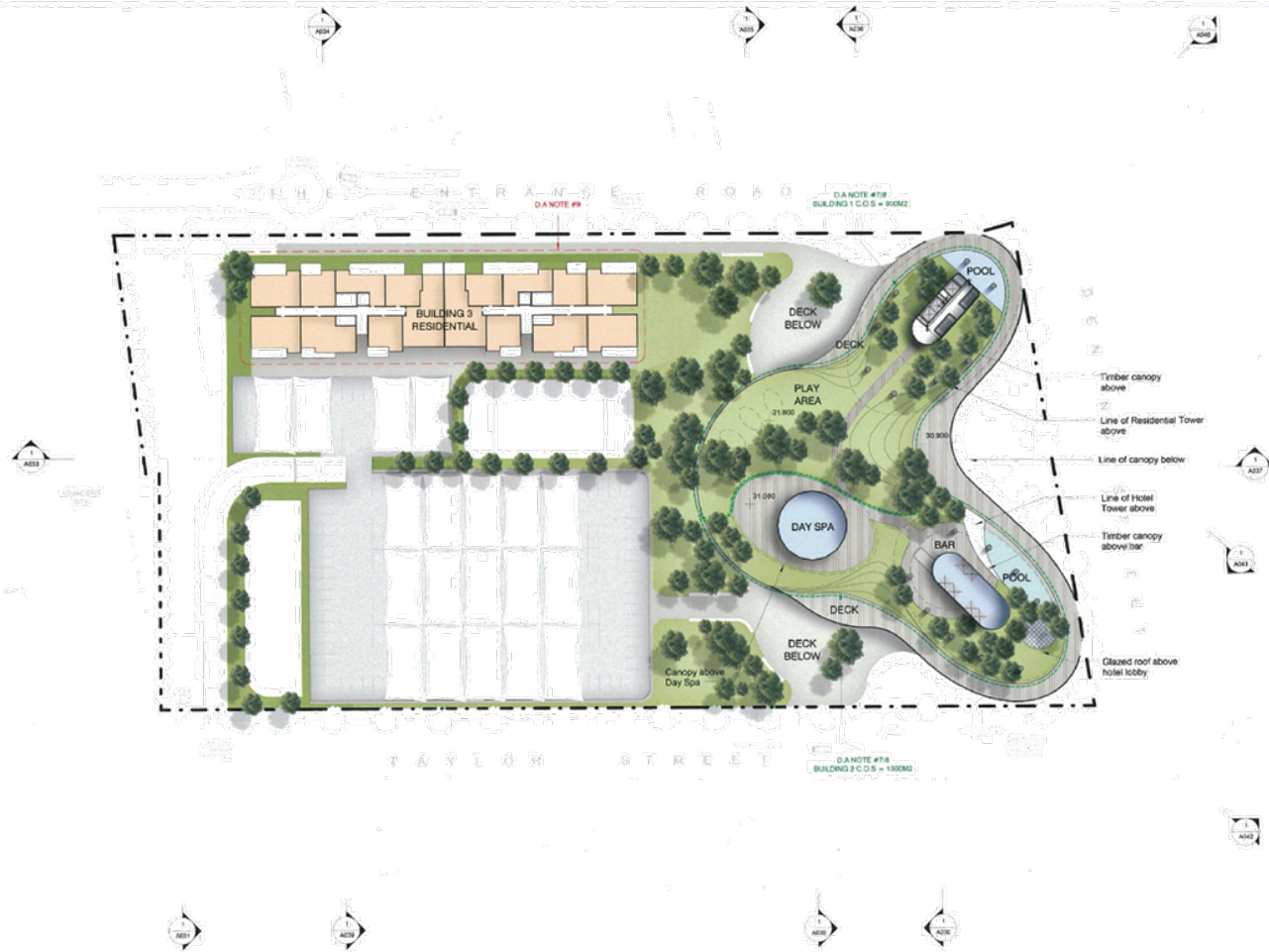
PARKING SCHEDULE		
Description	Type	Count
Basement - G2		
Residential (Accessible)	3000 x 5400 (Res)	37
Retail	2400 x 5400 (Retail)	256
Residential	2400 x 5400 (Res)	406
Basement - G1		
Residential (Accessible)	3000 x 5400 (Res)	12
Retail	2400 x 5400 (Retail)	267
Residential	2400 x 5400 (Res)	129
Access	2400 x 5400 (Access)	103
Basement - G1: 531		
Lakeside - Level 1		
Residential Carpark Bay	2400x5400 (Res) @ 11:30 for Walls	166
Residential	2400 x 5400 (Res)	37
Lakeside - Level 1: 203		
Grand total:		1433

Lakeside, The Entrance

Level 1
RL:26.800

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Level 2
RL:31.800

Lakeside, The Entrance

8/15/2015 7:10:26 PM

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Drawing Level 2

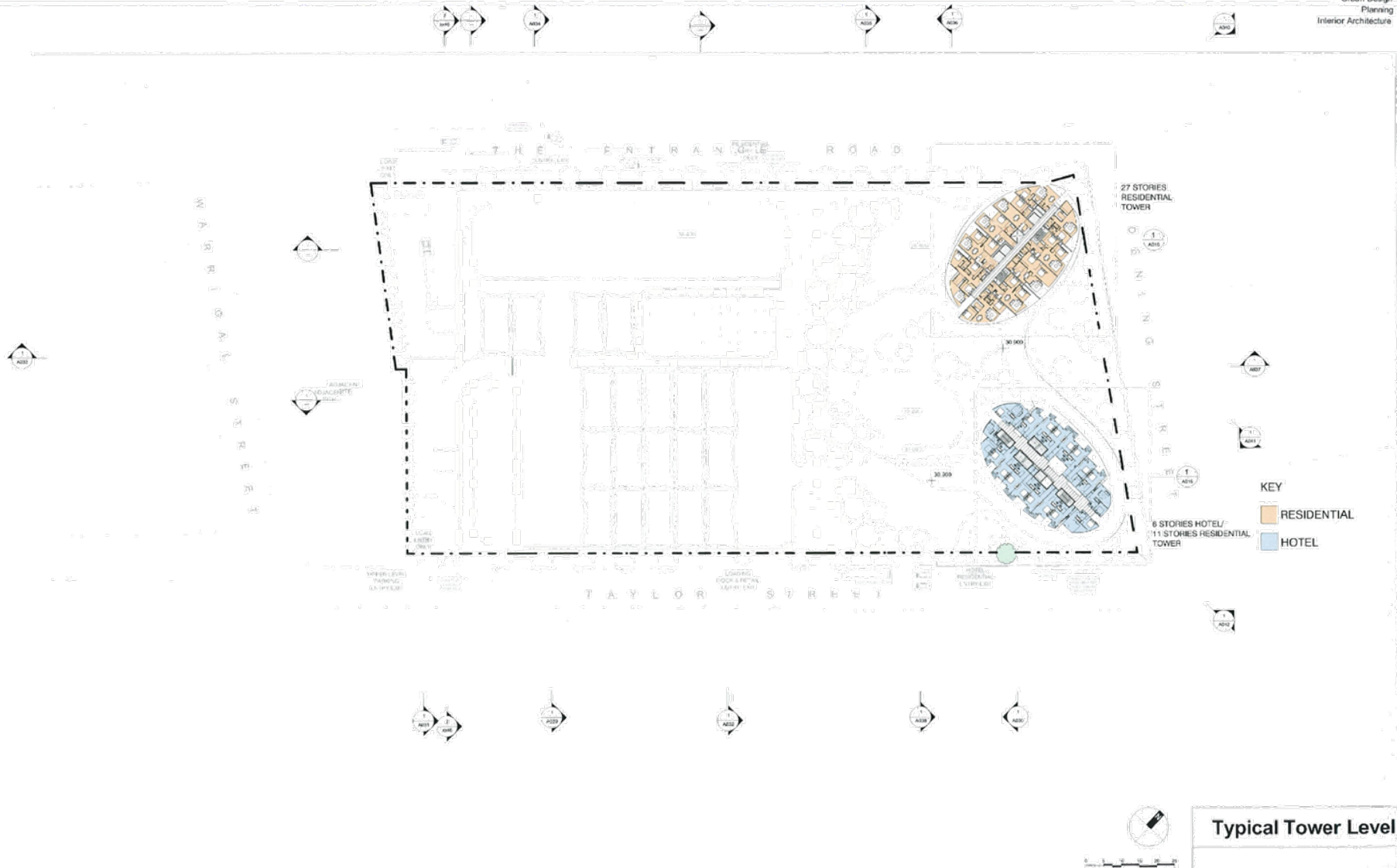
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Drawing no A012

Issue F

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Lakeside, The Entrance

8/05/2015 4:45:13 PM

Prepared for

The Entrance Plaza Pty Ltd

Drawing

Typical Tower Level

Scale 1: 500 @ A1

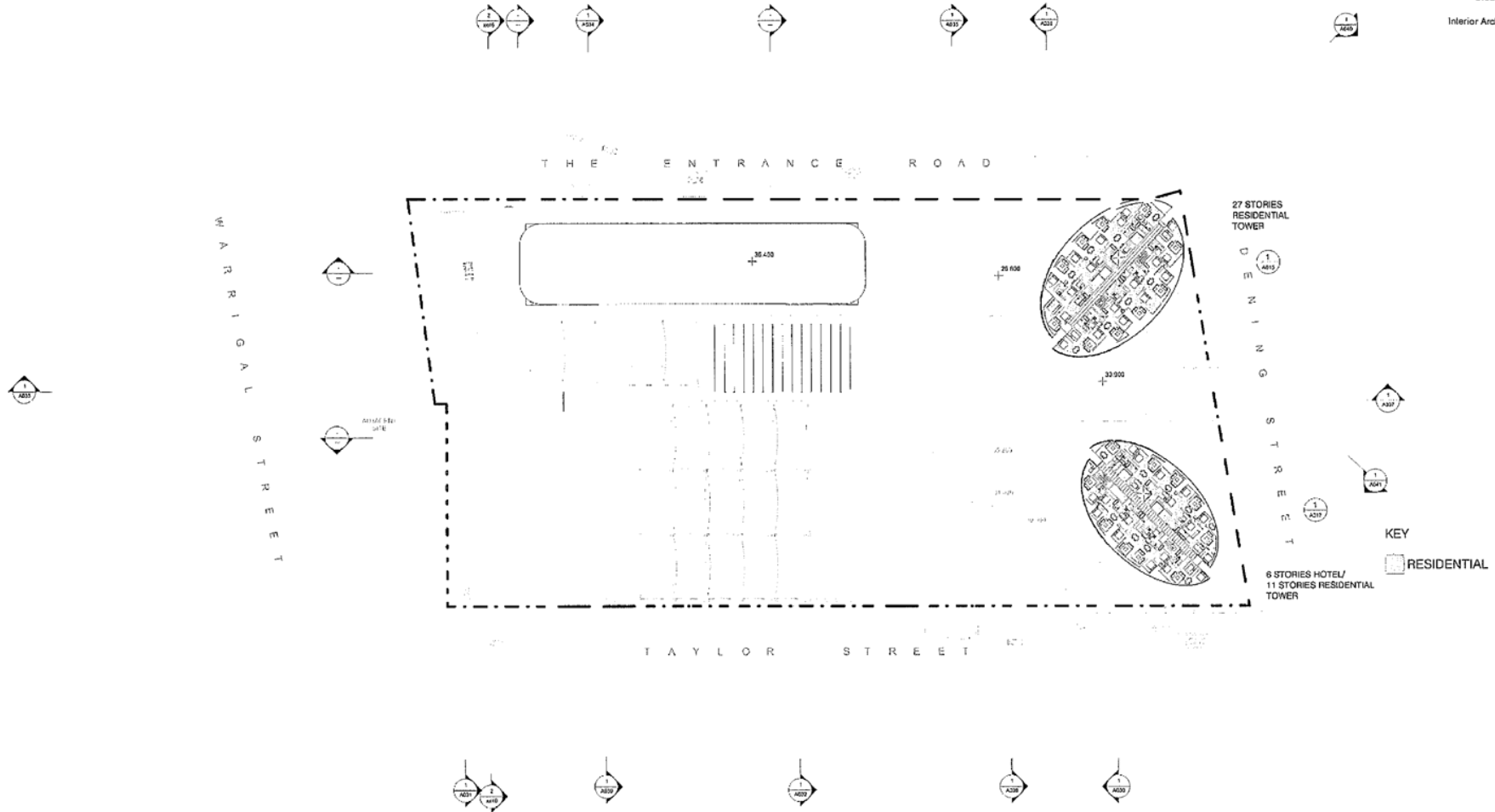
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Drawing no A013

Issue F

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Architecture
Urban Design
Planning
Interior Architecture



Typical Tower Residential Mid Rise

Lakeside, The Entrance

8/05/2015 4:46:04 PM

Prepared for The Entrance Plaza Pty Ltd

Drawing Typical Tower Residential Mid Rise

Scale 1:500 @ A1

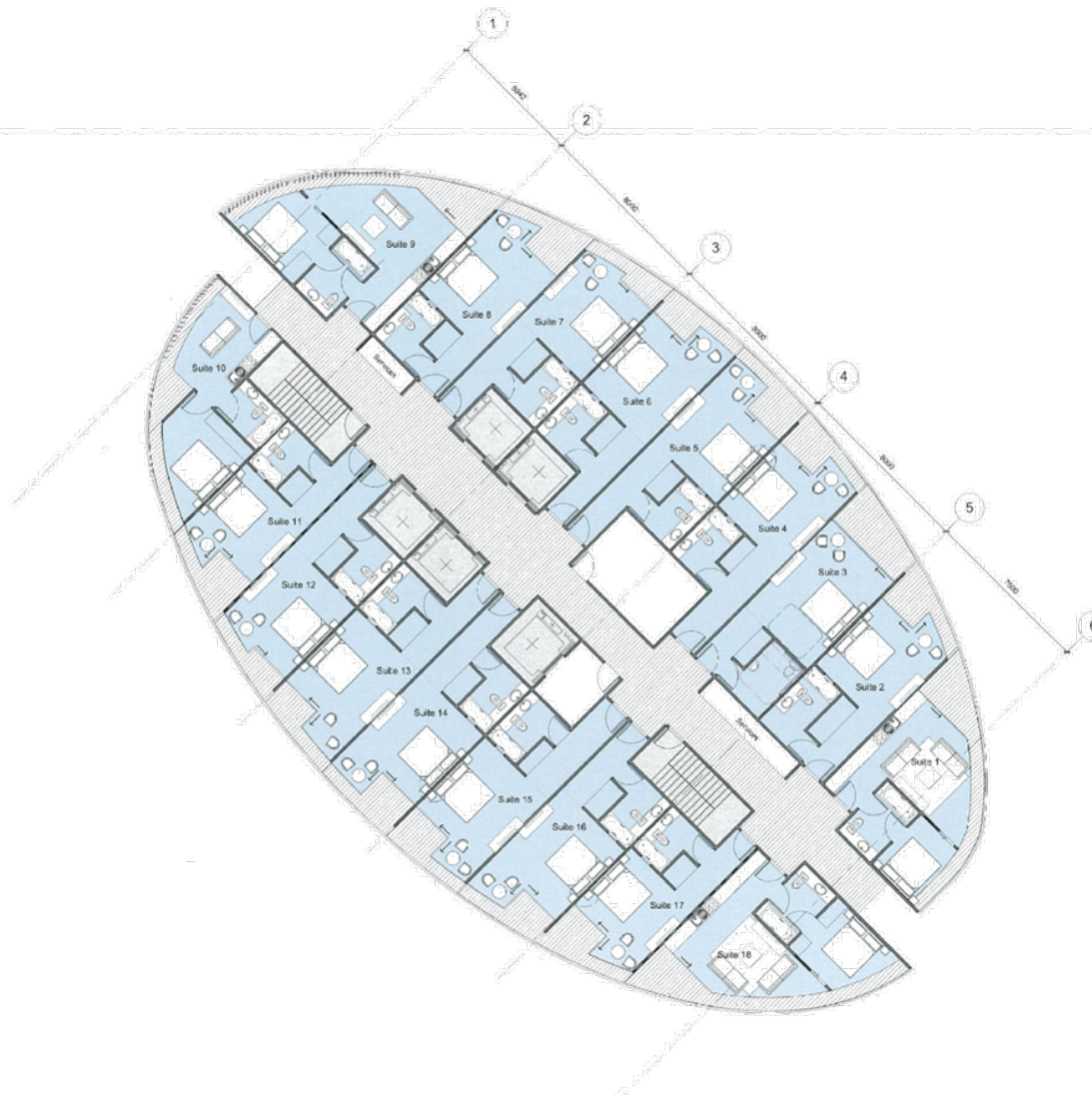
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Drawing no A014

Issue D

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Urban Design
Planning
Interior Architecture



Typical Hotel Floor Plan

Lakeside, The Entrance

8/05/2015 4:46:12 PM

Prepared for The Entrance Plaza Pty Ltd

Drawing Typical Hotel Floor Plan

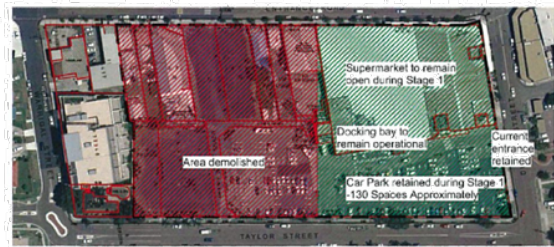
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Drawing no A016

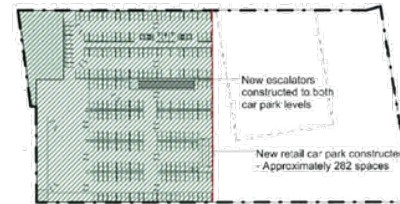
Issue E

architectus[®]

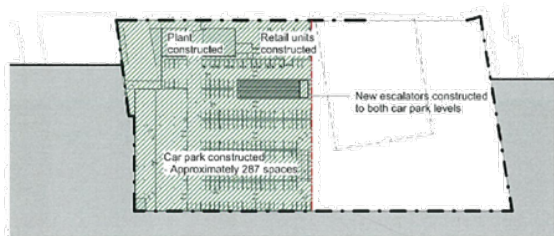
Architecture
Urban Design
Planning
Interior Architecture



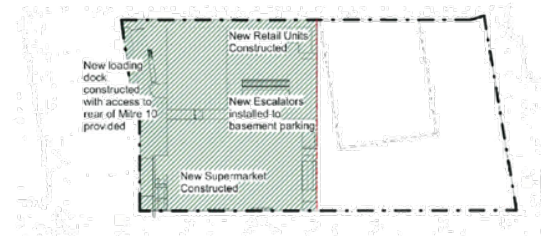
1 Stage 1 - Overview
SCALE: 1:1250



2 Stage 1 - Basement 2
SCALE: 1:1250



3 Stage 1 - Basement 1
SCALE: 1:1250



4 Stage 1 - Ground Floor
SCALE: 1:1250

KEY

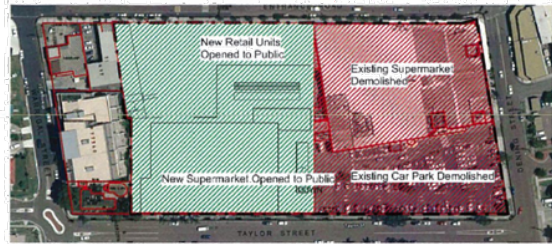
- Demolition
- Construction
- Area open to public
- Construction site boundary

Stage Plan - Stage 1

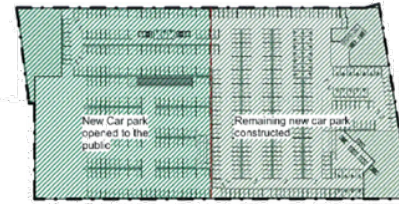


architectus™

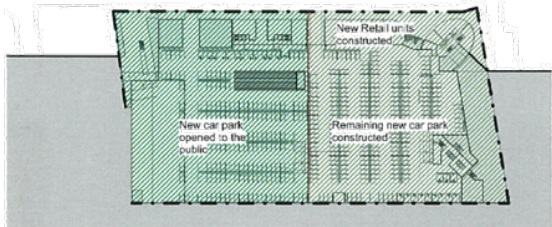
Architecture
Urban Design
Planning
Interior Architecture



3 Stage 2 - Overview
SCALE: 1:1200



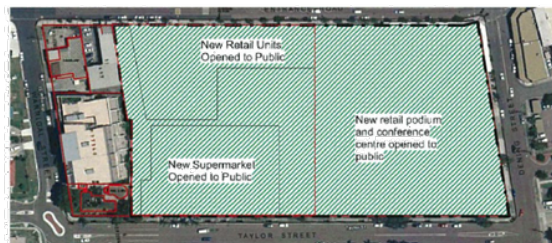
4 Stage 2 - Basement 2
SCALE: 1:200



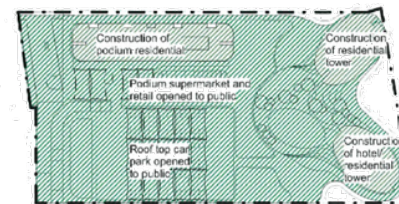
5 Stage 2 - Basement 1
SCALE: 1:200



6 Stage 2 - Ground Floor
SCALE: 1:200



1 Stage 3 - Overview
SCALE: 1:1200



2 Stage 3 - Tower Plan
SCALE: 1:1200

- KEY
- Demolition
 - Construction
 - Area open to public
 - Construction site boundary

Stage - Stage 2 & 3



Lakeside, The Entrance

8/05/2015 4:44:06 PM

Prepared for: The Entrance Plaza Pty Ltd

Drawing Stage - Stage 2 & 3

Scale As indicated @ A1

@ A3

Drawing no A005

Issue D







3.1 Community Subsidy Program and Sport and Cultural Sponsorship Program

TRIM REFERENCE: F2008/02110 - D12132454
MANAGER: Glenn Cannard, Section Manager
AUTHOR: Kay Matthews; Grants Support Officer

SUMMARY

This report provides consideration of applications and recommendations for the Community Subsidy Program and Sport and Cultural Sponsorship Program funding for the period ending 30 October 2015.

The Community Subsidy Program provides in-kind assistance to support community efforts to maintain the quality of life of the Wyong Shire Community.

The Sport and Cultural Sponsorship Program assists Wyong Shire residents to participate in sporting and cultural events of Regional, State and/or National significance.

RECOMMENDATION

- 1 ***That Council allocate \$902.00 from the 2015-16 Community Subsidy Program as follows:***

<i>Applicant</i>	<i>Project</i>	<i>Staff Funding Recommended</i>
<i>Central Coast Country Music Association Inc</i>	<i>Venue hire Colongra Bay Hall and digital printing</i>	<i>\$902.00</i>
<i>Total</i>		<i>\$902.00</i>

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

<i>Applicant</i>	<i>Project</i>	<i>Staff Recommendation</i>
<i>Central Coast Multiple Birth Association</i>	<i>Venue hire, digital printing, insurance and equipment</i>	<i>No evidence applicant is legally constituted not-for-profit, and some items requested not suitable for Community Subsidy Program</i>

3.1 Community Subsidy Program and Sport and Cultural Sponsorship Program (contd)

- 3 That Council allocate \$6,500.00 from the 2015-16 Sport and Cultural Sponsorship Program as follows:

Applicant	Project	Staff Funding Recommended
Ryan Baxter	Tenpin Bowling Australia Junior National Championships, Melbourne, representing NSW	\$500.00
Gemma Clegg	Australian Futsal Team, United Kingdom, representing Australia	\$1000.00
Brooke McCaffery	World Championships of Performing Arts, America, representing Australia	\$1000.00
Wyatt Gavan	National Indigenous U17 Rugby Union Team, New Zealand, representing Australia	\$1000.00
Cooper Woolley	2015 Pacific School Games Swimming Team, Adelaide, representing NSW	\$500.00
Bethany Kranendonk	Australian All Schools Athletic Championships, Melbourne, representing NSW	\$500.00
Tahlia Blanshard	9th Pacific School Games, Adelaide, representing NSW	\$500.00
Bryce Calderon	2016 NSW U17 Men's Softball Team, Perth, representing NSW	\$500.00
Clare Billson	World Championships of Performing Arts, America, representing Australia	\$1000.00
Total		\$6,500.00

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

Applicant	Project	Staff Recommendation
Emily Summerell	420 Open and Youth Nationals, Woollahra NSW, representing NSW	Independent verification from event organisers not supplied
Jo MacGregor	Rugby 7s State Wide Championship, Coffs Harbour, representing NSW	Application not received 30 days in advance
Isabelle Lutze	Lee Academy Dance and Performing Arts USA Tour, America	Application relates to a tour, not a competition as per Community Subsidy Program guidelines
Tyler Jones	2015 World Youth Athletics Championships, South America, representing Australia	Event already completed prior to application being submitted
Nathan Ward	NSW Pacific School Games Swimming Team, Adelaide, representing NSW	Application not received 30 days in advance

3.1 Community Subsidy Program and Sport and Cultural Sponsorship Program (contd)

BACKGROUND

Council currently provides \$30,000.00 annually for the Community Subsidy Program, which supports community efforts to maintain the quality of life of the Wyong Shire Community. Council does this through the provision of assistance to events, activities and programs that express community and cultural values, protect our natural environment, improve the urban environment and create jobs. The available balance for this program as at 30 October 2015 is \$25,426.09. Funds not expended by 30 June 2016 will be returned to general revenue.

Council currently provides \$20,000.00 annually for the Sport and Cultural Sponsorship Program, which assists Wyong Shire residents to participate in sporting and cultural events of Regional, State and/or National significance. The Sport and Cultural Sponsorship Program aims to recognise individuals and groups who achieve excellence in their field and represent the Central Coast. The available balance for this program as at 30 October 2015 is \$10,500.00. Funds not expended by 30 June 2016 will be returned to general revenue.

Funding is provided every two months for these two programs.

This report provides details on the applications and recommendations for funding.

ATTACHMENTS

Nil.

3.2 Joint Water Capital Works Budget for 2015/16

TRIM REFERENCE: F2004/06807 - D12137600

MANAGER: Greg Cashin, Manager, Wyong Water Commercial and Planning

AUTHOR: Garry Casement; Section Manager

SUMMARY

A revised joint water capital works budget of \$5.3M for 2015/16 is proposed for approval. The budget is consistent with the four year price path allowances included in the pricing determination received from the Independent Pricing and Regulatory Tribunal (IPART).

RECOMMENDATION

That Council approve a revised 2015/16 Joint Water capital works budget of \$5,322,423.

BACKGROUND

Gosford and Wyong Councils share key water supply assets such as dams, water sources, pump stations, water treatment plants and transfer systems. The sharing and joint management of these assets provides significant supply benefits to the Central Coast community. The capital and operating costs of the joint assets are shared in accordance with the Joint Scheme Funding Agreement. Under the Joint Scheme Funding Agreement, the costs of approved capital works are shared equally by the Councils.

Each council is regulated by the IPART, and pricing determinations for both councils includes provision for the joint water assets.

The Central Coast Regional Organisation of Councils (CCROC) at the meeting of 19 February 2015 considered the proposed 2014/15 Joint Water Capital Works budget together with the draft 2015/16 joint water capital works budgets as detailed in Table 1 below.

