

Wyong Shire Council
ORDINARY MEETING

ENCLOSURES

Wednesday, 27 October, 2010



WYONG SHIRE COUNCIL
ENCLOSURES TO THE
ORDINARY MEETING
TO BE HELD IN THE COUNCIL CHAMBER,
WYONG CIVIC CENTRE, HELY STREET, WYONG
ON WEDNESDAY, 27 OCTOBER 2010 ,
COMMENCING AT 5:00:00 PM

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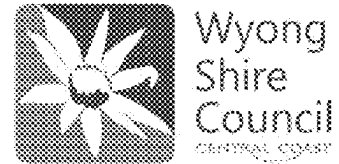
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LOWER WYONG RIVER FLOODPLAIN RISK MANAGEMENT PLAN

Final Report
September 2010

Paterson Consultants Pty Limited



WYONG SHIRE COUNCIL

**LOWER WYONG RIVER
FLOODPLAIN RISK MANAGEMENT PLAN**

FINAL PLAN

September 2010

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1	Draft Plan	December 2007	KWP
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3	Draft Plan	May 2008	KWP
4	Draft Plan	December 2008	KWP
5	Exhibition Plan	July 2009	KWP
6	Final Plan	September 2010	KWP
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1. FOREWORD

The NSW Government's Flood Prone Land Policy recognises that flood-labile land is a valuable resource and should not be sterilised by unnecessarily precluding its development. The Policy also recognises the benefits flowing from the use, occupation and development of flood prone land. Accordingly, the Policy requires that all development proposals be treated on their merits.

The merit approach requires that flooding issues be considered along with other planning and environmental factors. Specifically, the merit approach seeks to balance social, economic, environmental and flood risk parameters to ascertain whether a particular development or use of the floodplain is appropriate and sustainable.

The prime responsibility for local planning and land management rests with local government. The study area falls under the administrative responsibility of Wyong Shire Council.

The New South Wales Floodplain Development Manual 2005 has been prepared to assist councils in the development of management plans for flood-labile lands. The principal objective of the floodplain management process is to reduce the impact of flooding and flood liability on individual owners and occupiers and to reduce private and public losses resulting from floods.

The Floodplain Risk Management process comprises the following activities:

- establishment of a Floodplain Management Committee;
- data collection;
- completion of a Flood Study;
- preparation of a Floodplain Risk Management Study;
- adoption of a Floodplain Risk Management Plan; and
- implementation of the Floodplain Risk Management Plan.

The Floodplain Risk Management process is presented above and has been derived from the Manual.

The Lower Wyong River Floodplain Risk Management Plan has been prepared by Paterson Consultants Pty Limited on behalf of Wyong Shire Council. It follows the completion of several flood studies and floodplain risk management studies over the period 1995 to 2008.

2. AIMS AND OBJECTIVES

The NSW Government Flood Prone Land Policy recognises that the prime responsibility for local planning and land management issues rests with Wyong Shire Council in its area of administration. The NSW Government, through a variety of programs, provides technical and financial assistance to Council to achieve sound floodplain risk management practices.

The aim of this floodplain risk management plan is to provide Wyong Shire Council with a set of measures to improve floodplain management on the Lower Wyong River.

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3. CURRENT FLOODPLAIN MANAGEMENT ISSUES

The Lower Wyong River Floodplain Risk Management Study and Plan has had a long development period before reaching the current status. In review of the gestation period, Wyong Shire Council has:

- investigated practical flood behaviour modification measures;
- applied an Flood Prone Land Development Policy essentially based on the 1986 Floodplain Development Manual;
- experienced a minor flood in June 2007, the first significant flood event since 1977.

The passage of time has clarified the current floodplain risk management issues that, if addressed, will improve the floodplain risk management of the Lower Wyong River.

The areas of potential improvement have been classified, for ease of identification, into "categories" of:

- Land use planning;
- Maintenance of existing infrastructure;
- External communications;
- Public information programs;
- Monitoring flood risk activities;
- Further technical studies.

The discussion of the items in each category is outlined below, while the following chapter provides a simplified listing as "The Plan".

