



More than 500 people showed up to celebrate the official opening of Saltwater Creek footbridge and BMX track on Sunday 2 August.

Wyong Shire Council

# Business Paper

## ORDINARY COUNCIL MEETING

**12 August 2015**

*This page is intentionally blank*

# MEETING NOTICE

**The Ordinary Council Meeting  
of Wyong Shire Council  
will be held in the Council Chamber,  
Wyong Civic Centre, Hely Street, Wyong on  
Wednesday 12 August 2015 at 5.00pm,  
for the transaction of the business listed below:**

## OPENING PRAYER

## ACKNOWLEDGEMENT OF COUNTRY

## RECEIPT OF APOLOGIES

### 1 PROCEDURAL ITEMS

1.1	Disclosures of Interest .....	5
1.2	Proposed Inspections and Briefings .....	6
1.3	Address By Invited Speakers .....	8
1.4	Confirmation of Minutes of Previous Meeting.....	9
1.5	Notice of Intention to Deal with Matters in Confidential Session.....	23

### 2 PLANNING REPORTS

2.1	RZ/2/2015 - Planning Proposal - Commercial and Residential Development - Cnr Kanangra Drive and Summerland Road Gwandalan - RZ/2/2015 .....	25
-----	--	----

### 3 PROPERTY REPORTS

3.1	Classification of Land, Lots 4 and 5 DP 1207133 at 155 Johns Road, Wadalba.....	40
-----	---	----

### 4 GENERAL REPORTS

4.1	Proposed Councillors' Community Improvement Grants .....	43
4.2	Community Subsidy Program and Sport and Cultural Sponsorship Program.....	47
4.3	Community Ward Forums.....	49
4.4	Initiatives to Improve Roadside Vegetation Amenity Including Roads and Maritime Services Roads.....	57
4.5	Outdoor Dining proposed Fees and Charges Amendments .....	82
4.6	Councillor Attendance - Wyong Regional Chamber of Commerce Annual General Meeting and Dinner .....	85
4.7	Letter from the NSW Office of Local Government Alleged pecuniary interest breaches .....	88
4.8	Nomination of Board Membership for CASAR .....	89

### 5 INFORMATION REPORTS

5.1	Road Capital Works Program.....	91
5.2	Outstanding Questions on Notice and Notices of Motion.....	105

### 6 ANSWERS TO QUESTIONS ON NOTICE

6.1	Shared Pathway .....	114
-----	----------------------	-----

**7 NOTICES OF MOTION**

7.1	Notice of Motion - Support for Marriage Equality .....	115
7.2	Notice of Motion - Formation of Council's Disability Supports Committee (DSC) .....	117
7.3	Notice of Motion - Nude Tourism Trend .....	119

**8 CONFIDENTIAL ITEMS**

- 8.1 Councillor Outcomes Report
- 8.2 464 Ruttleys Road, Mannering Park - Status Update

**9 QUESTIONS ON NOTICE ASKED**

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

Michael Whittaker  
**GENERAL MANAGER**



## 1.1 Disclosures of Interest

---

TRIM REFERENCE: F2015/00040 - D12017230

MANAGER: Sonia Witt, TL Governance and Councillor Services

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 - D12017249

MANAGER: Sonia Witt, TL Governance and Councillor Services

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:

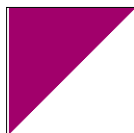
Date	Briefing	Directorate
12/08/2015	2015-16 Sponsorship Program	Community and Recreation Services
12/08/2015	University of Newcastle - current and future plans	Property and Economic Development
12/08/2015	Wyong South STP	Infrastructure Management
12/08/2015	Planning Proposal - Rezoning 414 Old Maitland Road, Mardi - RZ/14/2012	Development and Building
12/08/2015	Workshop - Events and Promotions Board	GM Unit

### RECOMMENDATION

*That Council receive the report on Proposed Inspections and Briefings.*

### ATTACHMENTS

- 1 Councillor proposed inspections and briefings - 12 August 2015 D12035044



## Proposed Briefings List to Date



Briefing Title:	Directorate:	Proposed Month:	Proposed Date:
2015-16 Sponsorship Program	Community and Recreation Services		12/08/2015
University of Newcastle - current and future plans	Property and Economic Development		12/08/2015
Wyong South STP	Infrastructure Management		12/08/2015
Planning Proposal - Rezoning 414 Old Maitland Road, Mardi - RZ/14/2012	Development and Building		12/08/2015
Workshop - Events and Promotions Board	GM Unit		12/08/2015
Development Infrastructure - Porters Creek Stormwater Diversion Project	Development and Building		26/08/2015
Lakeside Plaza, The Entrance	Development and Building		26/08/2015
RZ/6/2013 - Central Coast Wetlands Pioneer Dairy	Development and Building		26/08/2015
Review of Council's Graffiti Management Strategy	Community and Recreation Services		26/08/2015
Wyong Regional Skate Park	Community and Recreation Services		23/09/2015
Central Coast Regional Growth & Infrastructure Plan	Development and Building		23/09/2015
Tourism Update	Community and Recreation Services		25/11/2015
Rustrum Site, Toukley	Development and Building	September	
Marketing Approach 15/16	Community and Recreation Services	August	

### 1.3 Address By Invited Speakers

---

TRIM REFERENCE: F2015/00040 - D12017254

MANAGER: Sonia Witt, TL Governance and Councillor Services

AUTHOR: Jacque Elvidge; Councillor Services Officer

#### SUMMARY

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

SPEAKERS	REPORT	PAGE NO	DURATION
Mr Jack Harris, Local Resident  <i>Speaking against the motion</i>	7.1 – Notice of Motion – Support for Marriage Equality	115	5 mins
Ms Jenni Allan, Chairperson of the Central Coast Ageing and Disability Association & CEO of Adssi Home Living and Mr John Davis, CEO of Coastlink  <i>Speaking in favour of the motion</i>	7.2 – Notice of Motion – Formation of Council's Disability Supports Committee (DSC)	117	5 mins

#### RECOMMENDATION

***That Council receive the report on Invited Speakers.***

#### ATTACHMENTS

Nil.

## **1.4 Confirmation of Minutes of Previous Meeting**

---

TRIM REFERENCE: F2015/00040 - D12017256

MANAGER: Sonia Witt, TL Governance and Councillor Services

AUTHOR: Jacquie Elvidge; Councillor Services Officer

### **SUMMARY**

Confirmation of minutes of the previous Ordinary Meeting of Council held on Wednesday 22 July 2015.

### **RECOMMENDATION**

*That Council confirm the minutes of the previous Ordinary Meeting of Council held on Wednesday 22 July 2015.*

### **ATTACHMENTS**

- |   |  |           |
|---|--|-----------|
| 1 | Minutes - Ordinary Meeting 22 July 2015                | D12018229 |
| 2 | Confidential Minutes - Ordinary Meeting 22 July 2015 - | D12018234 |

**WYONG SHIRE COUNCIL**

**MINUTES OF THE  
ORDINARY COUNCIL MEETING OF COUNCIL  
HELD IN THE COUNCIL CHAMBER  
WYONG CIVIC CENTRE, HELY STREET, WYONG  
ON 22 JULY 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**

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

The Mayor, Councillor Eaton OAM, declared the meeting open at 5.01pm and advised in accordance with the Code of Meeting Practice that the meeting is being recorded.

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

**APOLOGY**

Council, at its meeting held 8 July 2015;

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

*723/15 That Council allow meeting practice to be varied.*

*724/15 That Council grant Councillor Nayna leave of absence from the 22 July 2015 Ordinary Council meeting due to work commitments.”*

At the commencement of the ordinary meeting report nos 1.1, 1.2, 1.3, 2.1, 7.2 and 1.4 were dealt with first then the remaining reports in order. However for the sake of clarity the reports are recorded in their correct agenda sequence.

## 1.1 Disclosures of Interest

---

### Item 5.6 – General Works in Progress

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

Councillor Vincent stated:

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

### Item 7.1 – Notice of Motion – Establishment of New Extreme Bike and Skate Facility in the Shires North

Councillor Troy declared a non-pecuniary insignificant interest in the matter for the reason that he participates in cycling as a sport/hobby and participated in consideration of this matter.

Councillor Troy stated:

*“I choose to remain in the chamber and participate in discussion and voting as the conflict has not influenced me in carrying out my public duty.”*

Councillor Vincent declared a non-pecuniary insignificant interest in the matter for the reason that he is an employee of Delta Electricity who lease the extreme sports park land to Council at peppercorn rate, he has previously over cautiously declared a non pecuniary interest significant conflict in this area, however after making further enquiries has revised his position.

Councillor Vincent stated:

*“I choose to remain in the chamber and participate in discussion and voting as the conflict has not influenced me in carrying out my public duty because;*

- 1 *No benefit is received*
- 2 *The lease arrangement is not connected to my employment or role at Delta Electricity.”*

### Item 7.2 – Notice of Motion – Shire Wide Events and Promotions Board

Councillor Eaton declared a non-pecuniary insignificant interest in the matter for the reason that he is Council delegate to The Entrance Town Centre Management and participated in consideration of this matter.

Councillor Eaton stated:

*“I choose to remain in the chamber and participate in discussion and voting as the conflict has not influenced me in carrying out my public duty because there is no conflict as Council delegate .”*

Councillor Greenwald declared a non-pecuniary insignificant interest in the matter for the reason that he is the alternative delegate to Wyong Regional Chamber of Commerce for Wyong Shire Council and participated in consideration of this matter.



Councillor Greenwald stated:

*"I choose to remain in the chamber and participate in discussion and voting as the conflict has not influenced me in carrying out my public duty."*

Councillor Taylor declared a non-pecuniary insignificant interest in the matter for the reason that he is Council delegate on The Entrance Centre Management and Wyong Regional Chamber of Commerce and participated in consideration of this matter.

Councillor Taylor stated:

*"I choose to remain in the chamber and participate in discussion and voting as the conflict has not influenced me in carrying out my public duty."*

Councillor Webster declared a non-pecuniary significant conflict of interest in the matter for the reason that her daughter works at The Entrance Visitors Centre which operates under The Entrance Town Centre Management. Councillor Webster left the chamber at 5.36pm, took no part in discussion, did not vote and returned to the chamber at 5.59pm.

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

**725/15 That Council receive the report on Disclosure of Interest and note advice of disclosures.**

## **1.2 Proposed Inspections and Briefings**

---

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

**726/15 That Council receive the report on Proposed Inspections and Briefings.**

## **1.3 Address By Invited Speakers**

---

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

**727/15 That Council receive the amended report on Invited Speakers.**

**728/15 That Council agree meeting practice be varied to allow reports from Directors and/or the General Manager to be dealt with following an Invited Speaker's address.**

**1.4 Confirmation of Minutes of Previous Meeting**

---

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

**729/15 That Council confirm the minutes of the previous Ordinary Meeting of Council held on Wednesday 8 July 2015.**

**Business Arising**

Councillor Matthews noted the absence of Councillor Nayna with concern regarding adequate representation on Committees and for the community.

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

---

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

**730/15 That Council consider the following matters in Confidential Session, pursuant to Sections 10A(2)(c) of the Local Government Act 1993:**

**8.1 Mayoral Minute – GM Recruitment**

**731/15 That Council note its reason for considering Report No 8.1 Mayoral Minute – GM Recruitment as it may confer a commercial advantage (Section 10A(2)(c)).**

**732/15 That Council request the General Manager to report on this matter in open session of Council.**

**2.1 Planning Proposal - 2 Norberta St The Entrance - Rezone from E2 to R2/R3**

---

Ms Kay Wall, community representative, addressed the meeting at 5.06pm, answered questions and retired at 5.14pm.

Mr Mathew Wales, the applicant, addressed the meeting at 5.14pm, answered questions and retired at 5.21pm.

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

**733/15 That Council not proceed with the planning proposal as outlined in this report.**

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

AGAINST: NIL

## 2.2 Supplementary Report - RZ/8/2014 - Proposed Planning Proposal for Land at Aldinga Road, Gwandalan

---

Councillor Matthews left the meeting at 7.05pm and returned to the meeting at 7.06pm during consideration of this item.

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

**734/15 That Council receive and note the report on the outcomes of the Gwandalan Bowling Club public meeting.**

**735/15 That Council prepare a planning proposal to amend the Wyong Local Environmental Plan (WLEP 2013) to insert an enabling provision within Schedule 1-Additional Uses, to permit a form of “tourist and visitor accommodation” on the land.**

**736/15 That Council forward the planning proposal to the Department of Planning and Environment requesting a gateway determination, as well as delegation for Council to finalise and make the draft Local Environmental Plan, pursuant to Section 56 (1) of the Environmental Planning and Assessment Act 1979.**

**737/15 That Council undertake agency and community consultation regarding the planning proposal in accordance with the gateway determination.**

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

AGAINST: NIL

## 3.1 Classification of Land, Lot 45 DP 1207188 at Johns Road, Wadalba

---

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

**738/15 That Council adopt the classification of Lot 45 DP 1207188 at Johns Road, Wadalba as Operational Land.**

**739/15 That Council note that:**

- a Nothing in the above resolution authorises the sale of the subject land (section 377(1)(h) of the Local Government Act 1993 provides that any sale of land can only be by resolution of Council).**
- b Section 31 (3) of the Local Government Act 1993 provides that Council must not resolve that land be classified as operational land if the resolution is inconsistent with the terms of any trust applying to the land.**

**4.1 CPA/249734 - Removal of Underground Petroleum Storage Systems (UPSS) and Site Remediation at Wyong Council's Charmhaven and Long Jetty Depots**

---

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

**740/15 That Council accept the tender from EESI Contracting Pty Ltd, for the estimated total amount of \$481,818.19 (excl GST) for Contract CPA/249734 – Removal of Underground Petroleum Storage Systems (UPSS) and Site Remediation at Wyong Council’s Charmhaven and Long Jetty Depots.**

**741/15 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.**

**742/15 That Council approve the contingency sum as detailed in the Tender Evaluation Report in Attachment A.**

**5.1 Audit of Best Practice Management Guidelines for Water Supply and Sewerage**

---

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

**743/15 That Council receive the report on Audit of Best Practice Management Guidelines for Water Supply and Sewerage.**

**5.2 Investment Report for June 2015**

---

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

**744/15 That Council receive the Investment Report for June 2015.**

**5.3 Draft Minutes of the Audit and Risk Committee Meeting - 17 June 2015**

---

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

**745/15 That Council receive the report on Draft Minutes of the Audit and Risk Committee Meeting - 17 June 2015.**

**5.4 Draft Minutes of the Employment and Economic Development Committee Meeting - 1 July 2015**

---

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

**746/15 That Council receive the report on Draft Minutes of the Employment and Economic Development Committee Meeting - 1 July 2015.**

**5.5 Draft Minutes of the Tuggerah Lakes Estuary, Coastal and Floodplain Management Committee - 2 July 2015**

---

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

**747/15 That Council receive the Minutes of the Tuggerah Lakes Estuary, Coastal and Floodplain Management Committee meeting held on 2 July 2015.**

**5.6 General Works in Progress**

---

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

Councillor Vincent stated:

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

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

**748/15 That Council receive the report on General Works in Progress.**

**5.7 Works in Progress - Water Supply and Sewerage**

---

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

**749/15 That Council receive the report on Works in Progress - Water Supply and Sewerage.**

**5.8 Results of Water Quality Testing for Beaches and Lake Swimming Locations**

---

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

**750/15 That Council receive the report on Results of Water Quality Testing for Beaches and Lake Swimming Locations.**

## 5.9 Activities of the Development and Rezoning and Building Certification Compliance and Health Units

---

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

**751/15 That Council receive the report on Activities of the Development and Rezoning and Building Certification Compliance and Health Units for the month of June 2015 and related job creation.**

## 5.10 Outstanding Questions on Notice and Notices of Motion

---

Councillor Vincent left the meeting at 7.19pm and returned to the meeting at 7.21pm during consideration of this item.

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

**752/15 That Council receive the report on Outstanding Questions on Notice and Notices of Motion.**

## 7.1 Notice of Motion - Establishment of New Extreme Bike and Skate Facility in our Shire's North

---

Councillor Troy declared a non-pecuniary insignificant interest in the matter for the reason that he participates in cycling as a sport/hobby and participated in consideration of this matter.

Councillor Troy stated:

*"I choose to remain in the chamber and participate in discussion and voting as the conflict has not influenced me in carrying out my public duty."*

Councillor Vincent declared a non-pecuniary insignificant interest in the matter for the reason that he is an employee of Delta Electricity who lease the extreme sports park land to Council at peppercorn rate, he has previously over cautiously declared a non pecuniary interest significant conflict in this area, however after making further enquiries has revised his position.

Councillor Vincent stated:

*"I choose to remain in the chamber and participate in discussion and voting as the conflict has not influenced me in carrying out my public duty because;*

1 No benefit is received

2 The lease arrangement is not connected to my employment or role at Delta Electricity."

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

**753/15 That Council welcome the community's recent drive to establishment a steering committee to activate a Northern area competition BMX Track based at San Remo.**

**754/15 That Council request the General Manager to provide a report on the Committee's initiative to activate a new competition standard version of the Extreme Bike and Skate Facility at San Remo and that committee representatives be invited to brief Council on their vision.**

**755/15 That further to Council's recent announcement to construct a major regional Skate Facility in the Shires South, Council recognise the need to equitably distribute resources across the Shire, to this end Council welcomes this community driven initiative.**

#### **PROCEDURAL ITEM**

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

**756/15 That Council allow meeting practice to be varied.**

**757/15 That Council consider each recommendation in item 7.2 – Notice of Motion – Shire Wide Events and Promotions Board separately and display voting for each.**

#### **7.2 Notice of Motion - Shire Wide Events and Promotions Board**

---

Councillor Eaton declared a non-pecuniary insignificant interest in the matter for the reason that he is Council delegate to The Entrance Town Centre Management and participated in consideration of this matter.

Councillor Eaton stated:

*"I choose to remain in the chamber and participate in discussion and voting as the conflict has not influenced me in carrying out my public duty because there is no conflict as Council delegate ."*

Councillor Greenwald declared a non-pecuniary insignificant interest in the matter for the reason that he is the alternative delegate to Wyong Regional Chamber of Commerce for Wyong Shire Council and participated in consideration of this matter.

Councillor Greenwald stated:

*"I choose to remain in the chamber and participate in discussion and voting as the conflict has not influenced me in carrying out my public duty."*

Councillor Taylor declared a non-pecuniary insignificant interest in the matter for the reason that he is Council delegate on The Entrance Centre Management and Wyong Regional Chamber of Commerce and participated in consideration of this matter.



Councillor Taylor stated:

*"I choose to remain in the chamber and participate in discussion and voting as the conflict has not influenced me in carrying out my public duty ."*

Councillor Webster declared a non-pecuniary significant conflict of interest in the matter for the reason that her daughter works at The Entrance Visitors Centre which operates under The Entrance Town Centre Management. Councillor Webster left the chamber at 5.36pm, took no part in discussion, did not vote and returned to the chamber at 5.59pm.

Councillor Matthews left the meeting at 5.48pm and returned to the meeting at 5.49pm during consideration of this item.

Councillor Troy left the meeting at 5.56pm and returned to the meeting at 5.58pm during consideration of this item.

Councillor Best left the meeting at 6.29pm and returned to the meeting at 6.37pm during consideration of this item.

Councillor Vincent left the meeting at 6.48pm and returned to the meeting at 6.50pm during consideration of this item.

Mr John Millard, community representative, addressed the meeting at 5.37pm, answered questions and retired at 6.00pm.

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

***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.***

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

AGAINST: NIL

***759/15 That Council negotiate changes to the existing agreements to give effect to Council's new direction with:***

***a) The Entrance Centre Management***

FOR: COUNCILLORS BEST, EATON, MATTHEWS, TAYLOR AND TROY

AGAINST: COUNCILLORS GRAHAM, GREENWALD AND VINCENT

***b) Greater Toukley Vision***

FOR: COUNCILLORS BEST, EATON, TAYLOR AND TROY

AGAINST: COUNCILLORS GRAHAM, GREENWALD, MATTHEWS AND VINCENT

*The MOTION was CARRIED on the casting vote of the Mayor.*

**c) Central Coast Tourism**

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

**d) Wyong Regional Chamber of Commerce**

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

*The MOTION was CARRIED on the casting vote of the Mayor.*

**760/15 That Council request the General Manager to provide a report back to Council.**

FOR: COUNCILLORS BEST, EATON, GRAHAM, GREENWALD, MATTHEWS, TAYLOR, TROY AND VINCENT  
AGAINST: NIL

**MATTER ARISING**

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

**761/15 That Council request the General Manager to carry out a full audit of The Entrance Centre Management.**

**762/15 That Council request this audit include operations, outcomes, minutes, financial statements and compliance with its original purpose.**

**763/15 That Council request the General Manager provide a report detailing the outcomes and make recommendations for the future management of The Entrance Town Centre based upon this audit.**

FOR: COUNCILLORS BEST, EATON, GRAHAM, GREENWALD, MATTHEWS, TAYLOR, TROY AND VINCENT  
AGAINST: NIL

**PROCEDURAL MOTION**

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

**764/15 That Council allow meeting practice to be varied.**

**765/15 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 TROY:**

**766/15 That with the exception of report numbers 1.4, 2.2, 5.6, 5.9, 5.10, 7.1 and 8.1 Council adopt the recommendations contained in the remaining reports.**

**CONFIDENTIAL SESSION**

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

**767/15 That Council move into Confidential Session.**

At this stage of the meeting being 7.32pm council moved into Confidential Session with the members of the press and public excluded from the meeting of the closed session and access to the correspondence and reports relating to the items considered during the course of the closed session being withheld. This action is taken in accordance with Section 10a of The Local Government Act, 1993 as the items listed come within the following provisions:-

**OPEN SESSION**

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

**768/15 That Council move back into Open Session.**

Council resumed in open session at 7.49pm and the Mayor reported on proceedings of the confidential session of the ordinary meeting of council as follows:

### **8.1 Mayoral Minute - GM Recruitment**

---

**769/15 That Council appoint Davidson Executive as its Recruitment Adviser for Initial Professional Advice as contained in the Davidson Proposal.**

**770/15 That Council note that Mr Whittaker will be present at briefings by the recruitment adviser and Council thanks him for his assistance.**

**QUESTIONS ON NOTICE**

**Q27/15 Toukley By Pass Shambles  
Councillor Greg Best**

"Mr Mayor,

*Further to the RMS's outrageous decision to force speedbumps into Main Rd Toukley, this unsurprisingly has forced motorists on to the back streets of Toukley. My question is on the behalf of the good people of Moss Avenue, Crossingham Street, Evans Road and Oleander Street that now have become a back road raceway in residential streets. These roads, in my view, are under prepared for such a significant increase of traffic and the safety issues that arise from the RMS's decision. Also these back streets, now main roads, require maintenance and repairs by the rate payers, not the RMS. What plans are in place to assist the residents in these affected back streets to manage, improve safety and slow traffic?"*

**Q28/15 Gateway To Toukley  
Councillor Greg Best**

*"Mr Mayor,*

*On numerous occasions I have raised, on behalf of the residents of Toukley, the issue of the disgraceful, uncompleted building at the Toukley bridge, locally known as the "Taj Mahal". I understand through my representations, this site has been the focus of legal action by Council, however, the site still, in my view, is a total disgrace. Could you please update the Council on any progress to date. Also Mr Mayor, the highly controversial site of the old Toukley caravan park is simply another shambles in this gateway. What options has Council to force the owners to be more respectful of the image and street scape Toukley seeks to project?"*

**THE MEETING** closed at 7.50pm.

## **1.5 Notice of Intention to Deal with Matters in Confidential Session**

---

TRIM REFERENCE: F2015/00040 - D11984330

MANAGER: Sonia Witt, TL Governance and Councillor Services

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 General Manager 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 Sections 10 A (2)(d)(iii) and 10 A (2)(f) of the Local Government Act 1993:**

**8.1 – Councillor Outcomes Report**

**8.2 – 464 Ruttleys Road, Manning Park – Status Update**

**2 That Council note its reason for considering Report No 8.1 – Councillor Outcomes Report, 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 note its reason for considering Report No 8.2 – 464 Ruttleys Road, Manning Park – Status Update, as it contains information on matters affecting the security of the Council, Councillors, Council staff or Council property.**

**4 That Council request the General Manager to report on this matter in open session of Council.**

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

*“2(a) personnel matters concerning particular individuals (other than Councillors),*

*2(b) the personal hardship of any resident or ratepayer,*

*2(c) information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business,*

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

*(i) prejudice the commercial position of the person who supplied it, or*

*(ii) confer a commercial advantage on a competitor of the Council, or*

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

---

*(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 RZ/2/2015 - Planning Proposal - Commercial and Residential Development - Cnr Kanangra Drive and Summerland Road Gwandalan - RZ/2/2015

---

TRIM REFERENCE: RZ/2/2015 - D11979939

MANAGER: Tanya O'Brien, Manager

AUTHOR: Rodney Mergan; Senior Planner

### SUMMARY

Council has received an application requesting an amendment to *Wyong Local Environmental Plan (LEP) 2013*, to rezone land at Gwandalan from IN2 Light Industrial, RE1 Public Recreation and E2 Environmental Conservation to a mixture of B2 Local Centre and part R3 Medium Density Residential. A preliminary assessment of the information submitted indicates that the proposed local centre and same residential use of the land has merit.