Table 1 Joint Water capital expenditure considered by CCROC 19 February 2015

	2013/14 Actual	2014/15 Budget	2015/16 Draft Budget	2016/17 Forecast	Total
Wyong					
IPART Price path allowance	1,243,571	3,376,175	1,739,697	2,001,207	8,360,650
Proposed	2,526,599	1,273,848	569,000	3,165,040	7,534,487
Gosford					
IPART Price path allowance	4,002,933	7,584,116	2,163,735	2,857,214	16,607,998
Proposed	7,599,258	7,190,368	2,404,880	239,656	17,434,162
Combined Price Path Allowance	5,246,504	10,960,291	3,903,433	4,858,421	24,968,648
Total Proposed	10,125,857	8,464,216	2,973,880	3,404,696	24,968,649

3.2 Joint Water Capital Works Budget for 2015/16 (contd)

The CCROC unanimously resolved to endorse the 2014/15 joint water capital works budget however made no resolution in relation to the draft 2015/16 budget. The endorsed joint water capital works 2014/15 budget was subsequently approved by both councils.

The CCROC has yet to endorse the 2015/16 joint water capital works budget.

THE PROPOSAL

The joint water Technical Advisory Group (TAG) at the meeting of 14 October 2015 reviewed the capital works program for the remainder of the current IPART price path. This review included a comprehensive prioritisation process that incorporated proposed project deferrals, reprioritisation of currently programmed projects and consideration of new projects predominantly related to statutory requirements (i.e. safety, water quality or environmental compliance) or urgent works to address critical operational needs. The review also included adjustments to the various project expenditure profiles and was undertaken to ensure that the overall program is contained within the IPART allowances.

The process focused on projects which provided the best outcome for the joint water system as a whole. It also took into account the outcome of investigation work undertaken since the joint water budget was set at the beginning of the price path. For example it is now clear that a major upgrade of Mardi water treatment plant will be required rather than the lower cost approach allowed for this price path. As such the major upgrade will be allowed for in the next price path.

A summary of the proposed revised Joint Water Capital Expenditure over the current IPART price path is provided below in Table 2.

Table 2 Proposed Revised Joint Water Capital Expenditure

	2013/14 Actual	2014/15 Actual	2015/16 Proposed revised Budget	2016/17 Forecast	Total
Wyang					
IPART Price part allowance	1,243,571	3,376,175	1,739,697	2,001,207	8,360,650
Proposed	2,567,999	1,004,167	451,682	370,000	4,393,848
Gosford					
IPART Price part allowance	4,002,933	7,584,116	2,163,735	2,857,214	16,607,998
Proposed	7,599,258	4,786,632	4,870,741	3,238,614	20,495,245
Combined Price Path Allowance	5,246,504	10,960,291	3,903,433	4,858,421	24,968,648
Total Proposed	10,167,257	5,790,799	5,322,423	3,608,614	24,889,093

It is proposed that each council consider and approve the proposed revised joint water capital budget for 2015/16.

ATTACHMENTS

Nil.

3.3 Erosion and Sediment Control Policy

TRIM REFERENCE: F2009/00055 - D12110972

MANAGER: Scott Cox, Director

AUTHOR: Jamie Loader; Manager

SUMMARY

Policy E1 Erosion & Sedimentation Control Policy (E1 Policy) was adopted on 22 July 2009. The policy is no longer required, as the New South Wales Government, Soils and Construction, Managing Urban Stormwater, Volume 1 – March 2004 (The Manual) provides suitable guidance on erosion and sediment control requirements.

This report recommends that Council rescind the current Erosion and Sedimentation Policy.

RECOMMENDATION

That Council rescind the Wyong Shire Council E1 Erosion and Sedimentation Control Policy.

BACKGROUND

Council's current policy, E1 Policy has the following objectives.

OBJECTIVES

- 1 To prevent the pollution of land and watercourses, or the potential pollution of land and watercourses due to inadequate erosion protection.
- 2 To prevent degradation of land, lakes, watercourses and drainage systems by reducing erosion and minimising the loss of sediment from sites where building works or construction activities are being undertaken, where the soil is disturbed, or where materials are stockpiled.
- 3 To prevent blockages of the drainage system, including gutters, table drains, stormwater pipes and pits and watercourses thus reducing the likelihood of property damage due to blockages of those systems.
- 4 To implement and enforce uniform erosion and sedimentation control standards and guidelines for relatively small sites.
- 5 To promote ecologically sustainable development principles with regard to erosion and sedimentation control.

3.3 Erosion and Sediment Control Policy (contd)

The Manual provides more comprehensive assistance to manage erosion and sedimentation than Council's current policy. Rescission of the current policy will:

- a) Remove difficulties currently being experienced by Property Developers as a result of competing requirements; and
- b) Assist industry due to standardisation of requirements.

In practice, the manual provides greater guidance to developers and Council than the E1 Policy.

To assist small scale developers and owner/builders, a simple Fact Sheet will be developed and placed on Council's website as part of Council's suite of electronic self-assessment documentation, along with a full copy of the manual.

ATTACHMENTS

- | | | |
|---|--|-----------|
| 1 | Policy E1 Erosion and Sediment Control | D00897769 |
| 2 | Erosion and Sedimentation Flyer | D12150589 |

E1 EROSION & SEDIMENTATION CONTROL

Department:	Shire Planning
Unit:	Planning - Legal and Policy
File:	F2004/07011 (alternatively within F2004/07686)
Amended on:	22 July 2009

OBJECTIVES

- 1 To prevent the pollution of land and watercourses, or the potential pollution of land and watercourses due to inadequate erosion protection.
- 2 To prevent degradation of land, lakes, watercourses and drainage systems by reducing erosion and minimising the loss of sediment from sites where building works or construction activities are being undertaken, where the soil is disturbed, or where materials are stockpiled.
- 3 To prevent blockages of the drainage system, including gutters, table drains, stormwater pipes and pits and watercourses thus reducing the likelihood of property damage due to blockages of those systems.
- 4 To implement and enforce uniform erosion and sedimentation control standards and guidelines for relatively small sites.
- 5 To promote ecologically sustainable development principles with regard to erosion and sedimentation control.

PREAMBLE

Wyong Shire Council is committed to the protection and restoration of our lakes, watercourses and drainage systems. Urban runoff is a major source of pollutants entering our waterways and the sediment within this runoff is immensely detrimental to the well being of the lakes and wetlands.

The majority of the soils in Wyong Shire have high erosion potential and the soils are highly dispersible. As such, there is a high erosion hazard for work sites whereby sediment is readily mobilised from exposed soils. This sediment once mobilised, is fine sediment that will travel long distances in the stormwater system prior to settlement. The settlement of the fine dispersible sediment usually occurs when this material reaches the aquatic environment such as wetlands, rivers and lake systems.

Managing Urban Stormwater; Soils and Construction by LANDCOM, known in the building and civil engineering industries as the "Blue Book", is considered to be the industry standard for erosion and sedimentation control. While the current version of the Blue Book is generally referred to as being best practice, it does not address local conditions and is not particularly user friendly for small scale developers. To address this issue Wyong Shire Council has developed this Policy document to assist those who are undertaking works on a relatively small scale. This document generally applies to all work sites with an area of up to 2500m².

RELATED POLICIES AND LEGISLATION

- **Local Government Act 1993**
- **Environmental Planning and Assessment Act 1979**
- **Protection of the Environment Operations Act 1997**
- **Development Control Plan 2005 – Chapter 67 – Engineering Requirements for Development**

POLICY REQUIREMENTS

1.0 PREPARATION FOR WORK

1.1 Is a plan required?

All Development Application proposals, Exempt or Complying Development proposals or an application for the assessment of an Activity as described under Part 5 of the Environmental Planning and Assessment Act, where the project involves site disturbance, excavation, stockpiling or filling, must consider erosion and sedimentation control for the subject site.

- **Small Sites 0 -250 m²**

The development of small sites (disturbance of less than 250m² of land) does not require the preparation of a formal plan, but the project will still need to be undertaken in accordance with the principles detailed in this Policy.

- **Site Disturbance 250m² -2500m²**

For sites with an area of between 250 and 2500m², Council requires that the proposed method of erosion and sedimentation control is provided in the form of an Erosion and Sedimentation Control Plan (ESCP). These sites are subject to this Policy.

- **Site Disturbance 2500m² or greater**

Erosion and sedimentation control requirements for sites with an area of 2500m² or greater are covered in Appendix A of Development Control Plan 2005, Chapter 67 Engineering Requirements for Developments and are to be accompanied by a Soil and Water Management Plan (SWMP).

- **Environmentally Sensitive Sites**

Environmentally sensitive sites (i.e. - sites on >10% slope or sites adjacent to a watercourse or other environmentally sensitive areas) will require more detailed consideration. Environmentally sensitive sites with an area of less than 250m² are to be accompanied by an ESCP. Environmentally sensitive sites with an area of 250 to 2500m² are to be accompanied by an SWMP.

It is advisable that you contact Council if you are unsure which description best fits your site.

1.2 Principles of Erosion and Sedimentation Control

1.2.1 Erosion Prevention

The most effective form of erosion and sedimentation control is to prevent erosion occurring. This can be achieved by minimising the portion of a site being disturbed at any one time and the diversion of upstream catchment to ensure that there are no concentrated flows on to the site. Disturbed areas shall be stabilised or revegetated as soon as possible. Undeveloped areas should be protected by appropriate barrier fencing to prevent undue site disturbance.

Some controls and measures to reduce erosion include:

- Divert clean “run-on” water from up stream of the site via the use of stabilised or lined diversion drains. Note that water cannot be diverted onto other sites, and the diversion must run through the subject site.
- Protect natural vegetation and only disturb the minimum site area necessary to undertake the works.
- A singular stabilised vehicle accesses shall be used on all sites in accordance with SD-A2 STABILISED CONSTRUCTION ENTRANCE (refer to attachments).
- Downpipes shall be connected to the drainage system immediately after roof gutters are installed.
- Earthworks operations shall be managed so that they do not unnecessarily concentrate water flow.
- Topsoil shall be retained for effective restabilisation of the site.
- Progressive revegetation of the site shall be undertaken as soon as works staging permits.
- Where possible development and clearing should be staged to ensure site disturbance at any one time is minimised.

1.2.2 Sedimentation Control

Sedimentation Control is the control of any sediment that may become mobilised during the works and rainfall events. Where possible, the control of sediment laden water should be undertaken at the source rather than only at one final point on the site.

Sedimentation Controls may include the use of silt fences, stormwater pit inlet protection devices, and shaker grids on site entrances as minimum requirements. Other devices such as sediment capture devices and sediment ponds may be required (refer to attachments for examples of erosion and sedimentation control devices).

All sedimentation control measures must be installed prior to any excavation or earthmoving works taking place on site. Sedimentation Controls must be maintained in a functional condition throughout the course of construction and until such time as the site is satisfactorily landscaped or turfed. Examples of appropriate sedimentation control measures can be found as attachments to this Policy.

1.2.3 Revegetate or Stabilise

Revegetation or stabilisation of disturbed areas shall be commenced as soon as possible on all sites. This includes turfing, seeding, bitumen straw mulching, and landscape planting.

1.3 Extent of Works

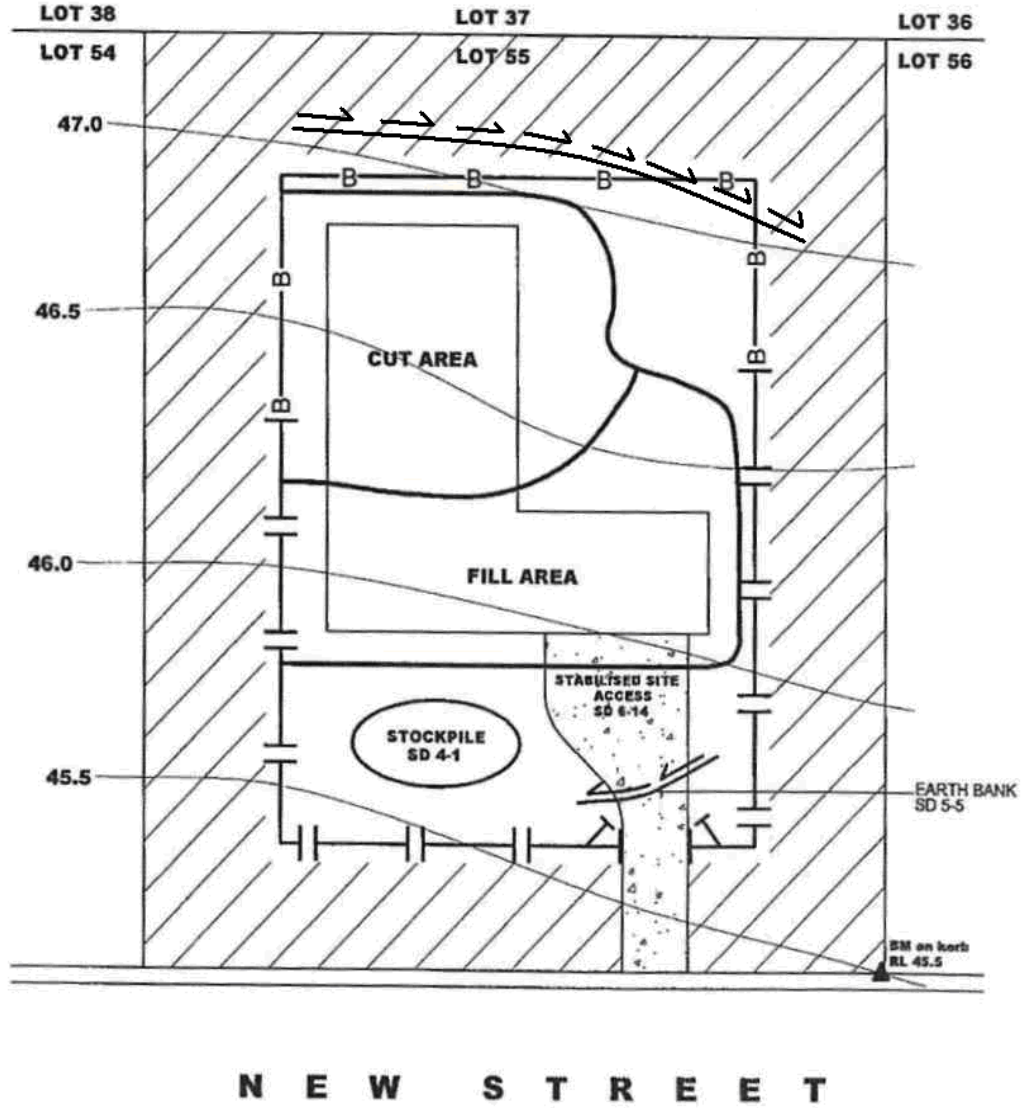
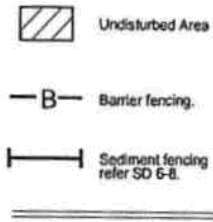
If development activity extends onto neighbouring properties (e.g. access tracks, storage of materials, etc), the permission of the affected property owner must be provided in writing along with details of all sedimentation control requirements that will extend to that property. No works or material storage is permitted on footpaths, reserve land or near watercourses.

1.4 Erosion and Sedimentation Control Plans

A significant number of development and work sites fall within the 250 -2500m² category and an erosion and sedimentation control plan will need to be prepared prior to work commencing on these sites. The plan shall show all controls and measures to prevent stormwater pollution throughout the construction phase up until the time the site is landscaped, revegetated or adequately stabilised. The plan may need to be revised during the course of the works to suit the staging of construction activities. As such, the ESCP shall be considered to be a living document that will be required to be reviewed and regularly updated. The plan should include a diagram containing the information indicated below and may also include a supporting written statement.

At a minimum the Erosion and Sediment Control Plan is to indicate the following:

1. Property boundaries.
2. North point and scale.
3. Construction site/disturbed area boundary, outside of which no works, vehicle movement or stockpiling of materials are to occur.
4. Nominated access points to the construction site, with details of the access control measures.
5. Existing contours of the site including catchment areas and boundaries (generally 1.0 metre for residential blocks).
6. Location of existing vegetation to be retained and vegetation protection fences.
7. Location of existing watercourses.
8. Existing site drainage, such as location of roads, drainage easements and other impervious surfaces.
9. Details of erosion and sedimentation controls, including diversion drains for uncontaminated runoff/run-on.
10. Schedule of works, including erosion and sedimentation control.
11. Material stockpile locations and associated control methods.
12. Revegetation proposals and techniques, including specifications of materials used, methods of application and finished contours.
13. Design details and calculations for all major erosion and sedimentation control facilities, including drawings (minimum scale 1:200).
14. Location and capacity of the proposed temporary and permanent site drainage or stormwater system.
15. Monitoring and progressive maintenance program for erosion and sediment controls.
16. Monitoring and maintenance details for rehabilitation program including types and rates of fertilisers and other soil ameliorants, mulching details and scheduling details.



SD-A1 TYPICAL EROSION AND SEDIMENTATION CONTROL PLAN

2.0 ON-SITE RESPONSIBILITIES

2.1 Installation of controls

Before works commence on site, the sedimentation and erosion controls shall be installed, and Wyong Shire Councils Erosion Control Warning Sign (nominating responsibilities and penalties for non compliance) shall be installed. A recommended procedure for installation of devices is as follows:

- Establish a single stabilised construction entrance.
- Install sediment fences along the lower side of the site.
- Install upslope clean water diversion drains, including stabilisation and outlet structures.
- Install barrier fences to prevent excess and undue clearing of the site.
- Install specific stockpile areas, waste disposal areas, and washout areas.
- Commence works.

2.2 Maintenance of controls

To ensure correct operation of erosion and sedimentation control devices, an inspection and maintenance program shall be implemented. Inspections shall be performed at least weekly, prior to forecast rainfall events and after each rainfall event.

Maintenance activities shall include as a minimum, the removal of silt collected in sediment capture devices, gravel added to stabilised construction entrance, repairing of scour, stabilisation of diversion structures and the repair of damage to sediment fences. Records of maintenance activities shall be kept on site and made available to Council Staff if required.

2.3 Finalisation of works

All erosion and sedimentation control devices shall be maintained until the site has been adequately revegetated and no soil remains exposed. If landscaping is not complete by the time of handover of the site to new owners, ensure that the new owners are aware of their responsibilities under this policy. All controls are to be removed once the site has been adequately revegetated and stabilised.

3 PENALTIES FOR POLLUTION INCIDENTS UNDER THE PROTECTION OF THE ENVIRONMENT OPERATIONS ACT 1997

This document provides direction for addressing erosion and sedimentation control but the preparation of a plan alone does not ensure that pollution incidents will not occur. The discharge of any sediment from the site may constitute an offence. Maintenance and attention to potential problems is essential.

The responsibility of site maintenance is that of the applicant, builder or site foreman. There should be no reliance on those undertaking works on surrounding development sites to provide adequate erosion and sedimentation control for a site that you are responsible for.

Council will be regularly inspecting the erosion and sediment controls provided for sites where soil disturbance is taking place. These controls are to be maintained at all times. Failure to implement the erosion and sediment controls may result in action being taken under the relevant legislation. On the spot fines may be imposed by Council Officers and Officers from the Environment Protection Authority. Further action including larger fines may be incurred through legal action, for significant incidents.

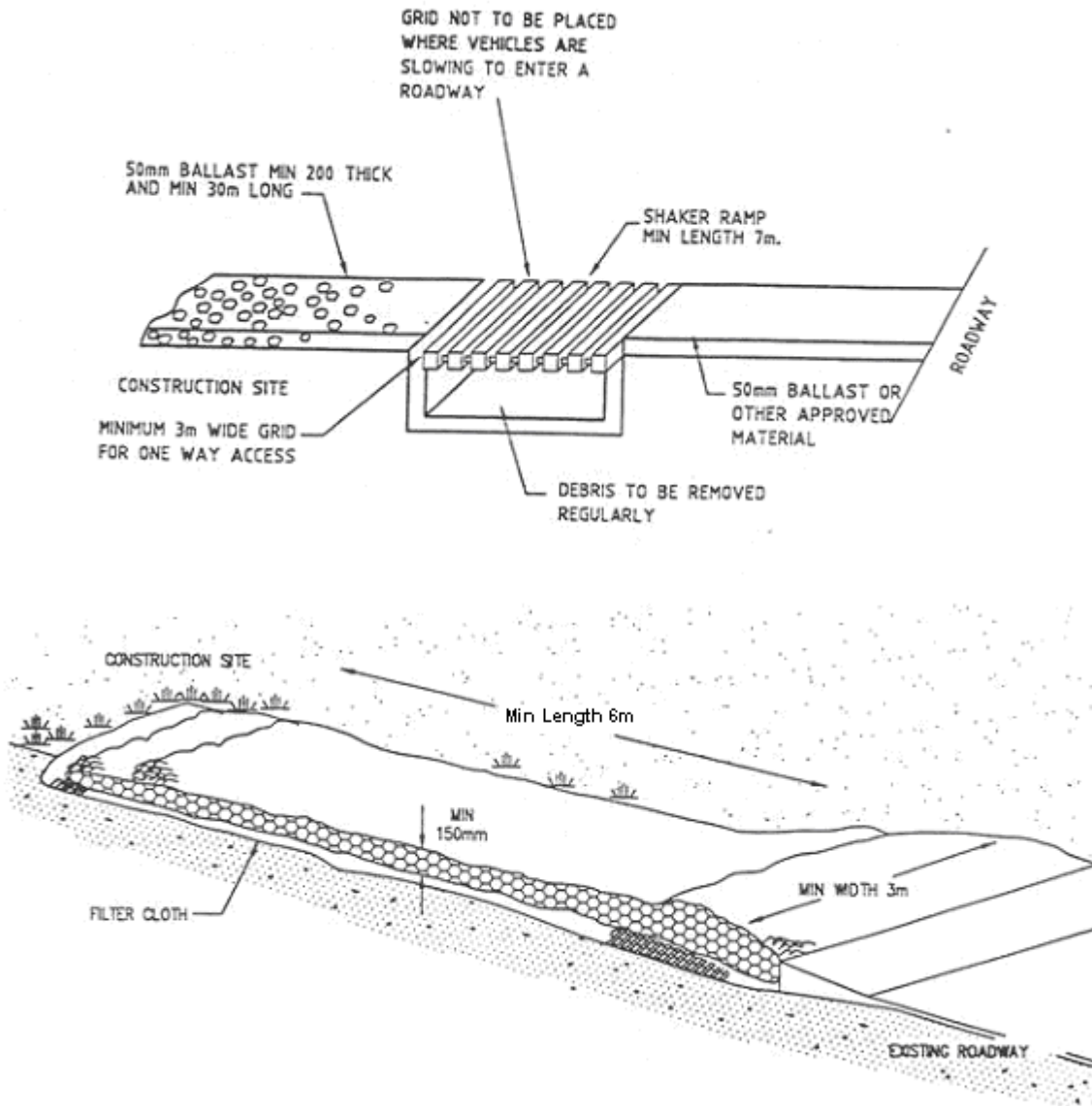
ATTACHMENTS

Examples of Erosion and Sedimentation Control Devices

Stabilised Site Entrance

All construction sites shall have a Stabilised Construction Entrance, which shall be maintained during the course of the works. Care should be taken to ensure that construction entrances do not divert dirty water from the site onto the roadway, and they may require the use of a bund/diversion drain to direct rainfall runoff towards sediment capture devices. Only 50mm rock ballast or clean 50mm recycled concrete shall be utilised in their construction, and any rubbish such as wire, steel, plastic, or other contaminants will not be allowed.

On all sites where trucks will be regularly entering/exiting, for example haulage of excess soils, a shaker grid shall be installed in the construction entrance. All material used in the construction of the stabilised entrance shall be removed at the completion of works and the area satisfactorily restored.

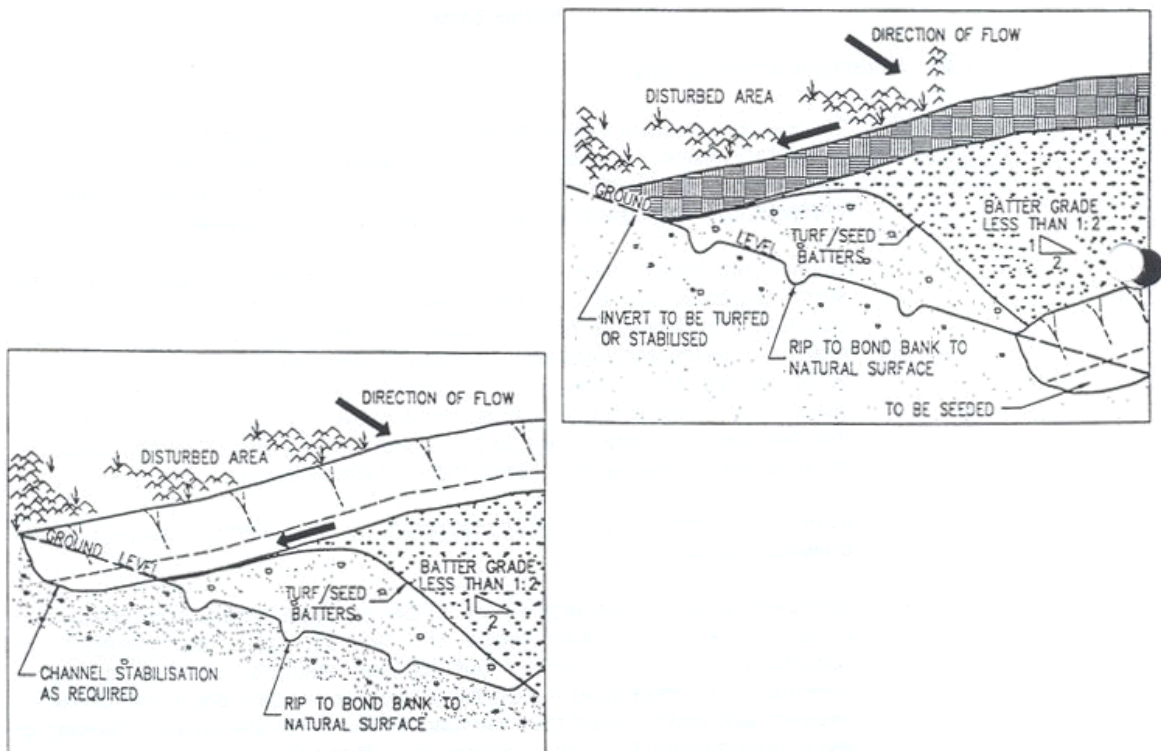


SD-A2 STABILISED CONSTRUCTION ENTRANCE

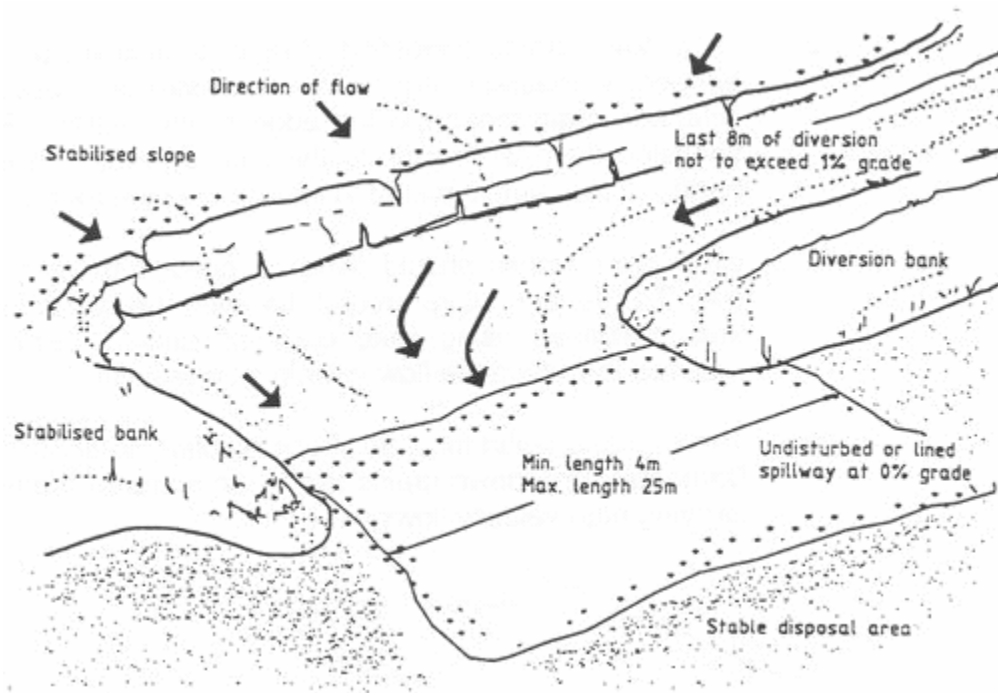
Diversion Drains and Level Spreaders

On construction sites where run-on stormwater may create issues with erosion, diversion drains shall be installed on those run-on stormwater areas to convey clean water around the site. It should be noted that this water cannot be deliberately diverted onto other properties except for where the existing natural flow existed.