The Floodplain Risk Management Study extensively examined flood behaviour modification measures ("structural works"). None of these proposals are attractive in terms of total cost or cost versus benefit analysis.

Land Use Planning

The bulk of the flood liable area of the lower Wyong River floodplain has been developed. Land development pressures are now viewed essentially as:

- rezoning of land to more intensive forms of development;
- re-development of existing building stock;
- intensifying of population density by sub-division of large residential blocks into two smaller blocks and subsequent re-building of two dwellings;
- intensifying population density by pressure for "granny flat" style developments;

- concessional development of rural land.

Clearly, Wyong Shire Council's current flood policy is not achieving its stated aims of reducing flood damage potential. Similarly, the land use categories and development categories listed in the current Flood Prone Land Development Policy are open to various interpretations, giving rise to potential disputes and conflicts.

Further, Wyong Shire Council's floodplain risk management responses will have more "standing" if they are incorporated into a Development Control Plan (DCP) as opposed to the current policy.

A draft DCP Table of Contents appears in Appendix A, while Appendix B shows proposed changes to Council's existing floodplain development matrix.

The proposed changes to Wyong Shire Council's existing Flood Prone Land Development Policy, should they decide to continue with the "matrix" approach, involve:

- better definition of land use categories;
- transferring some categories of "usually permitted" to "on merit";
- transferring some categories from "prohibited" to "on merit".

Council's existing Flood Prone Land Development Policy uses the words "on merit", while the proposed changed development matrix continues to use "on merit". This usage of "on merit" could be interpreted to mean that development proposals can be meritorious in a variety of ways. It is suggested that the words "on merit" be changed to "on floodplain management merit" and that the Policy include a list of items for consideration of merit. The proposed items for assessment of "merit" are:

- risk to life for floods up to the Flood Planning Level;
- risk to life for floods greater than the Flood Planning Level;
- flood behaviour (for example, flood depths reached, flood flow velocities, flood hazard, rate of rise of floodwater);
- cumulative effects of the development and precedents created for further cumulative affects;
- duration of flooding;
- land availability;
- existing floor levels of development;
- current "Flood Standard" or current FPL;
- land values and social equity;
- social issues;
- economic factors;
- future development (specifically, the ability of the community and individuals to recover from flood events);
- appropriate flood mitigation works;
- environmental issues;
- cultural issues;
- freeboard; and
- Wyong Shire Council's duty of care.

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It is also clear that some areas of the study area will suffer from mine subsidence. At this stage, the Mine Subsidence Board can only provide estimated subsidence magnitudes at individual building sites, not subsidence over wide areas. Thus, possible changes to flood levels following mine subsidence cannot be predicted at this stage. However, it would be prudent, at building sites that are potentially affected by mine subsidence, for building floor levels to be constructed at the predicted subsidence measurement above the Flood Planning Level, so that, if mine subsidence occurs, the building floor is maintained above the Flood Planning Level. Until widespread mine subsidence data is available, individual development proponents should consult the Mine Subsidence Board to obtain subsidence estimates at particular development sites.

Monitoring of Flood Risk Activities

It is clear that the Wyong area is growing and that Wyong Shire Council itself is becoming more complex. In the past, Council has relied on the local knowledge of a few key staff. However, Council's staff and the officers of other bodies will change in time and thus, corporate knowledge of floodplain risk management issues will be lost.

Particular concern is directed to:

- Main Northern Railway Line;
- Wyong Nursing Home; and
- Further development downstream of the Main Northern Railway Line.

The Main Northern Railway Line, now operated by State Rail Authority, is a significant concern, given that works such as re-ballasting or lifting of the railway lines is considered a minor works by railway operators, yet such works have the potential to significantly increase flood levels in the Tuggerah Industrial Area. Given the statutory rights of railway operators, this is best approached by opening and maintaining a dialogue with the railway operators.