This report recommends that a planning proposal be prepared and forwarded to the Department of Planning and Environment (DP&E) for a gateway determination.

<b>Applicant:</b>	QMC Property Group Pty Ltd
<b>Owners:</b>	QMC Property Group Pty Ltd
<b>Proposal No.:</b>	RZ/2/2015
<b>Description of Land:</b>	44W, 50W & 60 Parraweena Road Gwandalan, Lot 20 DP 1089946, Part Lot 1 DP 1043151, Part Lot 3 DP 740701
<b>Existing Zoning:</b>	IN2 Light Industrial, RE1 Public Recreation, E2 Environmental Conservation
<b>Zoning proposed by applicant:</b>	B2 Local Centre and R3-Medium Density Residential
<b>Existing Use:</b>	Vacant
<b>Employment Generation:</b>	Approximately 100 combined construction and ongoing jobs
<b>Estimated Value:</b>	\$8.5 Million

### RECOMMENDATION

- 1 ***That Council prepare a planning proposal to amend Wyong Local Environmental Plan 2013, pursuant to Section 55 of the Environmental Planning and Assessment (EP&A) Act 1979 to rezone the land to a combination of B2 Local Centre, R1 General Residential and R2 Low Density Residential.***
- 2 ***That Council forward the planning proposal to the Department of Planning and Environment accompanied by a request for a gateway determination, pursuant to Section 56 of the EP&A Act 1979.***
- 3 ***That Council request the General Manager to apply to accept plan making delegations for the rezoning.***



- 4 ***The Council request the General Manager commence negotiations for the potential sale if required of part of Lot 1 DP1043151 and part of Lot 3 DP 740701 to the owner of Lot 20 DP 1089946, noting that any decision to sell that land will require a specific resolution of the Council.***
- 5 ***That Council request the General Manager to negotiate and publically exhibit a draft Voluntary Planning Agreement to facilitate the sale of part of Lot 1 DP 1043151 and part of Lot 3 DP 740701 to the owner of Lot 20 DP 1089946 (if required).***
- 6 ***That Council undertake community and government agency consultation in accordance with the requirements of the gateway determination. The consultation process is to include a public hearing for the reclassification of part Lot 3 DP 740701 from Community Land to Operational Land as required under the Local Government Act 1993.***
- 7 ***That Council prepare appropriate Development Control Plan provisions and amend Section 94 Contributions Plans (if required) to support the development of the land subject to this Planning Proposal.***
- 8 ***That Council consider a further report on results of the community consultation.***

## **BACKGROUND**

The site is located on the north-eastern corner of the intersection of Kanangra Drive and Summerland Road Gwandalan. All traffic entering Gwandalan and Summerland Point is distributed from this intersection. The site is approximately 1 km from the existing Gwandalan neighbourhood centre and approximately 2 km from the Summerland Point neighbourhood centre.

The site is currently vacant of development and contains remnant native vegetation. The site slopes at approximately 10-15% from west to east with the head of a drainage line apparent to the south-east. The site consists of mainly open woodland with scattered trees and a generally cleared understorey. The vegetation on the site is generally degraded due to previous industrial use for manufactured home production and use of the site for recreational trail bike riding.

2.1 RZ/2/2015 - Planning Proposal - Commercial and Residential Development - Cnr Kanangra Drive and Summerland Road Gwandalan - RZ/2/2015 (contd)



Figure 1 - Aerial photo featuring the subject site and surrounding development

The proposal predominately relates to Lot 20 DP 1089946 which is approximately 4.7 Ha in size and owned by the applicant. The zoning of this land for industrial use preceded the introduction of Wyong LEP 1991. In 1987 the subject site (edged in red above) was identified as part of a larger industrial subdivision. Industrial development was approved and constructed on the land to the north of the subject site (Labeled existing industrial land above).

In December 2005, Lot 20 DP 1089946 was approved for subdivision to create industrial lots under DA/583/2005. This subdivision has not been pursued. Part of the site was approved and occupied for the production of manufactured homes under DA/599/2005. This land use has since ceased with only a storage shed and hardstand area still visible on the site. The application asserts that over the past decade there has been little or no demand for further industrial development within the Gwandalan/Summerland Point catchment beyond that already constructed.

The planning proposal also affects two pieces of Council owned land being a 4715 m<sup>2</sup> section of Lot 1 DP 1043151 currently zoned RE1 – Public Recreation and a 2250m<sup>2</sup> section of Lot 3 DP 740701 currently zoned E2 Environmental Conservation, these parcels are discussed further below.

## THE PROPOSAL

An application has been received which proposes the rezoning of the site from IN2 Light Industrial, RE1 Public Recreation, E2 Environmental Conservation to part B2 Local Centre and part R3 Medium Density Residential.

**2.1 RZ/2/2015 - Planning Proposal - Commercial and Residential Development - Cnr Kanangra Drive and Summerland Road Gwandalan - RZ/2/2015 (contd)**

---

The proponent has provided a draft zoning plan (see figure 3) which proposes an approximate 60/40 split between commercial and residential development. The proposed centre could potentially accommodate a supermarket, retail shops, medical centre, child care centre and other community commercial uses. It is also proposed to allow residential development on the remaining area of the site.

To maximise the efficiency of the proposed future development area, the applicant has included two parcels of Council land being part of Lot 1 DP 1043151 currently zoned RE1 Public Recreation and part of Lot 3 DP 740701 currently zoned E2 Environmental Conservation (see figure 2). The inclusion of these lots provides for a more regular road and development pattern and provides opportunity for the development to front and gain access to Kanangra Drive. The applicant has also identified an interest in purchasing these two parcels of Council owned land, which is discussed further in the report.



**Figure 2 – Extract from Wyong LEP 2013 land use zoning map. The site subject of the proposed rezoning is shown hatched. Two small sections of Council land of interest to the proponent for purchase are shown edged heavy black.**



Figure 3 – The applicant’s proposed zoning map

## ASSESSMENT

### Proposed new B2- Local Centre

The application proposes rezoning approximately 3.2ha of land adjacent to Kanangra Drive to the B2 Local Centre zone. The site is identified as a “potential new centre” under the *North Wyong Shire Structure Plan 2012* (NWSSP) (see figure 4). The NWSSP mentions the potential for “new village centres at Wadalba East, Lake Munmorah and Gwandalan”. The Lake Munmorah site and the recently expanded Wadalba centre are both zoned B2 Local Centre under Wyong LEP 2013 and it is considered appropriate to apply the same B2 zone to this proposed future centre.

The potential for a future neighbourhood centre in the Gwandalan/Summerland Point area is also mentioned in the *Wyong Shire Retail Centres Strategy 2013*.

The proposal therefore is consistent with the broader planning framework for centres in this locality.





**Figure 4 - Extract from the NWSSP – subject site shown as a potential new centre**

Being located at the entry point of both Gwandalan and Summerland Point, the site is well located to serve the retail, social and convenience needs of both communities. The population of the area is set to grow with:

- the recently approved 405 lot residential subdivision directly to the south of the site,
- the recently commenced subdivision at the northern end of Kanangra Drive for approximately 200 residential lots,
- the potential development of land identified in the NWSSP as “long-term” residential land in the Summerland Point area. In accordance with the NWSSP (2012) long-term is defined as “land that will not be zoned before 15 years, the timing of which will be impacted by future coal extraction potential, future use of the power station sites and access to services and employment opportunities”. This could potentially be accelerated subject to demand, and
- increased activity in the northern part of the shire through the implementation of the NWSSP.

The *Retail Centres Review* and *Retail Centres Strategy* by Don Fox Planning, endorsed by Council in 2013, advocates a more flexible approach than previous retail strategies with respect to any increase in floor space within zoned centres in line with the principles of the NSW State Government’s *draft Centres Policy*.

With regard to new centres the *Retail Centres Strategy* includes a ‘toolbox’ for the purposes of preparing and assessing planning proposals which consider additional retail floor space based on the net community benefit test principles detailed in the *draft Centres Policy*.

Council's *Retail Centres Strategy (2013)* identifies a new neighbourhood centre in the Gwandalan area by 2031 though the development of a centre and the eventual capacity of the centre will be dependent on population growth and other factors of demand such as tourism and consumer behaviour. The *Retail Centres Strategy* does not specifically classify centres based on floor space but rather classifies centres on the following criteria:

- the size and the quantum of retail and commercial floor space within the centre;
- the mix of uses within the centre;
- the catchment or geographic area of influence;
- the role and function of the centre; and
- the centre's relationship to other centres.

A neighbourhood centre generally serves the needs of a local catchment, while a local centre provides a greater range of shops and services.

In accordance with the *Retail Centres Strategy*, as the proposal relates to the development of an out of centre retail centre, the proponent will be required to prepare a *Net Community Benefit Test* to support the planning proposal. The *Net Community Benefit Test* will be required to demonstrate:

- potential timing and staging of development,
- that alternatives within existing centres and in edge of centre locations are not suitable or available for the proposal,
- whether the proposal will impact on the availability of retail and commercial services in the area and
- any changes in population, market conditions and industry trends.

It is likely that the development of a centre will need to be staged through the provisions of appropriate development controls based on economic forecasts and population growth to be considered as part of the *Net Community Benefit Test*. It is proposed that site specific provisions be developed for inclusion in *DCP 2013* to direct appropriate staging of development and address other development issues such as site access and drainage similar to the process used to stage the development of the centre at Lake Munmorah.

The *Wyong Shire Community Strategic Plan (CSP)* identifies the Shire Strategic Vision, how the vision was created and how the Shire Strategic Vision integrates with *Council's Asset Management Strategy* and long-term Financial Strategy. The *CSP* priority objectives are each supported by a range of actions. The proposal is considered to be consistent with the objectives of the *CSP* in particular the objective that indicates that, "there will be a strong sustainable business sector and increased local employment".

### **Proposed residential component**

The application proposes rezoning approximately 2.2ha of land to the R3 Medium Density Residential Zone. Based on the indicative draft concept plan (attachment 1), the residential portion could accommodate approximately 33 dwellings. The proponent has indicated that the portion of the site proposed for residential housing would “include a mix of villa and townhouse development”, to address potential mines subsidence concerns and maintain a similar scale to current development in the area.

Given consideration of the existing development and limited services for higher densities in the locality and the desired future character, the R2 Low Density and R1 General Residential zones are recommended as being more appropriate. The proposed residential zoning forms a natural expansion of existing and recently approved residential areas and will be well located near to the new centre. This form of housing would provide additional housing choice in the Gwandalan area and take advantage of the existing and future services. The residential use is also in accordance with the NWSSP (figure 4 - shown white meaning urban land) and the Wyong Settlement Strategy.

It is considered that the provisions of the R1 General Residential zone and R2 Low Density Residential zone are more appropriate for this locality than the R3 Medium Density zone suggested in the application.

It is noted, however, that the R1 and R2 zones generally accommodate development at the scale as proposed by the applicant. The R3 zone is generally only applied to areas which are directly adjacent to major centres and to promote larger scale residential development.

The R1 zone proposed for land that directly adjoins the proposed B2- Local Centre land, with the R2 zone proposed further from the centre.

It is considered that the R1 zone is appropriate for land that directly adjoins the proposed centre as the zoning provides for a greater range of land uses than the R2 zone including multi-dwelling housing and tourism related accommodation and other uses that can provide greater variety of services as well as being a transition between the B2 Local Centre and R2 Low Density Residential zones. One of the objectives of the R1 zone is to “promote walkable neighborhoods” and is therefore an appropriate zoning for land located so close to facilities and services to meet the day to day needs of residents.

The R2 zone provides for less intense development of the land though under the provisions of Wyong LEP 2013 still permit a variety of development opportunities such as dual occupancy development and small lot housing.

It is considered that the B2, R1 and R2 zones proposed across the site provides for a suitable transition for the centre to integrate with existing development in the locality including the adjoining E4 – Environmental Living zoned land to the east of the subject site.



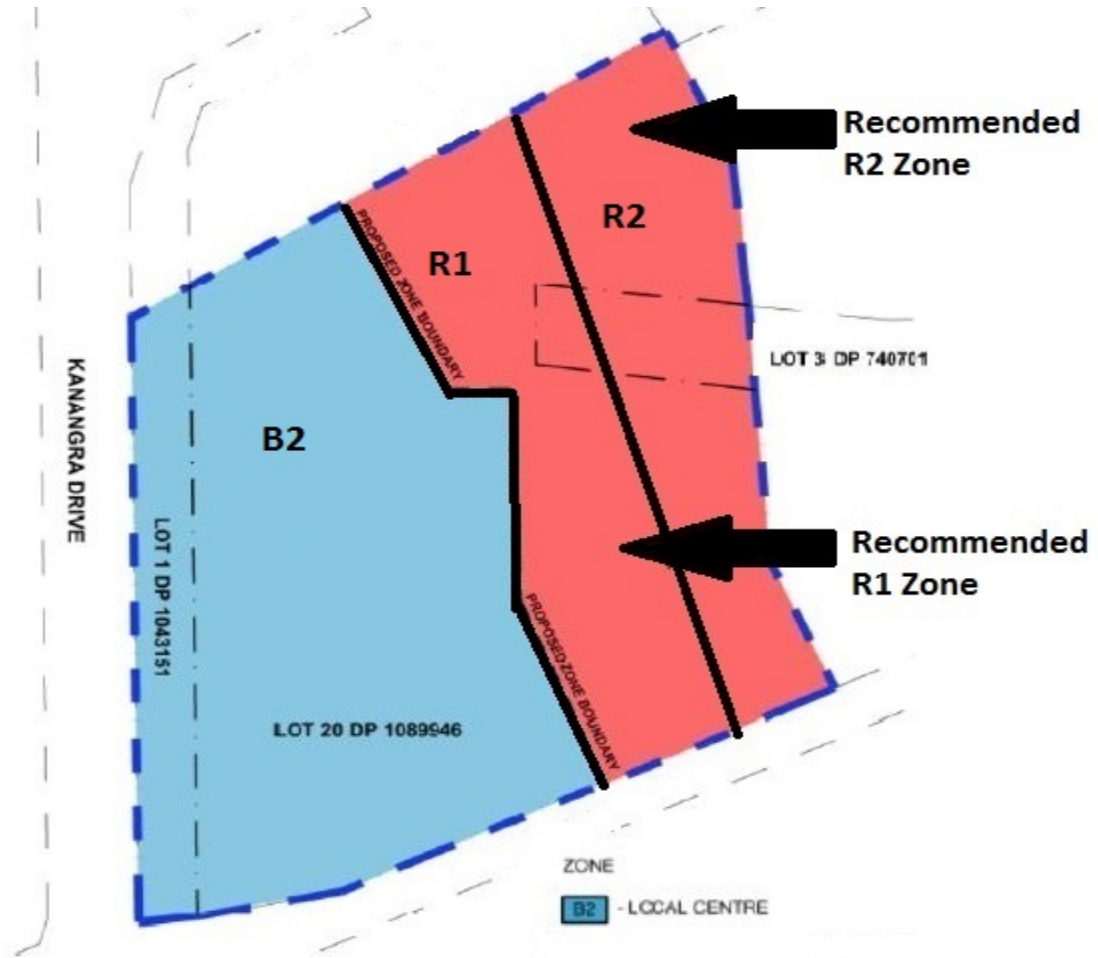


Figure 5– Recommended zoning – indicative only

### Council owned land

The proposal seeks to include two parcels of Council owned land into the development area to create a more orderly development outcome with a more regular lot and street layout and providing opportunity for the development to access and front Kanangra Drive. The relevant asset owners of this land being Council’s Roads & Drainage, Open Space & Recreation and Property and Economic Departments have been consulted and have indicated that the lands are surplus to current needs. It is noted that the land zoned E2 is categorised as Community Land and will need to be reclassified as well as rezoned through the rezoning process to facilitate any sale. While the incorporation of this Council land will provide an optimal development footprint, the proposal is not reliant on the additional land.

Lot 1 DP 1043151 is currently zoned RE1 Public Recreation and was originally put in place to provide a landscape buffer from the industrial land that will no longer be required for commercial development.

2.1 RZ/2/2015 - Planning Proposal - Commercial and Residential Development - Cnr Kanangra Drive and Summerland Road Gwandalan - RZ/2/2015 (contd)

---

Lot 3 DP 740701 (the E2 land) contains the head of a drainage line and it is recommended that if the zoning is changed the drainage line and any significant vegetation be retained (see Figure 6). Initial investigations by Council's Ecologist have indicated that the current environmental mapping for this land is coarse and the E2 zoning established under Wyong LEP 2013 may not be appropriate.

The majority of the site is cleared or contains highly disturbed vegetation. An ecological report will be required for the review of Council and the Office of Environment and Heritage (OEH) to support the planning proposal. The study will need to map native vegetation and will involve targeted survey work over a 12 month period for relevant threatened species. Appropriate controls relating to this can be added to DCP 2013, the E2 zone be retained or another appropriate zoning be put in place if considered appropriate.

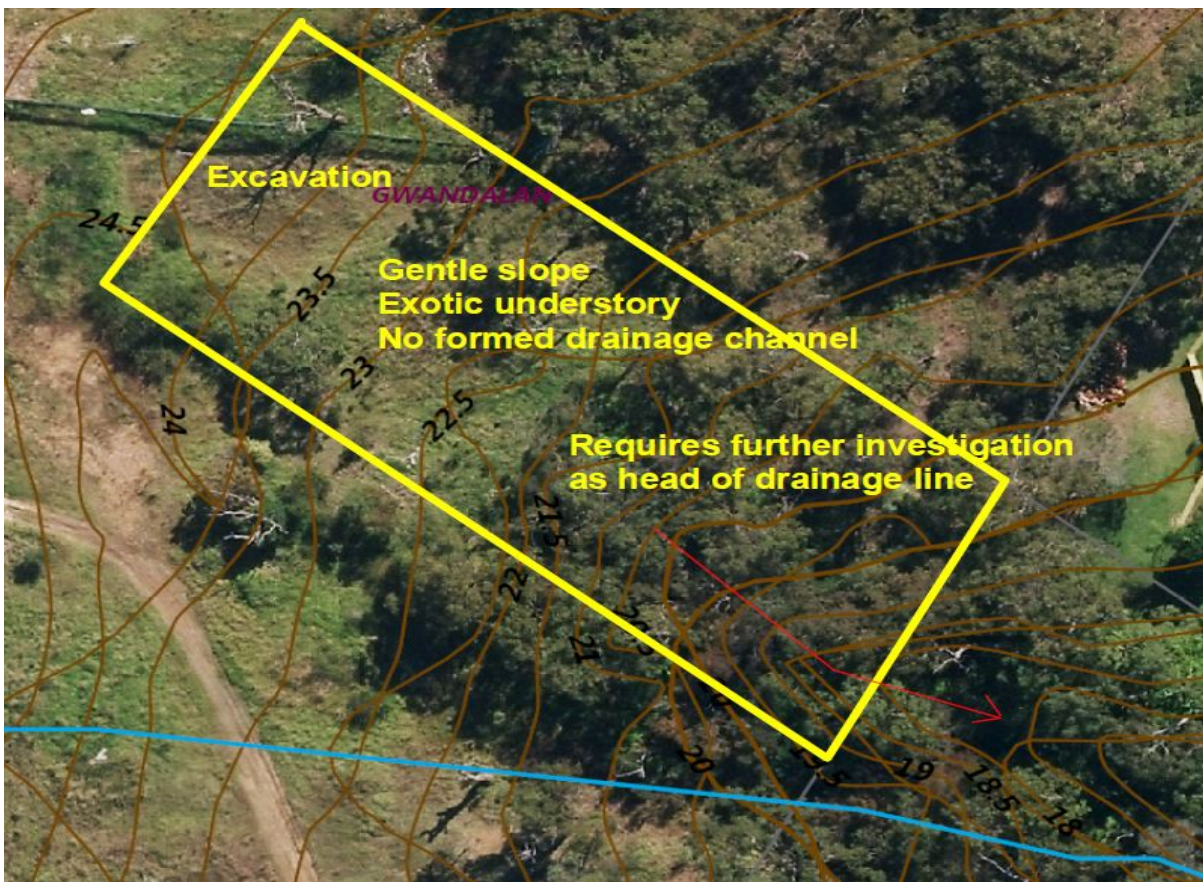


Figure 6 – Council E2 zoned land

### Design Issues

A concept design has been provided with an indicative frame work for future development. There are a number of matters (attachment 1) that will need to be dealt with either during the assessment of the planning proposal and DCP or at development application stage:

- Access – the concept plan shows 7 access locations to the site. These will need to be consolidated and access addressed via a *Road Safety Audit and Traffic Impact Assessment & Transport Plan*.