Care should be taken when designing diversion drains to ensure that erosion does not occur. Diversion drains shall have a flat base where possible, be revegetated as a minimum, and where longitudinal grades exceed 5%, reinforced turf or erosion control matting shall be used to line diversion drains.



SD-A3 DIVERSION DRAIN



SD-A4 LEVEL SPREADER

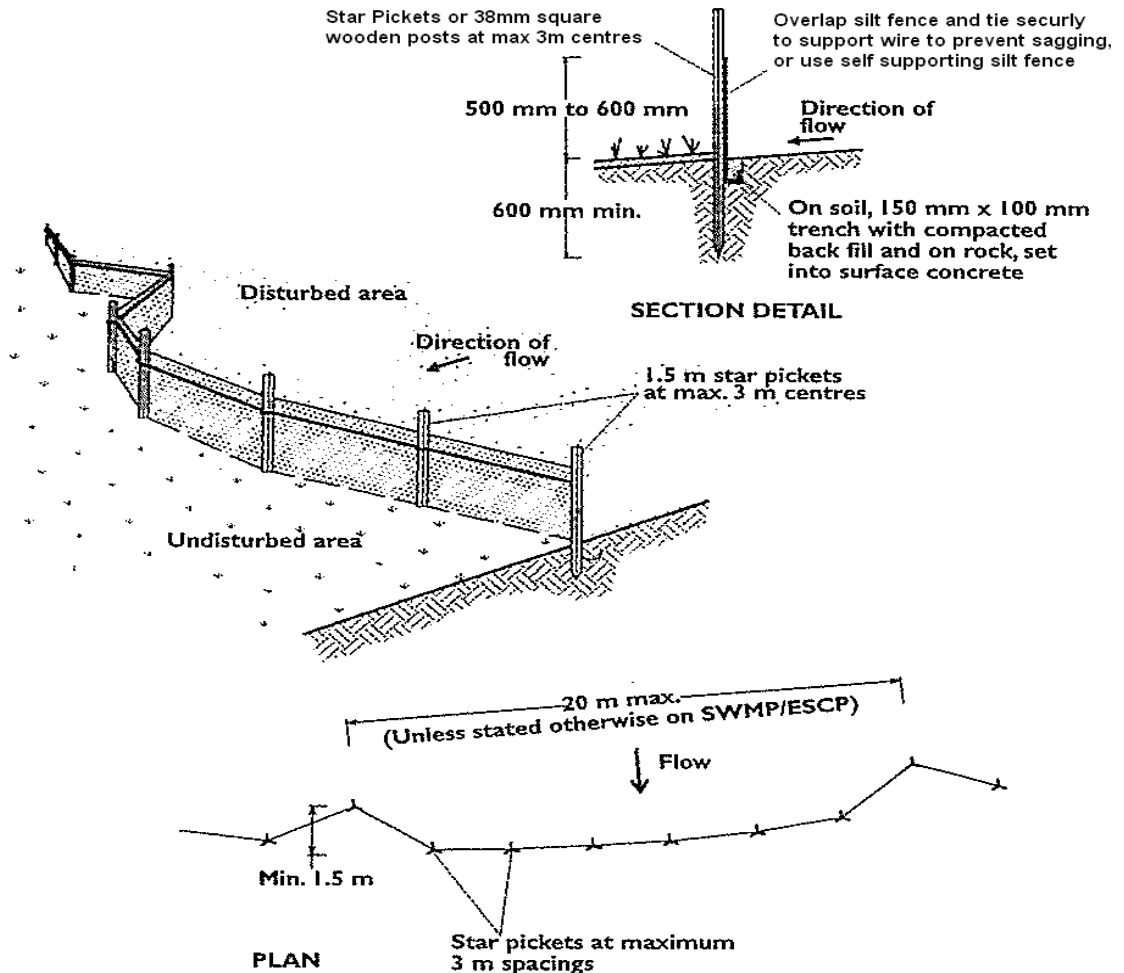
Silt Fence

Silt fences filter sediment laden stormwater run-off leaving the site, trapping the coarse sediment and allowing partially filtered water to pass.

Silt fences shall be placed on the contour or slightly convex to the contours. If placed on the contour, the ends of the fence shall be turned up slope to ensure that the fence creates a 'stilling pond' upslope of the fence. Fences should not be run downslope without regular 'turnouts', as this will concentrate water flows along the fence and create scour/erosion. "Turnouts" are where the silt fence is turned back up slope along the line to create 'stilling ponds' and shall be performed at maximum 20m spacing.

The area below a silt fence must be undisturbed or stabilised. Silt fences should also have a stable outlet or overflow point in case the flow rates exceed the fence's capacity to filter water. The following diagram gives specific requirements for silt fence installation.

Silt fences require regular maintenance. Trapped sediments should be removed, posts/pickets straightened, filter cloth resecured and tightened and reinstalled/rectified when heavily contaminated with silt.



SD-A5 SILT FENCING

Silt Fencing Installation

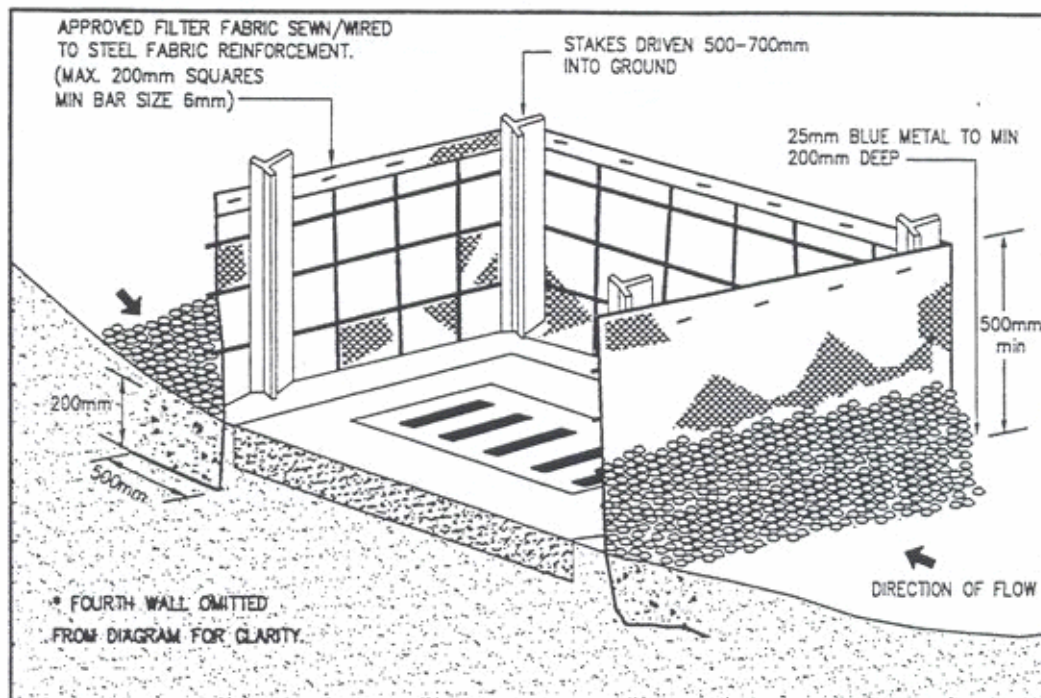
- Dig a trench along the line of the intended fence. The trench is most effectively constructed using a ditch witch or similar machine. Where a barrier is to be formed over any distance, the fence should consist of a series of overlapped fences. Fences shall be overlapped a minimum of 3m and shall end at pegs.
- The line of the fence should be slightly convex to the water flow and the ends turned up to create a stilling effect.
- Lay out the silt fence fabric on the uphill side of the trench.
- Drive 38mm square wooden pegs or star pickets along the downhill slope of the trench.
- Stand the fence fabric against the posts and pull taut. Place bottom 150-200mm of silt fence fabric flat on the floor of the trench, backfill and compact.
- Provide protective caps to posts and star pickets.
- Secure fabric to the fence using wire staples. If wooden posts are used, further support can be given to the fence by nailing a narrow wood strip through the fabric to the post or use gang nails.
- Self supporting silt fences shall be used, or with non-self supporting fences, No. 8 - 10 wire shall be strung along the line of the fence and the fence tied to this wire.

Stormwater Pit Protection

- Such sediment traps are used at stormwater inlets, both within and immediately downstream of the site.
- They are built from silt fences, rock filled groynes, masonry blocks or sandbags (or saron type materials) filled with blue metal. The choice of material or type of structure depends on the size of the drainage area, and the physical structure surrounding the stormwater inlet.
- These traps should be regularly maintained and restored to their original condition after rain.

Surface Inlet Pit

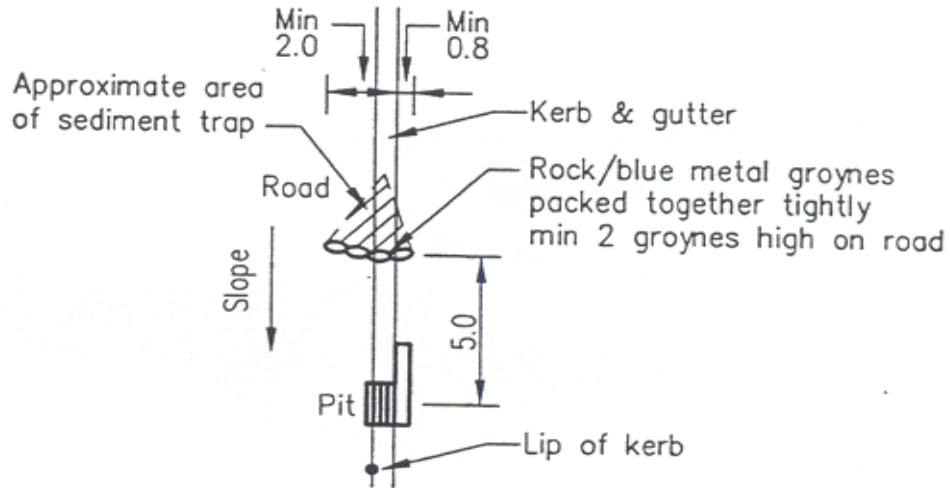
Surface inlet pits shall be protected with rock filled groynes, sand bags or silt fences to prevent sediment laden water entering the pit in normal rainfall events. Note that this protection shall be built so that in extended periods of heavy rainfall, these structures shall overtop and not block the stormwater pits. Wrapping the grates of stormwater pits with geotextile or filter material is generally not an acceptable method as this restriction to pit inlet capacity can cause excess water to flood downstream.



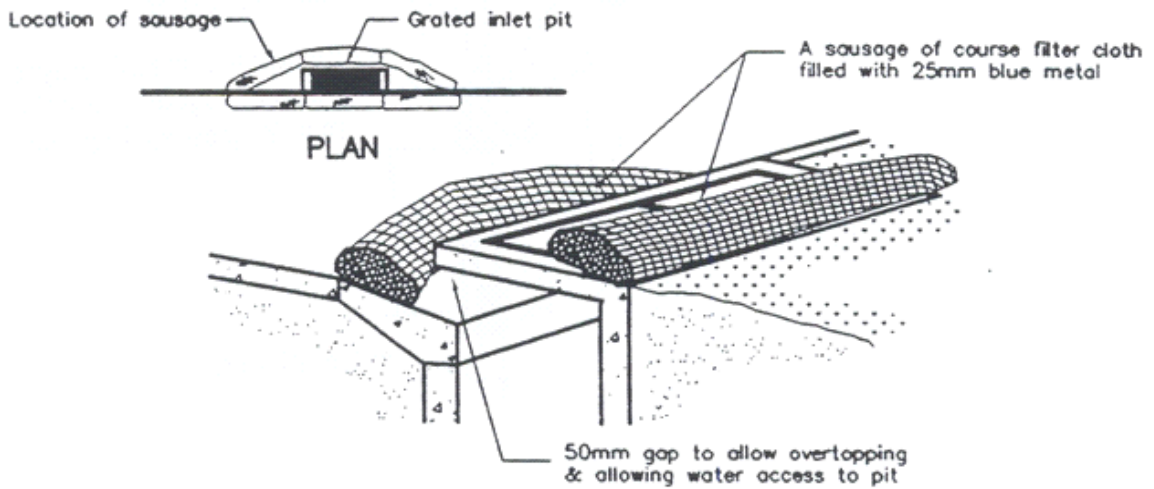
SD-A6 SURFACE INLET PIT

Kerb Inlet Pit

Kerb inlet pits shall be generally protected via the use of rock filled groynes or sandbags. Note that sandbags shall be built to a minimum of 2 bags deep and shall extend behind the kerb line where possible.



SD -A7 KERB INLET PIT ON GRADE



SD-A8 KERB INLET PIT - SAG



Planning for Erosion and Sediment Control on Single Residential Allotments

All builders/developers are required to prepare an Erosion and Sediment Control Plan showing how they will minimise soil erosion and trap sediment that may be eroded from the site during the construction of a building. The complexity of the Plan depends upon the nature and the scale of any particular development, especially the amount of land likely to be disturbed. Small-scale development, such as house extensions and the construction of small driveways, may not require a Plan, but should still be undertaken in a manner which reduces pollution risk.

The plan should be a stand-alone document consisting of both drawings and a commentary that can be understood easily by all site workers. This brochure outlines the information to be contained in a Plan for a single residential allotment. Make sure everyone working on the site understands the Plan and how important it is to not pollute stormwater.

Responsibilities for stormwater management arise from the Protection of the Environment Operations (POEO) Act 1997. One way that you can help to comply with the POEO Act is to prepare an Erosion and Sediment Control Plan that shows how you will minimise stormwater pollution and to implement it once approved by Council.

A more detailed Soil and Water Management Plan is required for larger-scale developments, where more than 2,500 square metres of land is to be disturbed, in accordance with the Managing Urban

Stormwater: Soils and Construction document (Landcom 2004).

The POEO Act gives Council the powers to issue cleanup or prevention notices and issue on the spot fines of up to \$1,500. Higher penalties can be imposed for serious pollution incidents, should Council launch, prosecution proceedings within Court. Cleanup notices are issued to require cleanup action when pollution has occurred, while prevention notices require an activity to be carried out in an environmentally satisfactory manner. You are required to notify your Council when a pollution incident occurs that causes or threatens material environmental harm.

Builders/developers have the responsibility to manage the following pollution sources:

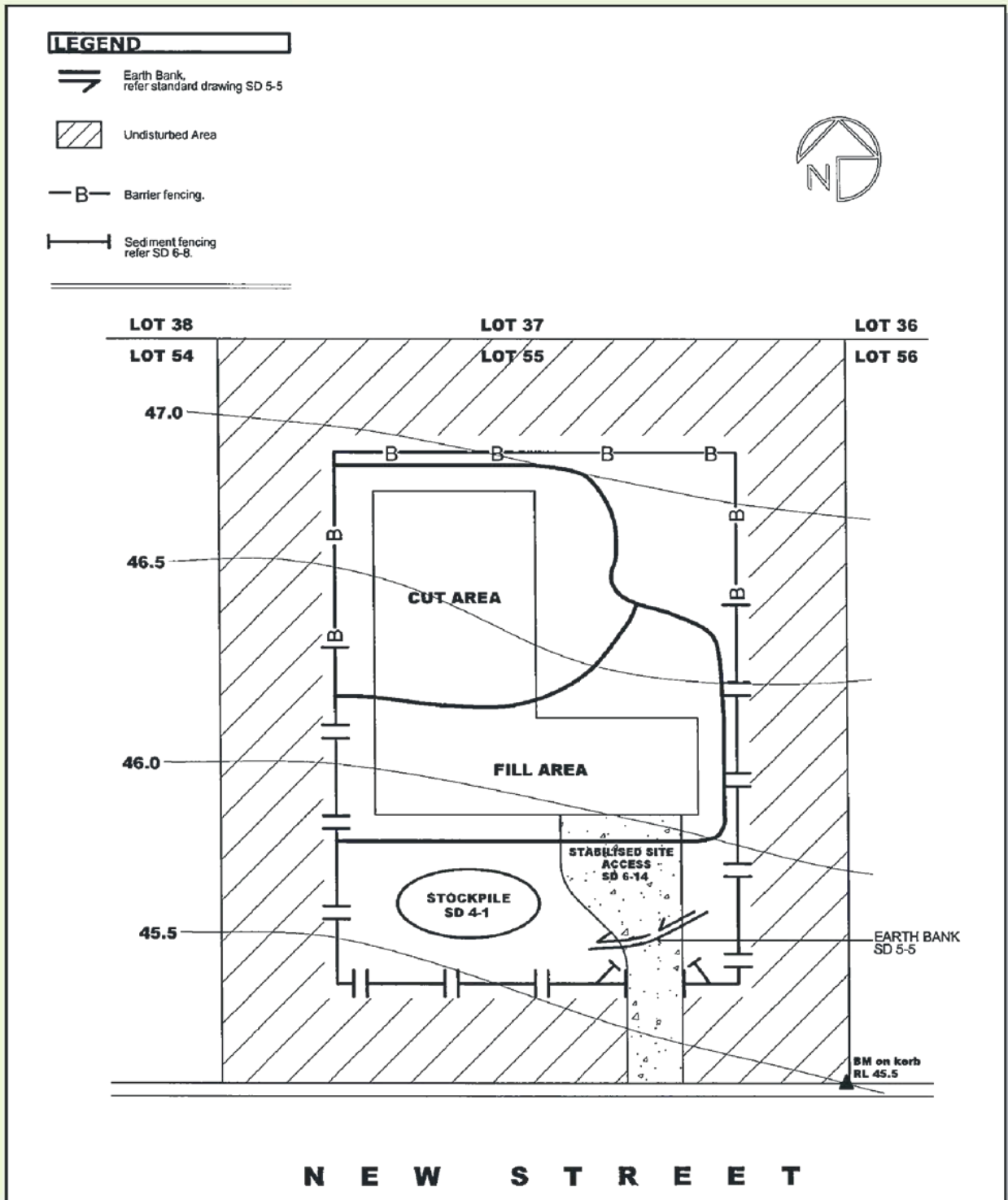
- air pollution, including dust
- noise that might interfere with neighbouring properties
- waste discharges including erosion leakage or spills of construction materials, soil, sand, gravel slurries and concrete
- trade and domestic rubbish, including litter packaging, off-cuts and spoiled materials
- toxic chemicals, including fuels, paints, solvents, sealants, adhesives, lubricants and pesticides.

Most of these matters can be addressed in an Erosion and Sediment Control Plan.



A Model Erosion and Sediment Control Plan

The Drawing

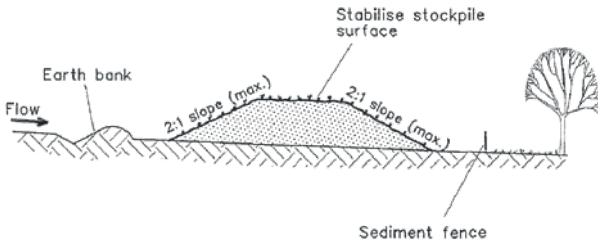




The Commentary

1. Site works will not start until the erosion and sediment control works outlined in clauses 2 to 4, below, are installed and functional.
2. The entry to and departure of vehicles from the site will be confined to one stabilised point. Sediment or barrier fencing will be used to restrict all vehicular movements to that point. Stabilisation will be achieved by either:
 - constructing a sealed (e.g. concrete or asphalt) driveway to the street
 - constructing a stabilised site access following Standard Drawing SD 6-14 or other suitable technique approved by the Council.
3. Sediment fences (SD 6-8) and barrier fences will be installed as shown on the attached drawing.
4. Topsoil from the work's area will be stripped and stockpiled (SD 4-1) for later use in landscaping the site.
5. All stockpiles will be placed in the location shown on the ESCP and at least 2 metres clear of all areas of possible areas of concentrated water flow, including driveways.
6. Lands to the rear of the allotment and on the footpath will not be disturbed during works except where essential, e.g. drainage works across the footpath. Where works are necessary, they will be undertaken in such a way to minimise the occurrence of soil erosion, even for short periods. They will be rehabilitated (grassed) as soon as possible. Stockpiles will not be placed on these lands and they will not be used as vehicle parking areas.
7. Approved bins for building waste, concrete and mortar slurries, paints, acid washings and litter will be provided and arrangements made for regular collection and disposal.
8. Guttering will be connected to the stormwater system or the rainwater tank as soon as practicable.
9. Topsoil will be respread and all disturbed areas will be stabilised within 20 working days of the completion of works.
10. All erosion and sediment controls will be checked at least weekly and after rain to ensure they are maintained in a fully functional condition.

Standard Drawings

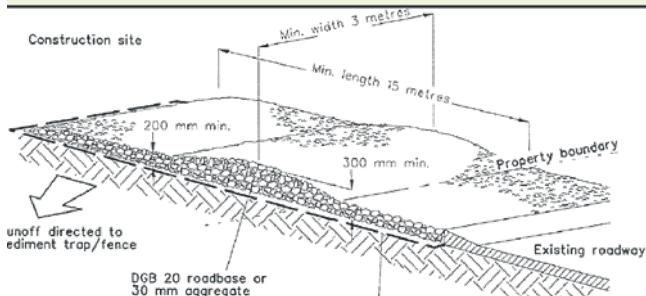


Construction Notes

1. Where possible locate stockpile at least 5 metres from existing vegetation, concentrated water flows, roads and hazard areas.
2. Construct on the contour as a low, flat, elongated mound.
3. Where there is sufficient area topsoil stockpiles shall be less than 2 metres in height.
4. Rehabilitate in accordance with the SWMP/ESCP.
5. Construct earth bank (Standard Drawing 5-5) on the upslope side to divert run off around the stockpile and a sediment fence (Standard Drawing 6-8) 1 to 2 metres down-slope of stockpile.

TOPSOIL STOCKPILE

SD 4-1

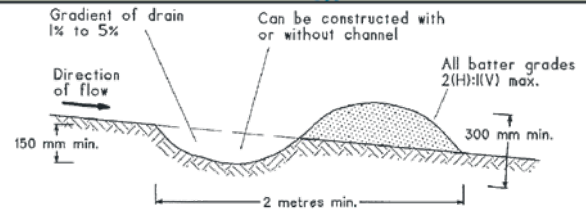


Construction Notes

1. Strip topsoil and level site.
 2. Compact subgrade.
 3. Cover area with needle-punched geotextile.
 4. Construct 200 mm thick pad over geotextile using roadbase or 30 mm aggregate. Minimum length 15 metres or to building alignment. Minimum width 3 metres.
 5. Construct hump immediately within boundary to divert water to a sediment fence or other sediment trap.
- Geotextile fabric designed to prevent intermixing of subgrade and base materials and to maintain good properties of the sub-base layers.
Geofabric may be a woven or needle punched product with a minimum CBR burst strength (AS3708.4-90) of 2500 N

STABILISED SITE ACCESS

SD 6-14



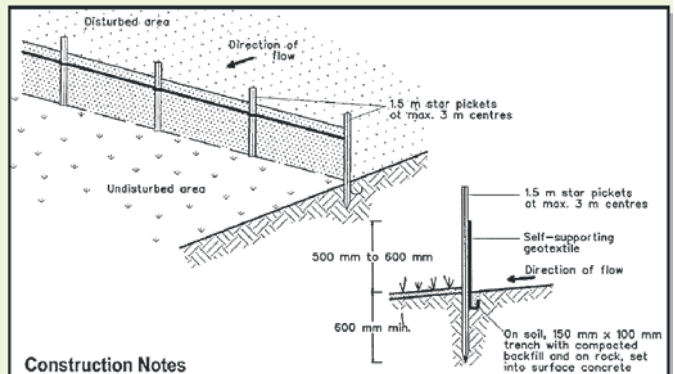
Construction Notes

1. Construct with gradient of 1 per cent to 5 per cent.
2. Avoid removing trees and shrubs if possible.
3. Drains to be of circular, parabolic or trapezoidal cross section not V-shaped.
4. Earth banks to be adequately compacted in order to prevent failure.
5. Permanent or temporary stabilisation of the earth bank to be completed within 10 days of construction.
6. All outlets from disturbed lands are to feed into a sediment basin or similar.
7. Discharge runoff collected from undisturbed lands onto either a stabilised or an undisturbed disposal site within the same subcatchment area from which the water originated.
8. Compact bank with a suitable implement in situations where they are required to function for more than five days.
9. Earth banks to be free of projections or other irregularities that will impede normal flow.

NOTE:
Only to be used as temporary bank where maximum upslope length is 80 metres.

EARTH BANK (LOW FLOW)

SD 5-5



Construction Notes

1. Construct sediment fence as close as possible to parallel to the contours of the site.
2. Drive 1.5 metre long star pickets into ground, 2.5 metres apart (max.).
3. Dig a 150 mm deep trench along the upslope line of the fence for the bottom of the fabric to be entrenched.
4. Fix self-supporting geotextile to upslope side of posts with wire ties or as recommended by geotextile manufacturer.
5. Join sections of fabric at a support post with a 150 mm overlap.
6. Backfill the trench over the base of the fabric and compact it thoroughly over the geotextile

SEDIMENT FENCE

SD 6-8



Principles of Erosion and Sediment Control

1. Planning

Prepare an Erosion and Sediment Control Plan for your site before works start and submit it with your building application. The Plan should show how you will prevent stormwater pollution throughout the construction phase and until the site landscaping has been completed, i.e. the erosion hazard has been reduced to an acceptable level. Different controls might be necessary at different stages over the construction phase as the nature of the site changes, e.g. changing drainage patterns, moving stockpiles to different places, etc. If such changes are likely, these must be shown on the Plan. A model Plan is overleaf. Note that it is made up of both a Commentary and Drawings and relates to a specific site.