The Wyong Nursing Home has long been a concern for Wyong Shire Council and the SES, given the flood liability of the site and the difficulties of flood access. This issue appears to have been resolved by greater involvement of the SES and acceptance by the Nursing Home operators of the flood warning issued by the SES. However, the current position may change with staff changes and thus, it would be prudent for Wyong Shire Council to maintain a dialogue with the Nursing Home and the SES to ensure that effective flood warning and flood evacuation knowledge and measures are maintained.

Maintenance of Existing Infrastructure

Wyong Shire Council has installed a number of rainfall gauges and water level gauges in the Wyong River that are used by the Bureau of Meteorology for flood planning purposes. It appears that ownership of the gauges, and thus maintenance responsibilities for those gauges, rests with Wyong Shire Council. The responsibility for maintenance and an appropriate annual budget allocation needs to be incorporated into Council's work program. Given the size of maintenance operation required, it might be best to be assigned to Council's Local Emergency Management Officer (LEMO).

Similarly, a number of water level gauges are operated by Manly Hydraulics Laboratory on behalf of Department of Environment, Climate Change and Water.

It appears that one water level gauge on the Wyong River had been "not functional" for a period of 18 months. Whilst the water level gauges on the Wyong River near Wyong itself do not contribute to the Bureau of Meteorology's flood warning, the gauges are significant for any future flood studies on Wyong River.

The issue of maintenance on non-operational gauges might best be addressed by a formal review of the flood warning system and its instrumentation needs by the Bureau of Meteorology. Such a review should also include Wyong Shire Council's gauges (ALERT gauges).

External Communications

The State Emergency Act 1989 identifies the State Emergency Service as the "combat agency" for flooding. As part of its floodplain risk management activities, Wyong Shire Council has prepared numerous flood studies and flood investigations.

It is recognised that the SES comprises essentially of volunteers with some salaried officers, and hence, the organisation's ability to interpret relatively complicated technical reports is limited.

Thus, the Plan includes:

- strengthening the channels of communication between Wyong Shire Council and the local SES to ensure transfer of knowledge. This task would be best delegated to Council's Local Emergency Management Officer; and
- assistance to the SES to interpret Wyong Shire Council's flood studies and floodplain risk management plans. These studies usually contain a large volume of information that can be missed by the untrained observer.

Public Information Programs

No formal surveys of the flood awareness in the community have been undertaken as part of this study. However, the June 2007 flood and discussions between individuals and the consultant indicate there is virtually no awareness of the flood risk along the Wyong River.

The creation of a new DCP dealing with flood risk management will bring flood related issues to the notice of developers.

Promotion of a more widespread flood knowledge could be undertaken by a pamphlet mail out to property owners within the Lower Wyong River area, where the property is below the PMF flood extent. Such an approach has advantages in that locally specific information can be provided, yet a broad community group is targeted (to avoid individual landowners feeling individually targeted).

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Further Technical Studies

The flood levels produced by the Lower Wyong River Flood Study are suspected to be higher than actual for various return floods. Whilst this position is conservative (very safe) for Wyong Shire Council, it may lead to developments being refused, which might have the potential to be approved.

The discrepancies between predicted flood levels and historical flood levels appears to be sourced from the hydrology models used rather than the hydraulic models used. The comparison of the hydraulic models (CELLS and RMA-2) shows both models produce similar results for similar hydrologic inputs. The lack of reliable rainfall and flood level data has, in the past, limited the opportunities to thoroughly test the hydrology models. In this instance, the best option appears to be delaying further investigation until a flood of 20% AEP (once in 5 year event) magnitude occurs so that reliable data can be obtained.

4. THE PLAN

This chapter outlines the Lower Wyong River Floodplain Risk Management Plan. The chapter has been written in the format of "Floodplain Risk Management Issue" and "Response".

Table 1 illustrates the response category (from Chapter 3), the response, a priority ranking, a duration, and projected cost.

1. Floodplain Risk Management Issue

Council's Flood Prone Land Development Policy is dated and needs updating and incorporation into a DCP.

Response

Develop a new DCP covering flooding, with specific mention of local areas, where flood studies have been completed.

2. Floodplain Risk Management Issue

Flood risk management issues regarding the Main Northern Railway and Wyong Nursing Home currently create concerns.