## 2.1 RZ/2/2015 - Planning Proposal - Commercial and Residential Development - Cnr Kanangra Drive and Summerland Road Gwandalan - RZ/2/2015 (contd)

---

- Acoustic Privacy - location of residential development in relation to existing industrial development and adjacent rural residential development.
- Odour - the Odour Constraint Mapping for Gwandalan Sewerage Treatment Plant impacts upon a small section of the western side of the site and may restrict some potential land uses. This can potentially be addressed through the rearrangement of the car parking area and commercial development and DCP restrictions.
- Drainage - the site naturally drains to a creek line to the east of the site. Water quality and quantity issues will need to be adequately addressed and detailed within the DCP.
- Bushfire – the entire site is potentially bushfire prone. Design will need to consider bushfire management and the comments of the NSW Rural Fire Services (RFS).

### Planning Proposal Considerations

The *Guide to Preparing Planning Proposals* (Department of Planning and Infrastructure 2012) provides the guidelines for the information that is to be provided by Council to the DP&E when seeking a gateway determination. Section 2.3(a) of the guide provides a list of “questions to consider when demonstrating the justification”, which should be considered prior to Council’s endorsement of any proposal for gateway determination. This requires that the relevant State and local planning strategies, relevant State Environmental Planning Policies (*SEPP’s*) and *Ministerial Section 117 Directions* be considered.

Accordingly issues with regard to potential mines subsidence, bushfire and potential site contamination are amongst those that will need to be addressed in the planning proposal. The proposal is considered to be consistent with the relevant *SEPP’s* and *117 Directions* and consistent with the *North Wyong Shire Structure Plan*, *Council’s Strategic Plan* and *Retail Centres Strategy*.

### Impact on the availability of industrial land

*Ministerial Section 117 Direction 1.1 – Business and Industrial Zones* requires that any reduction in industrial land must be justified.

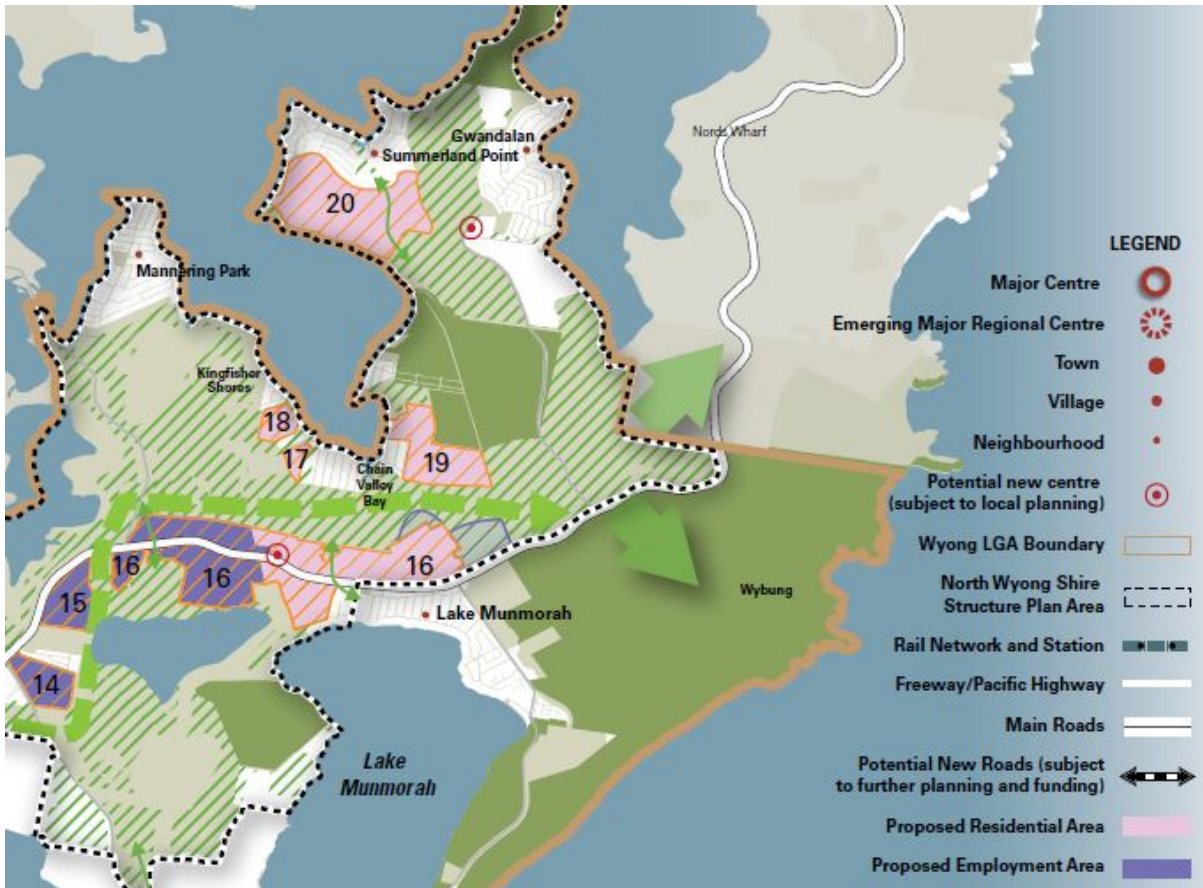
The NWSSP identifies the subject site as the potential location for a new commercial centre and also identifies significant areas of industrial land to be released in the Lake Munmorah area.

There has been little or no interest in the development of the site for industrial purposes. Since the industrial subdivision was approved in 2005 the only industrial use approved for the site was mobile home manufacturing which has since vacated. Attempts have been made to promote the industrial subdivision but local demand has been absorbed by the existing industrial development to the north of the site. In addition the land owner has sought to develop the site for various purposes. A development application was lodged in June 2009 for a hotel, bottle shop, function room and manager’s residence and was withdrawn in February 2010. An alternate preliminary development meeting was held where a stand alone aged care facility was discussed but was not supported due to the inconsistency with the industrial zoning of the land.



**2.1 RZ/2/2015 - Planning Proposal - Commercial and Residential Development - Cnr Kanangra Drive and Summerland Road Gwandalan - RZ/2/2015 (contd)**

The NWSSP also identifies approximately 94 Ha of employment land in Precinct 16 (approximately 7km away) which are better located with direct access to the Pacific Highway (see Figure 7). The industrial development of Precinct 16 is currently under consideration as part of a Master Plan being developed by Council's Property and Economic Development Department for the Lake Munmorah area. The future rezoning of these areas can be expected to easily offset the loss of the 4.7 Ha of industrial land on this site.



**Figure 7 – NWSSP – location of nearby employment lands (precincts 14-16)**

**CONSULTATION**

**External Referrals**

This report recommends seeking gateway determination from the Department of Planning and Environment. The gateway determination will provide the requirements for external consultation and public exhibition. It is likely that the gateway determination will require that authorities such as Roads and Maritime Services (RMS) and the Mines Subsidence Board (MSB), the Office of Environment and Heritage (OEH) and Rural Fire Service (RFS) be consulted either prior to or during the public exhibition process with appropriate studies to be prepared by the applicant for both the referral and public exhibition process. The results of the consultation process will be reported to Council.

### **Engineering Assessment**

An internal engineering assessment has indicated that the redevelopment of the site is generally supported with services such as water, sewer and electricity is available and can be suitably upgraded as required. The proposal will provide for a similar level of demand for services as per the approved industrial subdivision.

The most significant issue will be the resolution of traffic and vehicular manoeuvring issues. It is likely that traffic issues can be resolved through consultation with the RMS and appropriate controls provided within the DCP.

### **GOVERNANCE AND POLICY IMPLICATIONS**

The processing of the planning proposal is proposed to be undertaken in accordance with Council's adopted planning proposal procedure.

Rezoning of the land is undertaken by preparing an amendment to the Wyong Local Environmental Plan (WLEP) through progressing of a planning proposal under sections 55-59 of the *Environmental Planning & Assessment Act 1979*.

Section 55 requires Council to prepare a planning proposal that explains the intended effect of the amendment to the WLEP 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 a gateway determination who will advise 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 other matters.

Council may request delegation from the Minister for Planning for the determination of locally significant planning proposals. Given the relatively minor nature of this proposal it is recommended that in this instance delegation be sought.

The requirements for public exhibition would be set out under the gateway determination. In addition to the exhibition of a planning proposal, other associated material will require exhibition and Council endorsement including:

- a site specific DCP Chapter to guide the staging and design of the site development;
- a draft VPA to facilitate any potential sale of Council land; and explanatory note,
- a possible revision of the *Northern Districts Section 94 Contribution Plan* to address any unaccounted change in demand on services in the area.

It is noted that a further report will be prepared outlining the results of the State agency and public exhibition.

## **OPTIONS**

While residential development of the eastern portion of the site is supported there is an opportunity to have this portion zoned either approximately half R1 General Industrial and half R2 Low Density Residential or to have the residential portion zoned entirely R2 Low Density.

It is recommended that the R1 and R2 zone option be pursued to provide an appropriate transition from the proposed local centre to the lower density residential.

## **CONCLUSION**

The potential development of the vacant industrial land for future commercial and residential development is considered to have merit and is consistent with overarching regional policy. Preliminary assessment of the proposal indicates that the site has potential for further investigation of the R1 General Residential, R2 Low Density Residential and B2 Local Centre zones. It is likely that the commercial elements may need to be staged to ensure the ongoing viability of the centre and other existing centres. This is to be confirmed through a Net Community Benefit Test.

The two small sections of Council owned land are considered to be best utilised by inclusion within the rezoning as this maximises Council's options with regard to the land, they are therefore proposed to be rezoned and reclassified.

It is recommended that a planning proposal be prepared for the consideration of the DP&E requesting a gateway determination be issued. Further it is recommended that appropriate DCP, VPA and/or Section 94 Contribution Plan amendments are made and exhibited in conjunction with the planning proposal.

## **ATTACHMENTS**

- 1 Concept Layout Plan D11980000



### **3.1 Classification of Land, Lots 4 and 5 DP 1207133 at 155 Johns Road, Wadalba**

---

TRIM REFERENCE: F2015/00629 - D12008902

MANAGER: Peter Stokes, Manager

AUTHOR: Julie Tattersall; Property Officer

#### **SUMMARY**

Authority is sought to classify Lot 4 and Lot 5 DP 1207133 at Johns Road, Wadalba as Operational Land.

#### **RECOMMENDATION**

- 1 That Council adopt the classification of Lots 4 and 5 DP 1207133 at 155 Johns Road, Wadalba as Operational Land.**
- 2 That Council note that:**
  - a Nothing in the above resolution authorises the sale of the subject land (section 377(1)(h) of the Local Government Act 1993 provides that any sale of land can only be by resolution of Council).**
  - b Section 31 (3) of the Local Government Act 1993 provides that Council must not resolve that land be classified as operational land if the resolution is inconsistent with the terms of any trust applying to the land.**

#### **BACKGROUND**

Rexel Pty Ltd was required to make provision for public reserve and drainage reserve as part of its development of 105 residential lots from the subdivision of Lots 229 DP 1105837 and Lot 230 DP 1105837 at 155 Johns Road, Wadalba. Lots 4 and 5 have been dedicated to Council pursuant to a condition of development consent under of DA/1082/2011/C as public reserve and drainage reserve respectively.

Lot 4 is zoned E2 Environmental Conservation and has an area of approximately 3.66 ha. Lot 5 is zoned E2 Environmental Conservation and has an area of approximately 7,509 square meters.

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

Public Notice was given on 5 June 2015 of the proposal to classify the land as Operational land and no submissions were received.



## **THE PROPOSAL**

It is proposed to classify Lots 4 and 5 DP 1207133 as Operational Land.

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

The proposed resolution to classify Lots 4 and 5 DP 1207133 as Operational land will not authorise this land to be used for any purpose that is inconsistent with the purposes for which these lands were dedicated to Council, namely public reserve and drainage reserve respectively.

## **OPTIONS**

Council may resolve to apply either a "community land" or an "operational land" classification. Lots 4 and 5 should be classified as Operational Land in accordance with the Policy for Property Transactions – Sales and Acquisitions adopted by Council.

## **Budget Impact**

There is no cost to Council to classify the land.

## **GOVERNANCE AND POLICY IMPLICATIONS**

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



## CONCLUSION

Lots 4 and 5 DP 1207133 have been dedicated to Council and require classification under the Local Government Act 1993 (Chapter 6, Part 2, s.25-34). In this instance, Operational Classification is proposed on the basis of the use of the land and in accordance with Council policy.

## ATTACHMENTS

Nil.

#### 4.1 Proposed Councillors' Community Improvement Grants

---

TRIM REFERENCE: C2015/01723 - D11975773

MANAGER: Sonia Witt, TL Governance and Councillor Services

AUTHOR: Lisa Martin; Administration Assistant

##### SUMMARY

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

##### RECOMMENDATION

***That Council allocate an amount of \$14,000 from the 2015-16 Councillors' Community Improvement Grants as follows:***

<b><i>Better Hearing Australia Central Coast (\$500) (Emergency approved by GM)</i></b>	<b><i>Venue hire, data projector, internet access and microphones.</i></b>	<b><i>500</i></b>
<b><i>Central Coast Group Training (\$4000)</i></b>	<b><i>To hold the 2015 Apprentice and Trainee Excellence in Training Awards.</i></b>	<b><i>3,200</i></b>
<b><i>Central Coast Kids in Need (\$1940)</i></b>	<b><i>The Adam MOLCH Hillier Memorial Surf Classic</i></b>	<b><i>1,700</i></b>
<b><i>Kuriwa Local AECG (\$4000) (Emergency approved by GM)</i></b>	<b><i>To send the local Aboriginal representative to the Global Young Leaders Conference in New York and DC.</i></b>	<b><i>2,600</i></b>
<b><i>Mannering Park Tidy Towns (\$750)</i></b>	<b><i>To purchase screening shrubs to be planted at rear of sports amenities block at Community Oval.</i></b>	<b><i>500</i></b>
<b><i>The Entrance Junior Rugby League Football Club (\$2245)</i></b>	<b><i>Assist in a custom built trailer to setup the oval in a safe way each weekend.</i></b>	<b><i>1,500</i></b>
<b><i>Wyong Shire Council - Community Partnership and Planning (\$4000)</i></b>	<b><i>Purchase outdoor furniture for Alison Homestead</i></b>	<b><i>4,000</i></b>

##### 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.

## 4.1 Proposed Councillors' Community Improvement Grants (contd)

### 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.

The amount allocated in the 2015-16 Annual Plan is \$130,000 with a reallocation by Council of additional \$20,000 at its meeting held on 24 July 2013. The total amount allocated for 2015/2016 is \$150,000.

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 proposed allocations are listed below:

COUNCILLORS' COMMUNITY IMPROVEMENT GRANTS ALLOCATION		Beest	Eaton	Graham	Greenwald	Matthews	Nayna	Taylor	Troy	Vincent	Webster	SUB TOTAL
Allocation 01/07/2015 - 31/05/2016		11,250	11,250	11,250	11,250	11,250	11,250	11,250	11,250	11,250	11,250	112,500
Funds bought forward from the 2014/15 financial year		4,286	3,583	5,556	5,209	1,186	7,558	9,216	2,865	460	3,024	42,943
Total Allocation for 2015/2016		15,536	14,833	16,806	16,459	12,436	18,808	20,466	14,115	11,710	14,274	155,443
Proposed Allocations for 12 August 2015												
Better Hearing Australia Central Coast (\$500) (Emergency approved by GM)	Venue hire, data projector, internet access and microphones.		100			400						500
Central Coast Group Training (\$4000)	To hold the 2015 Apprentice and Trainee Excellence in Training Awards.		800					800	800		800	3,200
Central Coast Kids in Need (\$1940)	The Adam MOLCH Hillier Memorial Surf Classic	200	300						200		1,000	1,700
Kuriwa Local AECG (\$4000) (Emergency approved by GM)	To send the local Aboriginal representative to the Global Young Leaders Conference in New York and DC.	200	500		400	1,000			500			2,600
Mannering Park Tidy Towns (\$750)	To purchase screening shrubs to be planted at rear of sports amenities block at Community Oval.	200	150						150			500
The Entrance Junior Rugby League Football Club (\$2245)	Assist in a custom built trailer to setup the oval in a safe way each weekend.	100	200	1,000					200			1,500
Wyong Shire Council - Community Partnership and Planning (\$4000)	Purchase outdoor furniture for Alison Homestead	200		1,000	300						2,500	4,000
Total Proposed Allocations for 12/08/2015		900	2,050	2,000	700	1,400	0	800	1,850	0	4,300	14,000
Balance Uncommitted as at 12/08/2015		14,636	12,783	14,806	15,759	11,036	18,808	19,666	12,265	11,710	9,974	141,443

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

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

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

N/A

**OPTIONS**

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

**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>
<b>Communities</b> - 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.
<b>Facilities and Services</b> - 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.

## 4.2 Community Subsidy Program and Sport and Cultural Sponsorship Program

TRIM REFERENCE: F2008/02110 - D11994635

MANAGER: Julie Vaughan, Manager

AUTHOR: Kay Matthews; Grants Support Officer

### SUMMARY

This report provides consideration of applications and recommendations for Community Subsidy Program and Sport and Cultural Sponsorship Program funding for the period ending 26 June 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 \$3,518.91 from the 2015-16 Community Subsidy Program as follows:***

<i>Applicant</i>	<i>Project Name Summary</i>	<i>Staff Funding Recommended</i>
<b><i>Central Coast Domestic Violence Committee Inc</i></b>	<b><i>Printing for the 2015 White Ribbon Walk</i></b>	<b><i>\$1,000.00</i></b>
<b><i>Country Women's Association of NSW - Toukley Branch</i></b>	<b><i>Rates Subsidy for 2014/15</i></b>	<b><i>\$736.91</i></b>
<b><i>UnitingCare NSW ACT</i></b>	<b><i>Venue hire of Hamlyn Terrace Community Centre</i></b>	<b><i>\$1,782.00</i></b>
<b><i>Total</i></b>		<b><i>\$3,518.91</i></b>

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

<i>Applicant</i>	<i>Project Name Summary</i>	<i>Staff Funding Recommended</i>
<b><i>Sandra Hauraki</i></b>	<b><i>The 12th World Nations Dragon Boat Senior Championships in Canada, representing Australia</i></b>	<b><i>\$1000.00</i></b>
<b><i>Tane Hauraki</i></b>	<b><i>The 12th World Nations Dragon Boat Junior Championships in Canada, representing Australia</i></b>	<b><i>\$1000.00</i></b>

**4.2 Community Subsidy Program and Sport and Cultural Sponsorship Program (contd)**

<i>Applicant</i>	<i>Project Name Summary</i>	<i>Staff Funding Recommended</i>
<i>Neeson Naidoo</i>	<i>The 2015 Judo Nationals in Wollongong, representing NSW</i>	<i>\$500.00</i>
<i>Steven Pullen</i>	<i>GKR (Karate) World Championships in England, representing Australia</i>	<i>\$1,000.00</i>
<i>Total</i>		<i>\$3,500.00</i>

- 3 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 Name Summary</i>	<i>Staff Recommendation</i>
<i>Kyle Schneider</i>	<i>Oztag NSW vs Queensland State of Origin in Queensland, representing NSW</i>	<i>Applicant has an outstanding acquittal from a previous grant</i>

**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 1 July 2015 is \$30,000.00. 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 1 July 2015 is \$20,000.00. 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.



### **4.3 Community Ward Forums**

---

TRIM REFERENCE: F2015/00319 - D11994737

MANAGER: Maxine Kenyon, Director

AUTHOR: Sue Ledingham; Manager

#### **SUMMARY**

This report provides evaluation to Council regarding the trial of Community Ward Forums and their effectiveness and presents future options for consideration.

#### **RECOMMENDATION**

***That Council receive and note the outcomes of the review of the Ward Forums.***

#### **BACKGROUND**

At the Ordinary Meeting of Council on 26 February 2014, Council Resolved as follows:

*"158/14 That Council commence Community Ward Forums in the first quarter of 2014.*

*159/14 That Council conduct an internal review, in mid-2015, into the effectiveness of the Ward Forums."*

As a result of this Resolution, Council introduced a trial of Community Ward Forums in April 2014.

The Community Ward Forums were developed with the intent to provide a more equitable approach to engaging with Council and broaden the demographic reach. They intended to provide a structured and strategic engagement approach with a further opportunity to 'roadshow' major projects and improve two way engagement and conversations with Councillors and staff.

#### **CURRENT STATUS**

The Community Ward forums were trialed during 2014/15 and were held in both wards on the following dates:

- Ward A - 6 May 2014, 28 August 2014 and 12 May 2015
- Ward B – 8 May 2014, 2 September 2014 and 14 May 2015
- Community Expo – 6 December 2014
- Combined Ward Forum – 7 May 2015

### 4.3 Community Ward Forums (contd)

---

The forums were heavily promoted through:

- Central Coast Express Advocate advertising
- Local radio
- Council's website
- Council's social media platforms
- Direct invitation to Community groups and networks

Residents were able to submit questions for discussion at the forums and topics were advertised to generate interest.

The Ward Forums were delivered testing different formats to gauge community response and level of interest in this type of engagement format. This included trialing a combination of the following:

- Roadshow and presentations with Questions and Answers (Q&A)
- Roadshow, workshop and presentations with Q&A
- Presentation only with extended Q&A

These forums enabled two way dialogue between ratepayers /residents, Councillors and staff by the sharing of information, reporting back on projects completed and planned, and increased the face-to face interaction with a broader cross section of the community.

The trial also included a Community Christmas Expo on Saturday 6 December 2014. This type of approach was very different from the other forums and was designed to have a less structured meeting style approach and to ascertain if our community preferred a more relaxed engagement style. It provided opportunities to meet and discuss with Councillors and staff about Council planned and current projects or to obtain information on Council services.