2. Installation of Controls

Before works start, set up the erosion and sediment controls and install a sign warning everyone of the penalties of pollution (this may be provided by council). Make sure that all site workers understand their individual responsibilities in preventing pollution. A recommended sequence for setting up controls is:

- (i) Establish a single stabilised entry/exit point to the site;
- (ii) Install sediment fences along the low side of the site;
- (iii) Divert upslope water around the site and, if necessary, stabilise the channels and outlet;
- (iv) Clear only those lands that must be disturbed during the building works. Put up a barrier fence around areas where the vegetation is to not be disturbed;
- (v) Ensure that any stockpiles are on your land – not the footpath or the next-door neighbour's land. Where necessary, seek approval from Council or your neighbour(s) for any offsite stockpiles. Ensure stockpiles have appropriate erosion and sediment controls;
- (vi) Install onsite waste receptacles, such as skips or bins, and wind-proof litter receptacles, etc.;
- (vii) Start building works;

(viii) Install and connect roof downpipes before the frame inspection; and

(ix) Stabilise any exposed earth banks when the building works are completed.

3. Maintenance of Controls

All erosion and sediment control works should be checked at least once each week and after each rainfall event to ensure they are working properly. Maintenance might include:

- (i) Removing sediment trapped in sediment fences, catch drains or other areas;
- (ii) Topping up the gravel on the stabilised access;
- (iii) Repairing any erosion of drainage channels; and
- (iv) Repairing damage to sediment fences.

Remember that the erosion and sediment control works might need to change as the slope and drainage paths change during the development phase. Best practice includes anticipation of the likely risks and being prepared for unusual circumstances, e.g. having spare sediment fence material on the site.

4. Finalisation of Works

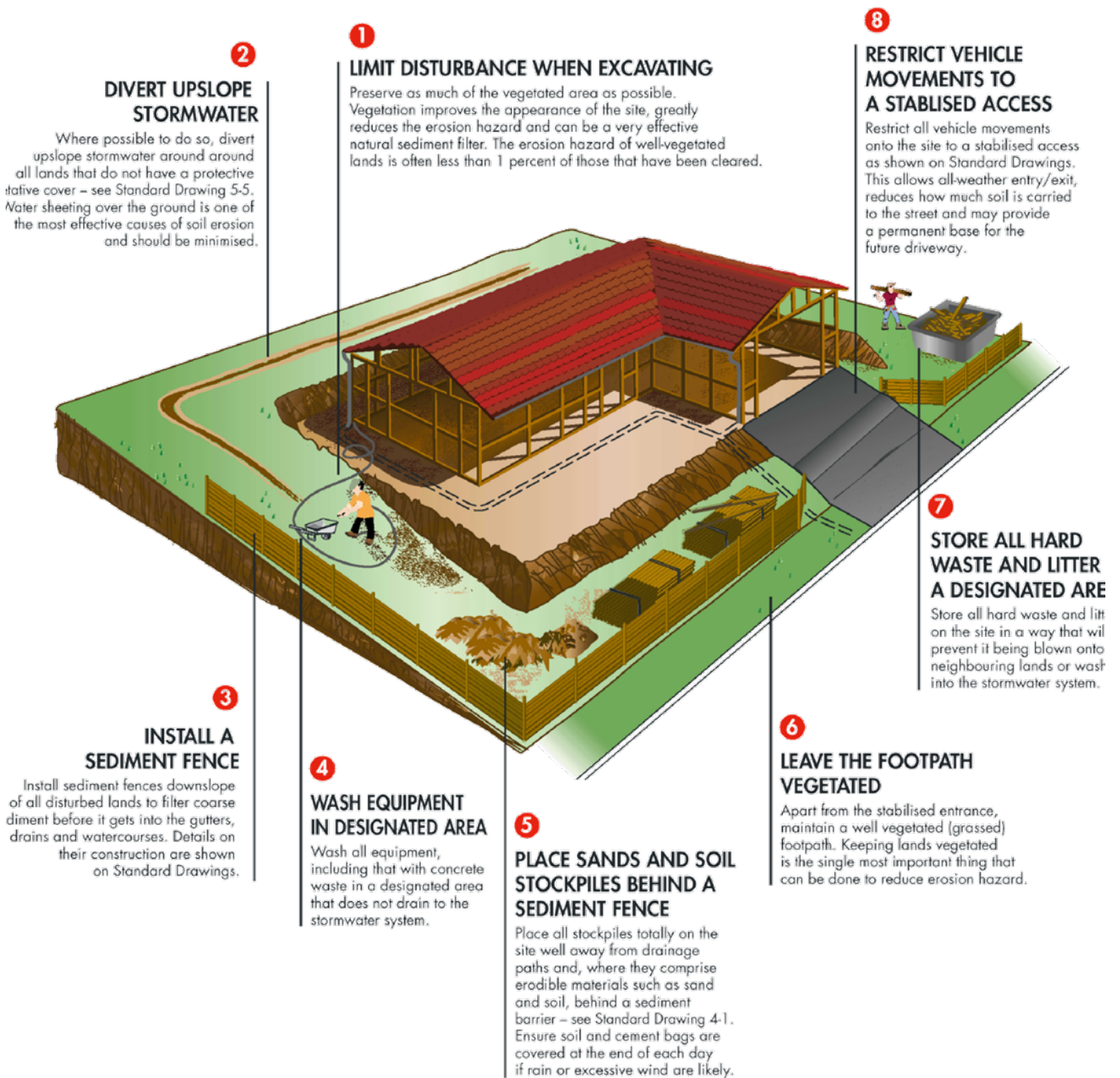
Ensure that the site is stabilised and no exposed soil remains before removing the erosion and sediment controls. If landscaping is not completed before handing over the site to the owners, ensure they are aware of their responsibilities to prevent pollution.

5. Four Basic Principles

- (i) Make sure everyone working on the site understands how important it is to not pollute stormwater.
- (ii) Do not disturb more of the site than you have to.
- (iii) Install erosion and sediment controls before starting work.
- (iv) Maintain your erosion and sediment control works throughout the construction phase.

Ways you can reduce erosion & control sediment on a building or construction site

Follow these site management practices and you will help reduce impact on our waterways...



3.4 Proposed dates for Employment and Economic Development Committee meetings for 2016

TRIM REFERENCE: F2012/01905 - D12153282

MANAGER: Lesley Crawley, Manager Corporate Governance

AUTHOR: Jacquie Elvidge; Councillor Services Officer

SUMMARY

To submit to Councillors a list of possible dates for meetings of the Employment and Economic Development Committee during 2016.

RECOMMENDATION

That Council receive the report on Proposed dates for Employment and Economic Development Committee meetings for 2016 and adopt suitable dates for next year's schedule.

The following are the proposed Employment and Economic Development Committee meeting dates for the year 2016 to be held on the first Wednesday, bimonthly, from 4.00 to 6.00 pm, with the exception of the meeting to be held in January which is held later in the month:

20 Jan 2016
2 Mar 2016
4 May 2016
6 July 2016
7 Sept 2016
2 Nov 2016

ATTACHMENTS

Nil.

3.5 Councillor Attendance - 2016 Regional Airport Development Conference

TRIM REFERENCE: F2004/06517 - D12136866

MANAGER: Sonia Witt, TL Governance and Councillor Services

AUTHOR: Jade Maskiewicz; Councillor Services Officer

SUMMARY

The 2016 Regional Airport Development Conference is being held 8-9 March 2016 in Brisbane Queensland.

RECOMMENDATION

- 1** *That Council authorise those interested Councillors to attend the 2016 Regional Airport Development Conference in accordance with the Council's Facilities and Expenses Policy for Councillors.*

- 2** *That Council authorise the reimbursement of expenses for Councillors in accordance with the Council's Facilities and Expenses Policy for Councillors.*

BACKGROUND

The Regional Airport Development Conference is an annual event with 2016 being the 7th edition.

Key topics to be discussed at this year's event include:

- Generate new revenue streams: How do you maximise commercial and non-aero activities to increase revenue?
- Business Transformation: How do you transform the running of your airport from maintaining an asset, to managing a profitable business?
- Looking at a variety of subsidy structures from remote, rural and regional airports outside Australia.
- Maximising commercial opportunities: land development planning, car parking facilities, redevelopment projects, business parks etc.
- Funding: How do you source and secure private/public funding to support infrastructure growth and expansion plans?
- Integration of Destination Management into Local Government.

3.5 Councillor Attendance - 2016 Regional Airport Development Conference (contd)

THE PROPOSAL

The 2016 Regional Airport Development Conference will be held at the Royal International Convention Centre, Brisbane Queensland on 8-9 March 2016.

Councillors have expressed interest in attending this course.

STRATEGIC LINKS

Wyong Shire Council Strategic / Annual Plan

Nil impact.

Budget Impact

The table below indicates the approximate cost for attendance at the conference and associated travel expenses per Councillor:

The 2016 Regional Airport Development Conference	Councillor Fees
Registration	\$ 6,049
Accommodation	\$ 1,000
Travel (Return flights)	\$ 350
Car hire	\$ 800
Sustenance	\$ 750
Total (estimate) inc GST	\$ 8,949

CONSULTATION

Nil.

GOVERNANCE AND POLICY IMPLICATIONS

In accordance with the provisions of Council's Facilities and Expenses Policy for Councillors, Councillors are encouraged to attend external training sessions that will support their professional development as a Councillor. Reasonable expenses incurred in Councillors attending external training are met in accordance with that policy.

Amendments to this policy were adopted for the purposes of public exhibition at Ordinary Meeting 11 November 2015. The public exhibition period will cease 16 December 2015 and relevant clauses to this report contained minor amendments.

3.5 Councillor Attendance - 2016 Regional Airport Development Conference (contd)

Part of clause D11 as well as clauses D12 and D17 is relevant in this instance:

“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 (except where authorised by the Chief Executive Officer) with a maximum total cost for conferences per year of \$12,000, subject to a total expenditure limit for all Councillors of \$100,000 per year.*
- *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*

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).”*

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	Registra tion	Ticket	Accommod ation	Sustenance	Partner Tours	Travel	Carer
<i>Other Council approved conferences and events including any Councillor Workshop</i>	<i>No</i>	<i>No</i>	<i>Yes. If staying in same room as Councillor and no additional tariff charges are incurred as a result of the additional persons in the room (eg room upgrade, bedding, linen)</i>	<i>Yes if for official conference events. (eg formal dinner, welcome drinks) No additional meals and beverages included</i>	<i>No</i>	<i>Yes. If travelling In company of Councillor in same vehicle No additional air or other travel fares included)</i>	<i>Yes"</i>

CONCLUSION

Attendance at this course will be in accordance with Council's Facilities and Expenses Policy for Councillors.

ATTACHMENTS

1 2016 Regional Airport Development Conference Brochure D12136865



REGIONAL AIRPORT DEVELOPMENT

DATES: 8TH TO 9TH MARCH
VENUE: ROYAL ON THE PARK, BRISBANE

STRENGTHENING REGIONAL AIRPORTS THROUGH INVESTMENT IN ASSETS,
 MAXIMISING NON-AERONAUTICAL REVENUE STREAMS AND LEVERAGING
 ALTERNATIVE FORMS OF FINANCE

PRESENTING THE FOLLOWING CASE STUDIES:

Mildura Airport	220, 000 passengers a year	72 flights a week
Archerfield Airport	Non-RPT	2, 793 flights a week
Port Hedland Airport	475, 000 passengers a year	50 flights a week
Emerald Airport	230, 000 passengers a year	50 flights a week
Mount Isa Airport	210, 000 passengers a year	45 flights a week
Longreach Airport	36, 000 passengers a year	38 flights a week
Whitsunday Coast Airport	200, 000 passengers a year	50 flights a week
Coffs Harbour Airport	420, 000 passengers a year	61 flights a week
Warrnambool Airport	15, 000 passengers a year	24 flights a week

SPECIFICALLY DESIGNED TO BENEFIT:

- **Regional Airport CEOs**, GMs, MDs, Airport Managers, Commercial Managers, Operations Managers
- **Local Council Majors**, CEOs, Councillors, Economic Development Managers, Town Planners
- **Airline CEOs**, MDs, Operations Manager, Commercial Manager, Head of Regional Airports
- **Mining & LNG Company Project Manager**, Project Development Manager, Aerodrome Manager
- **Government/Tourism/Associations** Departments and Professionals relating to regional airport/aviation development or regional development



Dear Aviation and Council Communities,

Australian Regional Airports are recognised as critical gateways for economic development and social wellbeing for regional Australia. Holding this responsibility, as operators of this vital infrastructure, we are under constant pressure to maintain, upgrade and develop these facilities.

However, the interface between increasing demands for more frequent, cheaper and improved Airline services against aging infrastructure and limited funding mean a high proportion of regional airports are unable to meet these demands and many in fact, operate at a loss each year.

There is ever increasing competition in priorities for local government who are the primary operators of Regional airports and the cost pressures to maintain standards and services for aviation have never been more of a reality.

There is a need to re-focus and work towards commercialisation of these assets to move towards self -funding and at least become cost neutral.

We recognise the need for the Airport Managers to get together to swap ideas and learn from each other. Not only that - given the state of tourism, the economy and commercialisation, regional airports may even need to start working more closely together in a formal structure where they may share management, resources or even ownership. Furthermore, though we all have different business models, we are capable of working together to build domestic routes and scheduling.

With all this in mind, in 2016 we will delve deeper into a variety of commercial opportunities from around the globe, look at different realities and challenges surrounding regional airports and offer you the opportunity to hear more on the latest projects and strategies that are driving the commercial success of Australia's leading regional airports.

In 2016, the key themes we will discuss are:

- > Getting access to funding to maintain depreciating infrastructure, comply with regulatory standards and gain airlines
- > Infrastructure - maintaining, optimising and building assets to increase operational capacity
- > Maximising non-aeronautical revenue streams to profit as a business

Regards,

Bill Burke

CEO Mildura Airport

**SPEAKERS**

Chair Day 1: **Bill Burke**, *CEO, Mildura Airport*

Chair Day 2: **Todd Chapman**, *Head of Airports, Qantaslink*

Bob Palmer, *Councillor, Coffs Harbour City Council*

Carl Grodach, *Senior Lecturer - Local Economic Development, Queensland University of Technology*

David Sheldon, *Chair, Australian Regional Tourism Network*

David Voss, *Manager Airport, Emerald Airport - Central Highlands Regional Council*

Dennis Martin, *Airport Manager, Coffs Harbour Airport*

Doug Baker, *Professor, Urban and Regional Planning, QUT*

Hans Mitterlechner, *Director, Three Consulting*

Heather Mattes, *General Manager, Archerfield Airport*

Jao Surakitbanhar, *Endeavour Post Doctoral Fellow, QUT*

Julie Peters, *Group Manager Regional Airports, Queensland Airports - Mt. Isa & Longreach Airport*

Kevin Ward, *CEO, NZ Airports Association*

Malcolm Osborne, *CEO, Town Of Port Hedland*

Paul Bredereck, *Managing Director Airlines, JETGO Australia*

Peter Friel, *Airport Manager, Tasmanian Ports Corporation Pty Ltd*

Peter Robertson, *Director City Infrastructure, Warrnambool City Council*

Philip Craig, *Director, Leading Edge Aviation Planning Professionals*

Rico Merkert, *PhD Leeds ASC TU Berlin/ NHH Berger, Senior Lecturer in Aviation Management, University of Sydney*

Scott Waters, *CEO, Whitsunday Regional Council*




DAY 1 – TUESDAY, 8 TH MARCH	
07:30 – 09:30	MASTERCLASS D: Airlines and Airports – How Can We Live Together? Todd Chapman, Head of Airports, Qantaslink
09:30	Registration and Morning Coffee
10:00	Welcome Address from Bill Burke, CEO, Mildura Airport
10:10	<p>Privatisation of Port Hedland to Remove Operational Responsibility from the Town and Set up a Wealth Fund for Future Community Benefit</p> <p>Port Hedland International Airport is the gateway to Western Australia’s North West and the strongly growing Pilbara region. Port Hedland is a dynamic town of over 20,000 people and has a large number of fly in fly out workers servicing iron ore exports, salt production, tourism, pastoral and light industry activities.</p> <ul style="list-style-type: none"> • The Town had plans for investment of \$90 million over ten years to create a modern and well-serviced airport that provided a welcoming gateway to the North West. Given the size and timing of these investments the Town undertook a review of the airport’s governance structure to determine the most appropriate operating model • The outcome recommendation from this review was that a long term lease of the airport was the most appropriated model to meet all of the Town’s key objectives • The Town subsequently undertook a public EOI and tender process which culminated in the successful leasing of Port Hedland International Airport to a consortium partner headed up by AMP and ICG • The above process took the Town two years to execute and the Town’s CEO Mal Osborne will be delivering a case study presentation on the Town’s journey toward the privatisation of its Airport <p>Malcolm Osborne, CEO, Town of Port Hedland</p>
10:50	<p>Gold Coast Airports Project Lift – Meeting the Expectations of Passengers, Airlines and Shareholders</p> <p>The Gold Coast is Australia’s premier tourist destination for both domestic and international travellers. To meet increased airline and passenger demand Gold Coast Airport is proposing a major redevelopment of its terminal and apron facilities which is referred to as Project LIFT (Lets Invest For Tomorrow). David will cover the following points:</p> <ul style="list-style-type: none"> • Balancing the increasing service delivery expectations of the travelling public against the expectations of airlines regarding airport charges • The importance of the airline/airport negotiation strategy • The importance of non-aero revenue in airport development • Meeting shareholder return expectations




	TBC
11:30	Morning Tea Break
12:00	SPOTLIGHT PRESENTATION: Philip Craig, Director, Leading Edge Aviation Planning Professionals
12:30	<p>Steer this interactive panel discussion with your questions to the experts</p> <p>COUNCIL PANEL</p> <p>Q&A: Discussion of Regional Airport Challenges with Council to Facilitate Economic Development and Expansion</p> <p>Questions may include:</p> <ul style="list-style-type: none"> • Avenues for maintaining the bottom line and profitability; especially in the face of smaller regional airports with non-viable retail opportunities and not many/ no RPT flights • How are different councils running their operations? • How are different councils establishing different costs and costing mechanisms? • Accessing local government capabilities • Realising opportunities for expansion – putting them all on the table • How are you planning emergency procedures and risk assessments? • How do you remove businesses operating on airport grounds without a license? E.g. Off-airport car parks dropping passengers off and pick up <p>Scott Waters, CEO, Queensland Council Malcolm Osborne, CEO, Town Of Port Hedland Peter Robertson, Director City Infrastructure, Warrnambool City Council Bob Palmer, Councillor, Coffs Harbour City Council David Voss, Manager Airport, Central Highlands Regional Council</p>
13:10	Lunch Break
14:10	SPOTLIGHT PRESENTATION: Hans Mitterlechner, Director, Three Consulting
14:50	<p><u>Emerald Airport Redevelopment Project: Keeping Up With Growth</u></p> <p>The Central Highlands Regional Council owns and operates the Emerald Airport, which is located 6 km south of the Emerald town centre. In this session, David will cover:</p> <ul style="list-style-type: none"> • Insight into the processes and experiences of the Emerald Airport Redevelopment Project – car park 3 project, managing competing land users, budgeting for airfield lighting upgrade project (\$1 million, 16 week timeframe), airport intersection road upgrade (\$1.9 million, 20 week timeframe), runway overlay (\$3 million, 15 week timeframe). • Commercial viability testing and pricing strategies for maximising non-aeronautical revenue streams to support growth (e.g. car parking, hangar leasing, building space, offices and billboard advertising) • Accessing landside infrastructure and development of aeronautical business by managing airport's relationships with relevant internal and external stakeholders to ensure safe and



	secure aeronautical operations David Voss, Manager Airport, Central Highlands Regional Council
15:30	Afternoon Tea Break
15:50	<p>The Changing Nature of Air Services to New Zealand’s Regional Airports, and Lessons from Recent Developments</p> <hr/> <p>New Zealand’s regional aviation industry is in a period of rapid change. Air NZ has withdrawn from a number of regular routes, providing smaller airlines an opportunity to introduce new services. New regional airlines have appeared. Local councils, as the owners of many of the regional airports, are under increasing pressure to maintain air connections and at the same time minimise burdens on their rate-payers. In this session, Kevin will cover:</p> <ul style="list-style-type: none"> • The implications of Air NZ’s withdrawal of regional airline services • The challenges for airports and councils associated with maintaining air links and selecting alternative regional airlines • The main factors driving future changes to regional air links • The policy issues for local and central government arising from the recent developments • Funding regional airport infrastructure, given the statutory requirement under NZ legislation for airports to “be operated or managed as a commercial undertaking” <p>Kevin Ward, CEO, NZ Airports Association</p>
16:30	<p>Whitsunday Coast Strategies for Expansion – Demonstrating Value When Taking On Debt</p> <hr/> <p>In this session, Scott will present his experience on the development and process of the recent expression of interest joint venture and partnership.</p> <ul style="list-style-type: none"> • How to lobby through different agencies to gain expression of interest joint venture, partnership or funding for airport development • Topical overview of the council and state government of QLD’s 20 year feasibility study • How to demonstrate type of growth and value when taking on debt • How they managed 77% growth over the last 5 financial years • Explore strategies for successful conversations with investors • Running a specialised good transaction team • Understanding the council view, and working on community consultation • Dealing with relevant acts and the detailed proposal process <p>Scott Waters, CEO, Whitsunday Regional Council</p>
17:10	<p>Champagne Roundtable Discussion</p> <p><i>Assisted by free flowing champagne, bounce ideas off your peers and debate or discuss solutions to the challenges that keep you up at night.</i></p> 
17:50	Conference Closing- Remarks from BILL BURKE, CEO, MILDURA AIRPORT
18:00	Networking Drinks



DAY 2 – WEDNESDAY, 9 TH MARCH	
08:00	Registration and Morning Coffee
08:30	Welcome Address from TODD CHAPMAN, HEAD OF AIRPORTS, QANTASLINK
08:40	<p>How to Manage Significant Growth through Strategy and Optimal Maintenance</p> <p>This session will provide you with insight into Bill's airport – how they are successfully managing the natural growth from 160, 000 to 220, 000 passengers.</p> <ul style="list-style-type: none"> • Accessing preparation for Federal funding/ strong regions fund to finance upgrades • Insights into property development and strategic land use • Understand how to map out airport history and growth projections both short and long term • Access the planning of infrastructure both landside and airside networks and facilities • How to maintain different forms of non- aeronautical revenue such as the café route, paid parking, security at Mildura <p>Bill Burke, CEO, Mildura Airport</p>
09:20	<p>Airport Development Strategy for Metropolitan Secondary Airports to Manage Growth</p> <p>Australia's Metropolitan (Metro) airports are the secondary airports in Australia's capital cities and are not only significant centres of aviation activity, but they play a key role in the congestion and efficiency of the primary airports and have vital roles in the economic and social factors of their region.</p> <p>This session will cover:</p> <ul style="list-style-type: none"> • The role of Metro airports in supporting primary airports to improve operations • Upgrading historical hangars and terminal buildings • Emergency and aeromedical services partnerships <p>Heather Mattes, General Manager, Archerfield Airport</p>
10:00	<p>Speed Networking</p> <p><i>An effective structured interactive session designed to help you expand your network through one-on-one focused conversations.</i></p> 
10:40	Morning Tea Break
11:10	<p>Managing Staff to Deal With Changing Regulatory Requirements</p> <p>Whilst the Federal Government has in many cases funded the screening equipment it has required to be installed, airport owners are required to meet all other capital and operating costs. These changed regulatory requirements also require significantly more sophisticated airport management skills. Compliance is mandatory and in many cases requires skills, experience and qualifications not</p>



	<p>available locally. In this session, Craig will cover:</p> <ul style="list-style-type: none"> • Recruitment and retaining staff • Accessing succession planning • Managing expenses for staff and the cost of compliance • Building a strong HR function that gets involved with the community • Managing leave, overtime, taking part in the roster as operations manager • Staff requests – the requirements and building a business case scenario <p>Julie Peters, Group Manager Regional Airports, Queensland Airports - Mt. Isa & Longreach Airport</p>
11:50	<p><u>Integration of Destination Management into Local Government</u></p> <p>A Destination Management Plan (DMP) is the ongoing process in which tourism, industry, government and community leaders plan for the future. It is used to manage a destination. In this session, David, will cover:</p> <ul style="list-style-type: none"> • The Australian Regional Tourism Network recommendations (within the tourism 2020 plan) that DMP's are integrated in Local Government's strategic plans • How an integrated Destination Management Platform will ensure Council take a holistic approach rather than just a tourism focus • How many Councils or their employees understand and are aligned to the benefits of the DMP - town planners, environmental services, community development teams, economic development officers, Councillors • Accessing a key element - communications internal/external consultative planning • A DMP is not just about marketing! • Considering the process and resources to undertake a DMP • Discussion of visitor demographics <p>David Sheldon, Chair, Australian Regional Tourism Network</p>
12:30	<p><u>Study: 'Value of Time and Willingness to Pay for Regional Aviation in Australia'</u></p> <p>This session will discuss key findings of a recent joint study at ITLS, The University of Sydney Business School on value of time savings in the regional aviation context of Australia which include:</p> <ul style="list-style-type: none"> • First empirical evidence on the value of travel time savings and willingness to pay for regional air services (in Australia but also globally) • The identified dollar values per hour for plane journeys provide guidance to airlines on setting competitive air fare premiums (to get people out of their cars) and also justification for public support and price setting of regional airports • Evidence that regional aviation is not only invaluable to the regions but also of high value to residents and businesses residing in metropolitan areas (i.e. Sydney). Australians are willing to pay for regional aviation as it connects them to the regions and delivers significant economic impact (GDP, jobs etc.) • Discussion of effects of public support, regulation and privatisation of metropolitan airports on regional airports/networks and vice versa



	Dr. Rico Merkert , <i>Senior Lecturer In Aviation Management And ITLS HDR Director, University Of Sydney</i>
13:10	Lunch Break
14:10	<p><i>Steer this interactive panel discussion with your questions to the experts</i></p> <p>DISCUSSION PANEL</p> <p>Forging Stronger Relationships with Airlines to Secure More Flights</p> <p>Understand things from the airline’s perspective. In this session airline managers will cover:</p> <ul style="list-style-type: none"> • Discussing specific experiences of negotiations • How to maintain strong relationships across the board • A commercial view of operations – what are airlines looking for? • Where are the opportunities? • What are the expectations? (What do you want to get from airports themselves?) <p>Todd Chapman, <i>Head Of Airports, Qantaslink</i> Paul Brederick, <i>Managing Director Airlines, JETGO Australia</i></p>
14:40	<p><u>Maximising Commercial Opportunities at a Locally Owned Airport</u></p> <p>In this session, Dennis will over the operational and commercial aspects of Coffs Harbour Regional Airport;</p> <ul style="list-style-type: none"> • Accessing land development planning • Car parking facilities • Route development • Diversifying income streams <p>While Bob will be giving the local government issues from a council’s perspective of a council owned airport;</p> <ul style="list-style-type: none"> • Governance challenges • Tendering process – how issues are best weighed and weighted • Procurement policy • Community relations <p>Bob Palmer, <i>Councillor, Coffs Harbour City Council</i> Dennis Martin, <i>Airport Manager, Coffs Harbour Airport</i></p>
15:20	Afternoon Tea Break
15:50	<p><u>Novel Subsidy Structures from Remote, Rural and Regional Airports outside Australia</u></p> <p>There are many different subsidy structures currently in place in different remote, rural and regional airports outside Australia. In this session, Chittayong (Jao) will cover:</p> <ul style="list-style-type: none"> • A discussion of the effectiveness of different subsidy structures in different communities globally



	<ul style="list-style-type: none"> • The potential impacts on remote, rural, and regional airports and local communities in applying novel subsidy structures to Australia • Discussion on the required policy changes in different levels of government to implement novel subsidy structures in Australia <p>Chittayong (Jao) Surakitbanharn, <i>Endeavour Post Doctoral Fellow</i>, Queensland University Of Technology</p>
16:30	<p>Australia's Regional Outlook – Key Insights to Improve Social and Economic Development Support</p> <p>Airports are one of the most critical and complex elements of Australia's regional infrastructure. They make a significant contribution to regional economic growth and are essential for the continued development of key Australian economic sectors like tourism and resources. According to Infrastructure Australia, airports are projected to grow faster than GDP and demand for airport infrastructure is set to double in the next 15 years. In this session, Doug and Carl will cover how knowledge of current research will help:</p> <ul style="list-style-type: none"> • the economic impact of airports • to more precisely target airport subsidies toward specific regional conditions • make regional airports more resilient • regional airports become less dependent on public subsidy <p>Carl Grodach, Senior Lecturer – Local Economic Development, Queensland University Of Technology Doug Baker, Professor, Science And Engineering Faculty, Civil Engineering And The Built Environment, Property And Planning Urban And Regional Planning, Queensland University Of Technology</p>
17:10	Closing Remarks from Todd Chapman , <i>Head Of Airports, Qantaslink</i>
17:20	Close of Conference



CONFERENCE WORKSHOP AND MASTER CLASSES

MONDAY, 7TH MARCH 2016

09:30 – 12:30

MASTERCLASS A

Consulting on Proposals – How to Develop and Demonstrate Value to Gain Approval

- Demonstrating different types of growth in region demographics, property development etc.
- Investing in development that will provide certainty of ROI
- Access the viability of private sector partners
- Develop strategies to work with different stakeholders and lobby through different agencies
- How to be successful in talking with different stakeholders
- Understanding the limitations of the local government
- How to build a specialised, good transaction team that works on community consultation
- Views from council – incorporating expressions of interest into the master plan

Bob Palmer, Councillor, Coffs Harbour City Council

13:30 – 15:30

MASTERCLASS B

Maximising Productivity through Casa Compliance Strategies and Operations Management Plans

In this masterclass, David will take you through leading, managing and continually improving the management of workplace health and safety, operations and security compliance in order to maximise productivity and your business operations.