Response

Strengthen formal communication channels to ensure dialogue is maintained and flood issues monitored.

3. Floodplain Risk Management Issue

Wyong Shire Council has installed rain and water level gauges relied upon by the Bureau of Meteorology for flood warning.

Response

Include maintenance and budget within Wyong Shire Council's LEMO activities. Request the Bureau of Meteorology to review the need and operational requirements for gauges and long term funding requirements.

4. Floodplain Risk Management Issue

A general lack of knowledge of flooding is perceived within the community, partly created by the absence of major floods within recent years.

12 **Paterson Consultants Pty Ltd**Response

Undertake a formal publicising of flood information, specific to the Lower Wyong River floodplain, every four years. This could include information on Wyong Shire Council's website, mail outs to local residents and businesses or presentations to local precinct committees.

5. Floodplain Risk Management Issue

The existing hydrology model and CELLS model need to be updated to define catchment hydrology more accurately and to update the hydraulic model to a fully two-dimensional model. This review should include impacts due to Climate Change, particularly due to the Tuggerah Lakes flooding.

Response

Undertake new catchment hydrology study and flood study when adequate data becomes available.

Table 1**Lower Wyong River Floodplain Risk Management Plan**

Category	Response	Priority	Duration	Projected Cost
Land Use Planning	Develop Flooding DCP	High	12 months	\$30,000
Maintenance of Flood Risk Activities	Develop formal communication channels with SRA and Wyong Nursing Home	High	On-going	\$6,000 per annum
Maintenance of Existing Infrastructure	Develop maintenance schedule for rainfall gauges	High	On-going	\$6,000 per annum
External Communications	Enable transfer of Wyong Shire Council flood data to SES	High	On-going	\$5,000 per annum
Public Information	Undertake publication of flood information every four years	Medium	On-going	\$4,000 every four years
Technical Studies	Update hydrologic and hydraulic models, complete new flood study	High	12 months	\$100,000

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APPENDICES

**Wyong Shire Council
Lower Wyong River Floodplain Risk Management Plan
Final - September 2010
R9006014PLN.V6**

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APPENDIX A

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**Wyong Shire Council
Lower Wyong River Floodplain Risk Management Plan
Final - September 2010
R90\06014PLN.V6**

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APPENDIX B

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COUNCIL'S FLOODPLAIN POLICY MATRIX**

Wyong Shire Council
Lower Wyong River Floodplain Risk Management Plan
Final - September 2010
R90\06014\PLN.V6

**LOWER WYONG RIVER FLOODPLAIN RISK MANAGEMENT PLAN
PROPOSED DEVELOPMENT CONTROLS**

Type of Development ⁽⁷⁾	Flood Hazard Categories			Floodway
	Flood Fringe	Flood Storage		
		Low Hazard	High Hazard	
LAND ZONED RESIDENTIAL ^{(1) (2) (3) (4) (5) (6)}				
Concessional (see definition below)	On Merits	On Merits	On Merits	Unsuitable land use
Infill development			On Merits	
New Development			Unsuitable land use	
LAND ZONED COMMERCIAL / LIGHT INDUSTRIAL / INDUSTRIAL OR SIMILAR ^{(3) (4) (5) (6)}				
Concessional (see definition below)	On Merits	On Merits	On Merits	Unsuitable land use
Infill development			On Merits	
New Development			Unsuitable land use	
LAND ZONED RECREATION, OPEN SPACE, CONSERVATION ZONE, NON URBAN CONSTRAINED LANDS, SPECIAL USES ^{(1) (2) (3) (4) (5) (6)}				
Structures, including buildings and filling	On Merits	On Merits	Unsuitable land use	Unsuitable land use
Other developments permissible in zone, i.e wetlands, playing fields, parks, walkways, etc...	On Merits	On Merits	On Merits	Unsuitable land use
REZONING TO MORE INTENSE LAND USE	On Merits	On Merits	Unsuitable land use	Unsuitable land use
ALL ZONE TYPES SUBDIVISION	On Merits	On Merits	Unsuitable land use	Unsuitable land use

Notes:

⁽¹⁾The maximum size of residential (enclosed) garages in high hazard flood storage areas is proposed at 50 m². This is based on the size of a double car garage and small storage area. The cumulative impact of garages larger than these in the floodplain is considered high. Open styled carports are considered more appropriate in this area.

