
WYONG SHIRE COUNCIL

REPORTS TO THE ORDINARY MEETING OF COUNCIL

TO BE HELD IN THE COUNCIL CHAMBER,
WYONG CIVIC CENTRE, HELY STREET, WYONG
ON WEDNESDAY, 31 OCTOBER 2007,
COMMENCING AT 5.00 PM

INDEX

	Opening Prayer	
	Receipt of Apologies	
434	Disclosures of Interest	3
435	Proposed Inspections	4
436	Proposed Briefings.....	5
437	Address by Invited Speakers.....	6
438	Confirmation of Minutes of Previous Meeting.....	7
439	Mayoral Minute – Central Coast Water Corporation.....	21
440	Notice of Motion – Drainage on Tuggerah Straight	27
441	Notice of Motion – Upgrading of the Foreshore Area Between Memorial Park and Picnic Point at The Entrance.....	28
442	Notice of Motion – Warnervale Town Centre.....	29
443	Notice of Motion – Ratepayers and Residents Satisfaction Survey.....	30
	<u>Planning Reports</u>	
444	Proposed Section 94A Plan	31
445	Adoption of the Wyong/Tuggerah Planning Strategy.....	36
446	The Entrance Peninsula Planning Strategy.....	44
447	Proposed Modifications to Caravan Park at Lake Munmorah	59
448	Proposed Telecommunications Facility at Warnervale.....	70
449	State of the Environment Report 2006/2007	79
	<u>Property Report</u>	
450	Proposed Lease to Telstra Corporation Limited – Tunkuwallin Oval, Gwandalan	83

ORDINARY MEETING OF COUNCIL

31 October 2007

INDEX (contd)

	<u>General Reports</u>	
451	Central Coast Regional Organisation of Councils.....	85
452	Representation on External Committees and Associations	87
453	Proposed Councillors' Community Improvement Grants.....	88
454	2006/2007 Annual Financial Reports.....	90
	<u>Delegate's Reports</u>	
455	2007 New Zealand Sister City Conference Report.....	93
456	International Cities, Town Centre and Community Society	97
	<u>Information Reports</u>	135
457	Activities of the Development Assessment Unit.....	136
458	Results of Water Quality Testing for Bathing Beaches.....	139
459	Wyong Shire Library Statistics.....	143
460	Works in Progress Report – Water and Sewerage.....	148
461	Works in Progress Report - General	152
462	Premature Electrification of New Estates.....	160
463	Outstanding Questions Without Notice and Notices of Motion.....	163
	Answers to Questions Without Notice.....	169

WYONG SHIRE COUNCIL

31 October 2007
To the Ordinary Meeting of Council

General Manager's Report

434 Disclosures of Interest

F2006/02282 MW:SW

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 interests and reasons for declaring such interest in the matters under consideration by Council at this meeting.

WYONG SHIRE COUNCIL

31 October 2007
To the Ordinary Meeting of Council

General Manager's Report

435 Proposed Inspections

F2006/02282 MW:SW

SUMMARY

Inspections proposed to be held on 31 October 2007 and prior to the second Ordinary Meeting are listed as follows:

Date of Inspection	Location	Requested By
31 October 2007	Telecommunications Tower – 1 Warnervale Road, Warnervale - DA/1071/2007	Director Shire Planning
31 October 2007	Additional access to Lake Munmorah Residential Resort - Caravan Park, Pacific Highway, Lake Munmorah – DA/658/1989	Director Shire Planning
31 October 2007	Gwandalan Sewerage Treatment Plant - New effluent treatment plant being installed for supply high quality effluent to Tunkuwallin Oval and Gwandalan Public School.	Director Shire Services
31 October 2007	Gravity Youth Centre, Lake Haven – Sustainability Street	Director Shire Services
31 October 2007	Norah Head Holiday Park	Director Shire Services
31 October 2007	The Entrance Toilets	Director Shire Services
31 October 2007	Berkeley Road, Berkeley Vale - Tree Works and drainage works will be completed in preparation for the road works.	Director Shire Services
31 October 2007	Reshaping and the sealing of Glen and Fern Roads, Ourimbah to create two 3m travelling lanes and associated drainage works. Estimate \$200K.	Director Shire Services

RECOMMENDATION

That the report on inspections to be conducted on Wednesday, 31 October 2007 be received and the information noted.

WYONG SHIRE COUNCIL

31 October 2007
To the Ordinary Meeting of Council

General Manager's Report

436 Proposed Briefings

F2006/02282 MW:SW

SUMMARY

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

Date	Briefing	Description	Time	Presented by
7 November 2007	Workshop	Various Issues	12.00 noon – 6.00 pm	General Manager

RECOMMENDATION

That the report be received and the information noted.

WYONG SHIRE COUNCIL

31 October 2007
To the Ordinary Meeting of Council

General Manager's Report

437 Address by Invited Speakers

F2006/02282 MW:SW

SUMMARY

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

SPEAKERS	REPORT	PAGE NO	DURATION
Dennis Banicevic, Council's External Auditor	454 2006/2007 Annual Financial Reports	90	15 minutes

RECOMMENDATION

- 1 *That the report on Invited Speakers be received and the information noted.***
- 2 *That standing orders be varied to allow each item to be dealt with following the speaker's address.***

WYONG SHIRE COUNCIL

31 October 2007
To the Ordinary Meeting of Council

General Manager's Report

438 Confirmation of Minutes of Previous Meeting

F2006/02282 MW:SW

SUMMARY

Confirmation of minutes of the previous Ordinary Meeting of Council held on 10 October 2007.

RECOMMENDATION

That the minutes of the previous Ordinary Meeting of Council held on 10 October 2007 be received and confirmed.