- Identifying CASA compliance strategies and management plans
- Accessing tenancy agreements management, negotiating vendor, tender and supplier contracts, project manage capital works and regulatory projects
- Discussing challenges and strategies for document control for the following Regulatory manuals; Transport Security Program (TSP), Aerodrome Operations Manual (AOM), Safety Management System (SMS), Airport Emergency Plan (AEP), Wildlife Management Plan and Drug and alcohol Management Plan (DAMP)
- Identifying key issues to focus on in order to ensure statutory requirements in relation to safety, security and operations are met

David Voss, Manager Airport, Emerald Airport - Central Highlands Regional Council



Monday 7th March, 2016

15:30 – 18:30

Masterclass C

The Current Legislative Landscape- Ensuring Compliance to Maximise Productivity and Your Airport Operations

This Masterclass will take you through the current legislative landscape focusing on how ensuring compliance will maximise productivity and your business operations.

- An overview of the strengthened domestic security legislation; can regional airports use this to their advantage;
- How to procure, train and retain the right security screening staff for your airport to ensure you meet the regulatory requirements
- Review of the Airports Building Control and Environmental Protection Regulations
- Implementing regulatory knowledge and adhering to the planning framework when delivering your master plan to ensure you meet the national standards and secure plan approval
- Tools and techniques to ensure your across all regulatory requirements
- Effective consultation – why is this necessary? How can you engage and consult with the necessary stakeholders to guide you and your teams through an ever evolving regulatory landscape?
- Adhering to WHS requirements – how to create a culture of safety to ensure compliance across the board?

TBC

Tuesday 8th March

07:30 - 09:30

Masterclass D

Airlines And Airports: How Can We Live Together?

Todd Chapman, Head of Airports, Qantaslink



Package	Super Early Bird: *Register and pay before 11 th December 2015	Extra Early Bird: *Register and pay before 22nd January 2016	Standard Price
Conference plus 4 workshops	Save \$1,200 \$4,299 + GST	Save \$400 \$5,099 + GST	\$5,499 + GST
Conference plus 3 workshops	Save \$1,150 \$4,049 + GST	Save \$350 \$4,849 + GST	\$5,199 + GST
Conference plus 2 workshops	Save \$1,100 \$3,699 + GST	Save \$300 \$4,499 + GST	\$4,799 + GST
Conference plus 1 workshop	Save \$1,100 \$3,299 + GST	Save \$300 \$4,099 + GST	\$4,399 + GST
2 Day Conference	Save \$1,100 \$2,599 + GST	Save \$300 \$3399 + GST	\$3,699 + GST

Team Discounts:

IQPC recognises the value of learning in teams. Take advantage of one of these special rates:

- Register a team of 2 to the conference at the same time from the same organisation and receive **5% off the total cost**
- Register a team of 3 to the conference at the same time from the same organisation and receive **10% off the total cost**
- Register a team of 4 to the conference at the same time from the same organisation and receive **15% off the total cost or a free pass for a 5th delegate**
- Register a team of 5 to the conference at the same time from the same organisation and receive **20% off the total cost**

Please note:

- All prices above are exclusive of 10% GST
- Payment not made at the time of registration will be subject to a \$99 service charge
- All 'Early Bird' discounts are subject to availability and require payment at time of registration and before the cut-off date in order to receive any discount
- Discounts do not apply to vendors/solution providers. IQPC reserves the right to determine who is a vendor
- Any discounts offered (including early bird and team discounts) are subject to availability and require payment at the time of registration
- All discount offers cannot be combined with any other offer

3.6 Proposed Councillors' Community Improvement Grants

TRIM REFERENCE: C2015/01723 - D12157625

MANAGER: Lesley Crawley, Manager Corporate Governance

AUTHOR: Lisa Martin; Administration Assistant

SUMMARY

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

RECOMMENDATION

- 1 ***That Council allocate an amount of \$10,210 from the 2015-16 Councillors' Community Improvement Grants as follows:***

<i>Central Coast Bombers (\$1800)</i>	<i>Uniform for the first women only team.</i>	<i>1,250</i>
<i>Central Coast Sports Federation Inc. (\$2000) (\$400 already allocated)</i>	<i>The Central Coast Sports Federation (CCSF) Awards</i>	<i>1,600</i>
<i>Country Women's Association Long Jetty/The Entrance branch (\$4000)</i>	<i>Repainting the branch hall.</i>	<i>1,650</i>
<i>Lions Club of Gwandalan Inc. (\$2500) (\$550 already allocated)</i>	<i>To assist with costs in hosting a Carols evening.</i>	<i>1,450</i>
<i>Manning Park Amateur Sailing Club (\$660) (\$200 already allocated)</i>	<i>To pay for a Yachting Australia Senior Instructor to run an Assistant Instructor Course for students.</i>	<i>460</i>
<i>Manning Park Tidy Towns (\$750) (\$500 already allocated)</i>	<i>To purchase screening shrubs to be planted at rear of sports amenities block at Community Oval.</i>	<i>250</i>
<i>Norah Head Ratepayers and Coast Care Association Inc. (\$1000) (\$850 already allocated)</i>	<i>Administration Costs.</i>	<i>150</i>
<i>Brisbane Waters Secondary College P&C (\$3000)</i>	<i>To stage a unique commemorative remembrance day twilight service at The Entrance.</i>	<i>3,000</i>
<i>Toukley Neighbourhood Centre (\$3840) (\$1250 already allocated)</i>	<i>To provide subsidies art classes after school for children aged 7-14 years.</i>	<i>400</i>

- 2 ***That Council note the return of grant funding from Long Jetty RSL in relation to the Evening Remembrance Day Service at the Memorial Park at The Entrance.***
- 3 ***That Council note the reallocation of \$3,000 to the Parents and Citizens Association of Brisbane Waters Secondary College for the Remembrance Day Twilight Service in 1 above.***

3.6 Proposed Councillors' Community Improvement Grants (contd)

BACKGROUND

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

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

THE PROPOSAL

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

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

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

The amount allocated in the 2015-16 Annual Plan is \$112,500. In addition Council resolved to 'carry over' the unallocated balance for the 2014-15 financial year, being the amount of \$42,943.

The total available allocated funding for the 2015-16 financial year is \$155,443.00.

The proposed allocations are listed below:

COUNCILLORS' COMMUNITY IMPROVEMENT GRANTS ALLOCATION		Best	Eaton	Graham	Greenwald	Matthews	Nayna	Taylor	Troy	Vincent	Webster	SUB TOTAL
<i>Allocation 01/07/2015 - 31/05/2016</i>		15,536	14,833	16,806	16,459	12,436	18,808	20,466	14,115	11,710	14,274	155,443
<i>Expenditure up to and including Ordinary Council Meeting of 11 November 2015</i>		3,625	4,450	2,000	3,203	4,500	0	1,650	4,620	0	6,000	30,048
<i>Available allocation as at 11 November 2015</i>		11,911	10,383	14,806	13,256	7,936	18,808	18,816	9,495	11,710	8,274	125,395
9 December 2015												
Central Coast Bombers (\$1800)	<i>Uniform for the first women only team.</i>	200	200			500		150	200			1,250
Central Coast Sports Federation Inc. (\$2000) (\$400 already allocated)	<i>The Central Coast Sports Federation (CCSF) Awards</i>	500						500			600	1,600
Country Women's Association Long Jetty/The Entrance branch (\$4000)	<i>Repainting the branch hall.</i>	200	500			500		150	300			1,650
Lions Club of Gwandalan Inc. (\$2500) (\$550 already allocated)	<i>To assist with costs in hosting a Carols evening.</i>	250						400		800		1,450
Manning Park Amateur Sailing Club (\$660) (\$200 already allocated)	<i>To pay for a Yachting Australia Senior Instructor to run an Assistant Instructor Course for students.</i>									460		460
Manning Park Tidy Towns (\$750) (\$500 already allocated)	<i>To purchase screening shrubs to be planted at rear of sports amenities block at Community Oval.</i>									250		250
Norah Head Ratepayers and Coast Care Association Inc. (\$1000) (\$850 already allocated)	<i>Administration Costs.</i>									150		150
Brisbane Waters Secondary College P&C (\$3000)	<i>To stage a unique commemorative remembrance day twilight service at The Entrance.</i>	200	500		200			200	300		1,600	3,000
Toukley Neighbourhood Centre (\$3840) (\$1250 already allocated)	<i>To provide subsidised art classes after school for children aged 7-14 years.</i>									400		400
<i>Total Proposed Allocations for 9 December 2015</i>		1,350	1,200	0	200	1,000	0	1,400	800	2,060	2,200	10,210
<i>Total Accumulated Allocations as at 9 December 2015</i>		4,975	5,650	2,000	3,403	5,500	0	3,050	5,420	2,060	8,200	40,258
<i>Balance Uncommitted as at 9 December 2015</i>		10,561	9,183	14,806	13,056	6,936	18,808	17,416	8,695	9,650	6,074	115,185

3.6 Proposed Councillors' Community Improvement Grants (contd)

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

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

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

N/A

Reallocation of Previous Grant

Recently Council allocated \$3000 to Long Jetty/The Entrance RSL Sub Branch to assist with the financing of the Evening Remembrance Day Service at the Memorial Park at The Entrance. This event included several local schools which included Brisbane Waters Secondary College.

The funding was for sound and lighting equipment. In administering the event, the schools that took part paid the supplier for these costs on the understanding that the funding would be transferred from the grant at a later date. The Entrance Long Jetty Sub Branch has advised that due to its regulations it is unable to forward money directly to the school and has sought Council assistance in resolving the matter. The RSL has returned the grant monies to Council. The Parents and Citizens Association (P&C) has now made an application for the funding. It is proposed that Council reallocate the returned funding to the P&C.

OPTIONS

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

STRATEGIC LINKS

Annual Plan

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

Contribution of Proposal to the Principal Activity

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

Link to Shire Strategic Vision

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

Principles of Sustainability

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

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

CONSULTATION

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

GOVERNANCE

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

CORPORATE RISKS

Nil Impact.

CONCLUSION

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

ATTACHMENTS

Nil.

3.7 Wyong Local Environmental Plan 2013 - Miscellaneous Amendment 2

TRIM REFERENCE: F2014/01690 - D12065455

MANAGER: Steven Mann, Manager

AUTHOR: Wesley Folitarik; Section Manager

SUMMARY

This report recommends the formal commencement of the proposed Wyong Local Environmental Plan (WLEP) 2013 – Miscellaneous Amendment 2 under Section 55 of the Environmental Planning and Assessment Act, 1979 (EP&A Act). Miscellaneous Amendment 2 will address issues that have arisen during the operation of WLEP 2013 and correct minor errors and anomalies.

RECOMMENDATION

- 1 That Council initiate the Local Environmental Plan “Gateway” process by the preparation of a Planning Proposal, pursuant to Section 55 of the Environmental Planning and Assessment Act, 1979.**
- 2 That Council forward the Planning Proposal to the Department of Planning and Environment requesting a “Gateway” determination, pursuant to Section 56(1) of the Environmental Planning and Assessment Act, 1979.**
- 3 That Council advise the Department of Planning & Environment that it does not intend to apply for plan making delegations for the rezoning, pursuant to Section 23 of the Environmental Planning and Assessment Act, 1979.**
- 4 That Council refer the Planning Proposal to appropriate public authorities for comment, subject to the determination of the Gateway Process, pursuant to Section 56(2) of the Environmental Planning and Assessment Act, 1979.**
- 5 That Council undertake community consultation regarding the Planning Proposal, subject to the determination of the Gateway Process, pursuant to Section 57 of the Environmental Planning and Assessment Act, 1979.**
- 6 That Council request the Department of Planning and Environment to prepare a relevant Local Environmental Plan amendment, and that the Minister be requested to make the Plan, subject to there being no significant objections that cannot be resolved by making minor amendments to the Planning Proposal.**
- 7 That Council update its Section 149 Certificates accordingly.**

BACKGROUND

On 23 December 2013, WLEP 2013 was made by a delegate of the then Minister for Planning & Infrastructure. Under Section 73 of the EP&A Act, Councils are required to keep their local environmental plans under regular review to ensure the objectives of the EP&A Act continue to be achieved. Accordingly, a revised Gateway Determination was issued on 22 June 2015 for Major Amendment 1, a predominant housekeeping LEP to rectify errors and anomalies arising from the finalisation of WLEP 2013. The Planning Proposal is currently undergoing consultation with various State Government agencies.

THE PROPOSAL

This report recommends preparation of a Planning Proposal to address a range of issues identified with the operation of the WLEP 2013.

These amendments are minor housekeeping matters that will address issues that have arisen during the operation of WLEP 2013 and correct a number of minor errors and anomalies. A complete list of proposed amendments and a brief summary of their objective is included in Attachment 1.

Future reviews of WLEP 2013 will address environmental, rural and land classification matters however these are more complex and will be progressed independently of these minor amendments.

The Planning Proposal will be referred to the NSW Department of Planning & Environment seeking that a Gateway Determination be issued to allow the amendment to proceed to agency and community consultations.

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

The project is consistent with Wyong Shire Council Strategic Plan 2013-2017. The Strategic Plan notes that Council will undertake a major renovation of the WLEP 2013 “as the leading document in determining development potential in Wyong Shire”. WLEP 2013 replaced the 20 year old WLEP 1991, and modernises the controls over use and flexibility of all land in the Shire to promote development.

Adoption of the WLEP 2013 is identified in the Wyong Shire Council Strategic Plan 2013 – 2017 as a ‘Major Project’ for Council. WLEP 2013 was gazetted on 23 December 2013, however under Section 73 of the EP&A Act, Councils are required to keep their local environmental plans under regular review for the purpose of ensuring that the objects of the EP&A Act continue to be achieved. Miscellaneous Amendment 2 will assist Council in ensuring that the WLEP 2013 continues to respond “to current challenges and opportunities, as well as establishing direction for the Shire for the next 20 years”, in accordance with the Strategic Plan.

Contribution of Proposal to the Principal Activity

Nil

Long term Financial Strategy

Nil

Asset Management Strategy

Nil

Workforce Management Strategy

Nil

Link to Community Strategic Plan (2030)

Nil

Budget Impact

Nil, with the exception of costs associated with carrying out the public exhibition period.

CONSULTATION

The proposal has been referred to a cross section of Council staff representing diverse specialty areas. Comments received have informed the configuration of proposed amendments. Future community and government agency consultation requirements will be outlined by the Gateway Determination, should a positive Gateway Determination be made.

GOVERNANCE AND POLICY IMPLICATIONS

Amending WLEP 2013 will be undertaken by way of preparation of a Planning Proposal, and progressing of that Planning Proposal under Sections 55-59 of the EP&A Act. This process is in accordance with Council's adopted procedures.

Section 55 requires Council to prepare a Planning Proposal that explains the intended effect of the amendment to the LEP and sets out the justification for the amendment. Section 55 specifies matters to be included in the Planning Proposal.

Section 56 provides that Council submit the Planning Proposal to the Minister for Planning & Environment (or his delegate) for a Gateway Determination. Council will then be advised whether or not the matter should proceed (with or without variation), and may specify further studies or modifications to the Proposal, community and government agency consultation requirements and any other matters deemed relevant.

MATERIAL RISKS AND ISSUES

Corporate risks to be addressed for the Planning Proposal are:

1. Infrastructure Provision and/or Service Capacity:
 - a) Ensure future development of any land affected by this Planning Proposal is subject to an updated Contribution Plan under Section 94 of the EP&A Act; OR
 - b) Ensure existing water and sewer headworks and mains have capacity to cater for the increased load.

2. Political
 - a) Ensure the community consultation process is open and transparent; AND
 - b) Ensure Councillors are adequately briefed.

3. Certification/Governance
 - a) Ensure appropriate consultation with other public authorities during the consultation phase; AND
 - b) Ensure legislative procedures for Planning Proposals are followed.

CONCLUSION

This report seeks Council's endorsement to prepare a Planning Proposal for the suite of amendments proposed as part of WLEP 2013 – Miscellaneous Amendment 2. This report also seeks endorsement to submit this Planning Proposal to the Department of Planning & Environment.

The Planning Proposal for Miscellaneous Amendment 2 will address issues that have arisen during the operation of WLEP 2013 and correct minor errors and anomalies.

ATTACHMENTS

- 1 Wyong Local Environmental Plan 2013 Miscellaneous Amendments D12102416

Wyong Local Environmental Plan 2013 – Miscellaneous Amendments

Proposed Schedule of Changes

No	Provision/Property	Issue Summary	Recommended Change
1	44 Thomas Walker Dr, Chittaway Bay	Mapping anomaly – The site was previously zoned 2(a) Residential Zone under WLEP 1991 and was erroneously rezoned RE1 Public Recreation under WLEP 2013. The site is privately owned and is not identified for acquisition by Council for open space and the residential zoning should be restored.	Amend the Land Zoning Map to rezone the subject land to R2 Low Density Residential.
2	Lots 11 & 12 DP 1083233 Ourimbah	Mapping anomaly – site is not included on the minimum lot size map as 'AB2' despite its E3 Environmental Management zoning. All E3 zoned land across the Shire has a minimum lot size of 40 hectares.	Amend the Minimum Lot Size Map to show the subject land as AB2 – minimum lot size of 40 hectares.
3	Lot 202 DP1126914, Lots 1 & 3 DP 259306	Mapping anomaly – site is not included as 'AB2' despite its RU6 Transition zone. All RU6 zoned land across the Shire has a minimum lot size of 40 hectares.	Amend the Minimum Lot Size Map to show the subject land as AB2 – minimum lot size of 40 hectares.
4	Clause 4.1B – Subdivision of existing dual occupancies in R2 zone	Currently under Clause 4.1B dual occupancy can be subdivided to create lots less than those on the Lot Size Map but only if the DA subdivision is done at the same time as the dual occupancy. Therefore existing dual occupancies cannot be subdivided.	Amend Clause 4.1B to facilitate the subdivision of existing lawfully created dual occupancies.
5	Clause 7.11 Key Sites	Reinforcement of intent of DCP Chapter 6.1 Key Sites within WLEP 2013	Amend Clause 7.11 to include requirement for increased public benefit in return for increased development potential on the nominated Key Sites.
6	Land Reservation Acquisition Maps	Amend the Land Reservation Acquisition (LRA) maps to identify land required by the RMS for road widening.	Amend the Land Reservation Acquisition Maps to incorporate those properties

No	Provision/Property	Issue Summary	Recommended Change
			identified by the RMS as being required for road widening.
7	Vehicles Repair Stations	Vehicle Repair Stations were previously prohibited in the 4(c) Business Park but are now permitted under the B7 Business Park zone.	Amend the B7 zone to prohibit vehicle repair stations in the B7 zone.
8	Lot 26 and 27 DP 1182724	Mapping anomaly – part of both sites are zoned R2 Low Density Residential but are (in part) included in the Minimum Lot Size Map as 'AB2' with minimum area of 40 hectares.	Amend the Minimum Lot Size map to show these lots as wholly having a minimum lot size of 450m2.
9	34 Albert Warner Drive, Warnervale	Rezone part of the site from RE1 Public Recreation to R2 Low Density Residential as land is no longer required under the Porters Creek IWCM for the purposes of wetlands and storage. Remove site from LRA map.	Amend the Land Zoning Map to rezone the site to R2 Low Density Residential Land. Remove the site from the Land Reservation Acquisition Map. Amend the Minimum Lot Size map to show the site as having a minimum lot size of 450m2
10	145 Pacific Hwy, Ourimbah	Mapping anomaly - the portion of the site zoned R2 Low Density Residential has been incorrectly identified on the Minimum Lot Size map as 'AB2' with a minimum area of 40 hectares.	Amend the Minimum Lot Size map to show this portion of the site as having a minimum lot size of 450m2.
11	Lot 72 DP 7091 & Lot 101 DP 829060	Land is currently zoned RE1 Public Recreation but is no longer needed for recreation purposes.	Amend the Land Zoning Map to rezone the site areas zoned RE1 Public Recreation to SP2 Stormwater Management.
12	Lot 1 DP 31313	Land is currently zoned SP2 Infrastructure (Emergency Services Facility). It comprises a former fire station that has since been sold to a private buyer. The prevailing land use pattern in the locality is R2 – Low Density Residential. It is considered appropriate that the site be rezoned as such. This	Amend the Land Zoning Map to rezone the subject site to R2 – Low Density Residential. Amend the Lot Size Map to allocate a minimum lot size of 450m2 consistent with

No	Provision/Property	Issue Summary	Recommended Change
		will allow the owner to seek development consent for a broader range of uses consistent with the surrounding uses.	surrounding lands. Consider options to ensure dwelling entitlement is provided.
13	Lot 1 DP 1191698 (19 Roper Road, Blue Haven)	DA/919/2012 approved the development of the site as an Aldi Supermarket. Accordingly the existing R2 Residential Zone does not reflect the intended future use of the site.	Amend the Land Zoning Map to rezone the subject site to B1 Neighbourhood Centre.
14	Lot 1 DP 1195202 (Vales Point Outlet Canal)	Rezone site from RE1 Public Recreation to SP2 Infrastructure at request of Delta Electricity during agency consultation for Major Amendment 1.	Amend Land Zoning Map to rezone the land to SP2 Infrastructure – Electricity Generating Purposes.
15	Lot 1 DP 1198253 (Vales Point Inlet Canal)	Rezone site from RE1 Public Recreation to SP2 Infrastructure at request of Delta Electricity during agency consultation for Major Amendment 1.	Amend Land Zoning Map to rezone the land to SP2 Infrastructure – Electricity Generating Purposes.
16	Lot 1 DP 562143 & Lot 109 DP 755266	Rezone part of the site from E2 Environmental Conservation to SP2 Infrastructure at request of Delta Electricity during agency consultation for Major Amendment 1. Council's ecologist has inspected the site and determined that "the vegetation within the E2 zone is not considered consistent with the definition of an endangered ecological community" and the rezoning to SP2 Infrastructure is supported.	Amend Land Zoning Map to rezone the land to SP2 Infrastructure – Electricity Generating Purposes.

3.8 Procurement of Landfill Compactor and Traxcavator at the Buttonderry Waste Management Facility

TRIM REFERENCE: F2013/00826 - D12156404

MANAGER: Mike Dowling, Director

AUTHOR: Andrew Pearce; Manager Commercial Enterprises

SUMMARY

The traxcavator and compactor are specialised items of machinery commonly used in conjunction to move, cover and compact waste at the landfill according to legislative requirements. The current contract for this equipment "*CPA/184718 Hire of Compactor and Traxcavator for the operation of Buttonderry Waste Management Facility*" ends on the 23rd of January 2016.

In order to provide the best on-going value to Council a cost benefit analysis was prepared on the future options for the equipment including the options of new contract or lease; or alternatively purchasing the machinery outright.

A report was tabled at the November 10th Wyong Waste Business meeting where it was determined by members that the most financially favourable option to Council is to purchase the machinery outright in the 2016/17 financial year.

This report therefore recommends that Council approve the acquisition of the compactor and traxcavator and that an extension to the current contract for the hire of the equipment be approved to cover the intervening period prior to the machinery delivery in early 2016/2017. This has been determined as the best value option to Council

RECOMMENDATION

- 1 That Council approve the acquisition of a new Compactor and Traxcavator for the operation of the Buttonderry Waste Management Facility in the 2016/2017 financial year.**
- 2 That Council approve an extension variation of contract "*CPA/184718 Hire of Compactor and Traxcavator for the operation of Buttonderry Waste Management Facility*" from the contract expiry date of 23rd January 2016 for a period of up to 10 months at an estimated total cost of up to \$892,500.**

BACKGROUND

Council owns and operates the Buttonderry Waste Management Facility. Landfill operations require specialised equipment to enable maximum efficiencies and effectiveness. The Environment Protection Authority's (EPA's) licence requirements also drive certain standard practices for landfill operation which can only be achieved by specialised equipment.