Council during this time also provided support for previous Precinct Committees to transition into new entities. These new networks have continued to be engaged in various projects at a local level and issues that impact our community such as:

- Ourimbah Master Plan
- Norah Head Boat Ramp
- Regional Skate Park – Bateau Bay
- Fit for the Future – Community Survey

**ANALYSIS**

Several formats were implemented over the trial period with varied success. Feedback was received through feedback forms and anecdotal comments.

**Results from all Forums/Expo:**

Round and Format	Cost/ Attendee	Ward	Location	Theme	Attendees (approx.)
May 2014 Roadshow and Presentation \$10,450.00	\$87.00	A	Wyong Leagues Club	Strategic Plan Economic Dev Tuggerah Lakes	120
		B	Diggers@The Entrance	Strategic Plan Economic Dev The Entrance Channel	
August 2014 Workshops, Roadshow and Presentations  Online social media live posts  \$6,800.00	\$62.00  \$37.00 (incl. FB)	A	Halekulani Bowling Club	Workshops: Stop/Start/Keep Road Corridor Presentations: Tree Management Floodplain Management Brand – What’s in a name	110 + 73 comments on live Facebook Q&A  3,800 reached via Facebook
		B	Mingara Recreation Club	Presentations: Roads and Maritime Services (RMS) – plans for local roads Floodplain Management Brand – What’s in a name	
December 2014 – Expo  \$8,600.00	\$17.00	A&B	Memorial Park, The Entrance	Roadshow, activities and sausage sizzle	550 - 600 visits to displays  15,000 reached via Facebook
May 2015  Presentations only  Online social media posts  \$3,600	\$69.00	A	Halekulani Community Centre	Strategic Plan showcasing planned projects for 2015/16	52 + 7 comments  1560 reached via Facebook
		B	Tuggerah Lakes Community Centre		
		A&B	Civic Centre		

### 4.3 Community Ward Forums (contd)

---

Cost to deliver the Community Ward Forums is high, primarily due to the numbers that attend and the extent of resources required to deliver them. With the exception of the Expo which, combined with a local event, attracted a greater audience and was well received.

Staff sought smaller locations to hold the forums following the response to the first forums held in May 2014. However this still did not reduce the cost to deliver significantly.

Feedback and input was obtained at each Ward Forum to understand the requirements and preferences of attendees. This was collected via hard copy feedback forms as well as anecdotally through staff conversations with attendees.

#### **Ward Forum Feedback**

Only 7% of attendees (58) completed an evaluation form following the ward forums:

- 77% agreed the content was useful and relevant
- 81% thought the presentations were well structured and easy to follow
- 88% thought the presenters were well prepared and organised
- 66% agreed the Roadshow Displays were useful and relevant

Feedback directly provided to staff included:

- Presentations were good in terms of information, but not engagement in terms of discussion and of those that attended the forums had a preference for Q & A rather than a lot of presentations.
- Attendees were glad to see presence from senior Managers, but especially the Mayor and Councillors
- This style of engagement was still a barrier to engaging a broader demographic.

Evaluation of the trial indicates that:

- Only a handful of topics were raised for discussion by residents, primarily the requests were of a service delivery nature and responded through Council's service request system
- Attendees at the forums were made up of the older demographic and did not attract a broader reach of demographic
- Attendees appreciate shorter presentations on specific topics and longer Q&A sessions
- The Expo format provided exposure to a younger demographic
- Younger demographic responded well through social media channels
- Cost per attendee is higher than anticipated with no evidence of expansion of general reach within the community
- Expo and Roadshow style information is well received by a broader demographic – however limited formal two-way conversation
- Attendees were those with general interest in community issues as well as those interested in specific topics
- Workshops for specific topics generated good discussion and increased shared understanding of issues
- Interaction with Council staff and Councillors rates high with the community

The overall results indicate that forums are ideal for certain segments of the community and could be of interest to a larger audience if the topics are well chosen, relevant and specific. There is no evidence that structured forums at particular times of the year work better or attract a larger audience as forums held in May 2014 and May 2015 did not generate a significant increase despite holding an additional combined forum.

Social media Q&A sessions were used to engage with a broader and typically younger demographic who either were not able to attend or just chose not to due to that style of engagement. People use social media either purposefully or incidentally to engage with content or issues that they feel are relevant to them or they may have an opinion on. Overall reach through Council's Facebook page was 18,800 and approximately 80 comments in total resulting from live Q&A session during the ward forums.

Observations indicate that participants believe that 'liking' is an important way of showing support for political or local issues they and their friends care about, and are more likely to do this action than commenting on or sharing the posts.

The interest in engaging with Council staff and Councillors rating high provides an opportunity for Councillors to continue engaging through various activities and through social media platforms to connect with a broader audience. Posting questions via social media more often to show they are responsive to people's views.

### THE PROPOSAL

The evaluation of the Community Ward Forums indicates that structured forums on a quarterly basis only attracts a small number of participants and that a variety of approaches did not necessarily equate to greater numbers attending.

The Community Engagement activity undertaken by Council provides opportunities for face to face engagement in addition to other options which caters to different groups within the community. The Community Engagement schedule includes a series of regular engagement opportunities as listed below and the continuing process of specific project engagement activities which can be on either a small or larger scale depending on the level of impact or interest either in a specific area or community wide.

The results of the trial indicate presentation of information through roadshows with opportunities to discuss with Councillors and staff that presents a greater opportunity to engage on a larger scale. Council has a range of engagement strategies that will continue to inform and consult the community on a range of issues as required, including:

- **Out & About:** providing a visible presence within the community and accessibility to Council and Council information at shopping centres or other outdoor community events / locations once a month
- **Meet the Mayor:** providing opportunity for residents and visitors to directly speak with the Mayor and Councillors at various locations around the Shire, with a rotating schedule once a month
- **Resident ePanel:** providing opportunity for members to have their say on a range of topics when and where it's convenient
- **Council Expo:** Following the success of the Community Christmas Celebration and Expo in December 2014, a twice yearly expo is planned which will showcase Council services at locations where external events are already taking place

## 4.3 Community Ward Forums (contd)

---

- **'Make it Great' Workshops:** a pilot program which will invite community members to provide input on topics and projects that are in the early planning stages
- **Workshops and Meetings:** as required based on specific projects or programs at a local area level i.e. town centre improvements, major road or sewer projects, new or upgrades to playgrounds or facilities, etc.
- **Community Forums:** as required based on specific projects and topics with wider community impact.

Community Forums would be delivered outside of the twice yearly expos, they would be triggered by the scale of impact or interest by the broader community such as changes to any policies, annual works program, new development proposals or draft strategic plans. These would be identified by relevant staff and Councillors through engagement planning, would require a Q&A session and must have an online element to engage broader demographic unable to attend traditional sessions with the live Q&A sessions on social media platforms.

Giving consideration to planning requirements, budget, staffing, required timelines and review of alternative approaches, it is recommended to undertake the proposed program change and continue with the existing comprehensive Engagement program without structured Community Ward Forums on a quarterly basis. This then incorporates forum style engagement as required. Triggers for engagement must be consistently applied.

### OPTIONS

Engagement is a key priority for Wyong Shire Council, information and engaging our community of the services and programs we provide and the future planning ideas and progress underway is part of the core business processes within the organisation.

Options, including recommendations to supplement the existing service levels at those peak, high growth periods are:

#### Option 1

Council continue to deliver a range of engagement strategies without the inclusion of structured Community Ward Forums on a quarterly basis. Engagement on important issues impacting our community and key projects as outlined previously will continue to be part of Council's approach and through the connections in place with the valued community networks, groups and volunteers, providing engagement through a variety of approaches. This option is recommended as outlined in the report.

#### Option 2

Continue with Community Ward Forums on a quarterly basis. This does not present a best value approach to engagement, primarily due to the scale of resources required to deliver and the number and diversity of attendees. This option is not recommended.

**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>
Principal Activity 1 – Community & Education	Community Engagement	To increase the opportunity of face to face engagement across the Shire and with a diverse range of community members	Through existing budget allocations	Increase in engagement by min. 10%

**Contribution of Proposal to the Principal Activity**

Increase in face-to-face engagement across the Shire.

**Long Term Financial Strategy**

The proposal is aligned to the Long Term Financial Strategy. It aligns by providing a platform for any changes to the long-term financial model outlined in the Community Strategic Plan 2030 to be presented and consulted on by the community. The Forums allow for information regarding Councils capital and operational expenditure to be transparent, scrutinised and understood by the community.

**Asset Management Strategy**

The proposal is aligned to the Asset Management Strategy. It aligns by ensuring that there are engagement tools available where aspects of the Asset Management Strategy can be provided for community consultation and provide feedback to the community regarding the level of service provided by assets compared against the expectations of the community. These engagement tools help to identify any gaps between the community expectation and the current level of service.

**Workforce Management Strategy**

The proposal is aligned to the Workforce Management Strategy. It aligns by ensuring that staff are trained in engagement techniques and activities and have the necessary engagement tools and support available to undertake community consultation and provide feedback to the community.

**Link to Community Strategic Plan (2030)***Civic Leadership*

Government is conducted with openness and transparency involving the community in the decisions that affect it.

**Budget Impact**

There will be no impact to the budget as the engagement program proposed has been included and funds allocated and any project based engagement will be funded accordingly through individual service units.

**CONSULTATION**

Following a Councillor Briefing held on 11 June 2014, feedback and input was obtained at each Ward Forum to understand the requirements and preferences of attendees. This was collected via hard copy feedback forms as well as anecdotally through staff conversations with attendees.

**GOVERNANCE AND POLICY IMPLICATIONS**

This proposal complements and supports Council's Engagement Policy and moves towards the other levels of the spectrum that encourage face to face dialogue with the community. It includes the Engagement Principles of Respect and Transparency, Access and Inclusion, Clarity, Accountability and Improvement, Capacity and Online and Creative Engagement which brings the engagement strategies out of the inform and educate level to the consult, involve, collaborate and empower sections.

**MATERIAL RISKS AND ISSUES**

Nil

**CONCLUSION**

Council values community engagement at the local level and the important role it plays in providing input for Council decision making. What has been evident from feedback and observation over the period of this trial is that two way engagement is one of the more popular and effective ways for Council to engage with the community. However this trial has highlighted that forums in their current format do not deliver in terms of attendance and broader reach, despite extensive promotion and advertising.

Engagement using the a forum methodology already forms part of a community engagement spectrum of activities and the proposed approach ensures that it is the scale and level of impact or interest on a particular project or issue that should trigger the need to use this level of engagement activity so it is cost effective.

Providing expos twice yearly and the proposed new program and continued engagement improvement approach at Council will ensure that the community have as many opportunities to be informed, provide input and be involved in engagement activities to enhance Council's decision making processes.

**ATTACHMENTS**

Nil.



#### **4.4 Initiatives to Improve Roadside Vegetation Amenity Including Roads and Maritime Services Roads**

---

TRIM REFERENCE: F2004/00392 - D11883874

MANAGER: Maxine Kenyon, Director

AUTHOR: Brett Sherar; Manager

#### **SUMMARY**

The report will outline current levels of service on roadsides and discuss existing resource strategies for seasonal variations in workload, the impact of weather conditions on amenity and impact of scope creep on timing of scheduled works. Options will be provided to vary levels of service including costs and a recommended option.

#### **RECOMMENDATION**

- 1** *That Council approve options 1, 2 and 3 provided in this report.*
- 2** *That Council provide annual funding of \$348,000 and an increase of two FTE to the Community and Recreation Services directorate to undertake works. Budget to be amended in Q1 review.*

#### **BACKGROUND**

This report has been prepared to provide information in relation to:

- 2015 Councillor Workshop Outcome 295, "Investigate strategies to ensure the amenity of the streetscape (including medians, cycle ways, paths and corridors) within Wyong Shire"; and,
- Resolution 170/15 "That Council request the General Manager to report on initiatives that it may consider with this road issue and indeed all roads under the Roads Management Council Contracts".

#### **Current Levels of Service**

Open Space and Recreation's (OSR) resource strategy for all vegetation control is based on normal growth patterns and has processes that prioritise work types to gain the greatest efficiencies without over resourcing during the low growth periods. All grass mowing is scheduled as follows:

- Sportfield playing surfaces - mowed weekly
- Active parks and reserves - three weekly in growth period and five weekly in low growth period
- High profile roadsides, medians, roadside gardens, road blisters and laneways - six to eight week
- Roadside slashing, drainage reserve slashing and boom mowing - quarterly to annually dependant on need.

#### **4.4 Initiatives to Improve Roadside Vegetation Amenity Including Roads and Maritime Services Roads (contd)**

---

Schedule dates are strictly adhered to, if a site is missed due to weather or other reasons, then the maintenance for this site is deferred and the schedule continued. This ensures that all other sites are maintained per schedule and the community can be made aware when each site is to be serviced. No service requests are taken for scheduled sites. No site is missed twice consecutively.

In the high growth period from November through to April, available resources are focused on key usage and amenity processes such as litter collection, broad area mowing and weed control leaving tree maintenance, edging, asset maintenance, mulching and other less critical works for the low growth period. To further support the increased workload in the peak period, selected vegetation control staff undertake extra hours (up to five hours per week) to ensure the scheduled works are completed. A cost benefit analysis has been undertaken and this is the most efficient way to manage this variable workload and resource requirement.

Vegetation maintenance is impacted significantly by seasons and weather patterns. The warmer temperatures that are prevalent from October through to April are much more conducive to growth than the colder period of the year. Also, weather patterns impact the speed of growth in the warmer period. Long, dry periods slow the growth and dry out the grass making it easier to maintain but intermittent rain and warm weather, such as we have encountered this summer, create high humidity and warm soils leading to rapid grass growth.

Historically, Council has relied on property owners to undertake vegetation control on nature strips between roadsides and private property boundaries. With approximately 1050kms of roads in Wyong Shire, the cost and resource requirements for Council to undertake this work is prohibitive. Council will only intervene and undertake the work if the nature strip is considered a safety hazard or impedes pedestrian movement, these works are done by request.

Scope creep creates issues for maintaining schedules for vegetation maintenance; this comes in a number of forms. Although new release areas appear irregularly, each new site reduces the amount of time available to meet the schedule across the entire section. Upgraded areas tend to become more maintenance intense than broad acre grassed areas, an example of this is Tuggerah Straight and the Pacific Highway, Ourimbah. Prior to their upgrades there was minimal maintenance but now they are vegetated gardens that require much higher resourcing to maintain the amenity of the area. Unknown works are predominantly areas that have historically been maintained by residents who have either moved away or can no longer maintain the specific area to the historic level which causes residents to request Council to take over the maintenance.

To ensure efficiencies could be achieved and priority given to vegetation maintenance and amenity of all Wyong Shire roadsides, medians, laneways and paths, all roadside vegetation maintenance became the responsibility of OSR from August 2012. OSR have endeavoured to manage scope creep through continuous improvement initiatives such as better equipment, better processes, and maintenance minimisation by design and better qualified staff.

### State Roads

Under the Roads Act 1993, councils are the roads authority for State roads other than Freeways. However, the Act allows the Roads and Maritime Services (RMS) to exercise roads authority functions to the extent necessary for the functioning of a road as a State road. The RMS generally funds and manages:

- the road formation and associated drains in rural areas
- the main carriageway between kerbs in built up areas
- the central lanes through towns elsewhere, including traffic lights, roundabout, signs and line markings.

Councils retain responsibility for the road reserve of State roads, including service roads, footpaths and control of noxious weeds except in situations where the RMS has specified to, or agreed with, Council that the RMS would be responsible for specific other assets, works or activities within the road reserve.

In simple terms, Council is responsible for all road vegetation control on State roads, including the following, unless the RMS choose to fund it:

- Pacific Highway
- Sparks Road/Wallarah Road
- Central Coast Highway
- Wyong Road

RMS funding through the Road Maintenance Contract Council (RMCC) provides funding for all aspects of road maintenance including reactive pavement management, signage, asset inspection, proactive pavement management, drainage and culvert maintenance/cleaning etc. The total funding Council received for 14/15 is \$398,000.00 and is prioritised by Roads and Drainage staff with an amount allocated to OSR for vegetation control. This funding split is approved by RMS. For 2014/15 the amount allocated to OSR activities including ground vegetation maintenance, sign clearance and mowing was initially \$40,000.00. This amount may be varied dependent upon other works e.g. increase/decrease in pothole patching.

When RMS funding was at its highest level, five staff were employed to maintain the vegetation, signage and remove the litter along the sides and centre median of the 9.9kms of Wyong Road. This level of resourcing has reduced in line with the reduction in RMS funding down to the two current staff members who are predominantly funded by Council revenue.

Challenges with State Roads include:

- Approvals - State roads require approvals to change speed limits or close lanes, this needs to be done to ensure the safety of workers and is a legal requirement. Wyong Road, Tuggerah Straight and Pacific Highway Ourimbah have limitations on when traffic changes can be implemented. For this reason works on medians can only efficiently be undertaken at night, this adds further cost to the program.
- Service requests - Responding to service requests for works above current levels of service impacts on staff's ability to meet levels of service in other areas. In the 12 months from 1 April 2014 to 1 April 2015 there have been 374 service requests for all roadside vegetation maintenance including State roads additional to scheduled works.

#### **4.4 Initiatives to Improve Roadside Vegetation Amenity Including Roads and Maritime Services Roads (contd)**

---

- Landscaping - The maturing of the landscaping and changes implemented by the RMS to improve traffic flow, which include upgrades to medians and intersection vegetation, have increased the resource requirement to meet a level of service that meets community expectation for amenity.
- Limited funding – Roadsides were developed to a standard many years ago which was fully funded by RMS. Over the years the funding has been reduced, however the expectation from the community of the standard of the roadsides has not and as a result, Council has funded the works on State Roads from General Revenue.

See attachment 1 which shows aerials of all Council maintained State road sites.

### **CURRENT STATUS**

#### **Current Levels of Services for Roadsides**

##### Laneways

Three fulltime staff maintain 596 identified laneways between six and eight week periods on a rolling schedule dependant on growth period and available work hours. This includes litter collection, grass cutting, weed spraying and other ancillary works. In the low growth period works are also undertaken to reduce the time needed at each site by replacing vegetated areas with mulch, removing/minimising trees to ensure less hand work and increased mechanisation. Budget for 2015/16 is \$280,197.00 excluding corporate overheads.

##### Roadside gardens

Two fulltime staff maintain roadside and town centre gardens including the Council Chambers, Sparks Road and the Pacific Highway, Ourimbah, between four and eight week periods on a rolling schedule dependant on priority, growth period and available work hours. This includes litter collection, grass cutting, planting, trimming, weed spraying and other minor ancillary works. In the low growth period, works are also undertaken to reduce the time needed at each site by replacing vegetated areas with mulch, removing/minimising trees to ensure less hand work and more by machine. Budget for 2015/16 is \$295,454.00 excluding corporate overheads.

##### Priority roadsides

Four fulltime staff maintain vegetation on key identified areas on the Pacific Highway from Gwandalan entry road to Ourimbah and Central Coast Highway from Doyalson lights to Forresters Beach. These areas were identified for regular maintenance in 2009 as part of a Community Pride initiative. Other sites have been included since then by request. Works are completed over a six to eight week period on a rolling schedule dependant on the growth period and available work hours. This includes litter collection, grass cutting, weed spraying and other minor ancillary works. In the low growth period works are also undertaken to reduce maintenance by design. Budget for 2015/16 is \$347,107.00 excluding corporate overheads.

#### 4.4 Initiatives to Improve Roadside Vegetation Amenity Including Roads and Maritime Services Roads (contd)

---

##### Wyong Road

Two fulltime staff maintain 9.9kms of roadside, roundabouts and centre median gardens between 12 and 16 week periods on a rolling schedule dependant on priority, growth period and available work hours. Priority is given to intersections where commuters may be stopped in traffic. This includes litter collection, weed spraying, mulching, grass cutting, planting, trimming and other minor ancillary works. Budget for 2015/16 is \$189,111.00 excluding corporate overheads.

##### Rural Roadsides slashing and boom mowing

Three fulltime staff slash and boom mow 222 identified roadsides between quarterly and annually on a detailed schedule designed around growth period and priority. The work includes litter collection, contract traffic control, grass cutting, weed spraying and other minor ancillary works. Budget for 2015/16 is \$448,530.00 excluding corporate overheads.

##### Shared Pathways

Shared pathways in most instances are in parks or foreshore reserves. These are maintained on the same schedule as all parks which are three weekly in the high growth period and five weekly in the low growth period. If the path is on a reserve that is a natural area, the maintenance allows for one cut either side of the path e.g. Magenta/foreshore pathways.

To ensure efficiency, specialty service such as weed sprayers and tractor operators support the staff identified above to meet the current levels of service. Other OSR staff are focused on the maintenance of our 37 sporting complexes and 213 developed parks and reserves. The maintenance levels on sport facilities and parks are higher than roadsides due to the level of usage, the importance of reducing risk to the users and to reduce maintenance costs in the longer term.

All funding identified in this report are general funds. \$40,000.00 of RMS funding is allocated to undertake works on medians on State roads as well as one slasher cut each side of Sparks Road every 12 weeks.

Since taking over the roadsides in 2012, staff have undertaken the following to provide the most efficient level of service for all roadsides, laneways, medians and roadside gardens including:

- Amended planting program to reduce ongoing maintenance
- Purchased equipment to improve efficiency
- Reviewed structure and work areas
- Established work schedules

#### **THE PROPOSAL**

It is proposed that Council consider the current level of service provided, the cost, impact of weather variation and scope creep to determine if any changes are required to the roadside vegetation maintenance program based on options provided below.

#### **4.4 Initiatives to Improve Roadside Vegetation Amenity Including Roads and Maritime Services Roads (contd)**

---

Staff will continue to make changes to vegetation to reduce maintenance by design during low growth periods with current resources. This will include the use of slow growth plants, removal of high maintenance undergrowth, mulching and use of slower growing grasses.

Further to this report, requests will be made to RMS for increased funding to be made available for State Roads. A consideration could be to fund any increases in the levels of service on State Roads by increasing the vegetation share of the RMCC contract as a priority over other works such as the road pavement. This would require RMS approval.

#### **OPTIONS**

In order for Council to provide an increased level of service in the medians, cycle ways, paths and corridors, and State roads, a number of options are presented below. Noting that OSR have undergone many continuous improvement initiatives to create a lean and efficient team, there is limited scope for continuous improvement within current resources if the levels of service on all other OSR assets are to be met.

Based on the limited levels of complaints, and those that are received are predominantly after high rainfall and high growth periods, it is not recommended that major changes occur within the existing service levels for OSR.