⁽²⁾ Freeboard for all development is to be increased to 500mm in line with the Floodplain Development Manual and current best practice.

(3) Fencing must not result in any significant obstruction of the flow of floodwaters. Continuous solid fencing will not be permitted in high hazard areas.

(4) Environmental Improvement works sympathetic to the surrounding environment and Essential Infrastructure are to be considered on merits in all flood hazard categories.

(5) The construction of new or upgrade of existing roads will be considered on merits.

(6) Mine subsidence areas will have an additional allowance added to it. Please refer to the Mine Subsidence Board for further information on individual properties.

(7) Development Categories

Concessional Development is considered as the following:

- Dwelling additions up to 40m² at no less than the same level as the existing approved building. The allowance for additions shall be made no more than once for any given property.
- Additions to Commercial and Industrial Uses of up to an additional 100 m² or 20% (whichever the less) of the Gross Floor Area of the existing building at no less than the same level as the existing building. The allowance for additions shall be made no more than once for any given property

Infill development: refers to the development of vacant blocks of land that are generally surrounded by developed properties.

New development: refers to development of a completely different nature to that associated with the former land use, or likely to increase the population density.

NOTE - Anything that is to be “considered on merits” must be referred to a DA Engineer.

11 August 2010

Director's Report

To the Ordinary Meeting

Shire Services Department

4.2 Request to Close Walkway between Tristram Close and Renee Close Lake Haven

TRIM REFERENCE: F2010/00802 - D02301768

AUTHOR: Keith Arnott, Quality Assurance Engineer

SUMMARY

Report on the proposed closure of the walkway at Tristram Close and Renee Close in response to resident concerns of alleged increased acts of vandalism and anti-social behaviour in the area including damage to property and noise.

RECOMMENDATION

- 1 That Council endorse the recommendation to maintain access to the existing pedestrian walkway between Tristram Close and Renee Close Lake Haven subject to the installation of barriers to restrict access by motorcycles.**
- 2 That Council notify the residents consulted on the outcomes of the investigation process.**
- 3 That Council endorse the criteria and consultative methodology undertaken as part of this report when considering future requests for the closure of pedestrian walkways.**

BACKGROUND

At the Ordinary meeting of Council held on 12 May 2010 Council considered a Notice of Motion on the proposed closure of Tristram Close and Renee Close Walkway, Lakehaven.

At that meeting it was RESOLVED unanimously on the motion of Councillor BEST and seconded by Councillor MCNAMARA:

- "1 That further to representations made by local residents and ratepayers of the Lake Haven area having regard to the anti-social behaviour, OH&S and general public safety issue, Council now investigate and consider on its merits what options including the permanent closure of the walkway in question, the report should outline past action by Council to minimise public concerns, alternatives and impacts closure may have to the general area.*
- 2 That Council use this report to form the basis for a set of criteria to review and consult with the community on similar accessway issues.*

FOR: COUNCILLORS BEST, EATON, GRAHAM, MATTHEWS, MCBRIDE, MCNAMARA,
SYMINGTON, VINCENT, WEBSTER AND WYNN

AGAINST: NIL"

Council regularly receives representations from residents requesting the installation of bollards and closure of the many pedestrian walkways located throughout the Shire. These requests are usually in response to concerns with malicious damage to properties from users of the walkway, noise from motor cycles and motorised pushbikes, and general anti social behaviour.

The origin of these pedestrian walkways typically dates back to the original subdivision design whereby provision was made to facilitate pedestrian access between residential streets to adjoining locations, including bus routes, sporting facilities and shopping centres. These walkways also typically served as service conduits for water, sewer and drainage infrastructure.

Each representation in relation to requests for implementation of access restrictions to pedestrian walkways is considered on its merits given the large number of variables involved. In the majority of instances, devices such as bollards have already been installed in most of the walkways in the Shire to restrict usage by motorised items.