To meet these needs Council currently has an externally contracted service for a landfill Compactor and Traxcavator. The specialised plant items are used on the active tip face areas to manage and compact the waste. The landfill compactor is a purpose built machine designed to pulverise, shred and compact waste to satisfy the EPA's bench mark compaction ratio of 850kg per cubic metre. The Traxcavator is a smaller machine designed to operate in all weather and harsh conditions on the landfill. It assists the landfill Compactor by pushing waste material from the unloading point at the edge of the landfill and onto the tip face. It is also required to spread daily cover material, scrape the unsealed access road to the landfill, and spread aggregate as directed to maintain the road in a trafficable and safe condition for all vehicles in all weather conditions.

The combination of the two plant items provides the most suitable and cost effective method of managing the active landfill to meet EPA licence requirements. This includes managing both daily and intermediate landfill cover, achieving maximum compaction rates and preventing methane gas and leachate from perching or becoming trapped in layers within the waste cells.

It is noted that neighbouring Councils (including Gosford, Lake Macquarie, and Newcastle) all operate landfill sites using similar equipment owned and operated by the respective Council. In contrast, Wyong Shire Council has historically externally hired this specialist equipment.

CURRENT STATUS

The current contract for the *"Hire of Compactor and Traxcavator for the Operation of Buttonderry Waste Management Facility CPA184718"* commenced on the 24 January 2011 and ends on the 23 January 2016.

As part of due diligence, staff undertook a preliminary cost benefit analysis on the various options including:

- New external contract (with operators)
- Lease (internal operation by Council staff)
- Purchase Outright – (internal operation by Council staff)

A further detailed analysis was then undertaken by Councils Finance unit and a report submitted to the quarterly meeting of the internal Wyong Waste Business meeting held November 10th 2015. This report further validated that of the options available the most financially favourable option to the Council was to own and operate the machinery and that extension of the existing contract represented the best value option until the equipment could be procured.

3.8 Procurement of Landfill Compactor and Traxcavator at the Buttonderry Waste Management Facility (contd)

As is outlined in "Attachment One: Cost Benefit Analysis of Landfill Compactor and Traxcavator Options" the Compactor own and operate option indicates a financial saving of \$72,116 per annum over the contracted option. The Traxcavator own and operate option will have a financial saving of approximately \$10,000 per annum over the contracted option. The combined savings to Council from the acquisition of machinery are estimated at over \$400,000 over the five year machinery life span

These savings are apparent based on current labour cost scenarios, with potential to achieve even greater savings through implementation of operational improvements currently under review by management. These include changes to operating hours and development of a flexible multi-skilled workforce at Buttonderry Waste Management Facility. The lease option was the least financially favourable for the compactor costing \$236,149 more than the Council own and operate option.

At the November 10th quarterly meeting of the Wyong Waste Business, members resolved:

- 1) *That the Waste Board support a report to Council for the acquisition of a new Compactor and Traxcavator for the operation of the Buttonderry Waste Management Facility worth approximately \$1,500,000 (combined value) in the 2016/2017 financial year.*
- 2) *That the Waste Board support the extension of contract "CPA/184718 Hire of Compactor and Traxcavator for the operation of Buttonderry Waste Management Facility" under the terms and conditions outlined in this report.*
- 3) *That the Waste Board request staff prepare a report to Council seeking endorsement of an extension to the existing contract.*
- 4) *That the Waste Board request staff prepare a report to Council seeking to procure equipment in accordance with this report and getting any necessary variations to workforce.*

THE PROPOSAL

Following a detailed business case analysis with due regard to operational demands, the following actions are proposed.

Purchase of equipment

The cost benefit analysis undertaken has shown that it is financially beneficial for Council to own and operate the machinery. The acquisition process would take place via public tender (2-3 months) and the delivery will take approximately 4-5 months as the specialist machinery is imported from overseas. Staff have recently completed preliminary work which would enable the tender process to commence immediately.

No provision exists for the capital purchase in 2015/2016 budget (budget provision however exists for 12 months of hire) so delivery needs take place at the commencement of the 2016/17 financial year. Delivery in early 2016/2017 will require an order.

3.8 Procurement of Landfill Compactor and Traxcavator at the Buttonderry Waste Management Facility (contd)

It is accordingly recommended that Council prepare for the acquisition of the machinery with a view to acquiring the machinery in the first quarter of 2016/17. This provides opportunity to place the order in 2015/2016 and budget for the estimated \$1,500,000 worth of equipment in the 2016/2017 capital budget (Compactor \$1,100,000 and traxcavator \$400,000).

The purchase of the equipment will require recruitment of specialist staff. The cost of these staff across the full spread of the opening hours Buttonderry Waste Management Facility was fully costed into the business case inclusive of corporate on-costs. Recruitment of the staff is proposed to be undertaken within the existing Council approved FTE (Full Time Equivalent) number for the organisation. In the event of a merger there may be opportunities for existing Gosford City Council staff to also apply for these roles.

Contract Extension

Council will need to cover the interim period between the contract ending on the 23rd of January 2016 and the delivery of equipment in early 2016/2017. Staff have investigated options to cover the interim period between the existing contract and the procurement/delivery to determine the best value for Council.

In terms of the hire of equipment due to its specialised nature limited options are available for the landfill compactor. A major importer of compactors in Australia has offered to dry hire a compactor (retired from another landfill site) for \$170 per hour, with maintenance, fuel and labour as additional costs. This service is generally offered on a short term basis in the event of a landfill needing a short term replacement compactor in the event of a breakdown etc. These compactors are generally nearing the end of their life span and carry significant maintenance risk over the hire period that will be required by Council. Additionally Council would need to source specialised plant operators on a short term basis.

A crawler loader (traxcavator) is a similarly difficult piece of equipment to source given its specialised nature. A tyred front end loader could be wet hired for approximately \$140 per hour however these are not suited to the harsh and often 'boggy' conditions of the landfill as tracks distribute the machine weight more evenly and the tyres and under carriage are very susceptible to damage.

The overall costs of the above options are comparable with the current contract which costs Council approximately \$85,000 per month and comes with specialised / trained operators and maintenance. Therefore it presents no greater value but additional risk. This is in comparison with the own and operate model which will cost on average \$78, 000 per month.

The current tender for the provision of a landfill compactor and traxcavator was awarded by Council in 2011 for a 5 year period following a competitive tendering process. Based on the engine hours worked 7 days per week and the harsh operating environment, 5 years was the estimated life span of the machinery following it would require a major overhaul.

The existing contractor, Homac Pty Ltd, have provided excellent service under the terms of the existing contract. The company was previously engaged through a competitive tendering process based on a period contract which enabled companies to procure the high capital cost specialist landfill machinery solely for the contract at Buttonderry Waste Management Facility.

3.8 Procurement of Landfill Compactor and Traxcavator at the Buttonderry Waste Management Facility (contd)

Staff have approached Homac Pty Ltd and gained in principle support for a contract extension to cover the period between the end of the existing contract in January 2016 and the machinery acquisition early in the 2016/17 financial year. This offer of contract extension is made on the understanding that it is subject to Council approval and shall be under the exact terms and conditions of the existing Council approved contract. Homac Pty Ltd have committed to undertaking various maintenance and renewal works to their machinery including the replacement of the crushing teeth on the compaction drum and upgrade of the GPS System on the compactor which will result in positive outcomes to Council.

OPTIONS

Council has the options of entering into a lease of the equipment, externally hiring equipment or purchasing the equipment itself. The external hire and lease of the equipment are not recommended based on a business case analysis.

The purchase of the landfill compactor and traxcavator has been identified as the best value option to Council and will further facilitate implementation of further operational improvements and flexibility in the event the Buttonderry Waste Management Facility increases operations following a merger with Gosford City Council.

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>
7	Waste Management	At least 50% of domestic waste diverted from landfill annually. Buttonderry Waste Management Facility is managed effectively within budget to achieve compliance with EPA licence requirements, Work Health & Safety and Environmental Management System requirements and agreed customer service levels.	Contract Extension 2015/16 Operating Budget (\$1,122,000) Machinery acquisition 2016/17 Capex Budget (\$1,500,000)	50% of domestic waste diverted from landfill. 100% Service to the community provided.

Contribution of Proposal to the Principal Activity

The objective for waste management in Council's Strategic Plan is to provide domestic and commercial waste services across the Shire and ensuring safe, reliable and environmentally responsible waste collection and recycling and disposal services. The landfill compactor and traxcavator will ensure that Council is able to meet the objective of providing 100% service to the community and to achieve 50% diversion a waste from landfill by working together to ensure the sound compaction and covering of waste at the landfill according to Environment Protection Authority requirements. The traxcavator will also assist in waste sorting, moving and recycling of waste as part of the tipface recycling initiative.

Long term Financial Strategy

The acquisition of the equipment will save Council \$400,000 over the 5 year life of the machinery which will positively impact Councils long term financial strategy.

Asset Management Strategy

The procurement of the machinery and its associated maintenance will align with the asset management strategy.

Workforce Management Strategy

The proposal will create local employment opportunities within the region and positively contributing to Councils workforce management strategy. Existing employees will have the opportunity to apply for these roles.

Link to Community Strategic Plan (2030)

The proposal is linked to the Community Strategic Plan 2030, Objective 5D *"Developing and implementing strategies to reduce the Shire's Environmental Footprint"*. The environmental footprint is a measure of the human demand on the Earth's ecosystems and natural resources. The acquisition of the compactor and traxcavator will assist in this objective by saving valuable landfill space and contributing to recycling initiatives at the landfill.

Budget Impact

Provision was made in the 2015/2016 operating budget for a full 12 months of external hire of the Compactor and Traxcavator as proposed. No additional budget allocation is required for the extension of contract.

The purchase of the specialist plant items will require the allocation of \$1,500,000 in the 2016/2017 budget.

CONSULTATION

Consultation was undertaken with:

- Gosford Council
- Lake Macquarie Council
- Liebherr Australia Pty Ltd
- Westrac Australia Pty Ltd
- GCM Enviro Pty Ltd

GOVERNANCE AND POLICY IMPLICATIONS

Nil impact

MATERIAL RISKS AND ISSUES

There are a number of risks which would shift to Council as a result of Council purchasing the equipment relative to external hire. A number of risk mitigation measures have been identified and have been incorporated into the financial analysis. On the converse, procurement of the equipment will provide a number of opportunities to improve operational efficiencies on the site.

To combat the risk of downtime for repairs on the specialist equipment interrupting operations, Council has undertaken the comparison on both the compactor and the traxcavator using the full service and maintenance packages which are offered by the machinery suppliers. These packages include a temporary replacement machine if not repaired in 48 hours for the compactor or 72 hours for the traxcavator.

Both pieces of machinery include the option of an on-board computer system to allow the company to log-in and view machine problems in real time and assist the operator to fix problems where possible with technical support. It also sends critical alarm notifications and reminders for scheduled maintenance by email to Council. It will also produce monthly reports on working hours, fuel consumption and workload which can be analysed by Council to improve performance.

Therefore the majority of the risk associated with repairs is combated by undertaking the full service and maintenance packages and additionally by the allowance that has been made in the cost comparison for additional insurance costs to cover an accident or act of God in which the machine is destroyed.

One of the major risks of operating the machine internally is related to human resources. There must be sufficiently skilled staff to operate the machinery to ensure that active landfill area continues to operate and is constructed in accordance with the approved landfill design. Problems could arise when there is unavailability of untrained staff or the machinery is not used to appropriate standards. Risks include potential for leachate bleeds through cell walls or methane gas escaping from the cells causing a breach in environmental license requirements. This risk will be managed through the engagement of specialist staff and appropriate training of both these staff and a number of potential relief operators.

CONCLUSION

The current contract “CPA/184718 Hire of Compactor and Traxcavator for the operation of Buttonderry Waste Management Facility” ends on the 23rd of January 2016. A cost benefit analysis has been undertaken and tabled at the Wyong Waste Board November 2015 meeting which indicated that the most financially favourable option moving forward is for Council to undertake an acquisition process for the compactor and traxcavator.

The Wyong Waste Business Committee endorsed this recommendation and recommended that a report be prepared for Council requesting the acquisition of the equipment from the 2016/17 capital budget and an extension of the existing contract funded from the existing 2015/16 operational budget to cover the interim period between the current contract ending and the new equipment arriving on-site. The acquisition of the machinery will take approximately 7 months including 2-3 months for the tender process and 4-5 months for the delivery of the equipment.

It is recommended that Council approve the acquisition of the equipment due to the strong favourable financial impact of \$400,000 in savings over the 5 year life of the machinery and the strategies that have been proposed to mitigate the risks to Council of owning and operating the machinery.

ATTACHMENTS

- 1 Confidential Attachment One: D12156395
Cost Benefit Analysis of Landfill Compactor and Traxcavator Options -

4.1 Litter Management in the Wyong Shire

TRIM REFERENCE: F2004/06741 - D12139040

MANAGER: Andrew Pearce, Manager Commercial Enterprises

AUTHOR: Charlotte Drury; Waste Operations Manager

SUMMARY

In response to a recent resolution of Council requesting a litter reduction report, a report and accompanying 'Litter Management Plan' have been prepared by staff detailing the range of management actions to be undertaken by Council to reduce litter across the Shire.

Council has recently been awarded a "Certificate of Recognition" for leadership in litter prevention in New South Wales by the NSW Environment Protection Authority.

RECOMMENDATION

That Council receive the report on Litter Management in the Wyong Shire.

BACKGROUND

Council, at its meeting held 26 August 2015;

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

- 871/15 *That Council note with concern, despite the excellent efforts of Staff, the escalation of roadside litter on our main corridors and particularly on our beach road accesses.*
- 872/15 *That Council recognise the unacceptable cost to our ratepayers of this deliberate litter that is now exceeds more than \$3,400,000 in this term of Council alone.*
- 873/15 *That Council consider far more strident enforcement options including publishing those offenders prosecuted to combat the emerging tag of 'Litter Land'.*
- 874/15 *That Council request the General Manager, in the lead up to the summer litter season, to provide a litter reduction report exploring education and enforcement options, with a view to limiting the outrageous cost of deliberate litter to our ratepayers.*
- 875/15 *That Council request the General Manager to make representations to Mr Harris, Ms Catley, Mr Mehan the Local State Members and call on them to gain support for this initiative."*

Litter can be defined as solid domestic or commercial refuse, debris or rubbish inappropriately left in a public place. It includes glass, metal, cigarette butts, paper, fabric, wood, food, abandoned vehicles, garden clippings and construction and demolition waste.

Litter is an on-going environmental problem nationally, particularly prevalent in proximity to urban and commercial areas. Wyong Shire is recognised by its residents and visitors' for its clean beaches, beautiful lakes and foreshores and bushland. Litter spoils this beauty and negatively impacts on these qualities.

Council positively contributes to the management of the local environment in the interest of developing and maintaining a safe and prosperous community. At times this can be a difficult job, particularly when a small minority refuses to accept community standards, self-responsibility, and the laws relating to littering. Wyong Shire Council, as a stakeholder, is however committed to a range of activities to reduce, remove, and discourage activities which cause littering.

Councils litter reduction initiatives can be categorised into 5 different categories.

These include:

1. Installing infrastructure
2. Raising community awareness and educating about litter
3. Engaging people in a sense of pride and ownership of a location through partnerships and local involvement
4. Maintaining an enforcement profile
5. Maintaining/cleaning up locations

Management of litter is undertaken by various sections across Council. The various stakeholders have been consulted and provided input in to the development of a centralised litter management plan which sets out the actions, responsibilities and performance measures. The plan will be regularly reviewed, evaluated and updated. The Litter Management Plan is enclosed as Attachment 2. The following provides a summary of initiatives current and proposed.

OVERVIEW OF LITTER REDUCTION ACTIVITIES

Installing Infrastructure

One of the keys to long-term behaviour change and reducing litter is to make it easy for people to 'do the right thing' by establishing or improving physical infrastructure.

Council maintains over 900 public space litter bins. A number of strategies are implemented as part of the management of these public litter bins. This includes such aspects as choice of location, visibility and configuration of bins, signage, and servicing frequency.

4.1 Litter Management in the Wyong Shire (contd)

Specific infrastructure recently installed in the known litter hotspots as part of a recent litter reduction project at Picnic Point and Terilbah Reserve areas include:

- 10 Cigarette Butt Bins and three 'Hey Tosser' signs along with 'No Smoking' signs installed at Picnic Point Reserve and fishing wharfs.
- 2 Cigarette Butt Bins and one 'Hey Tosser' sign with 'No Smoking' sign installed at Terilbah Reserve and fishing wharfs.
- 5 Fishing Equipment Tangler Bins installed at fishing locations at Picnic Point Reserve.
- 2 Stainless Steel Street Wheel Bins installed at Picnic Point Reserve Skate Park with another six to be installed at The Entrance.
- 20 additional Cigarette Butt Bins have been procured to be installed after location research is undertaken.
- 8 additional Tangler Bins have been procured to be installed at fishing spots at Picnic Point Reserve and Terilbah Reserve.

Council maintains 218 Gross Pollutant Traps (GPT's) around the Shire. Based on last year's figures and year to date, it is anticipated Council will remove more than 1000 tonnes of material, a significant portion of which will be litter. Council will continue to implement its program of GPT construction and maintenance.

Raising Community Education and Awareness

Raising awareness and educating the community can influence peoples' motivations and support them to choose not to litter. Council undertakes various education activities focussed on litter reduction. Initiatives include:

- Advertisements in local media.
- Promotion of activities, events and Councils litter reduction initiatives.
- The Green Steps' Early Childhood Education Program and the Primary and High Schools environmental education programs which cover litter amongst other environmental topics.
- Colouring-in books 'Tackling Litter' have been procured and provided at special community events and primary school Waste Wise Workshop events.

Engaging people in a sense of pride and ownership of a location through partnerships and local involvement

Government and community groups working together to prevent littering sends a message that the local area is valued and can help influence people's decision not to litter.

Current initiatives include:

- Supporting a number of community groups who actively participate in the maintenance of public areas throughout the Shire.
- Coordinating and supporting the annual Clean Up Australia Day and other community clean-up initiatives e.g. six clean-up events in both Picnic Point Reserve and Terilbah Reserve undertaken by 'Take 3' and 'Clean4shore' using the assistance of high school students and other organised participants.
- Maintaining the amenity of high profile public areas e.g. entries to Shire and main roads to maintain community pride.

- Involving the community in the litter prevention message during community events e.g. an anti-littering focus was conducted at a youth skate park challenge at Picnic Point Skate Park and free sausage sizzle at Terilbah Reserve on Clean-Up Day.

Enforcement

Litter prevention is most successful when the educational and infrastructure components of a program are backed up by enforcement.

Council Rangers enforce litter laws and conduct regular litter patrols across the Shire. NSW EPA and NSW Police officers also have the relevant powers to enforce litter laws.

Council's enforcement officers propose to undertake a zero tolerance approach to any detected litter offences and undertake enforcement action appropriate to the offence committed in accordance with Council's adopted Enforcement Policy. Litter offences observed by any Council staff member can be reported to the Rangers Team who can issue an infringement based on the evidence provided, increasing the chances of offenders being caught.

Council will seek to publicise its enforcement actions under litter laws as a means of deterrence however the publishing of personal details is not proposed. This is due to the fact that the majority of litter offences are dealt with by way of infringement notice and laws relating to defamation.

Cleanup of Litter

Council undertakes a range of litter reduction and collection activities across all sections within Council as outlined in the attached plan. This includes for example, increasing the frequency of collection of litter bins in peak periods, auditing, washing and maintaining litter bins and litter collection as part of the daily activities of both Open Space and Recreation and General Works Staff within Council totalling approximately 150 hours of litter collection per week. In conjunction with these efforts Council has 3 dedicated litter collection staff working 7 days per week in natural areas and 2 Community Service Litter Patrol teams of approximately 6 staff each working on an on-going basis across the Shire. Life guards also collect litter on the beaches and put of bins near flagged areas in peak periods.

NSW Environmental Protection Authority Litter Prevention initiatives

The NSW Environment Protection Authority (EPA) under the Waste Less Recycle More Program recently offered grant funding for litter prevention in NSW. Wyong Shire Council successfully applied and received two litter prevention grants in 2014/15 totalling approximately \$150,000. These funds were used towards various infrastructure and education projects focused on improving litter management.

The next round of EPA Litter Prevention funding will open shortly and staff are currently investigating a range of initiatives aimed at litter prevention in carparks, shopping zones and town centres so that a grant application can be prepared to continue these successful litter reduction activities.

The NSW EPA have also advised that they are currently developing the State's first Litter Prevention Strategy. The strategy will set out actions and timeframes to achieve litter reduction across NSW. Public comment will be sought on the draft strategy when it is released. It is anticipated that local government will work with the state government in the implementation of this strategy.

Conclusion

Council is undertaking a range of projects and activities to tackle litter in the Wyong Shire. Our efforts to date have been rewarded by recently achieving a “*Certificate of Recognition*” for leadership in litter prevention in New South Wales from the NSW Environment Protection Authority. The attached Litter Management Plan shows a wide range of actions which will be undertaken ahead of the summer litter season and further on an on-going basis throughout the year. Further opportunities to receive grant funding to conduct additional targeted litter prevention strategies will be pursued as they arise.

ATTACHMENTS

- | | | |
|---|---|-----------|
| 1 | Litter Award 2015 - Attachment - Council Report | D12139082 |
| 2 | Litter Management Plan 2015 | D12143726 |



Certificate of Recognition

Awarded to

Wyong Shire Council

for leadership in litter prevention
in New South Wales.

A handwritten signature in black ink, appearing to read 'B.P. Buffier', written over a light blue hexagonal pattern.

Barry Buffier

Chair & CEO

NSW Environment Protection Authority

August 2015

HEY TOSSER!

www.epa.nsw.gov.au/litter

LITTER MANAGEMENT PLAN

The litter reduction plan is an evolving and dynamic document coordinated by staff from Councils Waste Section based on information collected from across stakeholders within the organisation. It should be viewed as a guide for action and should be flexible and responsive to changing conditions. It is not rigid and must be regularly updated and evaluated.

YEARLY ACTIONS					
Area / Approach	Strategy	Actions	Responsibility	Time frame	Performance Indicator
Litter Bin Management	Litter Bin Audit Report	Conduct Annual Litter Bin Audit. Assess condition, location and usage of existing bins and make recommendations via the report and a presentation for consideration by Council	Waste Contractor Waste Section	Annually in May	Presentation and report provided to Waste Unit by the Waste Contractor
Litter Bin Management	Litter Bin Washing Schedule	Litter Bins are washed 4 times per year or as requested by the public. The contractor must supply a washing schedule to Council annually	Waste Contractor Waste Section	Wash Schedule – Annually in February Each bin washed 4 times per year as per the schedule.	The Waste Unit audits the litter bins for cleanliness annually
Litter Bin Management	Scheduled Servicing of Litter Bins	Summer and Winter Litter Bin Service Schedule provided by Waste Unit to Waste Contractor annually	Waste Contractor Waste Section	Winter Schedule provided annually in April. Summer Schedule annually in September	Bins serviced as per the approved schedule
Litter Bin Management	Extra Servicing of Litter Bins	Extra servicing of Litter Bins in high usage locations is arranged during peak periods	Waste Contractor Waste Section	Australia Day / Easter / Christmas	Bins serviced as requested

Approach	Strategy	Actions	Responsibility	Time frame	Performance Indicator
Litter Bin Management	Ensure frequency of service of litter bins is adequate for area	Undertake litter bin audits to assess cleanliness and general condition of bins	Waste Officer / Waste Contractor	Ongoing	Number of complaints received regarding condition of litter bins
	Litter around bins	Enforce contractual requirements that litter within 3m radius is to be removed	Waste Officer	As required	Number of complaints received regarding condition of litter bins
	Overflowing bins	Reinforce that overflowing bins shall be serviced as soon as observed irrespective of service day	Waste Officer	As required	Number of complaints received regarding overflowing bins
	Service frequency	Review service frequency of litter bins and amend if required	Waste Officer / Parks & Reserves Officer	As required	Number of complaints received regarding overflowing bins
Community based anti-litter campaigns	Conduct community education clean up programs	Litter advertising to raise community awareness	Team Leader Community Education	Ongoing	Number of advertisements in local media
	Engage the community in activities that raise awareness and understanding of the impact of litter	Coordinate Clean-Up Australia Day	Team Leader Community Education	February - March annually	Number of residents, businesses and schools involved in CUA and amount of waste collected from sites

Approach	Strategy	Actions	Responsibility	Time frame	Performance Indicator
Grant Management to improve litter management	Apply for government grants to implement litter initiatives across the Shire	Apply for Environment Protection Authority 'Waste Less Recycle More' program and other grants to introduce litter reduction programs e.g. fishing equipment bins, cigarette butt bins, community events and resources e.g. litter focussed colouring-in books	Senior Waste Project Officer	On-going as grants become available	Grant Funding successfully secured and projects implemented
Early Childhood	Little GreenSteps Program	Provide Early Childhood Educators with resources to develop and implement waste management and recycling practices in their centres and educate and encourage involvement of children in these activities to learn about waste, recycling and the impact of waste on the environment	Team Leader Community Education	Annually	Number of centres who participate in the program
School Education	Primary Schools Environment Program	Support schools to reduce their impact on the environment, raise awareness, conduct a school waste audit and manage waste	Team Leader Community Education	Ongoing	Number of Schools who participate in the program and % of students that indicated an increase in knowledge and/or planned behaviour change
Environmental Education Programs	Estuary education activities (tours, information sessions)	Information is provided to raise awareness of the impact of litter on lakes and catchment area and how people can change their behaviour to reduce impact on the local environment	Environmental Education Officer	Ongoing	% of participants who attended the program that indicated an increase in knowledge and/or planned behaviour change

Approach	Strategy	Actions	Responsibility	Time frame	Performance Indicator
Environmental education programs	Take 3 Program	Deliver program to 9 High Schools to educate students about the impact of litter on the local environment and encourage clean up activities. Students to present to feeder primary schools	Environmental Education Officer	2015 -16	Number of schools who participate in the program and % of students that indicated an increase in knowledge and/or planned behaviour change
Litter Collection in Open Space and Recreation Areas	Maintenance Staff collect litter as part of daily activities	36 staff collect litter for approximately one hour each day prior to maintaining parks, sportsfields and priority roadsides	Parks / Sportsfields maintenance staff	Ongoing	Number of complaints/compliments received about litter in these areas. Quantity of Litter Removed
Collection of Litter on Beaches	Lifeguards collect litter as part of daily activities	Lifeguards collect litter during patrol season on 6 patrolled beaches and put bins out near flagged areas in peak periods	Lifeguards / Open Space and Recreation	Peak / Holiday Season	Number of complaints/compliments received about litter in these areas. Quantity of Litter Removed
Litter Collection in Natural Areas	Dedicated Natural Areas staff collect litter in areas of high community use	3 staff collect litter 7 days per week in parks and natural areas with a focus on cleaning BBQ areas, fishing tables, amenities blocks, beach bins, fishing tangles and cigarette butt bins	Natural Areas Staff	Seasonal Summer and Winter Cleaning and Litter Collection Schedules	Number of complaints/compliments received about litter in these areas. Quantity of Litter Removed

Approach	Strategy	Actions	Responsibility	Time frame	Performance Indicator
Litter Collection on roadways and drainage reserves	Maintenance Staff collect litter as part of daily activities	30 staff collect litter for approximately 100 hours per week on road and drainage reserves, open drains, roundabouts, nature strips, town centres	General Works Maintenance Staff	Seasonal collection averaging 100 hours week	Number of staff hours of litter collection. Number of complaints/compliments received about litter in these areas. Quantity of Litter Removed
Litter Collection from Gross Pollutant Traps and wetlands	Maintenance staff collect litter as part of annual program	Construction program of priority new/renewal GPT's and ongoing maintenance program of 218 devices	Waterways and Asset Management Staff	Ongoing	Number of new devices constructed Tonnes of material removed
Litter Collection on roadways and public spaces	Community Service Litter Patrol	2 groups of approximately 6 community service workers collect litter along roadways and verges	Community Service Workers overseen by Open Space & Recreation	Ongoing	Number of complaints/compliments received about litter in these areas
Regulation and enforcement	Rangers enforce litter laws	Rangers conduct regular patrols across the Shire. These patrols include: observation, interviews, statements and issue fines Adoption of zero tolerance policy Communication of prosecutions	Rangers	Ongoing	Number of fines or cautions issued
Regulation and Enforcement	Conduct Litter blitz	An education and enforcement blitz targeting known hot spot areas including media promotion before & after the event	Regulation & Compliance Staff / Waste Officers / Rangers / Communications	2016	Awareness raised in the community regarding litter and a decrease in litter complaints / litter collected

Approach	Strategy	Actions	Responsibility	Time frame	Performance Indicator
Illegal dumping	Ensure prompt removal of dumped waste	All staff and community members can report illegal dumping to Council. A service request is then created for either the Waste Unit, General Works, Rangers or Open Space and Recreation. A site inspection is conducted and it is arranged for illegally dumped waste to be removed in timely manner. Rangers will investigate and persue enforcement acitivites if viable	Waste Unit, General Works, Rangers or Open Space and Recreation	Ongoing	Number of staff hours undertaken to investigate and remove) illegal dumping. Costs recorded include both staff time, tonnages collected and machinery use
Grant Management to improve Litter Management	Apply for government grants to implement litter initiatives across the Shire	Apply for Environment Protection Authority 'Waste Less Recycle More' program and other grants to introduce litter reduction programs	Senior Waste Project Officer	2016 and on-going as grants become available	Grant Funding successfully secured and projects implemented

4.2 Draft Minutes of the Employment and Economic Development Committee Meeting - 4 November 2015

TRIM REFERENCE: F2012/01905 - D12142862

MANAGER: Mike Dowling, Director

AUTHOR: Jacquie Elvidge; Councillor Services Officer

SUMMARY

The draft minutes of the Employment and Economic Development Committee meeting of 4 November 2015 are submitted to Council for consideration.