The following options, including recommendations to supplement the existing service levels at those peak, high growth periods are:

##### **Option 1**

##### **Lobby RMS for adequate funding – Recommended.**

Council continue to lobby the RMS for increased funding and allocation of current funding to manage the vegetation on RMS roads. Council continue to replace high maintenance vegetation along State roads to reduce maintenance requirements throughout the year. – Recommended

Option cost – Nil

Option staff requirement – Nil

Option outcome – Possible improvement in roadside amenity.

##### **Option 2**

##### **Utilise contractor support at peak times – Recommended.**

Increased contractor support contingency funding to enable contractor support at peak growth times to supplement boom mowing and roadside slashing. – Recommended.

Option Cost – \$100,000.00 (est. \$40,000.00 traffic control, \$60,000.00 machine and operator)

Option staff requirement – Zero FTE

Option outcome – This would provide an estimated 25% reduction in time between services. Improvement in amenity and community satisfaction with improved response times to service requests for roadside slashing and boom mowing.

#### 4.4 Initiatives to Improve Roadside Vegetation Amenity Including Roads and Maritime Services Roads (contd)

---

##### Option 3

###### **All State Roads – Recommended.**

Increase level of service to previous levels with one, two-man team integrating with the other two teams plus Wyong Road team to provide an overall improvement on State roads.

Option Cost – \$248,000.00

Option staff requirement – Two FTE increase on current levels.

Option outcome – This would provide an estimated 30% reduction in time between services. Improvement in amenity and community satisfaction with reduction in complaints.

##### Option 4

###### **Reallocate staff from other sections of Open Space and Recreation – Not Recommended.**

The reallocation of mowing staff from parks and reserves or the sports field teams would require a commensurate reduction in levels of service in these areas. With the key issue in this report being roadside amenity, as safety is prioritised and maintained, the reduction in the usability of a sporting facility or a park to improve amenity on the roadsides would likely lead to a higher level of complaint and dissatisfaction from the community.

Option cost – Nil

Option staff requirement – Nil

Option outcome – Improvement in roadside amenity with a reduction in community satisfaction and increase in complaints related to sports facilities or parks.

##### Option 5

###### **No change to Levels of Service – Not Recommended.**

No change to the current levels of service across all roadside vegetation maintenance other than efficiency gains identified through business as usual process.

Option cost - Nil above current budgets

Option staff requirement – Nil above current FTE

Option outcome – No improvement in community satisfaction or reduction in complaints.

##### Option 6

###### **Wyong Road – Not Recommended.**

Increase level of service to previous levels with two, two-man teams to maintain 5kms of Wyong Road each.

Option Cost – \$248,000.00

Option staff requirement – Two FTE increase on current levels.

Option outcome – Improvement in amenity and community satisfaction with reduction in complaints.

#### 4.4 Initiatives to Improve Roadside Vegetation Amenity Including Roads and Maritime Services Roads (contd)

---

##### Option 7

###### **All roadside support – Not Recommended.**

A dedicated two person service request response team that deals with roadside vegetation requests on a priority basis based on safety, access and amenity. Can supplement all teams currently providing roadside vegetation control to improve overall levels of service.

Option Cost – \$248,000.00

Option staff requirement – Two FTE increase on current levels.

Option outcome – Improvement in amenity and community satisfaction with reduction in complaints.

##### Option 8

###### **Equipment improvement – Not Recommended as part of this review.**

Remote control mowing plant.

Option Cost – \$200,000.00 plus plant purchase

Option staff requirement – One FTE increase on current levels.

Option outcome – Improvement in staff safety, reduction in need for traffic control, improved amenity and community satisfaction with reduction in complaints.

Other plant and equipment is considered to be fit for purpose as it was reviewed and updated during the transfer of works from Roads and Drainage to Open Space and Recreation in 2012.

##### **Summary of Recommendation and Reasoning**

The options recommended that require increased costs and resourcing will have a direct correlation to increases in levels of service.

Option 2 of \$100,000 for peak period contractor support would allow for variability in resourcing levels dependant on growth and weather patterns and could focus on high visibility roadside slashing. This would also reduce the reactive service request drive works required by staff allowing focus on completing schedules.

Option 3 of \$248,000 and two FTE would be split between seasons and work types to increase levels of service and improve amenity on Wyong Road and State roads. The low growth season focus for this team would be on Wyong Road working on garden beds, litter removal, shrub trimming and vegetation control, then in the peak growth season switching to grass cutting on all State roads. Levels of service would increase by a minimum of 30%.



#### 4.4 Initiatives to Improve Roadside Vegetation Amenity Including Roads and Maritime Services Roads (contd)

### 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>
2 – Community Recreation	Roadside and other vegetation control	Improve the amenity of roadsides within the Shire.	10.4604 10.5304	Dependant on final resolution

#### Contribution of Proposal to the Principal Activity

#### Long Term Financial Strategy

If option 2 & 3 were adopted, it would require recurrent funding of \$348,000.00 per annum indexed plus 2 FTE.

#### Asset Management Strategy

Nil – no increase in assets.

#### Workforce Management Strategy

Increase to FTE by two.

#### Link to Community Strategic Plan (2030)

Community Strategic Plan Objective 1:

Communities will be vibrant, caring and connected with a sense of belonging and pride in their local neighbourhood.

#### Budget Impact

Adoption of the recommended options would require recurrent funding of \$348,000.00 per annum indexed, to commence in 2015/16 financial year. This funding has not been allocated in 2015/16 budget and would need to be addressed through a quarter one review.

### CONSULTATION

OSR operational staff have been involved in the preparation of this report.

A Council briefing was provided on 8 July 2015.

**GOVERNANCE AND POLICY IMPLICATIONS**

Adoption of these options would not have any material governance or policy impacts.

**MATERIAL RISKS AND ISSUES**

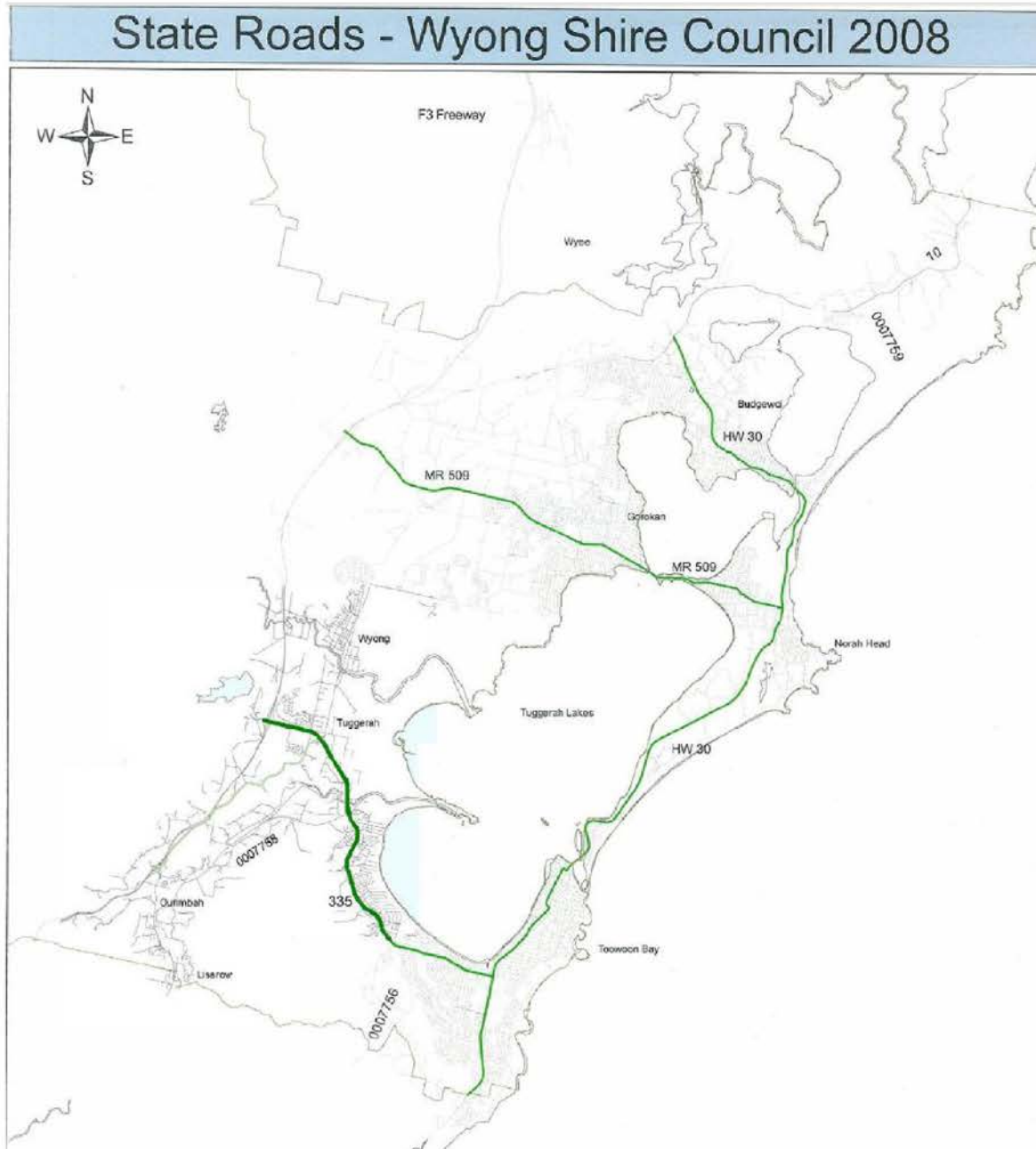
Nil.

**CONCLUSION**

There is an opportunity to increase the level of service on roadsides to improve the safety, amenity and community satisfaction. Any increase in desired levels of service comes with a commensurate increase in cost and resource requirements, and as detailed in this report, could be reprioritised from other works but would have an equal or greater detriment than is currently experienced in the roadside vegetation maintenance and is not recommended. If the increase that is recommended is adopted then an increase in FTE of two fulltime staff members will be required.

**ATTACHMENTS**

- 1 RMS Road Site Location Views      D11991754

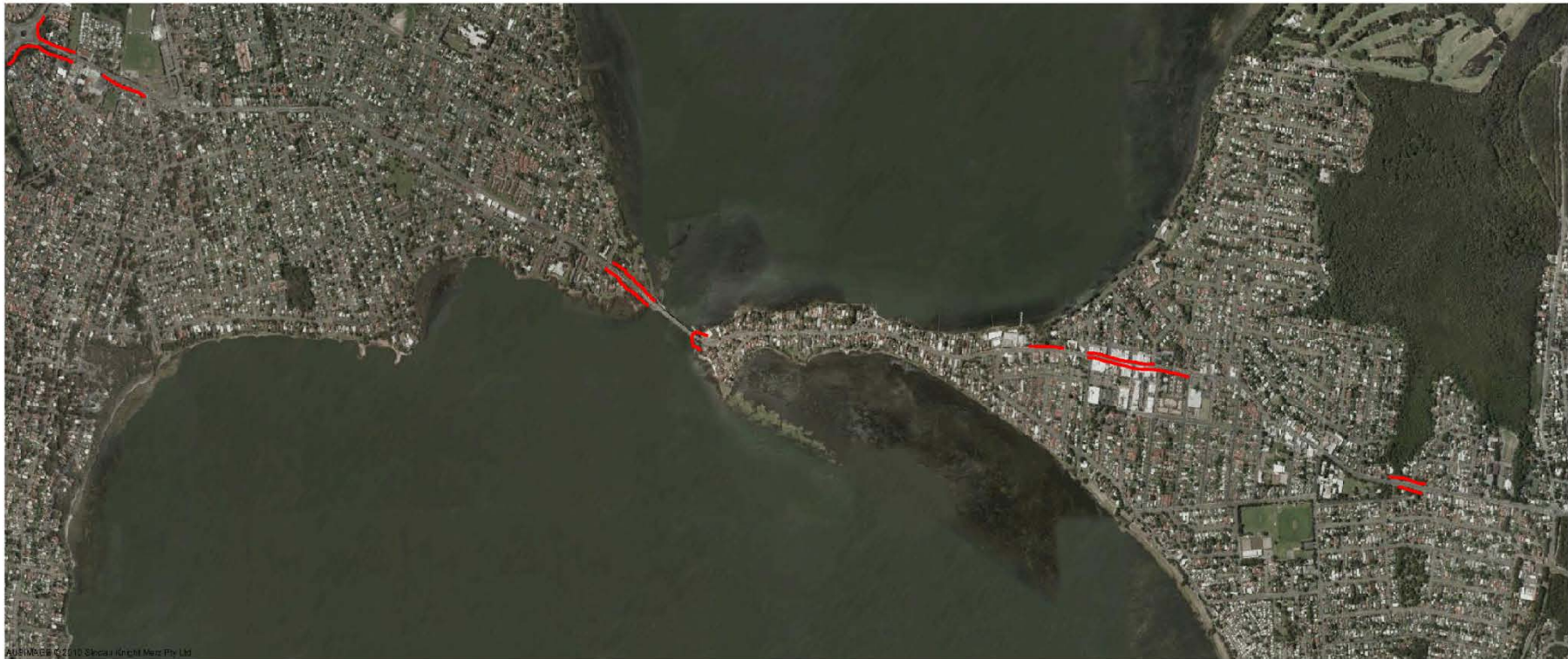


Sparks Rd - Hue Hue to Pacific Hwy - MR 509

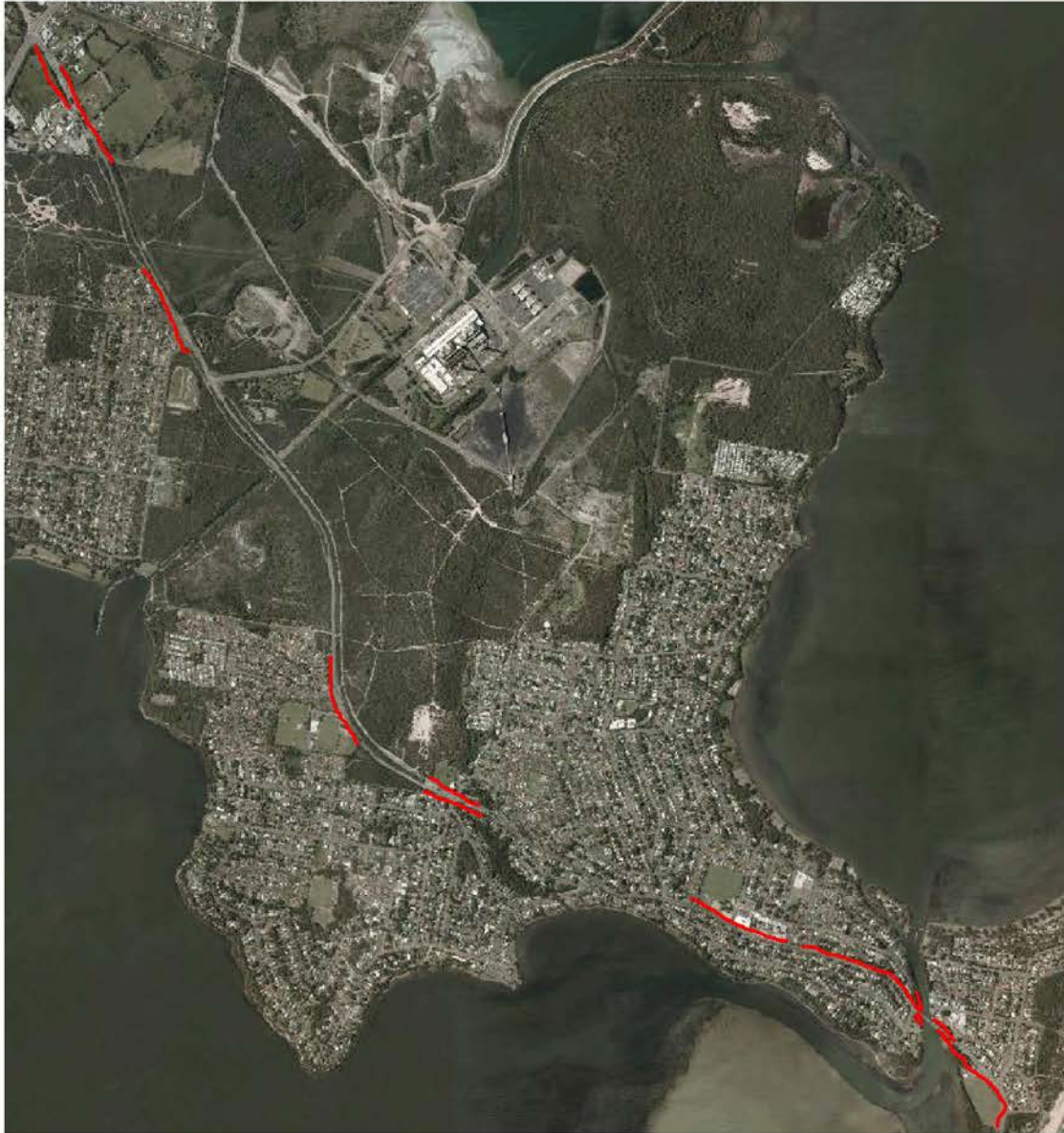




Wallarah Rd Gorokan/Main Rd Toukley – MR 509

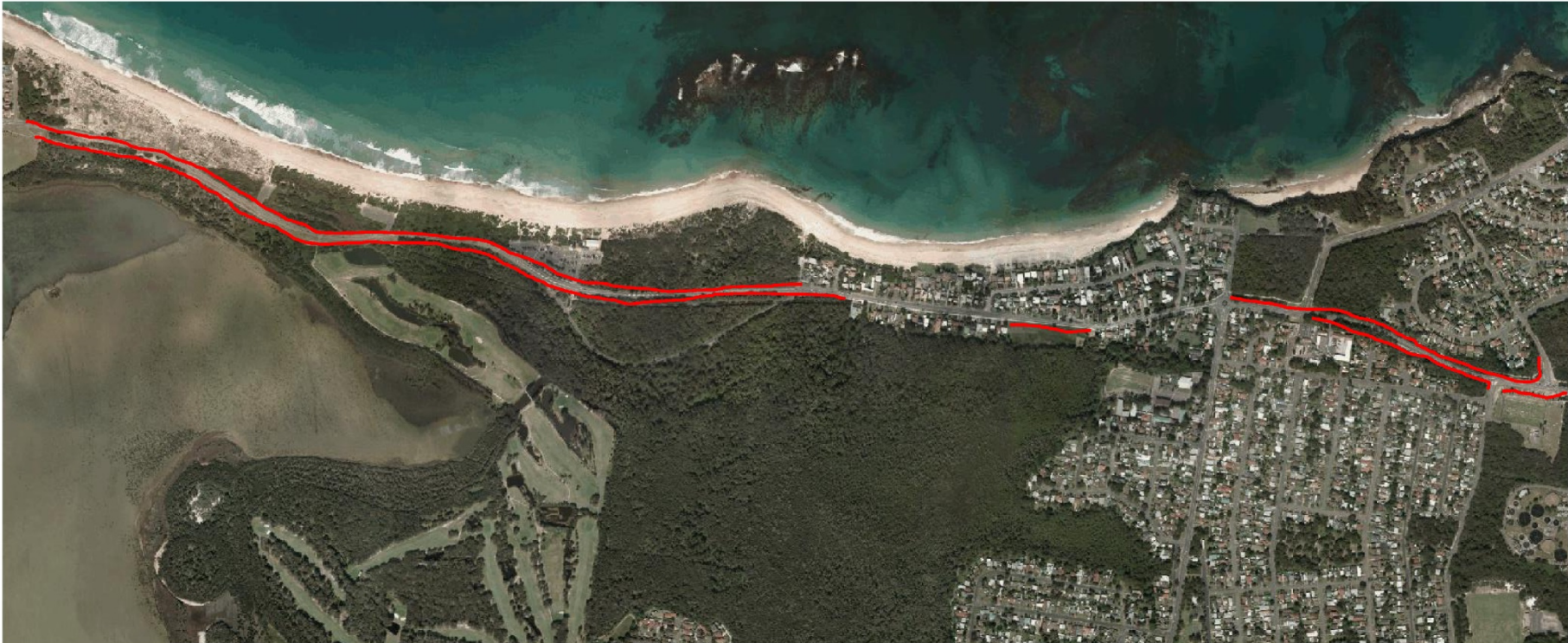


Central Coast Hwy (HW30) - Doyalson – Budgewoi East





Central Coast Hwy (HW30) - Budgewoi East - Denison St





Central Coast Hwy (HW30) – Entrance Nth – Oakland Ave Sth



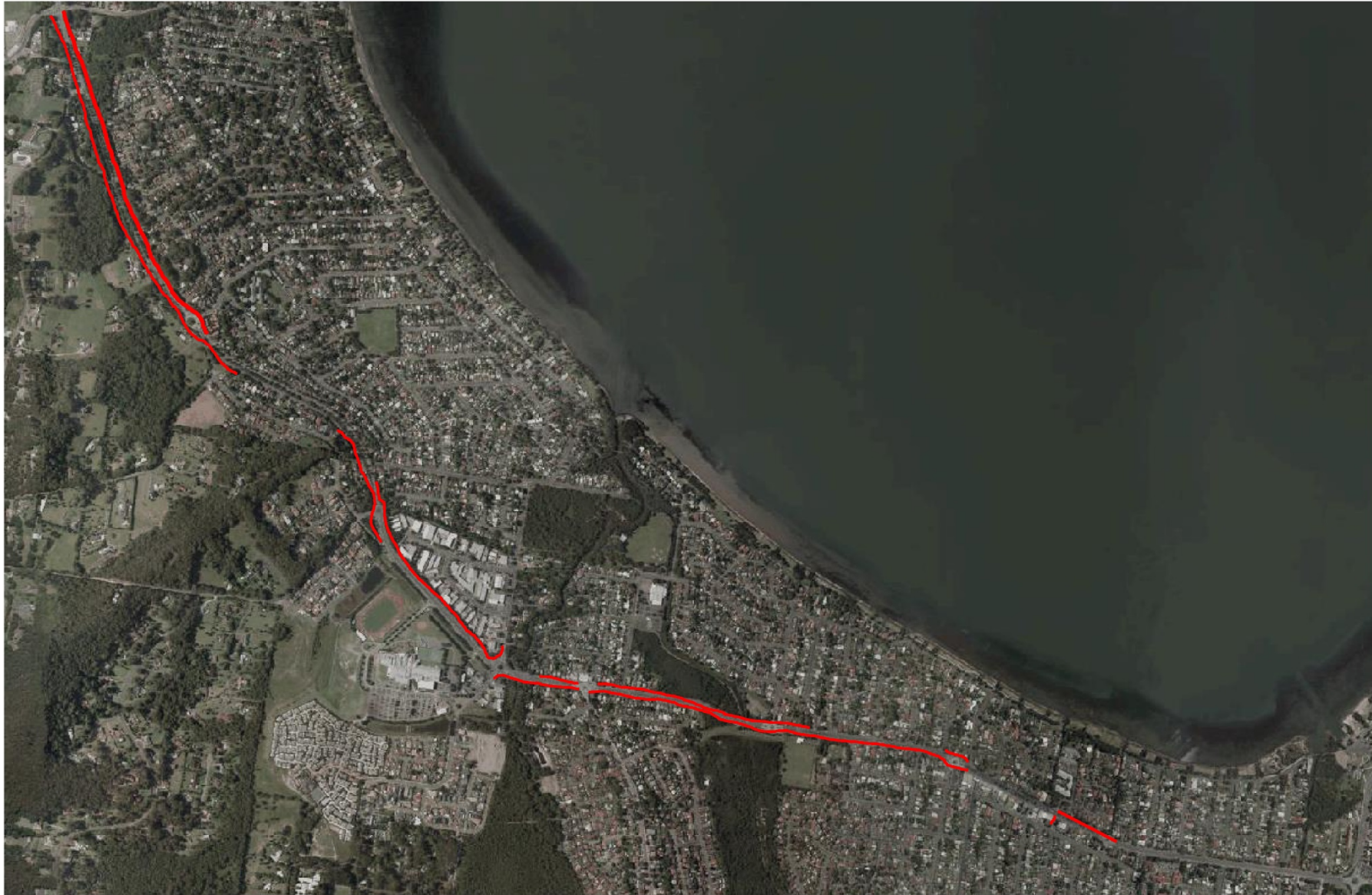


Central Coast Hwy (HW30) – Tuggerah Pde Sth – Belleview Rd





Wyong Rd (MR335) – Shelly Beach Road –Berkeley Rd/Bundilla Pde





Wyong Rd (MR3535) - Berkeley Rd/Bundilla Pde - Reliance Drv South





Wyong Rd (MR3535) - Reliance Drv South - M1





Pacific Hwy Ourimbah – (State road works currently funded by establishment funding – To be transferred to Council responsibility)