A review of records shows that in the past 10 years Council has been in receipt of approximately 30 representations requesting the closure of pedestrian walkways. Council has subsequently closed 11 of these in direct response to recommendations by staff to Council.

An investigation and assessment into the possible closure of the walkways at Tristram Close and Renee Close has been completed. The investigation was undertaken in accordance with the following methodology and consists of the collection of information from a variety of sources and assessment against the criteria.

A plan of the walkway is attached showing the relevant information, walkway links, bus stops and services. Another plan shows the existing concrete pathway and gravel track location through the adjacent reserve. The concrete path through this reserve was provided to enable a passive walkway away from the residential area of the surrounding streets linking more directly between Gorokan Drive and Christopher Crescent.

The Tristram Close/Renee Close walkway consists of a meandering concrete path which was originally intended to allow vehicle access between these two minor residential roads for the residents' amenity and convenience. The western side of the walkway is bounded by residential properties and the eastern side bounded by the passive reserve. At the times of inspections by staff as part of this assessment, the walkway was relatively free of debris and litter although some signage has graffiti sprayed on them.

Council, at some previous time has installed barriers in the form of bollards and "P" hoop barriers at the walkway to assist in the regulation and interaction of users such as cyclists and pedestrians. Presently the number and arrangement of barriers are insufficient to prevent usage by motorcycles. Some signage complements these fixtures.

In accordance with the methodology information was collected from a variety of sources to assess against the criteria as shown in the following table:

Criteria	Data source
Pedestrian usage	Pedestrian counts at both am and pm times of day
Resident Survey	Distribution of a survey to residents in the immediate area who are likely to be users and or be impacted by the usage of the walkway.
Proximity of land uses and services to the walkway.	Review of Geographical information System to identify the benefit to users for accessing such facilities as bus routes, nursing homes, shopping centres, schools, sporting ovals and other local facilities etc
Alternative routes	An assessment of availability and suitability of alternative routes from the walkway to surrounding land uses and services
Location and type of service in the walkways	Whether the walkways provide ancillary services e.g. overland flow paths, water and sewer etc
Construction and condition of walkway	Inspection of physical characteristics and condition of the asset and associated signage etc
Lighting - street and walkway	The provision of lighting and its effectiveness
Incidents of anti social behaviour, vandalism and other incidents reported to Police	Information provided by NSW Police
Complaints of incidents reported directly to Council	Search of Council records
Any proposed future usage.	Review of future development proposals in the area which may be impacted by any proposal to change the walkway status or proposed usages within Council's individual Directorates.

THE PROPOSAL

The following table provides a summary of the results of assessment of the walkway against the criteria.

Criteria	Results
Pedestrian usage	Two (2) pedestrian surveys were undertaken consecutively at each end of the walkway. Each end of the walkway was surveyed because the Tristram Close and Renee Close walkway links to the rest of an integral network of connecting

	<p>walkways from the surrounding streets and on to Gorokan Drive and Christopher Crescent.</p> <p>The results of the pedestrian count at Tristram Close indicate that a total of thirty six (36) people used the walkways between 7.00 – 9.00am, and twenty (20) people used it between 2.00 – 4.00pm.</p> <p>The results of the pedestrian count at Renee Close indicate that a total of twenty two (22) people used the walkways between 7.00 – 9.00am, and twenty three (23) people used it between 2.00 – 4.00pm.</p> <p>The number of pedestrians using the walkway is considered to be high.</p>
Resident Survey	<p>76 resident surveys were distributed of which 31 residents completed and returned the survey to Council. Of these 31 residents:</p> <ul style="list-style-type: none"> • 24 survey respondents acknowledged that they and/or other householders used the walkway. • 22 respondents requested the walkway remain open • 5 requested it be closed. <p>A summary of the resident surveys is located further within the report together with other relevant data collected.</p>
Proximity of land uses and services to the walkway.	<p>The walkway provides a pedestrian access link to the bus stops located generally in Gorokan Drive, the school, the shopping centre, the nursing home, the reserve, the community centre, local residences, the adjoining streets and the network of other walkways in the vicinity.</p> <p>Many elderly folk use this walkway as it is considered open, safe and less intimidating than the adjacent reserve area.</p> <p>It is also utilised as an overland drainage route which becomes part the passive reserve area when excess stormwater flows are not being experienced.</p>
Alternative routes	<p>Alternative access could be achieved by using the passive recreation reserve adjacent to the walkway which has a concreted pathway commencing and ending some distance from the walkway in question. It is considered this route does not provide a suitable alternative as it is longer, poorly accessible and is remotely located away from the other connecting network of walkways in the vicinity.</p> <p>Regular usage of this path within the reserve indicates many of the pedestrians use an existing well worn gravel track midway along to exit at Tristram Close and then access the network of walkways in this area.</p> <p>The closure of the walkway, unless completely fenced at considerable expense with person and vandal proof type fencing would not completely deny pedestrian access to either Tristram Close and then Renee Close.</p> <p>This would therefore be unlikely to eliminate incidences of anti-social behaviour, vandalism, noise</p>

