



Wyong Shire Council

ORDINARY MEETING

ENCLOSURES

Wednesday, 22 June 2011



WYONG SHIRE COUNCIL
ENCLOSURES TO THE
ORDINARY MEETING
 TO BE HELD IN THE COUNCIL CHAMBER,
 WYONG CIVIC CENTRE, HELY STREET, WYONG
 ON WEDNESDAY, 22 JUNE 2011 ,
 COMMENCING AT 5:00:00 PM

INDEX

2.1	Adoption of the Community Strategic Plan (2030) Attachment 2: Community Strategic Plan (2030) - <i>D02647484 Distributed under separate cover</i>	
2.2	Submissions to the Wyong Shire Strategic Plan (2011-2015) Attachment 2: CONFIDENTIAL Submissions received relating to Exhibition WSC Strategic Plan (2011-2015)) - <i>D02646106 Distributed under separate cover</i>	
2.3	Adoption of the Wyong Shire Council Strategic Plan (2011-2015) (Incorporating the Annual Plan and 4 Year Delivery Plan) Attachment 2: Wyong Shire Council Strategic Plan (2011-2015) - <i>D02647202 Distributed under separate cover</i>	
5.4	Tuggerah Lakes Estuary Coastal and Floodplain Management Committee - Eco-Tourism Park Proposal Attachment 1: Report to the Tuggerah Lakes Estuary & Coastal Management Committee	3
6.3	Link Road Audit Report Attachment 1: CONFIDENTIAL - Internal Auditor's Final Report on Link Road - <i>D02625830 Distributed under separate cover</i>	
6.5	Warnervale Town Centre May 2011 Progress Report Attachment 1: Draft Resident Newsletter - <i>Will be distributed at Councillor Briefings</i>	
 CONFIDENTIAL REPORTS		
9.1	Response to Confidential draft Report of the Section 430 Investigation into Wyong Shire Council dated May 2011 - <i>Distributed under separate cover</i>	

3.1 Eco-Tourism Park Proposal

TRIM REFERENCE: CPA/169320 - D02526652

AUTHORS: Garry McLachlan; Manager Business Development

SUMMARY

This report provides background on Council's position.

RECOMMENDATION

- 1** *That the Committee note the background related to the Budgewoi Beach Rezoning.*
- 2** *That the Committee have due regard to Council's previous decisions on the matter and to Council's strategic intentions.*
- 3** *That the Committee acknowledges Council intends to undertake an investigation to prioritise eco-tourism opportunities within the coastal zone.*
- 3** *That the Committee notes this form of development offers an opportunity to demonstrate leading practice in managing development whilst responding to the challenges of climate change.*

BACKGROUND

Council considered a Notion of Motion on Budgewoi Beach Rezoning in August 2009 and resolved unanimously (Vincent/Wynn):

- "1 That Council as part of the Comprehensive Local Environmental Plan Process rezone the vegetated areas of the Budgewoi Coastal Zone from the Munmorah State Recreation Area in the north to Werepi Street Noraville in the south, from existing 6A - reserve open space & recreation to E2 - Environmental conservation.*
- 2 That Council acknowledge that this process cannot occur until the new "template" zones are adopted by Council as they apply to Wyong Shire.*
- 3 That Council note the area to be rezoned consists only of the revegetated areas and excludes operational areas such as the surf club and car park and that the delineation of this specific zone be subject to staff review and investigation.*
- 4 That Council consider other re-vegetated areas within the Shire's Coastal zone on a case by case basis."*

A Notice of Motion has been received for discussion at the Committee meeting of 3 March 2011:

"The Tuggerah Lakes Estuary, Coastal Floodplain Management Committee wish to express their opposition to the eco-tourism park proposal to the south of the Lakes Beach Surf Club."

The General Manager, in accordance with the Committee's Charter, may provide additional reports as appropriate, to stimulate and inform debate by the Committee.

In concept, an Eco-Resort Park including a four-star plus accommodation facility could be established on approximately 1.8-2.0 Hectares of land including a proportion of the existing Lakes Beach car park - identified in 2009 as a site for a potential four-star eco-resort and adjoining RV site.

Since that time a number of ecological studies have been undertaken and consideration is now being given to the compilation of a formal development application.

At this stage no costings or economic analysis has been prepared regarding the viability of the proposal and likely economic benefits. It is noted that proposals generating income on Crown land return a significant share of revenues to LPMA through various methods.

Additional / alternative sites for similar developments have not been formally identified at this stage. Council staff are undertaking a strategic review of potential sites across the Shire in order to determine priority rankings for all developments.

CURRENT STATUS

1. The suggested parcel of land is within a proposed E2 (Environmental management) LEPP unanimously endorsed by Wyong Shire Council, resulting from the recognition of the voluntary restoration works been carried out in the area.

Council resolved on the 12th August 2009 to, in the new LEP, to zone part of the land E2. Due to the restrictiveness of the E2 zone, Council included the following item in the resolution:

"That Council note the area to be rezoned consists only of the re-vegetated areas and excludes operational areas such as the Surf Club and car park and that the delineation of this specific zone be subject to staff review and investigation."