Pacific Hwy – Tuggerah Straight to Wyong North – (State road works from river to Wyong Rd currently funded by establishment funding – To be transferred to Council responsibility)





Pacific Hwy – Lucca Rd to Louisiana Rd



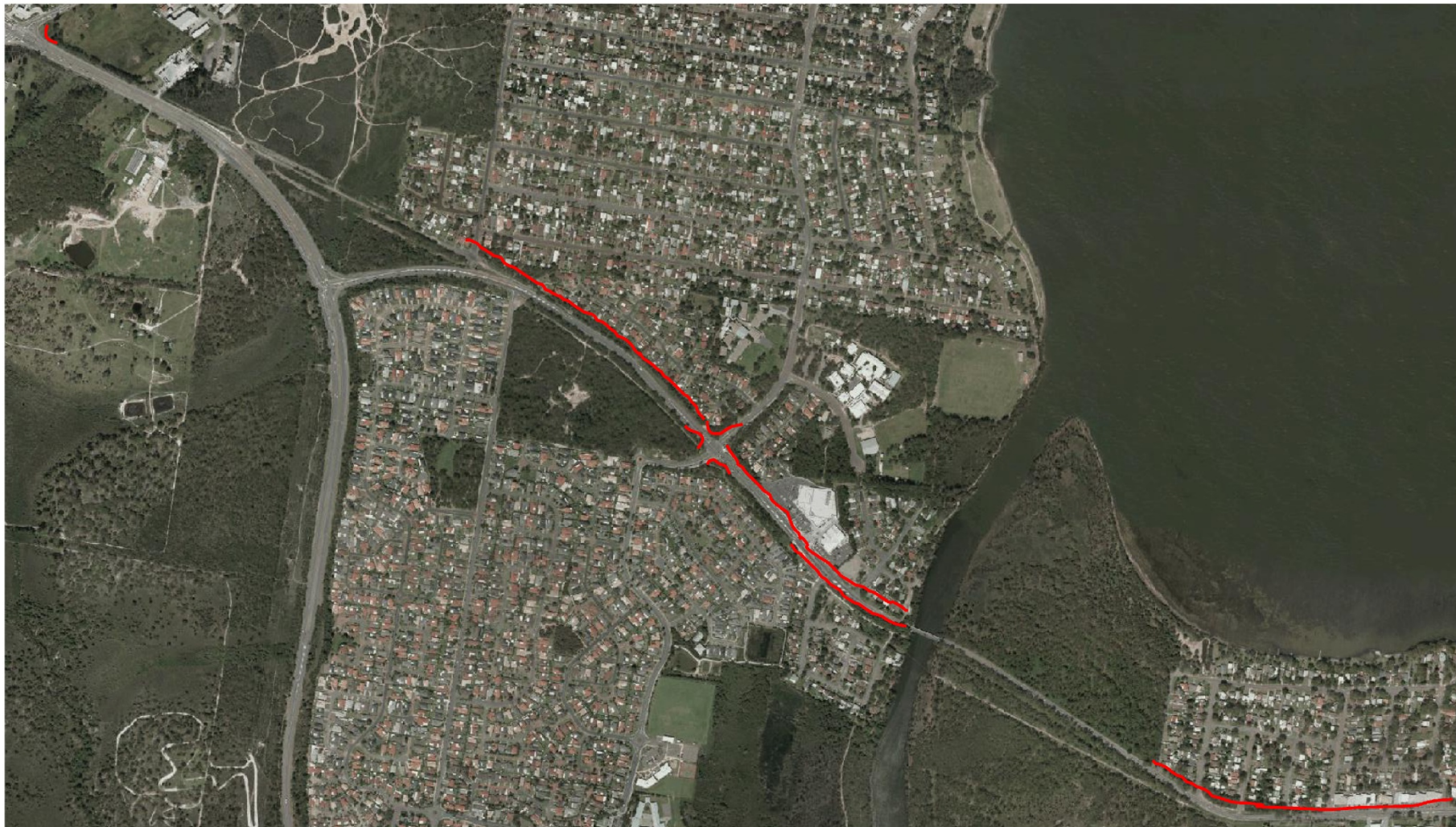


Pacific Hwy – Wyong Hospital to Lake Haven Roundabout





Pacific Hwy – Charmhaven Shops to Doyalson Roundabout



## **4.5 Outdoor Dining proposed Fees and Charges Amendments**

---

TRIM REFERENCE: F2014/00795 - D11980112

MANAGER: Scott Cox, Director

AUTHOR: Jamie Loader; Manager

### **SUMMARY**

Council's 2015-16 Fees and Charges, incorporated in the Statement of Revenue were adopted on 10 June 2015 in accordance with the strategic planning process. Amendments to the adopted Fees and Charges schedule for Outdoor Dining are now proposed. This report seeks to adopt amendments to the Fees and Charges schedule for 2015-16, subject to submissions received during the public exhibition period.

### **RECOMMENDATION**

- 1 That Council exhibit the proposed fees and charges for Outdoor Dining for public comment for a period of 28 days in accordance with Section 610F and 205 of the Local Government Act.**
- 2 That a further report be submitted to Council if objections are received in response to the proposed amended fee.**

### **BACKGROUND**

For a number of years The Entrance Town Centre Management (TETCM) has managed outdoor dining activities in The Entrance town centre, including the setting and collection of fees, granting approvals and site management of the activity.

A recent audit by Council's Internal Audit Team identified that TETCM has no delegation to undertake these activities. Accordingly, Council received a report on 13 May 2015 advising that the responsibility for the regulation of outdoor dining activities in The Entrance town centre would transfer to Council.

In addition, Council would undertake a comprehensive review of the current Outdoor Dining Policy, including the allocation of tables and chairs, fees and charges, and bonds.

This review is now complete and a number of changes to the adopted fees and charges schedule are proposed to reduce the financial and regulatory burden on business to ensure a consistent approach across Wyong Shire and encourage additional footpath dining.

This report seeks Council's endorsement to place the proposed fees on exhibition for public comment.

**CURRENT STATUS**

The adopted Fees and Charges schedule for 2015-16 includes the following charges for Outdoor Dining:

<b>Item Number</b>	<b>Description</b>	<b>Unit of Measure</b>	<b>2015-16 Fee</b>
17.10078	Outdoor Eating Area – Waterfront Plaza	Per chair per week	\$9.10
17.10079	Outdoor Eating Area – The Entrance Road, Victoria Avenue, Ocean Parade and Coral Street	Per chair per week	\$5.45
17.10080	Outdoor Eating Area – Bayview Mall, Marine Parade and Denning Street	Per chair per week	\$3.70
17.10081	Bond for outdoor eating Areas – The Entrance	Per area	\$650.00
17.10083	Outdoor Eating Areas - all other areas	Per chair per week	\$1.70
17.10084	Bond for outdoor eating areas – all other areas	Per area	\$650.00

The weekly charges for outdoor eating areas at The Entrance include a component for the hire of tables and chairs, while the weekly charge for other areas is the hire of footpath space only. Tables and chairs will no longer be let, nor a requirement on the type of tables and chairs that need to be provided. A standardised fee based on the occupied dining area of the footpath will apply to all areas within Wyong Shire. Additionally, a bond will no longer be required.

**Changes Proposed to Fees and Charges**

It is proposed that the Schedule of Fees and Charges be amended to remove the distinction between The Entrance and other areas, and remove the Bond which is no longer required.

The proposed Fees and Charges for 2015-16 are as follows:

<b>Item Number</b>	<b>Description</b>	<b>Unit of Measure</b>	<b>2015-16 Fee</b>
17.10078	Outdoor Eating Areas - footpath hire	Per square metre per week	\$1.70

**STRATEGIC LINKS**

**Long term Financial Strategy**

It is anticipated that the variance to Council’s income will not have a material impact to the Long Term Financial Plan as fees were never previously collected by Council for The Entrance. No further impacts to strategies within the strategic plan are anticipated.

**CONCLUSION**

It is considered that these changes will be beneficial for business owners, both financially and administratively, while ensuring Council is delivering its regulatory functions. The proposed changes will standardise outdoor dining fees across the Wyong Local Government area.

This report seeks to adopt an amended Fee and Charges schedule for 2015-16 for Outdoor Dining Activities, subject to public exhibition of the amended Fees and Charges.

A further report will be submitted to Council following the exhibition period, should there be any objections.

**ATTACHMENTS**

Nil.

#### **4.6 Councillor Attendance - Wyong Regional Chamber of Commerce Annual General Meeting and Dinner**

---

TRIM REFERENCE: F2004/06517 - D12031243

MANAGER: Sonia Witt, TL Governance and Councillor Services

AUTHOR: Jade Maskiewicz; Councillor Services Officer

#### **SUMMARY**

Wyong Regional Chamber of Commerce Annual General Meeting and Dinner to be held Tuesday 25 August 2015.

#### **RECOMMENDATION**

- 1 That Council authorise the attendance of interested Councillors at the Wyong Regional Chamber of Commerce (WRCoC) Annual General Meeting (AGM) and Dinner 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 WRCoC will be hosting their AGM and dinner on Tuesday 25 August 2015 at Wyong Race Club, Howarth Street Wyong.

Refer to [www.wyongchamber.com.au](http://www.wyongchamber.com.au) for further details.

#### **THE PROPOSAL**

Councillors have expressed interest in attending this event.

Councillors may be reimbursed for expenses incurred in the attendance of non-Council events and functions in accordance with the provisions of the Facilities and Expenses Policy.

#### **STRATEGIC LINKS**

##### **Wyong Shire Council Strategic / Annual Plan**

Nil impact.

### Budget Impact

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

WRCoC AGM	Councillor Fees
Registration	
– Members	\$ 50.00
– Non-members	\$ 55.00
Approximate Travel	\$ 12.00
<b>Total (estimate)</b>	
– <b>Members</b>	<b>\$ 62.00</b>
– <b>Non-members</b>	<b>\$ 67.00</b>

### CONSULTATION

This submission complies with Council's adopted Facilities and Expenses Policy for Councillors.

### GOVERNANCE AND POLICY IMPLICATIONS

In accordance with the provisions of Council's Facilities and Expenses Policy for Councillors, clause D14 and D17, reasonable expenses incurred in Councillors attending non-Council events and functions are met in accordance with that policy.

*"D14 Council will meet sustenance and attendance expenses for Councillors' attendance at non-Council functions related to Council business which provide briefings to Councillors from key members of the community, politicians and business. Approval for reimbursement will be by Council resolution. The maximum reimbursement of total attendance costs is \$200 per Councillor per event. Councillors may attend a maximum of 6 of these events in a year. The total maximum expenditure is \$1200.*

*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:*

<b>Event</b>	<b>Registration</b>	<b>Ticket</b>	<b>Accommodation</b>	<b>Sustenance</b>	<b>Partner Tours</b>	<b>Travel</b>	<b>Carer</b>
<i>Other Council approved conferences and events</i>	<i>No</i>	<i>No</i>	<i>Yes. If staying in same room as Councillor</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 event is in accordance with Council's Facilities and Expenses Policy for Councillors.

**ATTACHMENTS**

Nil.



#### **4.7 Letter from the NSW Office of Local Government Alleged pecuniary interest breaches**

---

TRIM REFERENCE: F2015/00042 - D12034111  
MANAGER: Michael Whittaker, General Manager  
AUTHOR: Brian Glendenning; General Counsel

##### **SUMMARY**

The NSW Office of Local Government has determined that no further action is warranted in respect to allegations that Cr Eaton breached the pecuniary interest provisions of the *Local Government Act 1993*.

##### **RECOMMENDATION**

- 1 That Council receive the letter from the NSW Office of Local Government ("OLG") dated 28 July 2015.**
- 2 That Council note that OLG has determined that it will take no further action in respect to allegations that Cr Eaton breached the pecuniary interest provisions of the Local Government Act 1993 ("the LG Act").**
- 3 That Council resolve, for the purposes of s. 11(3) of the LG Act, that the letter from OLG dated 28 July 2015 is to remain confidential because that letter includes personal matters concerning particular individuals other than councillors (s. 10A(2)(a) of the LG Act) and information that concerns alleged contraventions of Council's adopted Code of Conduct (s. 10A(2)(i) of the LG Act).**

##### **BACKGROUND**

An article published in the Newcastle Herald newspaper included allegations that Cr Eaton had breached the pecuniary interest provisions of the *Local Government Act 1993* at Council meetings on 28 November 2012 and 10 December 2014, which (amongst other things) dealt with the contract for the sale of land by Council to Australia Chinese Theme Park Pty Ltd.

The alleged pecuniary interest was said to have arisen as a result of shares held in Sydney Chinese Daily Pty Ltd by Cr Eaton's wife. Those allegations, and a related complaint received by Council from a member of the public, were referred to the NSW Office of Local Government ("OLG") by Council. Council has received a "private and confidential" letter from OLG dated 28 July 2015 advising Council that OLG determined that it will not take further action in respect to the allegations and provides its reasons for that determination, as well OLG's recommendation that its determination be reported at an open meeting of the Council (due to the airing of the allegations against Cr Eaton in the public domain). A copy of OLG's letter dated 28 July 2015 (redacted as directed by OLG) is a **confidential** attachment to this report. The letter from OLG should remain **confidential** as it contains personal details concerning individuals who are not councillors and also references alleged contraventions of the Code of Conduct adopted by Council.

##### **ATTACHMENTS**

- 1 OLG Letter - 28 July 2015 - Councillor Eaton - Alleged pecuniary interest breaches (redacted) (CONFIDENTIAL ATTACHMENT) D12035060**



#### **4.8 Nomination of Board Membership for CASAR**

---

TRIM REFERENCE: F2009/00481 - D12035392

MANAGER: Mike Dowling, Director

AUTHOR: Margaret Collins; Personal Assistant to Director

##### **SUMMARY**

This report seeks to gain approval from Council to nominate Mr Mike Dowling to apply for Board Membership of Community Automotive Sport and Recreation (CASAR) Park Supporters Inc.

##### **RECOMMENDATION**

*That Council nominate Mr Mike Dowling, Director Property and Economic Development to apply for membership to the Board of Community Automotive Sport and Recreation (CASAR) Park Supporters Inc.*

##### **BACKGROUND**

As a result of discussions with representatives from Community Automotive Sport and Recreation (CASAR) Park Supporters Inc., they have requested that Mr Mike Dowling, Director Property and Economic Development join their Board as a Director.

##### **THE PROPOSAL**

It is proposed that Council nominate Mr Mike Dowling, Director Property and Economic Development to represent Wyong Shire Council on the Board of Community Automotive Sport and Recreation (CASAR) Park Supporters Inc.

##### **CONSULTATION**

No public consultation is required and none has been undertaken.

##### **GOVERNANCE AND POLICY IMPLICATIONS**

There are no governance issues relating to this appointment.

**CONCLUSION**

It is recommended that Council nominate Mr Mike Dowling, Director Property and Economic Development to apply for membership to the Board of Community Automotive Sport and Recreation (CASAR) Park Supporters Inc.

**ATTACHMENTS**

Nil.

## 5.1 Road Capital Works Program

---

TRIM REFERENCE: F2011/00879 - D12015218

MANAGER: Peter Murray, 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) is 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.
- Road upgrade / renewal = 14 km                1.6 km achieved to date
- Footpath = 3.2 km                                    0 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 final report on road upgrade, renewal and reseal projects achieved in 2014/15.

A revised table for 2015/16 will be provided next month when the reseal locations are reinspected and confirmed for suitability for this proposed treatment.

## **5.1 Road Capital Works Program (contd)**

---

In July 2015 the following major achievements in the Road Capital Works program were achieved:

- Continuation of road and drainage upgrade works on Hume Boulevard Killarney Vale to resolve flooding and road pavement issues,
- Completion of the road drainage upgrade and sealing of another 1.0km section of Dicksons Rd Jilliby,
- Ongoing drainage construction works as part of the next stage of upgrade works along Goorama Avenue San Remo,
- Continuation of upgrade works along Kanangra Drive Crangan Bay, from the Pacific Highway to Summerland Road,
- Road pavement asphalt works were completed on the following roads;
  - Johnson Rd Tuggerah,
  - Buttonderry Waste Management Facility – access roads
  - Rotherham St Bateau Bay – preparations for traffic calming devices
  - Main Road Toukley – traffic calming works for Roads & Maritime Services
  - Oakland Avenue and Campbell Avenue, The Entrance – final surfacing.

### **ATTACHMENTS**

- 1 CAPEX and Resealing Programme Attachment - August 2015      D12017829

ROAD UPGRADE / RENEWAL / RESEAL PROJECTS - 2014 / 2015 FINANCIAL YEAR - FINAL REPORT															
Capital Responsibility Centre (RC) No.	(Multiple Items)	SRV Projects													
Suburb Location	Capital RC Name	Published Project Description	July-14	Aug-14	Sept-14	Oct-14	Nov-14	Dec-14	Jan-15	Feb-15	Mar-15	Apr-15	May-15	June-15	Project Status
Bateau Bay	Footpath Construction	MARLOWE ROAD Footpath Programme							■						✓
	Local Roads Rehab Works/Road Pavement Renewals	GERMAINE AVENUE. Road Pavement Renewal				■									✓
		NEPEAN STREET. Road Pavement Renewal				■									✓
		VISTA PARADE. Road Pavement Renewal			■										✓
		PAPALA AVENUE. Road Pavement Renewal				■									✓
	Reseals Local Roads-General	BURRAWONG ST : From Bateau Bay Rd to Reserve Dr						■							✓
		CURZON AVE : From Cresthaven Ave to Promenade Ave						■							✓
		CURZON AVE : From Promenade Ave to Margherita Ave						■							✓
		MARLOWE RD : From Change Of Seal to Shakespear Ave						■							✓
		MOSSMAN AVE : From Mr 336 The Entrance Rd to Valley View Rd													✗
		RICKARD ST : From Bateau Bay Rd to Change Of Width						■							✓
		RICKARD ST : From Change Of Width to Pasadena Ave						■							✓
		RICKARD ST : From Pasadena Ave to Change Of Seal						■							✓
		ROTHERHAM ST : From Sherry St to Debra Anne Dr						■							✓
		STEPHENSON RD : From Kipling Dr to Dead End						■							✓
	VALLEY VIEW RD : From Lumby Rd to Berne St													✗	
	WOODSIDE CT : From Cresthaven Ave to Dead End								■					✓	
YARUGA ST : From Hilltop St to Reserve Dr								■					✓		
Roads To Recovery Program	CRESTHAVEN AVENUE. Road Pavement Renewal (Roads to Recovery)									■				✓	
Berkeley Vale	Capital Local Roads Rehab - General/Roads Upgrade	BERKELEY ROAD. Road Upgrade	■												✓
		BLENHIEM AVENUE, BUCKINGHAM ROAD, ST JAMES AVENUE, WINDSOR STREET. Road upgrades (separate project for stormwater drainage upgrade, projects will be delivered in conjunction for efficiencies)													✗
	Footpath Construction	JUBILEE PARADE – Footpath Programme									■				✓
	Reseals Local Roads-General	TAROONA AVE : From Chetwynd Ave to Dead End						■							✓

ROAD UPGRADE / RENEWAL / RESEAL PROJECTS - 2014 / 2015 FINANCIAL YEAR - FINAL REPORT															
Capital Responsibility Centre (RC) No.	(Multiple Items)	SRV Projects	July-14	Aug-14	Sept-14	Oct-14	Nov-14	Dec-14	Jan-15	Feb-15	Mar-15	Apr-15	May-15	June-15	Project Status
Suburb Location	Capital RC Name	Published Project Description													
Blue Bay	Capital Local Roads Rehab - General/Roads Upgrade	BAY ROAD. Road upgrade (separate project for stormwater drainage upgrade, projects will be delivered in conjunction for efficiencies)													✓
	Footpath Construction	BAY ROAD. Footpath Programme													✓
Blue Haven	Reseals Local Roads General	BIRDWOOD DR : From Penguin Rd to Local Boundary No 101\103													✓
		BIRDWOOD DR : From Local Boundary No 101\103 to Penguin Rd													✓
Budgewoi	Capital Local Roads Rehab - General/Roads Upgrade	33 SUNRISE AVENUE													✗
	Reseals Local Roads General	DELIA AVE : From Lukela Ave to Ulana Ave													✓
		DELIA AVE : From Natuna Ave to Lukela Ave													✓
		DELIA AVE : From Ulana Ave to Lilo Ave													✓
		DELIA AVE : From Woolana Ave to Natuna Ave													✓
		KAILUA AVE : From Change Of Width to Diamond Head Dr													✓
		KAILUA AVE : From Diamond Head Dr (West) to Change Of Width													✓
		KAILUA AVE : From Change Of Width to Change Of Width (Left)													✓
		KAILUA AVE : From Change Of Width to Change Of Width (Right)													✓
	Shared Pathways	LAKES BEACH TO BUDGEWOI – shared Pathway Programme (renewal)													✓
Buff Point	Capital Local Roads Rehab - General/Roads Upgrade	ELOUERA AVENUE. - Road Upgrade with Stormwater drainage upgrade													✗
	Footpath Construction	NICOLI CLOSE – Footpath Programme													✓
	Reseals Local Roads General	MOOLA RD : From Bruce Rd to Matumba Rd													✓
		MOOLA RD : From Buff Point Ave to Dead End													✓
		MOOLA RD : From Matumba Rd to Buff Point Ave												✓	