RECOMMENDATION

That Council receive the report on Draft Minutes of the Employment and Economic Development Committee Meeting - 4 November 2015.

BACKGROUND

A meeting of the Employment and Economic Committee was held on 4 November 2015. The minutes of this meeting are attached to this report.

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

ATTACHMENTS

- | | | |
|---|---|-----------|
| 1 | MINUTES - Employment and Economic Development Committee Meeting - 4 November 2015 | D12137196 |
|---|---|-----------|

WYONG SHIRE COUNCIL

MINUTES OF THE
EMPLOYMENT AND ECONOMIC DEVELOPMENT COMMITTEE OF
COUNCIL

HELD IN THE COUNCIL CHAMBER
WYONG CIVIC CENTRE, HELY STREET, WYONG
ON 04 NOVEMBER 2015
COMMENCING AT 4.00 PM

PRESENT

Councillors D J Eaton (Chairperson), K G Greenwald (*arrived at 4.06 pm*), A Troy and Councillors L D Webster

IN ATTENDANCE

Director Development and Building, Director Property and Economic Development, Section Manager Marketing Tourism Communications and Councillor Services Officer.

OBSERVERS

Mr Chris Oliver - Director/ Principal Consultant Optima Developments Pty Ltd and Mr Stuart Durie - Landowner.

APOLOGIES

Councillor Best
Councillor Taylor

All reports were dealt with in the correct agenda sequence.

The Chairperson, Mayor Doug Eaton, declared the meeting open at 4.02 pm.

1.1 Disclosures of Interest

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

That the Committee receive the report on Disclosure of Interest and the fact that no disclosure was made be noted.

2.1 Address by Invited Speakers

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

That the Committee receive the report on Invited Speakers.

3.1 Confirmation of the adopted Minutes of the Employment and Economic Development Committee Meeting - 2 September 2015

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

That the Committee note that Council received the minutes of the previous meeting of the Employment and Economic Development Committee held on the 2 September 2015.

4.1 Nude Tourism Trend

Councillor Greenwald entered the meeting at 4.06 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 the Nude Tourism Trend.

4.2 Lake Munmorah Masterplan - Status Update

Ms Teresa Walters, Manager Marketing Tourism Communications, left the meeting at 4.14 pm and did not return.

Mr Mike Dowling, Director Property and Economic Development, provided a verbal update on Lake Munmorah Masterplan.

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

That the Committee receive the status update report on the Lake Munmorah Masterplan project.

4.3 Jilliby Stage 2 Tip Study

Mr Mike Dowling, Director Property and Economic Development, provided a verbal update on Jilliby Stage 2 Tip Study.

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

That the Committee note the report provided on the Jilliby Stage 2 Tip Study.

5.1 Property Portfolio Review - Update

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

That the Committee receive the report on Property Portfolio Review – Update.

FOR: CRS DJ EATON, A TROY AND LD WEBSTER

AGAINST: CR KG GREENWALD

5.2 Value of Development Assessments

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

That the Committee receive the report and the contents be noted.

5.3 Iconic Sites Status Report

Mr Scott Cox, Director Development and Building, left the meeting at 4.53 pm and did not return.

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

That the Committee receive the report on Iconic Sites Status Report.

5.4 Major Project Status Report

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

That the Committee receive the report on Major Project Status Report.

5.5 Ourimbah Masterplan and Land Use Review - Status Update

Councillor Webster left the meeting at 5.02 pm and did not return.

Mr Mike Dowling, Director Property and Economic Development, provided a verbal update on Ourimbah Masterplan and Land Use Review.

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

That the Committee receive the report on Ourimbah Masterplan and Land Use Review - Status Update.

5.6 Wyong Shire Town Centre Masterplans - Update

Mr Mike Dowling, Director Property and Economic Development, provided a verbal update on Wyong Shire Town Centre Masterplans.

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

That the Committee receive the report on Wyong Shire Town Centre Masterplans - Update.

THE MEETING closed at 5.39 pm.

4.3 Road Capital Works Program

TRIM REFERENCE: F2011/00879 - D12144255
MANAGER: Daryl Mann, Project Manager
AUTHOR: Stuart Baverstock; Construction Manager

SUMMARY

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

RECOMMENDATION

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

BACKGROUND

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

The target volume outputs for 2015/16 are:

- | | |
|----------------------------------|--|
| • Pavement resealing = 45 km | 0 km achieved to date (program commences Nov 2015) |
| • Road upgrade / renewal = 14 km | 4.0 km achieved to date |
| • Footpath = 3.2 km | 2.9 km achieved to date |

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

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

4.3 Road Capital Works Program (contd)

In November 2015 the following major achievements in the Road Capital Works program were achieved:

- Drainage works and road upgrade on the next stage of the Wyong CBD project (across the Anzac / Margaret roundabout intersection) were essentially completed, with only final linemarking, paving and works in Pauline Lane remaining. The Pauline Lane works will be completed once the Art House construction contractor completes their work and vacates the site, which is currently scheduled for late January 2016.
- The major upgrade of road and drainage at Hume Boulevard Killarney Vale was completed.
- The 4.0km long Kanangra Drive upgrade including shoulder widening and asphaltting was completed, with only wire rope barrier remaining which is due to be completed prior to Christmas 2015.
- Footpaths/shared paths were completed at;
 - Various bus stops in the Warnervale/Wyong area.
- Road renewal projects were completed at;
 - River Road, Wyong
 - Kanangra Drive, Crangan Bay
 - Goorama Avenue, San Remo
- Road pavement asphalt works were completed on;
 - Kanangra Drive, Crangan Bay,
 - Wyong Rd, Tumbi Umbi,
 - Hume Boulevard Killarney Vale
 - Anzac / Margaret intersection, Wyong CBD
 - Goorama Ave San Remo.

ATTACHMENTS

- 1 CAPEX and Resealing Programme Attachment D12150340

ROAD UPGRADE /RENEWAL / RESEAL PROJECTS - 2015 / 2016 FINANCIAL YEAR															
Capital Responsibility Centre (RC) No.	(Multiple Items)	SRV Projects	Legend												
			Project Phasing			✓	Project Status Project Completed	✗	Project Status Project deferred or removed from 2015/16 programme due to constructability related issues						
Suburb Location	Capital RC Name	Project Description DO NOT CHANGE	July-15	Aug-15	Sept-15	Oct-15	Nov-15	Dec-15	Jan-16	Feb-16	Mar-16	Apr-16	May-16	June-16	Project Status
Bateau Bay	Local Roads Rehab Works/Road Pavement Renewals	Hillcrest Avenue - Block 1 : Pavement Renewal Programme													
		Norah Head Close - Block 1 : Pavement Renewal Programme													
	Reseals Local Roads-General	Adrian Close - Block 1 Reseal Programme													
		Augustus Place - Block 1 Reseal Programme													
		Bateau Bay Road - Block 6 Reseal Programme													
		Bateau Bay Road - Block 7 Reseal Programme													
		Katungal Street - Block 1 Reseal Programme													
		Kipling Drive - Block 1 Reseal Programme													
		Kipling Drive - Block 2 Reseal Programme													
		Masefield Avenue - Block 1 Reseal Programme													
		Peta Close - Block 1 Reseal Programme													
		Reserve Drive - Block 1 Reseal Programme													
		Reserve Drive - Block 2 Reseal Programme													
		Reserve Drive - Block 3 Reseal Programme													
Reserve Drive - Block 4 Reseal Programme															
Reserve Drive - Block 5 Reseal Programme															
Roads To Recovery Program	Debra Anne Drive - Block 1, 2 and 3 : Pavement Renewal Programme														
Berkeley Vale	Capital Local Roads Rehab - General/Roads Upgrade	Q3 - Berkeley Vale - Road Upgrade With Stormwater Drainage Upgrade (Blenheim, Buckingham, St James, Windsor)													
	Footpath Construction	Q1 - Lorraine Avenue, Berkeley Vale : Footpath Programme (New)													
	Reseals Local Roads-General	Clare Crescent - Block 1 Reseal Programme													
		Colleen Street - Block 1 Reseal Programme													
		Jean Avenue - Block 2 Reseal Programme													
		Keren Avenue - Block 1 Reseal Programme													
	Keren Avenue - Block 2 Reseal Programme														
	Lakedge Avenue Shops C/P at Bluebell Avenue Reseal Programme														

ROAD UPGRADE /RENEWAL / RESEAL PROJECTS - 2015 / 2016 FINANCIAL YEAR																
			Legend													
Capital Responsibility Centre (RC) No.	(Multiple Items)	SRV Projects	Project Phasing			✓	Project Status Project Completed	✗	Project Status Project deferred or removed from 2015/16 programme due to constructability related issues							Project Status
Suburb Location	Capital RC Name	Project Description DO NOT CHANGE	July-15	Aug-15	Sept-15	Oct-15	Nov-15	Dec-15	Jan-16	Feb-16	Mar-16	Apr-16	May-16	June-16	Project Status	
Blue Bay	Capital Local Roads Rehab - General/Roads Upgrade	Bay Road, Blue Bay : Road Upgrade Including Stormwater Drainage														
	Reseals Local Roads-General	Boondilla Road - Block 3 Reseal Programme														
		The Crescent - Block 1 Reseal Programme														
		The Crescent - Block 2 Reseal Programme														
		The Crescent - Block 3 Reseal Programme														
		The Crescent - Block 4 Reseal Programme														
Budgewoi	Capital Local Roads Rehab - General/Roads Upgrade	Continuation - 33 SUNRISE AVENUE														
		Villa Close, Budgewoi : Road Upgrade With Stormwater Drainage														
	Reseals Local Roads-General	Natuna Avenue - Block 2 Reseal Programme														
Bushells Ridge	Reseals Local Roads-General	Bushells Ridge Road - Block 1 Reseal Programme														
		Bushells Ridge Road - Block 2 Reseal Programme														
		Bushells Ridge Road - Block 3 Reseal Programme														
Cedar Brush Creek	Reseals Local Roads-General	Brush Creek Road - Block 1 Reseal Programme														
		Brush Creek Road - Block 11 Reseal Programme														
		Brush Creek Road - Block 3 Reseal Programme														
		Brush Creek Road - Block 4 Reseal Programme														
		Brush Creek Road - Block 5 Reseal Programme														
		Brush Creek Road - Block 6 Reseal Programme														
		Brush Creek Road - Block 7 Reseal Programme														
		Brush Creek Road - Block 9 Reseal Programme														
Chain Valley Bay	Shared Pathways	Q1 - Tall Timbers Road, Scaysbrook Avenue : Shared Pathway														

ROAD UPGRADE /RENEWAL / RESEAL PROJECTS - 2015 / 2016 FINANCIAL YEAR																
			Legend													
Capital Responsibility Centre (RC) No.	(Multiple Items)	SRV Projects	Project Phasing			✓	Project Status Project Completed	✗	Project Status Project deferred or removed from 2015/16 programme due to constructability related issues							
Suburb Location	Capital RC Name	Project Description DO NOT CHANGE	July-15	Aug-15	Sept-15	Oct-15	Nov-15	Dec-15	Jan-16	Feb-16	Mar-16	Apr-16	May-16	June-16	Project Status	
Chain Valley Bay	Reseals Local Roads-General	Scaysbrook Avenue - Block 1 Reseal Programme						■								
		Scaysbrook Avenue - Block 2 Reseal Programme						■								
		Tall Timbers Road - Block 2 Reseal Programme						■								
		Tall Timbers Road - Block 3 Reseal Programme						■								
		Tall Timbers Road - Block 4 Reseal Programme								■						
		Tall Timbers Road - Block 5 Reseal Programme								■						
		Tall Timbers Road - Block 6 Reseal Programme								■						
		Tall Timbers Road - Block 7 Reseal Programme								■						
Charmhaven	Footpath Construction	Pacific Highway Charmhaven : Footpath Programme (New)													✓	
	Reseals Local Roads-General	Dixie Lane - Block 1 Reseal Programme					■									
	Roads To Recovery Program	Removed in Continuation - Chelmsford Road (West), Charmhaven : Roads To Recovery													✗	
	Shared Pathways	Pacific Highway Charmhaven Stage 1: Shared Pathway Programme (New)													✓	
Chittaway Point	Local Roads Rehab Works/Road Pavement Renewals	Removed in Continuation - Geoffery Road - Block 9 : Pavement Renewal Programme													✗	
	Reseals Local Roads-General	Geoffrey Road - Block 10 Reseal Programme						■								
		Geoffrey Road - Block 11 Reseal Programme						■								
		Geoffrey Road - Block 12 Reseal Programme						■								
		Geoffrey Road - Block 13 Reseal Programme						■								
		Vesta Close - Block 1 Reseal Programme						■								
Durren Durren	Roads Rehab Minor Rolling Works	Continuation - SMITHS ROAD @ DURREN DURREN ROAD. Road upgrade (seal)								■						
Fountaindale	Reseals Local Roads-General	Old Chittaway Road - Side Road) Reseal Programme								■						

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

ROAD UPGRADE /RENEWAL / RESEAL PROJECTS - 2015 / 2016 FINANCIAL YEAR																
			Legend													
Capital Responsibility Centre (RC) No.	(Multiple Items)	SRV Projects	Project Phasing			✓	Project Status Project Completed	✗	Project Status Project deferred or removed from 2015/16 programme due to constructability related issues							
Suburb Location	Capital RC Name	Project Description DO NOT CHANGE	July-15	Aug-15	Sept-15	Oct-15	Nov-15	Dec-15	Jan-16	Feb-16	Mar-16	Apr-16	May-16	June-16	Project Status	
Kanwal	Footpath Construction	Wallarah Road, Kanwal : Footpath Programme (New)														
Killarney Vale	Capital Local Roads Rehab - General/Roads Upgrade	Continuation - HUME BOULEVARD. Road Upgrade													✓	
	Reseals Local Roads-General	East St - Block 1 Reseal Programme														
		East St - Block 2 Reseal Programme														
		Oxley Road - Block 1 Reseal Programme														
		Robert Bourke Street - Block1 Reseal Programme														
Kulnura	Roads Rehab Minor Rolling Works	Cherry Road, Kulnura : Road Upgrade (Seal)														
		Finns Road, Kulnura : Road Upgrade (Seal)														
		Forest Road, Kulnura : Road Upgrade (Seal)														
		Hunts Road, Kulnura : Road Upgrade (Seal)														
Lake Haven	Footpath Construction	Lake Haven - Footpath Programme (New)														
Lake Munmorah	Footpath Construction	Continuation - ANITA AVENUE. Footpath Programme													✓	
	Reseals Local Roads-General	Elizabeth Bay Drive - Block 7 Reseal Programme														
	Shared Pathways	Continuation - PACIFIC HIGHWAY - Shared Pathway (New Construction)													✓	

ROAD UPGRADE /RENEWAL / RESEAL PROJECTS - 2015 / 2016 FINANCIAL YEAR																
			Legend													
Capital Responsibility Centre (RC) No.	(Multiple Items)	SRV Projects	Project Phasing			✓	Project Status Project Completed	✗	Project Status Project deferred or removed from 2015/16 programme due to constructability related issues							
Suburb Location	Capital RC Name	Project Description DO NOT CHANGE	July-15	Aug-15	Sept-15	Oct-15	Nov-15	Dec-15	Jan-16	Feb-16	Mar-16	Apr-16	May-16	June-16	Project Status	
Long Jetty	Footpath Construction	Implement Long Jetty Master plan - Main St footpath upgrades (Pacific St to Toowoon Bay Rd)														
	Local Roads Rehab Works/Road Pavement Renewals	Mayfair Street - Block 1 : Road Pavement Renewal													✗	
	Reseals Local Roads-General	Archbold Road - Block 1 Reseal Programme									■					
		Archbold Road - Block 2 Reseal Programme									■					
		Archbold Road - Block 3 Reseal Programme									■					
		Bonnieview Street - Block 6 Reseal Programme									■					
		Nirvana Street - Block 1 Reseal Programme									■					
		Nirvana Street - Block 2 Reseal Programme									■					
		Nirvana Street - Block 3 Reseal Programme									■					
		Remove in Q1 - McLachlan Avenue - Block 4 Reseal Programme														✗
		Rhodin Drive - Block 1 Reseal Programme										■				
		Rhodin Drive - Block 2 Reseal Programme										■				
	Surf Street - Block 2 Reseal Programme										■					
	Surf Street - Block 3 Reseal Programme										■					
	Thompson Street - Block 3 Reseal Programme										■					
	Toowoon Bay Road - Block 4 Reseal Programme										■					
	Remove in Q1 - McLachlan Avenue - Block 5 Reseal Programme														✗	
Manning Park	Shared Pathways	Griffith Street, Manning Park : Shared Pathway Programme (New)									■					

ROAD UPGRADE /RENEWAL / RESEAL PROJECTS - 2015 / 2016 FINANCIAL YEAR																
			Legend													
Capital Responsibility Centre (RC) No.	(Multiple Items)	SRV Projects	Project Phasing			✓	Project Status Project Completed	✗	Project Status Project deferred or removed from 2015/16 programme due to constructability related issues							Project Status
Suburb Location	Capital RC Name	Project Description DO NOT CHANGE	July-15	Aug-15	Sept-15	Oct-15	Nov-15	Dec-15	Jan-16	Feb-16	Mar-16	Apr-16	May-16	June-16	Project Status	
Norah Head	Capital Local Roads Rehab - General/Roads Upgrade	Bald Street, Norah Head : Road Upgrade With Stormwater Drainage														
		Maitland Street (Bush Street Stage3) Norah Head : Road Upgrade Including Stormwater Drainage														
	Reseals Local Roads-General	Bungary Road - Block 1 Reseal Programme														
		Bungary Road - Block 2 Reseal Programme														
		Bungary Road - Block 4 Reseal Programme														
		Bungary Road - Block 5 Reseal Programme														
		Park Street - Block 1 Reseal Programme														
		Victoria Street - Block 2 Reseal Programme														
Noraville	Footpath Construction	Remove in Q1 - Pandora Parade, Noraville : Footpath Programme (New)													✗	
Ourimbah	Capital Local Roads Rehab - General/Roads Upgrade	Glen Road, Ourimbah : Road Renewal With Stormwater Drainage And Guard Rail														
	Footpath Construction	Coachwood Drive, Ourimbah : Footpath Programme (New)														
	Reseals Local Roads-General	Alex Close - Block 1 Reseal Programme														
		Ourimbah Road - Block 1 Reseal Programme														
Roads Rehab Minor Rolling Works	Removed in Continuation - Bridge Street, Ourimbah : Road Upgrade (Seal)														✗	
Roads To Recovery Program	Ourimbah Creek Road - Block 5 : Pavement Renewal Programme															
Palmdale	Roads Rehab Minor Rolling Works	Fern Tree Lane, Palmdale : Road Upgrade (Seal)														
		Palmdale Road, Palmdale : Road Upgrade (Seal)														

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

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

ROAD UPGRADE /RENEWAL / RESEAL PROJECTS - 2015 / 2016 FINANCIAL YEAR																
			Legend													
Capital Responsibility Centre (RC) No.	(Multiple Items)	SRV Projects	Project Phasing			✓	Project Status Project Completed	✗	Project Status: Project deferred or removed from 2015/16 programme due to constructability related issues							
Suburb Location	Capital RC Name	Project Description DO NOT CHANGE	July-15	Aug-15	Sept-15	Oct-15	Nov-15	Dec-15	Jan-16	Feb-16	Mar-16	Apr-16	May-16	June-16	Project Status	
Wyong Creek	Roads Rehab Minor Rolling Works	Remove in Q1 - Amber Lane, Wyong Creek : Road Upgrade (Seal)													✗	
Wyongah	Capital Local Roads Rehab - General/Roads Upgrade	Kilpa Road, Wyongah : Road Upgrade With Stormwater Upgrade														
	Local Roads Rehab Works/Road Pavement Renewals	Murrawal Road, Wyongah : Traffic Calming and Road Upgrade														

4.4 Outstanding Questions on Notice and Notices of Motion

TRIM REFERENCE: F2015/00040-02 - D12156656

MANAGER: Lesley Crawley, Manager Corporate Governance

AUTHOR: Jacquie Elvidge; 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 | Table of Outstanding Questions and Notice of Motions - 9 December 2015 | D12156662 |
|---|--|-----------|

No	Department	Responsible Officer	Question Asked / Resolution	Meeting Asked/ Councillor	Status
115	Chief Executive Officer's Unit	Stephen Naven	<p>7.2 Notice of Motion - Government Rating Outrage</p> <p>50/15 That Council <u>note</u> with great concern the likely significant escalation of the 2015 rate burden on the local lower to mid-market property sector.</p> <p>51/15 That Council <u>note</u> the significant escalation is as a consequence of the recent property market increases and unfair rerating formulas dictated to Council by the State Government Valuer General and Office of Local Government.</p> <p>52/15 That Council <u>call</u> on the State Government to conduct a thorough review into the Valuer General's and Office of Local Government's outdated and discriminatory rating methods that will place undue hardship on many in our community.</p> <p>53/15 That Council <u>investigate</u> a shire wide, online petition in partnership with the community, to give ratepayers a voice to call upon the State Government to reject this outrageous and out of touch taxing.</p> <p>54/15 That Council <u>include</u> in its 2015 Strategic Planning Process a review of all options to assist in reducing the impact of the Government's looming rerating charges.</p>	<p>28 January 2015</p> <p>Cr Best</p>	Response to be provided at Ordinary Meeting 27 January 2016.
150	Development and Building	Jamie Loader	<p>6.1 Notice of Motion - Council's Animal Care Facility</p> <p>539/15 That Council recognise the outstanding work over the past few years by staff and more recently by the current animal care contractor and that this management team has delivered an outcome of near zero euthanising of stray and abandoned pets.</p> <p>540/15 That Council recognise that the current Charmhaven Animal Care Facility is approaching end of its asset life.</p> <p>541/15 That Council take a more strategic and regional approach through opening dialogue with Gosford City Council and the current animal care contractors both at Charmhaven and Erina, with the view to establishing a regional, Central Coast animal care facility that will service the future needs of the Coast as a whole.</p> <p>542/15 That Council consider any such centrally located regional facility in tandem with innovative satellite offices in the region's north and far south to assist residents in outer areas to access these important</p>	<p>Cr Best</p> <p>27 May 2015</p>	Investigations are underway, with a response to be provided 27 January 2016.

No	Department	Responsible Officer	Question Asked / Resolution	Meeting Asked/ Councillor	Status
			services. 543/15 That Council request the General Manager to provide a report back to Council.		
162	Property and Economic Development	Mike Dowling	7.2 Notice of Motion - Shire Wide Events and Promotions Board 758/15 That Council reaffirm its' principal direction from the February workshop to investigate options for management and promotion of tourism, employment and investment within the shire including forming a shire wide events and promotions body. 759/15 That Council negotiate changes to the existing agreements to give effect to Council's new direction with: a) The Entrance Centre Management b) Greater Toukley Vision c) Central Coast Tourism d) Wyong Regional Chamber of Commerce 760/15 That Council request the General Manager to provide a report back to Council.	Cr Taylor 22 July 2015	Response to be provided at a future meeting.
170	Infrastructure and Operations	Peter Ham	1.6 Mayoral Minute - Vandalism Reward Doubling 837/15 That Council <u>double</u> its current reward under its Policy for Reporting Vandalism in respect of the EDSAAC Bateau Bay amenities/clubhouse building destroyed by fire last weekend. 838/15 That Council <u>publicise</u> this increased reward extensively through Council's media and communication channels. 839/15 That Council <u>publicise</u> the names of those convicted, subject to any prosecution.	Cr Eaton 26 August 2015	WAM staff are consulting with our Comms Business Partner in publicising the reward for information relating to the vandalism that occurred at EDSAAC Bateau Bay amenities/clubhouse building.
180	Property and Economic Development	Mike Dowling	1.6 Mayoral Minute - The Entrance Surf Club Lease 984/15 That Council <u>request</u> The Entrance Surf club enter into suitable arrangements with Council for the clearance of the outstanding rates and charges. 985/15 That Council <u>request</u> for additional purpose to be added to the Reserve under Section 121A of the Crown Lands Act 1989. 986/15 That Council <u>amend</u> the lease to include a sub-lease permitting a café/restaurant to be included in the footprint of The Entrance Surf Club.	Cr Eaton 23 September 2015	Response to be provided at a future meeting.