	and the like in the area.
Location and type of service in the walkways	Aside from the walkway being utilized as an overland flow path for stormwater it has an existing water main along its length.
Construction and condition of walkway	The walkway is concrete of variable width originally provide to a standard for vehicle access which has since been denied by the installation of barriers to limit the current use to pedestrians and cycles.
Lighting	Street lights are located at each end of the walkway
Reported police incidents of vandalism	The following incidents were reported to Police. It should be noted these incidents occur within the area not necessarily at the specific walkway. <ul style="list-style-type: none"> • Noise 16 • Vandalism 16 • Abusive language 10 • Graffiti 19 • Litter etc 17
Complaints reported directly to Council	One representation exists in Councils records system requesting closure of the walkway.
Any proposed future usage.	Cycleway, possible future vehicle access.

OPTIONS

Maintain access and install restrictive barriers/bollards

The majority of those residents who reside near the walkway indicated their preference for it to remain open and a high number of users will continue to use the walkway. Many of these are elderly and would be adversely affected by the closure and having to use the adjacent reserve for access.

Based on the assessment of the walkway against the criteria the preferred proposal and recommendation of staff is that the walkway remain open and that additional P-type steel barriers be installed to complement existing barriers to further restrict the use by motor cycles.

Close walkway

It is recommended to retain the walkway in their current open status, however, if closing of the walkways is considered a better option and approved, the recommended method is to maintain access for maintenance purposes by the installation of an open style "man proof" security fence and integral locked gate at each end of the walkway. This installation would not deny access from other directions and is not considered to result in any notable reduction in incidents of anti social behaviour etc.

This method of closure would allow Council to reopen the walkways at any time in the future should the circumstances alter. The standard of fencing and gate has been previously used on a number of walkway closures, for example, Nisic Close, Bateau Bay, Bon Mace Close, Berkeley Vale and Morgan Avenue, Tumbi Umbi.

However, to adequately restrict access the whole walkway would require "man-proof" and vandal proof fence to be installed for the total length of the perimeter of the reserve frontage

at considerable expense.

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	N/A	
A More Sustainable Economy	N/A	
A More Sustainable Environment	N/A	
Infrastructure	N/A	
Organisation	N/A	

Contribution of Proposal to the Principal Activity

As this report concerns resident representations regarding existing infrastructure there is no link to an identified proposal in Council's strategic documents other than generally the community having walkways to access public transport, amenities, infrastructure, facilities and services.

Link to Shire Strategic Vision

<i>Priority Objective</i>	<i>How the proposal contributes or links to the Priority Objectives in Shire Strategic Vision and Annual Plan</i>
Communities - Communities will be vibrant, caring and connected with a sense of belonging and pride in their local neighbourhood.	The walkway provides neighbourhood links between local streets and communities. The amount of anti-social behaviour is limited and the area is well maintained and generally free of litter. The amount of support from the feedback survey justifies the recommendation to leave the walkway open.
Travel - There will be ease of travel within the Shire, and to other regional centres and cities. Travel will be available at all hours and will be safe, clean and affordable.	The closure of the walkway will adversely affect local residents and visitors including the elderly who regularly use this walkway and consider it to be an open safe passage within their local community. The closure will not provide basic travel options and will be detrimental in its affects
Facilities and Services - Communities will have access to a diverse range of affordable and coordinated facilities, programs and services.	Again, the closure of the walkway will adversely affect local residents and visitors including the elderly and deny safe and reasonable access to local facilities such as shops, schools, sports fields, bus stops, community centres, hostels etc.