ROAD UPGRADE / RENEWAL / RESEAL PROJECTS - 2014 / 2015 FINANCIAL YEAR - FINAL REPORT															
Capital Responsibility Centre (RC) No.	(Multiple Items)	SRV Projects	July-14	Aug-14	Sept-14	Oct-14	Nov-14	Dec-14	Jan-15	Feb-15	Mar-15	Apr-15	May-15	June-15	Project Status
Suburb Location	Capital RC Name	Published Project Description													
Charmhaven	Capital Local Roads Rehab - General/Roads Upgrade	PANORAMA AVENUE/HOBSON AVENUE. Road Upgrade													✓
	Footpath Construction	MOALA PARADE. Footpath Programme													✓
		UNA AVENUE TO PACIFIC HWY. Footpath Programme													✓
	Local Roads Rehab Works/Road Pavement Renewals	LOWANA AVENUE. Road Pavement Renewal													✗
	Reseals Local Roads General	RESTLEA AVE : From Alan Ave to Panorama Pde WYREEMA AVE : From Sh 10 Pacific Hwy to Panorama Ave													✓ ✓
Chittaway Bay	Reseals Local Roads General	SOVEREIGN CR : From James Watt Dr to Sophia Jane St THOMAS WALKER DR : From Kinsey Cr to Platypus Rd THOMAS WALKER DR : From Lakedge Ave to Kinsey Cr SOVEREIGN CR : From Sovereign to Dead End													✓ ✓ ✓ ✗
	Local Roads Rehab Works/Road Pavement Renewals	GEOFFREY ROAD. Road Pavement Renewal													✓
	Reseals Local Roads General	GEOFFREY RD : From Change Of Seal to Change Of Seal GEOFFREY RD : From Ansell Cl to Local Boundary 98/100 GEOFFREY RD : From Change Of Seal to Local Boundary 79/81 GEOFFREY RD : From Local Boundary 116/118 to Change Of Seal GEOFFREY RD : From Local Boundary 117/119 to Ansell Cl													✓ ✓ ✓ ✓ ✓
		GEOFFREY RD : From Local Boundary 79/81 to Local Boundary 117/119 GEOFFREY RD : From Local Boundary 98/100 to Local Boundary 116/118													✓ ✓

ROAD UPGRADE / RENEWAL / RESEAL PROJECTS - 2014 / 2015 FINANCIAL YEAR - FINAL REPORT															
Capital Responsibility Centre (RC) No.	(Multiple Items)	SRV Projects	July-14	Aug-14	Sept-14	Oct-14	Nov-14	Dec-14	Jan-15	Feb-15	Mar-15	Apr-15	May-15	June-15	Project Status
Dooralong	Roads Rehab Minor Rolling Works	YAMBO ROAD. Road upgrade (seal)													✓
		PHIL TUNKS LANE. Road upgrade (seal)													✓
Doyalson	Roads Rehab Minor Rolling Works	WYEE ROAD. Road upgrade (seal)													✓
Durren Durren	Roads Rehab Minor Rolling Works	DICKSONS ROAD. Road upgrade (seal)													✓
		SMITHS ROAD @ DURREN DURREN ROAD. Road upgrade (seal)													✗
Fountaindale	Reseals Local Roads General	HEATHCLIFF CL : From Manns Rd to Dead End													✓
		JENNY LNE : From Change Of Seal to Dead End													✓
		OLD CHITTAWAY RD : From Enterprise Dr to Station St East													✓
		OLD CHITTAWAY RD : From Power Pole Bv329 to Enterprise Dr													✓
		OLD CHITTAWAY RD : From Station St East to Power Pole Bv329													✓
		OLD CHITTAWAY (LANE)RD : From Old Chittaway Rd to Dead End													✓
		VALERIE CL : From Heathcliff to Dead End												✓	
Glenning Valley	Reseals Local Roads General	BOWER BIRD CL : From Glenning Rd to Dead End													✓
		CORONA LNE : From Berkeley Rd to Power Pole Bv1489													✓
		CORONA LNE : From Change Of Seal to Dead End													✓
		CORONA LNE : From Power Pole Bv1489 to Change Of Seal													✓
		ROXBURGH CL : From Rutherford Dr to Dead End													✓
				RUTHERFORD DR : From Corona Ln to Dead End											



ROAD UPGRADE / RENEWAL / RESEAL PROJECTS - 2014 / 2015 FINANCIAL YEAR - FINAL REPORT															
Capital Responsibility Centre (RC) No.	(Multiple Items)	SRV Projects	July-14	Aug-14	Sept-14	Oct-14	Nov-14	Dec-14	Jan-15	Feb-15	Mar-15	Apr-15	May-15	June-15	Project Status
Suburb Location	Capital RC Name	Published Project Description													
Gorokan	Capital Local Roads Rehab - General/Roads Upgrade	GASCOIGNE AVENUE. Road upgrade (separate project for stormwater drainage upgrade, projects will be delivered in conjunction for efficiencies)													✗
	Footpath Construction	ROBSON AVENUE - Footpath Programme								■					✓
		GILBERT AVENUE. Footpath Programme					■								✓
		SUNCREST AVENUE. Footpath Programme								■					✓
	Reseals Local Roads General	BRENNON RD : From Change Of Seal to Power Pole T0681								■					✓
		BRENNON RD : From Power Pole T0681 to Leichhardt Rd								■					✓
		ESSEX ST : From Change Of Width to Middlesex St								■					✓
		ESSEX ST : From Cornwall Ave to Change Of Width								■					✓
		GRANDVIEW PDE : From Mr 509 Wallarah Rd to Ruby St								■					✓
		GRANDVIEW PDE : From Ruby St to Glendale St								■					✓
		MARY ST : From Western End to Lakeview St								■					✓
	MAXWELL AVE : From Clucas Ave to Ocean View St									■				✓	
	SPRING VALLEY AVE : From Dudley St to Malvina Pde									■				✓	
Gwandalan	Capital Local Roads Rehab - General/Roads Upgrade	QUINALUP STREET (IMGA STREET). Road upgrade (separate project for stormwater drainage upgrade, projects will be delivered in conjunction for efficiencies)							■						✓
	Reseals Local Roads General	COLLENDINA RD : From Aldinga Rd to Pinaroo Rd								■					✓
		NOAMUNGA CR : From Koo Wong Rd to Orana Rd								■					✓
		NOAMUNGA CR : From Murraba Pde to Dead End								■					✓
		NOAMUNGA CR : From Orana Rd to Murraba Pde								■					✓
	YILLEEN ST : From Parraweena Rd to Dulkara Rd								■					✓	
Halekulani	Reseals Local Roads General	LILLO AVE : From Woolana Ave to Sunrise Ave								■					✓
Jilliby	Reseals Local Roads General	HUE HUE RD : From Bushells Ridge Rd to Woods Rd										■			✓
		HUE HUE RD : From Culvert to Bushells Ridge Rd										■			✓
		HUE HUE RD : From Kiar Ridge Rd to Culvert										■			✓

ROAD UPGRADE / RENEWAL / RESEAL PROJECTS - 2014 / 2015 FINANCIAL YEAR - FINAL REPORT															
Capital Responsibility Centre (RC) No.	(Multiple Items)	SRV Projects	July-14	Aug-14	Sept-14	Oct-14	Nov-14	Dec-14	Jan-15	Feb-15	Mar-15	Apr-15	May-15	June-15	Project Status
Suburb Location	Capital RC Name	Published Project Description													
Kangy Angy	Reseals Local Roads General	OLD MAITLAND (NORTH)RD : From End Of Gravel to Cobbs Rd													✓
		OLD PACIFIC HWY: Carpark													✓
Kanwal	Reseals Local Roads General	PEARCE RD : From Craigie Ave to Hopetown Rd													✓
		PEARCE RD : From Hopetown Rd to Wahroonga Rd													✓
		ROLFE AVE : From Craigie Ave to Stephen St													✓
Killarney Vale	Capital Local Roads Rehab - General/Roads Upgrade	HUME BOULEVARD. Road Upgrade													✗
	Local Roads Rehab Works/Road Pavement Renewals	ARMSTRONG AVENUE. Road Pavement Renewal													✗
		CORNISH AVENUE. Road Pavement Renewal													✗
		GEORGE HELY CRESCENT. Road Pavement Renewal													✗
		HINEMOA AVENUE . Road Pavement Renewal													✓
	Reseals Local Roads General	TURANA AVE : From Yimbala St (Southern Entry) to Yimbala St													
WARRATTA RD : From Cornish Ave to Power Pole Bv2766															✓
WARRATTA RD : From Power Pole Bv2766 to Adelaide St															✓
Kingfisher Shores	Reseals Local Roads General	KAROOOLA AVE : From Tall Timbers Rd to Lakeshore Ave												✓	
Lake Haven	Footpath Construction	METRO CINEMAS – Footpath Programme													✓
	Local Roads Rehab Works/Road Pavement Renewals	GOOBARABAH AVENUE. Road Pavement Renewal													✓
Lake Munmorah	Footpath Construction	ANITA AVENUE. Footpath Programme													✗
	Shared Pathways	PACIFIC HIGHWAY - Shared Pathway (New Construction)													✗

ROAD UPGRADE / RENEWAL / RESEAL PROJECTS - 2014 / 2015 FINANCIAL YEAR - FINAL REPORT															
Capital Responsibility Centre (RC) No.	(Multiple Items)	SRV Projects	July-14	Aug-14	Sept-14	Oct-14	Nov-14	Dec-14	Jan-15	Feb-15	Mar-15	Apr-15	May-15	June-15	Project Status
Suburb Location	Capital RC Name	Published Project Description													
Lemon Tree	Roads Rehab Minor Rolling Works	DOORALONG ROAD. Road upgrade (gravel)													✓
Long Jetty	Local Roads Rehab Works/Road Pavement Renewals	TUGGERAH PARADE. Road Pavement Renewal													✓
	Reseals Local Roads General	ALFRED ST : From Nirvana St to Dead End													✓
		ALFRED ST : From Watkins St to Nirvana St													✓
		BONNIEVIEW ST : From Bellevue St to Grandview St													✓
		BONNIEVIEW ST : From Lindsay St to Lord St													✓
		BONNIEVIEW ST : From Lord St to Bellevue St													✓
		BONNIEVIEW ST : From Mayfair St to Lindsay St													✓
		BONNIEVIEW ST : From Western End to Mayfair St													✓
		CAPTAIN COOK CR : From Bonnieview St to Endeavour Dr													✓
		ELOORA RD : From Toowoan Bay Rd to Anzac Rd													✗
		ELOORA RD : From Anzac Rd to Boomerang St													✗
		MINTO AVE : From Mr 336 The Entrance Rd to Tuggerah Pde													✓
		REDMYRE ST : From Shelly Beach Rd													✓
			SHELLY BEACH RD : From Local Boundary 60 to Local Boundary 65												
		SHELLY BEACH RD : From Local Boundary 65 to Golf Club Entry													✓
		WATKINS ST : From Toowoan Bay Rd to Local Boundary No 18 - 20													✓
Magenta	Shared Pathways	MAGENTA – shared pathway construction (subject to external matching funding being secured)													✗
Manning park	Reseals Local Roads General	GYMEA CR : From Barclay Ave to Barclay Ave													✓
		GYMEA CR : From Vales Rd to Barclay Ave													✓

ROAD UPGRADE / RENEWAL / RESEAL PROJECTS - 2014 / 2015 FINANCIAL YEAR - FINAL REPORT																
Capital Responsibility Centre (RC) No.	(Multiple Items)	SRV Projects														Project Status
Suburb Location	Capital RC Name	Published Project Description	July-14	Aug-14	Sept-14	Oct-14	Nov-14	Dec-14	Jan-15	Feb-15	Mar-15	Apr-15	May-15	June-15	Project Status	
Mardi	Reseals Local Roads General	COBBS RD : From Mr 335 Wyong Rd to Dead End													✓	
		COLLIES LNE : From Bridge Abutment to Power Pole WY3080													✓	
		COLLIES LNE : From Power Pole Wy3080 to Dead End													✓	
		LAMONTCL : From Mardi to Dead End													✓	
		COLLIES LNE : From Old Maitland Rd to Bridge Abutment													✓	
Norah Head	Local Roads Rehab Works/Road Pavement Renewals	DENISON STREET. Road Pavement Renewal													✓	
Noraville	Local Roads Rehab Works/Road Pavement Renewals	HAMMOND ROAD. Road Pavement Renewal													✓	
	Reseals Local Roads General	PANDORA PDE : From Mr 509 Main Rd to Change Of Width														✓
PANDORA PDE : From Change Of Width to Birriga st															✓	
Ourimbah	Footpath Construction	COACHWOOD DRIVE. Footpath Programme													✓	
	Reseals Local Roads General	OURIMBAH CREEK RD : From Driveway 604 to Driveway 668														✓
		OURIMBAH CREEK RD : From Driveway 668 to Power Pole Ou715														✓
		RESERVOIR RD : From Change Of Width to Dead End														✓
		RESERVOIR RD : From Glen Rd to Change Of Width														✓
		TURPENTINE RD : From Enterprise Dr to Ourimbah Rd														✓
Roads Rehab Minor Rolling Works	OLD FOOTES ROAD. Road upgrade (seal)													✓		
Ravensdale	Reseals Local Roads General	RAVENSDALE RD : From Power Pole 11101 to End Of Seal													✓	
		RAVENSDALE RD : From Power Pole Ka190 to Power Pole 11101														✓

ROAD UPGRADE / RENEWAL / RESEAL PROJECTS - 2014 / 2015 FINANCIAL YEAR - FINAL REPORT																
Capital Responsibility Centre (RC) No.	(Multiple Items)	SRV Projects	July-14	Aug-14	Sept-14	Oct-14	Nov-14	Dec-14	Jan-15	Feb-15	Mar-15	Apr-15	May-15	June-15	Project Status	
Suburb Location	Capital RC Name	Published Project Description														
San Remo	Capital Local Roads Rehab - General/Roads Upgrade	GOORAMA AVENUE. Road upgrade (separate project for stormwater drainage upgrade, projects will be delivered in conjunction for efficiencies)													✗	
	Reseals Local Roads General	CLARIDGE CR : From Dead End (South) to Dead End														✓
		LIAMENA AVE : From Iluka Ave to Richardson Rd														✓
		LIAMENA AVE : From Kallaroo Rd to Iluka Ave														✓
		LIAMENA AVE : From Richardson Rd to Highview St														✓
		RICHARDSON RD : From Eyre Cr to Wills Rd														✓
		RICHARDSON RD : From Goorama Ave to Eyre Cr														✓
ALPINE AVE : From Wills Rd to Claridge Cr														✓		
Shelly Beach	Reseals Local Roads General	BELLEVUE ST : From Bonnieview St to Liddell St													✓	
		BELLEVUE ST : From Liddell St to Swadling St													✓	
		BELLEVUE ST : From Shelly Beach Rd to Bonnieview St													✓	
Shire Wide	Footpath Construction	FOOTPATH renewal Programme													✗	
	Shared Pathways	SHARED PATHWAY PROGRAMME – new construction dependent on grant funding													✗	
Summerland Point	Footpath Construction	CAMS BOULEVARD. (Nth). Footpath Programme													✓	
Tacoma	Footpath Construction	BRAITHWAITE /HILLCREST. Footpath programme													✓	
	Local Roads Rehab Works/Road Pavement Renewals	JENSEN ROAD. Road Pavement Renewal													✓	
Tacoma South	Reseals Local Roads General	KINGSLAND CL : From South Tacoma Rd to Dead End													✓	
		RAYMOND ST : From South Tacoma Rd to Dead End													✓	

ROAD UPGRADE / RENEWAL / RESEAL PROJECTS - 2014 / 2015 FINANCIAL YEAR - FINAL REPORT																
Capital Responsibility Centre (RC) No.	(Multiple Items)	SRV Projects														Project Status
Suburb Location	Capital RC Name	Published Project Description	July-14	Aug-14	Sept-14	Oct-14	Nov-14	Dec-14	Jan-15	Feb-15	Mar-15	Apr-15	May-15	June-15	Project Status	
The Entrance	Capital Local Roads Rehab - General/Roads Upgrade	ASHTON AVENUE. Road upgrade (separate project for stormwater drainage upgrade, projects will be delivered in conjunction for efficiencies)													✓	
		LAKESIDE PARADE. Road Upgrade													✗	
	Footpath Construction	CORAL STREET - Footpath Renewal													✓	
	Local Roads Rehab Works/Road Pavement Renewals	VICTORIA STREET. Road Pavement Renewal													✓	
	Roads To Recovery Program	GOSFORD AVENUE. Road Pavement Renewal (Roads to Recovery)													✓	
	Shared Pathways	PICNIC POINT - shared Pathway Programme (new)													✓	
The Entrance North	Reseals Local Roads General	SIMPSON ST : From Hutton Rd to Dead End													✓	
Toowoomb Bay	Footpath Construction	TOOWOON BAY – Car park access road. Footpath Programme													✓	
		TOOWOON BAY BOARDWALK													✓	
Toukley	Footpath Construction	HOLMES AVENUE. Footpath Programme – renewal													✗	
		VICTORIA AVENUE. Footpath Programme – renewal													✗	
	Local Roads Rehab Works/Road Pavement Renewals	FRAVENT STREET. Road Pavement Renewal													✓	
	Reseals Local Roads General	CROSS ST : From Main Rd to Dead End													✓	
		CROSS ST : From Southern End to Main Rd													✓	
		EVANS RD : From Oleander St to Belbowrie St													✓	
		ROWLAND TCE : From Peel St to Dead End													✓	
		SEVENTH AVE : From Fravent St to Change Of Seal													✓	
		SEVENTH AVE : From Leonard Ave to Fravent St													✓	
	SEVENTH AVE : From Western End to Leonard Ave													✓		
	TAMAR AVE : From Mr 509 Main Rd to Dunleigh St													✓		

ROAD UPGRADE / RENEWAL / RESEAL PROJECTS - 2014 / 2015 FINANCIAL YEAR - FINAL REPORT															
Capital Responsibility Centre (RC) No.	(Multiple Items)	SRV Projects													Project Status
Suburb Location	Capital RC Name	Published Project Description	July-14	Aug-14	Sept-14	Oct-14	Nov-14	Dec-14	Jan-15	Feb-15	Mar-15	Apr-15	May-15	June-15	Project Status
Tuggerah	Reseals Local Roads General	FOWLER RD : From Change Of Seal to Bridge Abutment													✓
	Roads To Recovery Program	JOHNSON ROAD. Road Pavement Renewal (Roads to Recovery)													✗
Tuggerawong	Reseals Local Roads General	THURSDAY ST : From Cadonia Rd to Tuggerawong Rd													✓
		THURSDAY ST : From Tuggerawong Rd to Dead End													✓
Tumbi Umbi	Capital Local Roads Rehab - General/Roads Upgrade	THE RIDGEWAY. Road Upgrade													✓
	Local Roads Rehab Works/Road Pavement Renewals	FLORENCE AVENUE. Road Pavement Renewal													✓
	Reseals Local Roads General	BERTRAM RD : From Eastern Rd to Northumbland St													✓
		CAROL ANNE CL : From Bertram Rd to Dead End													✓
		KARENA ST : From The Avenue to Highview St												✓	
Warnervale	Capital Local Roads Rehab - General/Roads Upgrade	FEDERATION WAY - Rehab/upgrade - emergency works													✓
Watanobbi	Reseals Local Roads General	CASEY DR : From Hasluck Dr to Somers Dr													✓
		COWAN ST : From De L'Isle Dr to Stonehaven Ave													✓
Woongarah	Local Roads Rehab Works/Road Pavement Renewals	HIAWATHA ROAD. Road Pavement Renewal													✓

ROAD UPGRADE / RENEWAL / RESEAL PROJECTS - 2014 / 2015 FINANCIAL YEAR - FINAL REPORT																
Capital Responsibility Centre (RC) No.	(Multiple Items)	SRV Projects	July-14	Aug-14	Sept-14	Oct-14	Nov-14	Dec-14	Jan-15	Feb-15	Mar-15	Apr-15	May-15	June-15	Project Status	
Wyong	Local Roads Rehab Works/Road Pavement Renewals	PETERS LANE. Road Pavement Renewal													✓	
		POLLOCK AVENUE. Road Pavement Renewal													✓	
	Reseals Local Roads General	BOYCE AVE : From Mcdonagh Rd to Riverview Dr														✓
		BOYCE AVE : From Panonia Rd to Mcdonagh Rd														✓
		BOYCE AVE : From Riverview Dr to Dead End														✓
		NORTHCOTT AVE : From Cutler Dr to Partridge Ave														✓
		NORTHCOTT AVE : From Partridge Ave to Casey Dr														✓
		RIVERVIEW DR : From Boyce Ave to Change Of Width														✓
		RIVERVIEW DR : From Change Of Width to Boyce Ave														✓
		Shared Pathways	RIVER RD - shared Pathway Programme (new)													
Wyong Creek	Roads Rehab Minor Rolling Works	LAUFFS LANE. Road upgrade (seal)													✓	



## **5.2 Outstanding Questions on Notice and Notices of Motion**

---

TRIM REFERENCE: F2015/00040 - D12017269

MANAGER: Lesley Crawley, Manager Corporate Governance

AUTHOR: Jade Maskiewicz; Councillor Services Officer

### **SUMMARY**

Report on Outstanding Questions on Notice and Notices of Motion.