No	Department	Responsible Officer	Question Asked / Resolution	Meeting Asked/ Councillor	Status
			987/15 That Council <u>share</u> the rental derived from the commercial operation with The Entrance Surf Club. 988/15 That Council <u>require</u> The Entrance Surf Club to spend their share of the rental on Surf Life Saving activities and/or equipment, and provide annual financial statements to show how these funds have been distributed.		
181	Community and Recreation Services	Brett Sherar	8.1 Notice of Motion - Shark Summit 1037/15 That Council <u>note</u> the increased number of shark attacks in and around our coastal waters due to the rise in shark numbers. 1038/15 That Council <u>take</u> proactive and pre-emptive steps to mitigate further local attacks. 1039/15 That Council <u>recognise</u> that not only do the current shark attacks highlight the need for better public safety they have the potential to affect summer time tourism and its associated employment. 1040/15 That, having regard to the far reaching potential of these events, Council <u>convene</u> in partnership with Surf Life Saving and Professional Life Guards a Shark Summit that includes all key stakeholder groups, rescue organisations, applicable agencies, tourism representatives and specialist marine experts. 1041/15 That Council <u>request</u> the Acting Chief Executive Officer to report on the feasibility of auditing our ocean coast line with a view to identifying suitable sites to create shark proof ocean bathing areas/enclosures, however this does not include traditional netting. 1042/15 That staff <u>investigate</u> the effectiveness and practicality of making available to bathers, technology such as the shark shield devices on a short term hire basis.	Cr Best 23 September 2015	1037/15: Noted 1038/15: Addressed through the undertakings of the Shark Summit with identified outcomes. 1039/15: Recognised 1040/15: Shark Summit held at Wyong Council on 4 November 2015. 1041/15: A report will be provided to Council on outcomes in March 2016.
182	Chief Executive Officer's Unit	Steve Naven	8.2 Notice of Motion - \$10million Rate Relief 1043/15 That Council <u>congratulate</u> all staff for their excellent team efforts in addressing the \$30million deficit.	Cr Best 23 September 2015	The Financial Impact of this NOM will be presented to Councillors during the Strategic Planning Cycle. Budgets have been prepared with both the NOM

No	Department	Responsible Officer	Question Asked / Resolution	Meeting Asked/ Councillor	Status
			<p>1044/15 That Council <u>recognise</u> that these efforts have now resulted in a \$10.6million surplus, this reflects a \$41million total turn around in just 5 years.</p> <p>1045/15 That Council <u>note</u> the key initiatives deployed to achieve this extraordinary turn around are:</p> <ul style="list-style-type: none"> • “Right-sizing” the organisation – aligning inputs to priority outputs • Service Delivery Review removing \$8m from the cost base • Using our own resource, not consultants • Benchmarking and testing alternate service delivery models • Better budgeting – focusing on community priorities • Better discipline in meeting budgets • More effective measurement. Closer monitoring of spend • Better procurement practices and outcomes. <p>1046/15 That, as a consequence of this excellent financial management, Council <u>note</u> that it does not intend to apply a special rate variation when it makes rates for the 2016/17 rating year and revert to a maximum increase of 3% (the assumed standard rate pegging), thereby saving our rate payers \$10.7 million dollars.</p> <p>1047/15 That Council now continues to <u>work</u> through the identified infrastructure backlog using the current unallocated surplus of \$10.6million and future year surpluses.</p> <p>1048/15 That the Mayor, through the Council column, publically <u>thank</u> our community for their support, patience and understanding throughout this difficult period of restructure.</p>		recommended 3% and the SRV of 6.9%. The total increase will be approved by Council as part of the adoption of the Strategic Plan and “making of rates” Council Paper in May/June 2016.
186	Infrastructure and Operations	Daryl Mann	<p>Q42/15 Kanwal Traffic Calming Devices</p> <p>“Mr Mayor,</p> <p>As the local area Councillor, my question is on behalf of the good folk of Walker Avenue/ Braithwaite, Kanwal. I am hearing of outrageous driving behaviour that is endangering public safety, I appreciate it’s a policing matter, however could you have staff look into the possibility of installing some traffic</p>	Cr Best 23 September 2015	Response to be provided at a future meeting.

No	Department	Responsible Officer	Question Asked / Resolution	Meeting Asked/ Councillor	Status
			<i>calming devices in this area, particularly leading from the high pedestrian area, Kanwal shops?"</i>		
190	Chief Executive Officer's Unit	Steve Naven	<p>8.2 Notice of Motion - Amalgamation / Questionable Financial Stability?</p> <p>1104/15 <i>That Council <u>note</u> that further to Chief Financial Officer's Councillor Briefing presented on the 9 September 2015 around Wyong's year-end financial results that outline Council's excellent economic turnaround over the past 5 years. The key drivers to this achievement were:</i></p> <ul style="list-style-type: none"> • <i>"Right-sizing" the organisation – aligning inputs to priority outputs</i> • <i>Service Delivery Review removing \$8m from the cost base</i> • <i>Using our own resource, not consultants</i> • <i>Benchmarking and testing alternate service delivery models</i> • <i>Better budgeting – focusing on community priorities</i> • <i>Better discipline in meeting budgets</i> • <i>More effective measurement. Closer monitoring of spend</i> • <i>Better procurement practices and outcomes.</i> <p>1105/15 <i>This has now resulted in a \$10.6million surplus and thereby providing Council the opportunity to not levy the scheduled 2016/17 approved extra ordinary rate rise.</i></p> <p>1106/15 <i>That further Council <u>note</u> with concern investment report item 6.1 from 23 September 2015 that provides some commentary/financial comparisons between Gosford and Wyong Councils. Of significant note is Gosford's decline in cash Table 9, Graph 1 declining investment portfolio returns, Table 10 and Graph 2 declining portfolio returns. (Tables and Graphs attached below).</i></p> <p>1107/15 <i>That as Wyong and Gosford Councils are partners in the billion dollar water supply and that there is a real prospect of amalgamation, it is responsible and incumbent upon Council to establish a thorough and accurate economic analysis heading</i></p>	Cr Best 14 October 2015	A letter demanding access to Financial Accounts was sent to Gosford City Council by the CEO on 2 November 2015. No response yet received from Gosford. Meanwhile a detailed review of Financial Accounts and reconciliations around risk areas has been performed.

No	Department	Responsible Officer	Question Asked / Resolution	Meeting Asked/ Councillor	Status	
			<p>1108/15</p> <p><i>into any further partnerships. Consequently Council respectfully <u>request</u> Gosford City Council provide full and unfettered access to its 2014/15 accounts, Including all supporting documentation for a proper analysis.</i></p> <p><i>That Council <u>recognise</u> the importance of working cooperatively and transparently with our sister Central Coast Council. It is with this understanding, that Wyong reciprocates access to all necessary statements that will assist Gosford in any similar financial analysis.</i></p>			
195	Infrastructure and Operations	Greg McDonald	<p>7.1</p> <p>1169/15</p> <p>1170/15</p> <p>1171/15</p> <p>1172/15</p> <p>1173/15</p>	<p>Notice of Motion - Norah Head / Cabbage Tree Bay "Missing Link"</p> <p><i>That Council notes the excellent work carried out by staff in delivering the complex engineering of the Cabbage Tree Bay (CTB) seawall and more recently the CTB ocean ramps, further it is noted both these facilities were severely tested in the April 2015 storms with no reported damage.</i></p> <p><i>That Council notes these much needed multimillion dollar Bay works have now highlighted the extremely poor condition of Mazlin Reserve Cliff Face and in particular the Norah Head Search and Rescue site, this has now become known as the "Missing Link".</i></p> <p><i>That Council recognises that both these sites are the ownership of the State Government and are their full responsibility.</i></p> <p><i>That Council seeks to work with the State Government through convening an initial meeting of all key stakeholder groups with a view to making a whole of community representation seeking upgrade funding in the 2016/17 State Budget.</i></p> <p><i>That Council notes the outstanding support Karen McNamara our Federal Member for Dobell and State Agencies provided in assisting Council and the community in delivering the much needed Cabbage Tree Bay Ocean Ramp and the bay retaining wall.</i></p>	<p>Cr Best</p> <p>28 October 2015</p>	<p>This is subject to confidential legal proceedings. Refer to General Counsel.</p>

No	Department	Responsible Officer	Question Asked / Resolution	Meeting Asked/ Councillor	Status
196	Infrastructure and Operations	Daryl Mann	7.2 Notice of Motion - Toukley Speed Bump Shambles 1164/15 <i>That Council, on behalf of the community, again call on the RMS to rip up the failed and controversial Toukley speed bumps.</i> 1165/15 <i>That Council notes the reports that these 'safety devices' have actually caused accidents involving both pedestrians and motorists, further there is emerging anecdotal evidence that shop trade is also beginning to be affected.</i> 1166/15 <i>That Council call on the RMS to release its 'Black Spot' funding submission, including the statistics it relied upon to convince the Federal Government to fund these controversial speed bumps."</i> 1167/15 <i>That Council further notes that some 50 accidents have been reported in the last 6 years on this road, with only 4 actually occurring in the Toukley CBD. Further, Council notes that there are two other 40km/h speed zones in Main Road Toukley that do not rely on speed bumps for their effective management.</i>	Cr Best 28 October 2015	Council is currently drafting a letter to the RMS to respond to the issues raised in items 1164/15 and 1166/15 of the NOM.
198	Chief Executive Officer's Unit	Steve Naven	Q49/15 Gosford City Council Financial Confusion <i>"Mr Mayor, further to Cr Best's and my formal notice of motion at Council's 14 October 2015 Ordinary Meeting around Gosford City Council's accounts that relied upon staff report 6.1 at Council's 23 September 2015 Ordinary Meeting outlining but not limited to Gosford City Council's significant reduction in cash, substantial forecast losses of \$27m and borrowings up by \$20m to a total of \$200million. Mr Mayor, you must pardon me, as I am now, along with the community are quite confused coming on the back of new Gosford City Council financial statements announcing an extraordinary profit of some \$35million, how can this be?"</i>	Cr Troy 28 October 2015	A letter demanding access to Financial Accounts was sent to Gosford City Council (GCC) by the CEO on 2 November 2015. A detailed review of Financial Accounts has been performed and provided to the CEO. GCC's \$35m "profit" includes Capital Grants and Contributions. Excluding Capital Grants and Contributions, GCC recorded a surplus of \$13m compared to a \$7m loss last year. Expenses were down by \$6m, Rates and Annual Charges revenue was up by \$9m and Operating Grant revenue was up by \$9m.
200	Property and Economic Development	Mike Dowling	1.6 Mayoral Minute - Wyong Grove 1187/15 <i>That Council <u>authorise</u> the Acting CEO to acquire the School Site and the School Carriageway at fair market value.</i>	Cr Eaton 11 November 2015	Response to be provided at a future meeting.

No	Department	Responsible Officer	Question Asked / Resolution	Meeting Asked/ Councillor	Status
			<p>1188/15 That Council <u>authorise</u> the Acting CEO to execute all necessary documentation relevant to the acquisition of the School Site and the School Carriageway.</p> <p>1189/15 That Council <u>resolve</u> that the School Site be classified as "Operational" land for the purposes of the Local Government Act 1993, when that land is acquired by the Council.</p> <p>1190/15 That the Council <u>resolve</u> to acquire the School Site and the and the School Carriageway by agreement or compulsory process pursuant to the Land Acquisition (Just Terms Compensation) Act 1991.</p> <p>1191/15 That Council <u>note</u> that for the purposes of resolutions 1 – 4 above the following terms have the following meanings:</p> <p>a "School Site" means all right title and interest in the part of the land known as Lot 1 DP 123075, with a street address of 1North Rd, Wyong, that is occupied buildings B , C , D and the COLA and identified and marked in yellow boundaries and hatching in Attachment 1 to this Mayoral Minute; and</p> <p>b "School Carriageway" means a Right of Carriageway, on terms set out in Part 1 of Schedule 4A to the Conveyancing Act 1919, benefitting the School Site and burdening that part of the land known as Lot 1 DP 123075 that is identified and marked with blue boundaries and hatching in Attachment 1 to this Mayoral Minute.</p>		
202	Property and Economic Development	Mike Dowling	<p>7.1 Notice of Motion - Waste Management Contract</p> <p>1279/15 That Council thank the Transport Workers Union for presenting at the Wyong Council Resident's Forum held on Wednesday 11 November 2015.</p> <p>1280/15 That Council acknowledge the clause provided by the Transport Workers Union to protect workers' wages and conditions and public safety;</p> <ul style="list-style-type: none"> Campbelltown Council's recent waste contract renewal process included the following 	Cr Eaton 25 November 2015	Response to be provided at a future meeting.

No	Department	Responsible Officer	Question Asked / Resolution	Meeting Asked/ Councillor	Status
			<p>clause: <i>"The Contractor must, as a minimum requirement, preserve employee pay rates and pay-related conditions (for all employees of the Contractor) as those provided in either the Remondis Enterprise Agreement 2018 or, Any enterprise agreement approved by Fair Work Australia which applies to employees previously subject to the Remondis Australia Enterprise Agreement 2018 and comes into operation prior to the commencement of the Contract"</i></p> <ul style="list-style-type: none"> <i>The current Sydney Metropolitan Bus Service Contract included the clause: "33.8 Successor Operator to Make Offers (a) TfNSW must procure that any Successor Operator makes offers of employment on equivalent terms and conditions (including all accrued entitlements) to Contract Bus Services Employees (other than the persons named in Schedule 11). Offers made by a Successor Operator must take effect from the expiry or termination of this Contract."</i> <p>1281/15 <i>That Council staff advise at what part of the tendering process it would be appropriate for Council to consider the inclusion of the proposed clause in the new Waste Management Contract?</i></p>		
203	Community and Recreation Services	Brett Sherar	<p>7.2 Notice of Motion - Shark Summit Update / Community Forum</p> <p>1282/15 <i>That Council, in partnership with Surf Life Saving and our Professional Life Guards, <u>conduct</u> a Community Forum to update key stakeholder groups and interested parties on the findings and initiatives recommended by the expert scientific panel at Council's recent Shark Summit.</i></p> <p>1283/15 <i>That Council, with the assistance of our community and marine experts, <u>identify</u> suitable trial projects that could be submitted for consideration in the recently announced State Government Shark Management Project.</i></p> <p>1284/15 <i>That Council <u>note</u>, as the Central Coast was the first region to conduct a local Shark Summit since</i></p>	Cr Best 25 November 2015	Response to be provided at a future meeting.

No	Department	Responsible Officer	Question Asked / Resolution	Meeting Asked/ Councillor	Status
			<i>the State Government's announcement of the \$16million Shark Fund, the Coast is now ideally positioned to contribute and access these resources subject to developing our submission expeditiously.</i>		
204	Infrastructure and Operations	Greg McDonald	U5/15 1286/15 Extension of Dredging at The Entrance <i>That Council extend the period of dredging The Entrance channel by one week with the sand pumped onto The Entrance Beach.</i>	Cr Taylor 25 November 2015	Response to be provided at a future meeting.

**QUESTIONS ON NOTICE AND NOTICES OF MOTION REMOVED SINCE
25 NOVEMBER 2015**

No#	Department	Question on Notice / Notice of Motion	Date Asked/ Councillor	Status
171	Property and Economic Development	6.1 Notice of Motion - Free Wi-Fi The Entrance Memorial Park Precinct	Cr Webster 26 August 2015	Response included on Ordinary Meeting 25 November 2015 agenda.
172	Property and Economic Development	6.2 Notice of Motion - \$3.4million Litter Land	Cr Best 26 August 2015	Response included on Ordinary Meeting 9 December 2015 agenda.
191	Property and Economic Development	Q44/15 Fenced off Beach Access	Cr Troy 14 October 2015	Response included on Ordinary Meeting 9 December 2015 agenda.
194	Property and Economic Development	Q47/15 Renewable Energy Projects	Cr Troy 14 October 2015	Response included on Ordinary Meeting 9 December 2015 agenda.
199	Community and Recreations Services	Q50/15 Switchboard Delays	Cr Best 11 November 2015	Response included on Ordinary Meeting 9 December 2015 agenda.

5.1 Answers to Question on Notice

TRIM REFERENCE: F2013/02047 - D12159540 AUTHOR: PF

5.1 Q44/15 - Fenced Off Beach Access

The following question was asked by Councillor Troy at the Ordinary Meeting on 14 October 2015:

"It has been brought to my attention by a ratepayer that some residents of Gomul Street, Noraville have fenced off the beach access in their street and have locked a gate that only they have the keys to. Could staff please advise how this is possible?"

An inspection of the site reveals a chain wire fence with 3 strands of barbed wire and padlocked gate in the fence at the eastern end of Gomul St adjoining the Budgewoi Tourist Park (R88683) Reserve Trust land. The padlock is not a Council lock. The fence is overgrown and posts, chain wire and barbed wire are rusted. It appears the fence and gate have existed for many years. On the Reserve Trust land, beyond the fence, is a timber stairway leading up to a makeshift/homemade viewing platform and leading away from that are concrete stairs and pavers separated from the beach area by a pool fence style gate with a private property sign attached. There is no record that the fence and gate at the end of Gomul St or the track, stairs, viewing platform and pool gate on the Reserve were constructed by Council or are approved structures.

Notwithstanding, at the end of Gomul St between it and the beach is heavily vegetated dunes and, if not for the unapproved structures, it is the vegetation that would serve to prevent access. Council does not otherwise encourage access to the beach in this location. There is no public parking in Gomul St. There is a constructed boardwalk style beach access at the end of Werepi St less than 100 metres north from Gomul St and there is a public car park for visitors to the beach access. Also, public access to a patrolled beach is available from the Lakes Beach Surf Club site about 700 metres north of Gomul St.

Council's Rangers are investigating the illegal structures with a view to identifying the owner of the illegal works and thereafter issuing appropriate notices to have that person or persons remove the works and remediate the land at their cost.

ATTACHMENTS

Nil.

5.2 Answers to Question on Notice

TRIM REFERENCE: F2013/02047 - D12139824 AUTHOR: AP

5.2 Q47/15 Renewable Energy Projects

The following question was asked by Councillor Doug Vincent at the Ordinary Meeting on 14 October 2015:

“Could staff please advise what renewable energy projects Council may have planned for the future. i.e. The methane extraction plant at Buttonderry Waste Managed Facility and Solar Cell installations?”

Council has implemented a number of renewable energy projects and is continuing to investigate further options.

Buttonderry Waste Management Facility has a methane gas extraction system on site. The methane is produced as the waste breaks down naturally within the landfill cells in the absence of oxygen. This facility currently contains 2 x 1.1 Mega Watt (MW) generators which produce enough energy to power over 4000 homes continually day and night. Additional generators will be progressively installed as gas volumes increase over time.

During recent months, Councils landfill gas contractor has undertaken significant upgrades to the gas collection system throughout all the completed landfill cells. The anticipated increase in gas collected will be monitored over following months and operational activities optimized. Excess gas will then be flared to reduce greenhouse gas impacts until such time as a commercial decision is made by Councils landfill gas contractor to procure and install additional generating capacity.

Extracting the methane and turning it into electricity at the Buttonderry Waste Management Facility is a positive environmental outcome both in terms of generating renewable energy, reducing greenhouse gas, and providing a long term income source to Council.

Council also continues to optimally use methane gas generated from the waste water treatment process at the Bateau Bay and Toukley Waste Water Treatment Plants to directly heat the digesters to improve their efficiency.

Council has recently conducted an Energy Audit for the Council Chambers. The audit identified an opportunity for the organisation to generate a proportion of its own renewable electricity through the installation of Photovoltaic (PV) solar panels. Further investigations will be undertaken in the future to determine the feasibility of this option.

Council has explored the opportunity for providing renewable energy sources for its remote power sites. An example of this is our Scaddens Ridge remote telemetry site which has solar panels installed for operation of all telemetry and emergency services communication equipment on this ridge top site.

5.2 Q47/15 Renewable Energy Projects (contd)

The concept of a turbine installed within the pipework of the Mardi to Mangrove Creek Transfer Scheme has also been explored. A concept design exists for a unit to be installed at such time in the future when Council regularly transfers water back from Mangrove Creek Dam to Mardi Dam.

Opportunities for renewable energy projects or initiatives will continue to be considered as new projects are developed or our overall general works, water and wastewater system wide operating procedures and processes are being developed and improved.

ATTACHMENTS

Nil.

5.3 Answers to Question on Notice

TRIM REFERENCE: F2015/00321 - D12157788 AUTHOR: SL

5.3 Q50/15 - Switchboard Delays

The following question was asked by Councillor Vincent at the Ordinary Meeting on 11 November 2015:

“Local residents have advised there have recently been substantial delays of up to 20 to 30 minutes when trying to access the Council through the main switchboard.

Could staff please advise if there has been a change in switchboard operations or procedures?”

A change to the way we handle incoming calls was implemented in December 2014, the ageing switchboard was replaced with an automated system allowing customers to select an option based on their enquiry through an Interactive Voice Response (IVR). Callers select the service options they want by pressing buttons on the phone in response to a staff recorded voice message, directing them to a customer contact officer and the direct service they are seeking. The system has three main options. Feedback from customers has been very positive to date.

Introduction of the IVR has improved knowledge of the reasons customers contact Council, allowing us to prioritise activities towards a multi-channel service delivery model; including a focus on improving online services which also supports a reduction to the long term cost to serve.

Our first call resolution is currently at 90%, providing a better outcome for our customers who only have to call for service once in most cases. This has been due to the improvement by the team in quality and productivity, with our call operators increasing their call handling of one additional call per person per hour.

Other procedural changes made include:

- Call Back Service. This automated system has been introduced for phone in customers, and if we are experiencing high levels of calls they can select a call back service. The customer still effectively remains in the queue and our Customer Contact staff will call them back, rather than them having to wait on hold. We have had initial challenges with this system interfacing with our other systems, however it is now functioning.
- Recorded announcements and messages, particularly at busy times, to alert customers of wait times and to offer the customers alternative methods of contact, or choice such as call-back, email or self service.

5.3 Q50/15 - Switchboard Delays (contd)

- Streamlining back office processes and adjustment to rostering of part time hours to better meet call demands. We experience peaks with wait times when there were incidents outside our control and during our peak periods of 8.30am to– 9.30am, 12pm to 2pm and closing between 4.30pm and 5.00pm.

These changes are having some success, with email queries alone increasing from 30 per month at the start of the year, to almost 180 per month during November. Contact Centre staff then action and respond to these queries when not working on calls.

Call wait times during October however increased over previous months as a result of the new billing systems for rates and water, incorrect billing of water notices and staff resources affected by maternity leave. Our average wait time was just over three minutes and the maximum average was 17 minutes.

With the goal of overcoming these challenges, Contact Centre phones have been extended to front counter and reception, all available telephone functions have been used and we continue to work at simplifying office processes and support functions, to ensure staff are available to respond to calls.

We acknowledge that we cannot answer every call in two minutes, but as presented we have put in place many strategies to alleviate stress for our customers during peak times.

Our continued strategy is to try to transfer these increased calls to self-service and other technology access such as chat and self-help through our website wherever possible, so our staff numbers can support the service levels. These actions require new technology to achieve them and are part of the new Customer Relationship Management system implementation and website upgrade currently due to be completed in 2016.

ATTACHMENTS

Nil.

9 December 2015

To the Ordinary Council Meeting

Councillor

6.1 Notice of Motion - Open and Transparent Local Government Decision Making at Wyong Shire Council

TRIM REFERENCE: F2010/00500 - D12163429

AUTHOR: Doug Vincent; Councillor

Councillor Vincent has given notice that at the Ordinary Council Meeting to be held on 9 December 2015 he will move the following Motion:

- "1 That Council acknowledge the need to minimise confidentiality and provide openness and transparency in Local Government decision making at Wyong Shire Council.*
- 2 That Council encourage reasonable public access to Council briefing papers, reports and documents that have been provided to Councillors to consider matters in an open session of Council.*
- 3 That Council direct the Acting Chief Executive Officer to make publically available the Wyong Shire Council "Fit for the Future Briefing Pack", which was provided to Councillors on Wednesday 28 October 2015 prior to considering the Gosford and Wyong Council amalgamation in an open session of Council on 28 October 2015.*
- 4 That Council direct the Acting Chief Executive Officer to make the results from the Wyong Shire Council "Fit for the Future" community survey publically available."*

RESOURCES

The action may be undertaken using existing resources.

ATTACHMENTS

Nil.

9 December 2015

To the Ordinary Council Meeting

Councillor

6.2 Notice of Motion - Rock Fishing Deaths at "Drowning Rocks", Wybung Head

TRIM REFERENCE: F2010/00500 - D12164187

AUTHORS: Greg Best; Councillor

Adam Troy; Councillor

Councillors Best and Troy have given notice that at the Ordinary Council Meeting to be held on 9 December 2015 they will move the following Motion:

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

RESOURCES

There is no allocation of staff time or budget to undertake these recommendations, staff workplan would need to be reprioritised and a budget allocation through a quarterly review. Alternatively, Councillors could fund equipment through the Councillor Community Improvement Grants.

However, the following should be noted:

- This land is not Council owned, it is National Parks and Wildlife Service's (NPWS) Munmorah State Conservation Area.
- Staff have spoken to a representative from National Parks and Wildlife Service about the outcomes of the NSW Deputy Coroner's report from July 2015 and have been advised that Council has no roles, responsibilities or authority in relation to what NPWS do at Wybung Head. They also stated that they would consider shock signage after consultation with families of victims and the wider community.
- NPWS stated they have Australian Standard signage at Wybung Head, in carparks and at the entry to the National park including symbols. Furthermore, there is multi lingual information available at the information centre.

6.2 Notice of Motion - Rock Fishing Deaths at "Drowning Rocks", Wybung Head (contd)

- A risk register review is undertaken every six months that considers new technology, communication and signage.
- Council currently provides support to Central Coast Surf Lifesaving and their associated surf clubs through significant financial support, shared equipment and through regular meetings between staff. Any promotions could be discussed through these channels.

COUNCILLOR'S NOTE

Councillors, the continuing and escalating death toll from local rock fishing incidents is now totally unacceptable. The tragedy and heartache, not to mention the cost to our community, is simply staggering. In dollar terms it costs tax payers approximately \$450,000 - \$600,000 per incident / body recovery.

The Deputy Coroner, Carmel Forbes, investigating eight deaths between 2012 and 2015, has called for life vest to be compulsory. Such is the magnitude of this problem Coroner Forbes has taken the unprecedented step of endorsing "shock signage". Ie: In affect promoting signage displaying the current local death toll attributed to that location (See signage example attached, Randwick City Council).

It is with this understanding that it is proposed we take a further step by "shock naming" the deadly fishing platform at Wybung Head. (Note: No name change is proposed).

While the signage initiative sends a strong message, it is only effective when people have journeyed to the location, ready to fish. In contrast shock location naming would appear on maps and web inquiries well before a fishing location is chosen.

Many of the deaths are visitors with little to no appreciation of the gravity and danger at the location they have selected.

With respect to the "ocean life buoy" trial, if reached by fishermen washed in, it would provide floatation and a lifesaving day and night EPIRB beacon. Also it would provide those in danger a real alternative in trying to swim back on to the platform; this is often the point when the individual is killed.

Further, the peril we now place our rescuers and recovery organisations in is totally unacceptable and we must look at alternatives to deal with this rising death toll.

ATTACHMENTS

- 1 Signage Example - Randwick City Council - Rock Fishing Deaths D12164743