Education - The community will be well educated, innovative and creative. People will attain full knowledge potential at all stages of life.	N/A
Employment - There will be a strong and sustainable business sector and increased local employment built on the Central Coast's business strengths.	N/A
Telecommunications - Information communication technology will be consistent with world's best practice and adaptive to technological advances across all sectors.	N/A
Natural Areas - Areas of natural value in public and private ownership will be enhanced and retained to a high level in the context of ongoing development.	The closure will have an adverse affect on this objective and deny access to other public areas and facilities.
Environmental Programs - There will be a sense of community ownership of the natural environment through direct public involvement with environmental programs.	The closure will have an adverse affect on this objective and remove all sense of community ownership within the local community because of a minority of residents with self interests.

Financial Implications

There will be a very minor financial impact due the installation of barriers at each end of the walkway. This can be funded from the general maintenance budget.

However, if the walkway were to be closed there would be a need to fund the installation of "man proof"/vandal proof fencing across both access points of the walkway and into and along the reserve frontage to discourage persons using the concrete walkway. This would likely need to be funded from the 10/11 Rolling Works Program footpath construction budget and would incur significant expenditure.

Principles of Sustainability

The installation of fencing would result in increased capital and maintenance expenditure.

CONSULTATION

A pedestrian count was undertaken at each end of the walkway in both Tristram Close and Renee Close.

A survey form was distributed to the residents in the immediate area of the walkways whom were considered to be either users of the walkway or had the potential to be impacted from the activities of people using the walkway providing an explanation of Councils investigations and seeking their input into the process.

NSW Police were also consulted and information provided in relation to reported incidents.

A plan of the area showing the infrastructure is attached. A plan of the area showing the alternative pathway through the reserve is attached

The results of these investigations and reports are shown below

Survey Results

Total Survey Delivered	Total Returned
76	31
With Reported Problems and Concerns	Total – 15

Walkway usage

Personal use	Total - 24
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Incidences that occurred

Noise	Total – 16
Vandalism of fenced/property	Total – 16
Abusive Language	Total – 10
Graffiti	Total – 19
Throwing/dumping of rubbish	Total – 17

When incidences occur

Weekends (at night)	Yes
Weekdays	No

What is your preference for the walkway?

To remain open	Total – 22 *
To close walkway	Total – 5
Place bollards	Total – 23 *

* The results indicate that the local residents prefer to have the walkways remain open and barriers be installed in the walkways to deny/restrict motorcycle use.

Reported incidents

On 3 June 2010 the NSW Police Service provided the following number of reported incidents for streets in the vicinity of Tristram Close, Renee Close, Corey Place and Ben Close for the period June 2009 to May 2010.

Five incidents were recorded by Police within the months of June 2009 to May 2010.

Name of Street	Reported incidents
Tristram Close	Graffiti x 2
Renee Close	Graffiti x 3

These incidents although occurring in the vicinity can't be directly related to the walkways.

GOVERNANCE

Nil Impact

CORPORATE RISKS

Nil Impact

CONCLUSION

The recommendation is to retain the walkway in its current open status based on the high pedestrian usage, resident feedback in favour of maintaining the current open status and that closure will not limit but not prevent instances of anti-social behaviour in the vicinity due to the accessibility from the adjacent reserve, walkways and streets.

It is also recommended that additional P-type steel barriers be installed to complement existing barriers to further restrict the use by motor cycles.

ATTACHMENTS

- | | | |
|---|---|-----------|
| 1 | Plan of Tristram and Renee Close infrastructure details | D02304182 |
| 2 | Plan of Tristram and Renee Close showing reserve path details | D02304184 |