### **RECOMMENDATION**

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

### **ATTACHMENTS**

- 1 Table of Outstanding Questions and Notice of Motions - 12 August 2015 D12017282

No	Department	Responsible Officer	Question Asked / Resolution	Meeting Asked/ Councillor	Status
115	General Manager'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 August 2015.
128	Infrastructure and Operations	Peter Murray	<p>5.2 Notice of Motion - Wyong Road Landscaping Shambles</p> <p>167/15 That Council <u>note</u> with great concern the current, extremely poor condition of the landscaping of the median and roundabouts along the Shire's premier road corridor, Wyong Road.</p> <p>168/15 That Council <u>note</u> that Wyong Road is a State Road for which the NSW Roads and Maritime Service (RMS) has full management and financial responsibility under the Roads Act 1993.</p> <p>169/15 That Council <u>call</u> on the RMS to consider the safety, value and impact on the community of not providing for sufficient vegetation maintenance, and to provide adequate funding to maintain the landscaping for the full length of the Wyong Road corridor in keeping with community expectations.</p> <p>170/15 That Council <u>request</u> the General Manager to report on initiatives that it may consider with this road issue and indeed all roads under the Road Management Council Contracts</p>	<p>25 February 2015</p> <p>Cr Best</p>	<p>167/15 – Noted</p> <p>168/15 – Noted</p> <p>169/15 – Councillor Business Update distributed 26 March 2015.</p> <p>170/15 – Response to be provided at a future meeting.</p>

No	Department	Responsible Officer	Question Asked / Resolution	Meeting Asked/ Councillor	Status
133	Property and Economic Development	John Willey	7.2 - Notice of Motion - Tuggerah Station Parking and Safety Shambles  236/15 <i>That Council <u>reiterate</u> the total inadequacy of parking at and around the Tuggerah Rail Station, and that the provision of such parking is the sole responsibility of Transport NSW and State Government.</i> 237/15 <i>That Council <u>explore</u> all land options in the Tuggerah Rail Station precinct, in partnership with Transport NSW and State Government, to address this issue.</i> 238/15 <i>That Council <u>note</u> the urgent need to immediately deal with this matter and therefore the prospect of interim/temporary parking should also be considered.</i>	11 March 2015 Cr Best Cr Matthews	A Councillor Update has been prepared and awaiting endorsement.
144	Property and Economic Development	Darryl Rayner	2.1 Mayoral Minute - 2015 Garage Sale Trail  367/15 <i>That Council <u>participate</u> in the 2015 Garage Sale Trail program at a cost of \$6,250.</i> 368/15 <i>That Council <u>note</u> the cost will be funded by existing funds allocated to its Waste Unit.</i>	Cr Eaton 22 April 2015	Staff are in the process of submitting the application to participate in this program as well as applying for grant funding.
148	Community and Recreation Services	Maxine Kenyon	7.1 Notice of Motion - Regional Rollout of Council's Skate Park Facilities  493/15 <i>That Council <u>note</u> the recent welcomed response to Council's announcement to significantly expand its regional skate park facilities rollout.</i> 494/15 <i>That Council <u>recognise</u> the need to balance the rollout of such facilities as equitably as possible across the shire.</i> 495/15 <i>That Council <u>note</u> that the asset life of the current Lake Munmorah skate facility has now reached its end and that this location is no longer Council's preferred option.</i> 496/15 <i>That Council <u>request</u> the General Manager to investigate and consult with the local community and key stakeholders to identify the most suitable location for this facility.</i> 497/15 <i>That arising from the Council's recent adoption of the skate strategy 2014, Council further <u>request</u> the General Manager to report on proposals and options that will provide improved resource equity to the shire's northern skate facilities. The report should also address the possibility of installing CCTV</i>	Cr Best 13 May 2015	Response to be provided September 2015.

No	Department	Responsible Officer	Question Asked / Resolution	Meeting Asked/ Councillor	Status
			<i>cameras to provide improved safety to users and reduce the incidents of antisocial behaviour in and around such facilities.</i>		
150	Development and Building	Jamie Loader	<p>6.1 Notice of Motion - Council's Animal Care Facility</p> <p>539/15 <i>That Council recognise the outstanding work over the past few years by staff and more recently by the current animal care contractor and that this management team has delivered an outcome of near zero euthanising of stray and abandoned pets.</i></p> <p>540/15 <i>That Council recognise that the current Charmhaven Animal Care Facility is approaching end of its asset life.</i></p> <p>541/15 <i>That Council take a more strategic and regional approach through opening dialogue with Gosford City Council and the current animal care contractors both at Charmhaven and Erina, with the view to establishing a regional, Central Coast animal care facility that will service the future needs of the Coast as a whole.</i></p> <p>542/15 <i>That Council consider any such centrally located regional facility in tandem with innovative satellite offices in the region's north and far south to assist residents in outer areas to access these important services.</i></p> <p>543/15 <i>That Council request the General Manager to provide a report back to Council.</i></p>	Cr Best 27 May 2015	Investigations are underway, with a response to be provided September 2015.
152	Infrastructure and Operations	Peter Murray	<p>6.1 Notice of Motion – End Gridlock Pacific Highway, Wyong</p> <p>627/15 <i>That Council <u>recognises</u> the urgent need to work with the RMS to deliver the Wyong Town leg of the Pacific Hwy, an economically vital transport corridor, relied upon by thousands of local residents as they daily commute.</i></p> <p>628/15 <i>That further Council <u>recognises</u>, the inordinate delays plaguing this multimillion dollar Highway project as it seeks to accommodate the demand of a small number of property owners must now end.</i></p> <p>629/15 <i>That Council <u>applauds</u> the timely turnaround of the RMS's final and progressive draft plans currently on exhibition.</i></p> <p>630/15 <i>That Council <u>encourages</u> all interested parties to</i></p>	Cr Best & Troy 10 June 2015	<p>Resolutions were presented to the Regional Manager of Roads and Maritime Services (RMS) at Council/RMS meeting held 22 July 2015. The Regional Manager advised that \$3M has been allocated in 2015/16 to continue with the preconstruction activities, including environmental approval for this important project.</p> <p>The heavily revised concept appears to have addressed concerns regarding disability access with direct access the station from Wyong CBD via a level</p>

No	Department	Responsible Officer	Question Asked / Resolution	Meeting Asked/ Councillor	Status
			<p><i>make responsible submissions and Council recognises through community representations and submissions there may very well be some adjustments and amendments to the draft plan.</i></p> <p>631/15 <i>That Council again <u>reiterates</u> that irrespective of any further representation to call for this highway project to bypass through residential back streets will not be entertained by Council.</i></p> <p>632/15 <i>That, due to the urgent need to construct this important transport corridor, Council, on behalf of our local residents, <u>make funding representations</u> to the State Government seeking to tap into the 6 billion dollar state government regional funding pool.</i></p> <p>633/15 <i>That the General Manager <u>liaise</u> with the Minister for Roads and RMS in regards to designing a more direct and easier disabled access to Wyong Railway Station, other than that proposed off Howarth Street.</i></p>		<p>overhead walkway and lifts.</p> <p>The environmental approval process requires further community consultation with stakeholders afforded a further opportunity to comment later in 2015.</p> <p>Once the environmental approval process is completed, the detailed design and further land acquisition still needs to be completed prior to construction being able to commence.</p>
153	Infrastructure and Operations	Peter Murray	<p>Q22/15 Link Road Intersection at Blue Haven</p> <p><i>“Mr Mayor,</i></p> <p><i>As the local Councillor for the Blue Haven area it has been drawn to my attention by many residents of Blue Haven that the intersection of Blue Haven Way and the Motorway link is a high risk intersection.</i></p> <p><i>I appreciate the Motor Way Link is not a Council road, however can you appeal to advocate on behalf of our local Community to the RMS, to provide an improved intersection works on this arterial road with a closing speed at the intersection of some 200km/hr, of particular concern is the almost non-existent acceleration lane heading to the M1. With the huge residential influx in the area this issue can no longer be ignored any response to our representation from the RMS would be appreciated in your reply to this question and indeed the good folk of Blue Haven?”</i></p>	Cr Best	<p>These concerns regarding the Link Road and the Blue Haven Way intersection were raised with the Regional Manager of Roads and Maritime Services (RMS) at Council/RMS meeting held 22 July 2015. The Regional Manager advised that the RMS Road Safety section will investigate the incident history, sight distances and other geometrical related aspects of the intersection and will advise the outcome when the investigation is completed.</p>
154	Property and Economic Development	Peter Stokes	<p>6.1 Notice of Motion – Wyong Grove Public School “The Grove” Continued Community Use</p> <p>683/15 <i>That Council <u>request</u> the General Manager to write and make representation to the Minister for Education, Adrian Piccoli MP to:</i></p>	Cr Greenwald 24 June 2015	<p>Investigation regarding historical context is almost complete and a letter will be drafted by 15 August 2015 for Directors approval.</p>

No	Department	Responsible Officer	Question Asked / Resolution	Meeting Asked/ Councillor	Status
			<ul style="list-style-type: none"> <li>Acknowledge the current lease arrangement with the State Government at the closed Wyong Grove Public School which is allowing an integrated community campus to flourish, being used for community and arts programs.</li> <li>Request the Minister to ensure the continuity of this very important community campus.</li> <li>Request the Minister, as Wyong Grove Public School has been declared surplus, to vest the site by gift or community trust in the care of the Wyong Shire Council for continued community use, programs and community partnerships.</li> </ul>		
155	General Manager's Unit	Craig Shiel	<p>6.2 Notice of Motion – Wyong Gosford Super Council</p> <p>684/15 That Council note the findings of the recently required 'Fit For The Future' (FFTF) Shire Wide Survey that revealed a clear majority of residents, businesses and Council Staff, do not support the State Government's proposed push to amalgamate Wyong and Gosford Councils into a Super Council.</p> <p>685/15 That Council note that:</p> <p>(a) the survey indicates that the majority of residents and rate payers do not support the merger; and</p> <p>(b) further the FFTF reveals a large number of significant structural and hidden costs associated with any such Super Council amalgamation; and</p> <p>(c) it is important to develop a clear and cogent case 'for and against' this proposition.</p> <p>(d) the importance of listening to and considering the democratic voice of our local community, as this decision will unquestionably have far reaching and intergenerational impacts across the Wyong and Gosford local government areas.</p> <p>686/15 That Council request the Minister for Local Government refer the question of whether Wyong and Gosford Councils are to merge to a referendum in the Wyong and Gosford local government areas prior to the Minister deciding whether the two councils are to be amalgamated.</p> <p>687/15 That Council request the referendum be conducted by</p>	Cr Best 24 June 2015	Request for a referendum was included in a letter to the Minister for the FFTF submission.

No	Department	Responsible Officer	Question Asked / Resolution	Meeting Asked/ Councillor	Status
			<i>the NSW Electoral Commission to ensure transparency and integrity in the process.</i> 688/15 <i>That Council request the NSW Government provide the funding for the referendum.</i>		
160	Infrastructure and Operations	Greg McDonald	Q26/15 Heritage Lighting Wyong <i>"Can the General Manager please advise why the heritage lighting throughout Wyong Town Centre has been removed/ demolished?"</i>	Cr Matthews 8 July 2015	Response to be provided at a future meeting.
161	Community and Recreations Services	Brett Sherar	7.1 Notice of Motion - Establishment of New Extreme Bike and Skate Facility in our Shire's North  753/15 That Council welcome the community's recent drive to establish a steering committee to activate a Northern area competition BMX Track based at San Remo. 754/15 That Council request the General Manager to provide a report on the Committee's initiative to activate a new competition standard version of the Extreme Bike and Skate Facility at San Remo and that committee representatives be invited to brief Council on their vision. 755/15 That further to Council's recent announcement to construct a major regional Skate Facility in the Shires South, Council recognise the need to equitably distribute resources across the Shire, to this end Council welcomes this community driven initiative.	Cr Best 22 July 2015	Initial meetings with the community have been held. A report will be provided to the Ordinary Meeting of Council in October 2015.
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	Cr Taylor 22 July 2015	Response to be provided at a future meeting.

No	Department	Responsible Officer	Question Asked / Resolution	Meeting Asked/ Councillor	Status
			<p>c) Central Coast Tourism</p> <p>d) Wyong Regional Chamber of Commerce</p> <p>760/15 That Council request the General Manager to provide a report back to Council.</p>		
163	Infrastructure and Operations	Peter Murray	<p>Q27/15 Toukley By Pass Shambles</p> <p><i>“Mr Mayor, Further to the RMS’s outrageous decision to force speedbumps into Main Rd Toukley, this unsurprisingly has forced motorists on to the back streets of Toukley. My question is on the behalf of the good people of Moss Avenue, Crossingham Street, Evans Road and Oleander Street that now have become a back road raceway in residential streets. These roads, in my view, are under prepared for such a significant increase of traffic and the safety issues that arise from the RMS’s decision. Also these back streets, now main roads, require maintenance and repairs by the rate payers, not the RMS. What plans are in place to assist the residents in these affected back streets to manage, improve safety and slow traffic?”</i></p>	Cr Best 22 July 2015	Response to be provided at a future meeting.
164	Development and Building	Jamie Loader	<p>Q28/15 Gateway To Toukley</p> <p><i>“Mr Mayor, On numerous occasions I have raised, on behalf of the residents of Toukley, the issue of the disgraceful, uncompleted building at the Toukley bridge, locally known as the “Taj Mahal”. I understand through my representations, this site has been the focus of legal action by Council, however, the site still, in my view, is a total disgrace. Could you please update the Council on any progress to date. Also Mr Mayor, the highly controversial site of the old Toukley caravan park is simply another shambles in this gateway. What options has Council to force the owners to be more respectful of the image and street scape Toukley seeks to project?”</i></p>	Cr Best 22 July 2015	Response to be provided at a future meeting.



**QUESTIONS ON NOTICE AND NOTICES OF MOTION REMOVED SINCE  
22 JULY 2015**

<b>No#</b>	<b>Department</b>	<b>Question on Notice / Notice of Motion</b>	<b>Date Asked/ Councillor</b>	<b>Status</b>
156	Community and Recreation Services	Q23/15 Shared Pathway	Cr Best 24 June 2015	Report included on agenda for Ordinary Meeting 12 August 2015.

## **6.1 Answers to Question on Notice**

---

TRIM REFERENCE: F2008/02128 - D12007325 AUTHOR: BS

### **Q23/15 Shared Pathway**

The following question was asked by Councillor Greg Best at the Ordinary Meeting on 24 June 2015:

*"I make representation on behalf of the local community of Lake Munmorah and their Precinct Committee around the progress of delivering the Mannering Park Shared Pathway Project. This initiative has been in discussion for many years now and I seek staffs advice as to the current status and how we can assist in progressing this initiative. I understand through the Precinct Committee they indicate that 'Council's simple recognition of their route in the shared pathway would alleviate a major stumbling block.' Could this aspect please be addressed in the staff reply?"*

### **BACKGROUND AND CURRENT STATUS**

The proposal for a shared path along the foreshore from the existing Mannering Park shared path to Tall Timbers Road and Lloyd Avenue has received in principle support from staff on a number of occasions. Staff have provided a letter of recognition on the value of this link each time a request has been brought to the attention of staff by The Mannering Park Precinct Committee stating that it will be considered in the future Shared Pathway Strategy review to be undertaken in 2015/16.

The current adopted Shared Pathway Strategy did not include longer links in the Action Plan other than Magenta Shared Pathway due to the forecast of available funding for works, limiting the rolling works program to shorter gaps with Magenta as the key program.

Authorisation has being sought from Delta Electricity as the lake shore route includes a bridge across the power station water inlet and Delta's response to this matter will be crucial to approvals and construction, they stated they would consider approval once a DA has been submitted but were not opposed.

There is currently no investigation work or design available to provide a robust estimate of cost, however the route is conservatively estimated to cost \$7M, with an estimate of \$4M for the two bridges and \$3M for the at grade and elevated shared pathways.

With the key objectives of the current Shared Pathway Strategy nearing completion, a revision of the Strategy will be undertaken within the next 12 months and this project has been listed as a potential route for investigation, along with others identified by staff and the community.

### **ATTACHMENTS**

Nil.

12 August 2015

To the Ordinary Council Meeting

Councillor

## **7.1 Notice of Motion - Support for Marriage Equality**

---

TRIM REFERENCE: F2004/06898 - D12017291

AUTHORS: Bob Graham; Councillor

Lisa Matthews; Councillor

*Councillors R L Graham and L A Matthews* have given notice that at the Ordinary Council Meeting to be held on 12 August 2015 they will move the following Motion:

- "1 That Council publicly announce its support for Marriage Equality in Australia.*
- 2 That Council write to Federal MP's that represent the Central Coast, encouraging them to bring forward debate in Federal Parliament about the Marriage Amendment (Marriage Equality) Bill 2015.*
- 3 That Council write to the Prime Minister of Australia Tony Abbott, Leader of the opposition Bill Shorten, Leader of the Australian Greens Richard Di Natalie and leaders of other minor parties in Federal Parliament to advise them of Wyong Shire Council's decision of supporting Marriage Equality and encourage them to allow a conscience vote on the matter in the Parliament of Australia."*

### **RESOURCES**

The matter will be actioned using existing resources.

### **COUNCILLORS NOTE**

In 2001, the Netherlands celebrated its first same sex marriages.

Since then, Belgium (2003), Canada (2003 provincially 2005 nationally), Spain (2005), South Africa (2006), Norway (2009), Sweden (2009), Portugal (2010), Iceland (2010), Argentina (2010), Uruguay (2013), New Zealand (2013), France (2013), Brazil (2013), England (2014), Wales (2014), Scotland (2014), Luxembourg (2013) numerous US States and most recently Ireland have joined in the recognition and celebration of marriage equality.

A US Supreme court ruling on 26th June 2015 found in favour of marriage equality and ruled that state could not make same sex marriage illegal.

On 1<sup>st</sup> June 2015, Federal Opposition Leader Bill Shorten introduced a marriage equality bill to Federal Parliament.

Prime Minister Tony Abbott is yet to allow a conscience vote and debate on the matter has been suspended.

The latest Crosby/ Textor research finds that 72% of Australians support Marriage Equality. This is the highest level ever.

Support ranges across every demographic including people of faith, people in regional and rural areas and older Australians. As well as increasing support for marriage equality, the numbers opposed is declining.

On 24<sup>th</sup> June, NSW Parliament unanimously supported Sydney independent MP Alex Greenwich's motion in support of a free vote on same-sex marriage.

The Federal Parliament is expected to resume debate on the marriage equality bill in the spring.

**ATTACHMENTS**

Nil.

12 August 2015

To the Ordinary Council Meeting

Councillor

## **7.2 Notice of Motion - Formation of Council's Disability Supports Committee (DSC)**

---

TRIM REFERENCE: F2004/06893 - D12032030

AUTHOR: Greg Best; Councillor

Councillor Best has given notice that at the Ordinary Council Meeting to be held on 12 August 2015 he will move the following Motion:

- "1 That Council request the General Manager provide a report in partnership with key stakeholder groups around the formation of a brought based disability needs support committee that would seek to assist guide and provide our ageing population, the temporally injured and the profoundly disable with the necessary levels of community care.*
- 2 That Council recognise the importance of such a committee in assisting Council in crafting it's Disability Inclusion Plan (DIP) & to assist in ushering in the National Disability Insurance Scheme (NDIS), however the committee's roll should be seen more holistically & beyond the DIP & the NDIS.*
- 3 That, while Council notes the important of providing suitable traditional disability access, Council also recognise the complexity and far reaching nature of modern disabilities beyond physical access issues."*

### **RESOURCES**

The matter will be actioned using existing resources.

### **COUNCILLORS NOTE**

Councillors, it is incumbent upon us as civic leaders, to provide the most optimum community service around the broader disability needs of our community.

Clearly such a committee will assist Council staff and our community in developing a disability inclusion plan and better understand the developing issues around the NDIS.

However, the above motion seeks to highlight disabilities in the modern era that are far reaching and non-age discriminatory. We have a raft of extraordinary professional volunteer organisations, professional agencies and community groups that all assist in providing important services around disability to our community.

**7.2 Notice of Motion - Formation of Council's Disability Supports Committee (DSC) (contd)**

---

If council, through its resources, can assist these organisations in providing targeted community awareness around their service deliveries, this in my view would be of significant benefit to those seeking assistance at often a time of high personal stress.

I look forward to working with my fellow Councillors and the broader community in this endeavor.

**ATTACHMENTS**

Nil.

12 August 2015

To the Ordinary Council Meeting

Councillor

### **7.3 Notice of Motion - Nude Tourism Trend**

---

TRIM REFERENCE: F2004/07706 - D12032203

AUTHORS: Greg Best; Councillor  
Adam Troy; Councillor

Councillors Best and Troy have given notice that at the Ordinary Council Meeting to be held on 12 August 2015 they will move the following Motion:

- "1 That Council note Wyong Shire's Beautiful Birdie Beach is reportedly one of only three 'official' Nude Beaches on the north coast of NSW and the only one on the Central Coast. Despite this facility being in easy day access to a population catchment in the millions, Birdie Beach free bathing is not mentioned in any Central Coast Tourism promotions / Web material.*
- 2 That Council recognise Tourism is one of our major employers & the increasing popularity of Nude Bathing / Nude Tourism such as the recent phenomena of P&O's, Pacific and Orient's, Nude Cruisers. It is with this understanding that Council in partnership with CC Tourism explore opportunities to better promote our region to this most lucrative tourism market.*
- 3 That further Council request an options report to the EEDC from CCT including the prospect of holding a unique community event to showcase and market our beautiful beaches including free bathing at Birdie Beach."*

### **RESOURCES**

The matter will be actioned using existing resources.

### **COUNCILLORS NOTE**

Councillors', I draw this growing tourism trend to Council's attention as the Statistics would indicate an enormous increase in family Free Bathing and "Free Tourism". This is highlighted through the phenomena and growing popularity of Nude Cruising that started in the early 90's with one small passenger ship and now has grown to over 45 cruise ships carrying some 30,000 people a year.

Being that the Central Coast is centrally located between the largest capital city in Australia, Sydney, and the largest non-capital city, Newcastle; with a collective population of some 6 million people, we are exceptionally well placed to tap into this lucrative market.

Tourism means jobs !, being that we have this unique facility, i.e. the only legal nude beach on the Central Coast, we should promote this resource. Once one gets past self-consciousness, inhibitions and predictable embarrassment, the mature debate around this exceptional asset becomes self-evident. Clearly there is a market we can better manage while achieving much needed employment outcomes.

I seek only an options report from our peak tourism body, Central Coast Tourism further I flag the prospect of a suitable community event that would work in with the free bathing community. Such an event would not only highlight the central coast free bathing opportunities to holiday makers but also with sophisticated marketing we can highlight the whole of our scenic central coast and it's beaches to a broader tourism market.

**ATTACHMENTS**

Nil.