Studies have been ongoing since 2009, consistent with the direction that the zone be subject to staff review and investigation. The resolution was not intended to rezone all land in this area E2, however the rezoning process is an overall consideration of the specifics of the site, relevant legislation and policy guidelines provided by state government.

2. The area is surrounded by SEPP (State Environmental Planning Policy) 26 (Littoral Rainforest) and SEPP 14 (Coastal Wetland) and has recognized EEC's (Ecological Endangered Communities)

Initial ecological surveys have indicated that approximately 2.3 ha of Littoral Rainforest exists on the southern part of the subject site. This area is not currently mapped under SEPP 26. There is currently only one gazetted SEPP 26 area in Wyong Shire and it is located at Magenta, North Entrance.

Should the proposal proceed, funding will be generated to protect, restore and maintain the area of Littoral Rainforest, and other identified EEC on the site. Development carried out adjacent to such areas can be done in such a way that benefit occurs to the vegetated area such as the case with the littoral vegetation adjacent to the Mirvac development at North Entrance.

In this case a small area of Littoral Rainforest was identified outside the gazetted SEPP 26 area and it was protected and embellished as a result of the development. It is noted that the Magenta site was previously used as a waste facility, and may have been more degraded than the subject site.

3. Hargraves Dune Care has been restoring the proposed area for the past 4.5 years and feels that the proposal will cause irreversible ecological damage.

The subject site is currently zoned 6 (a) – Open Space and Recreation and the requirements of the Native Vegetation Act (NVA) with respect to clearing in non-urban zones may apply. Any dispute regarding whether or not this act applies rests with the Director-General of the Department of Environment, Climate Change and Water. Where the NVA does apply, either a development consent granted in accordance with this Act or a property vegetation plan would be required

Should the proposal proceed further, significant consultation with the CMA and other relevant parties will need to be undertaken.

4. Wycare have expressed their opposition to the proposal, as it would set a dangerous precedent for all Wyong Shire active land care sites.
5. Budgewoi Buff Point Halekulani Precinct Committee unanimously rejected the proposal.

It would appear that the presentation to the Precinct Committee did not include detail on the proposal, the research undertaken or the benefits to both the environment and the community from this project.

PROPOSAL

The proposal would deliver a four-star plus accommodation facility in the northern part of the Shire, creating employment opportunities and stimulating investment in the local community.

Such proposals provide a significant opportunity to demonstrate how leading practice on coastal zone development sites can be undertaken in order to minimise and mitigate the impacts of both severe storm events, and the likely impacts of climate change.

Revenue delivered from this project would be directed towards the local surf club and to expenditure on environmental works within the precinct. The revenue would survive the life of the park and offers certainty of funding where current funding sources cannot be guaranteed.

The project will also deliver important maintenance and rehabilitation works to retained environmental lands and include a proposal to construct an “interpretive centre” on the site.

The proposal is intended to be fully sustainable, be transportable, with no bricks or mortar to be used and thereby capable of being removed from the site in a short period of time, should the need arise. The buildings will be strategically placed to maximize retention of vegetation and pathways will be constructed of crushed sandstone with small vehicles such as golf carts used for transportation purposes.

Representations have been made by the Campervan Motor Home Club requesting Council to provide an area and facilities for RV’s to be set aside and it is intended to combine this area with the proposed eco-park and utilise an area in the existing car park.

The park will also provide accommodation for the disabled to complement the disabled precinct which has recently been created at the Lakes Beach. Many groups and agencies endorse this preliminary concept including The Campervan and Motor Home Club, The lakes Surf Club (who will be making a submission in favour) Regional Development Australia, Central Coast Tourism, Greater Toukley Vision and the business sector in general.

The studies to date have indicated that should the project proceed further, there should be a significant analysis undertaken of the economic, social and environmental factors, including consideration of likely net revenue, prior to the submission of a development application.

There are challenges ahead, however the benefits of the project for the community and the environment are projected at this early stage, to outweigh any negative impact of the development on the surrounding environment.

It is noted that there are a number of significant site constraints currently exist, and that unless overcome, these may decrease the likelihood of gaining necessary approvals, or to substantially increase project development costs.

CONCLUSION

A development such as proposed is an opportunity to provide employment, generate wealth within the community and provide a funding stream for local environmental projects and works.

The proposal is committed to an eco-approach that offers certainty of funding to enhance the ecological sustainability of the area..

Council has previously considered the concept (Council's resolution of 12 August 2009) and demonstrated an intention to create zoning that would allow such a development, noting that no precedent will be set, and that future similar ideas would be considered on a case-by-case basis.

The proposal demonstrates there is a potential market for this type of development within Wyong Shire, and that there may be an opportunity to further diversify Council's tourism offerings and generate ongoing revenue streams.

ATTACHMENTS

- 1 Site Plan (Attached to the file) D02526597