WYONG SHIRE COUNCIL
MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN THE COUNCIL CHAMBER
WYONG CIVIC CENTRE, HELY STREET, WYONG
ON WEDNESDAY, 10 OCTOBER 2007,
COMMENCING AT 5.07 PM

PRESENT

COUNCILLORS W J WELHAM (CHAIRPERSON), D J EATON, K M FORSTER, R L GRAHAM, N T ROSE, R E STEWART, R C STEVENS AND C W VEUGEN.

IN ATTENDANCE

GENERAL MANAGER, DIRECTOR SHIRE SERVICES, DIRECTOR CORPORATE SERVICES, DIRECTOR SHIRE PLANNING, ACTING ASSISTANT DIRECTOR SHIRE SERVICES, MANAGER FUTURE PLANNING, ACTING MANAGER DEVELOPMENT ASSESSMENT AND AN ADMINISTRATION OFFICER.

THE MAYOR COMPLIMENTED THE COMMUNICATIONS STAFF AND FORMER MAYOR ON THE PRODUCTION OF THE ANNUAL REPORT COMMEMORATING THE 60TH ANNIVERSARY OF WYONG SHIRE COUNCIL.

THE MAYOR NOTED THAT A DELEGATION FROM A LOCAL GOVERNMENT AUTHORITY IN KOREA RECENTLY INSPECTED WYONG COUNCIL'S SEWERAGE AND WATER TREATMENT FACILITIES. THEY ARE PLANNING TO CONSTRUCT WATER AND SEWER FACILITIES IN KOREA AND RECOGNISED WYONG COUNCIL AS BEING A LEADER IN THE FIELD OF WATER AND SEWER.

THE MAYOR REPORTED THAT HE AND THE GENERAL MANAGER HAD MET EARLIER IN THE WEEK WITH MINISTER KOPERBERG AND WITH MINISTER REES AND WOULD BE MEETING THE NEXT DAY WITH MINISTER WATKINS.

THE MAYOR, COUNCILLOR W J WELHAM, DECLARED THE MEETING OPEN AT 5.07 PM, ADVISED THAT THE MEETING IS BEING RECORDED AND PASTOR CHRIS RUBIE DELIVERED THE OPENING PRAYER.

APOLOGIES

APOLOGIES FOR THE INABILITY TO ATTEND THE MEETING WERE RECEIVED ON BEHALF OF COUNCILLOR BEST WHO IS ON HOLIDAY WITH HIS FAMILY AND COUNCILLOR PAVIER DUE TO BUSINESS COMMITMENTS.

RESOLVED unanimously on the motion of Councillor ROSE and seconded by Councillor STEVENS:

That the apologies be accepted and leave of absence from the meeting be granted.

Minutes of the Ordinary Meeting of Council held on 10 October 2007 (contd)

418 Disclosures of Interest

F2006/02282 ED:MR

427 PROPOSED COUNCILLORS' COMMUNITY IMPROVEMENT GRANTS

COUNCILLOR WELHAM DECLARED A NON-PECUNIARY SIGNIFICANT CONFLICT OF INTEREST IN THE MATTER FOR THE REASON THAT HE IS A STAFF MEMBER OF NORTHLAKES HIGH SCHOOL, LEFT THE CHAMBER AT 5.54 PM, TOOK NO PART IN DISCUSSION, DID NOT VOTE AND RETURNED TO THE CHAMBER AT 6.10 PM.

427 PROPOSED COUNCILLORS' COMMUNITY IMPROVEMENT GRANTS

COUNCILLOR EATON DECLARED A NON-PECUNIARY INSIGNIFICANT CONFLICT OF INTEREST IN THE MATTER FOR THE REASON THAT HE IS A MEMBER OF STOP KOREAN COAL MINING GROUP 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."

427 PROPOSED COUNCILLORS' COMMUNITY IMPROVEMENT GRANTS

COUNCILLOR VEUGEN DECLARED A NON-PECUNIARY INSIGNIFICANT CONFLICT OF INTEREST IN THE MATTER FOR THE REASON THAT HE MAY BE A MEMBER OF STOP KOREAN COAL MINING GROUP AND PARTICIPATED IN CONSIDERATION OF THIS MATTER.

COUNCILLOR VEUGEN 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."

RESOLVED unanimously on the motion of Councillor FORSTER and seconded by Councillor STEVENS:

That the report be received and advice of disclosures noted.

Minutes of the Ordinary Meeting of Council held on 10 October 2007 (contd)

419 Proposed Inspections

F2006/02282 MW:SW

RESOLVED unanimously on the motion of Councillor STEWART and seconded by Councillor FORSTER:

That the report on inspections to be conducted on Wednesday, 31 October 2007 be received and the information noted.

420 Proposed Briefings

F2006/02282 ED:MR

RESOLVED unanimously on the motion of Councillor STEWART and seconded by Councillor STEVENS:

That the report be received and the information noted.

421 Address by Invited Speakers

F2006/02282 ED:MR

RESOLVED unanimously on the motion of Councillor FORSTER and seconded by Councillor STEVENS:

That the report on Invited Speakers be received and the information noted.

422 Confirmation of Minutes of Previous Meetings

F2006/02282 ED:MR

RESOLVED unanimously on the motion of Councillor STEWART and seconded by Councillor ROSE:

That the minutes of the previous Extraordinary Meeting of Council held on 19 September 2007 and Ordinary Meeting of Council held on 26 September 2007 be received and confirmed.

Minutes of the Ordinary Meeting of Council held on 10 October 2007 (contd)

BUSINESS ARISING FROM THE MINUTES

THERE WAS NO BUSINESS ARISING FROM THE MINUTES.

423 Notice of Rescission – Vandalism Across our Shire

F2004/07937 MR

RESOLVED on the motion of Councillor FORSTER and seconded by Councillor STEWART:

That the following resolution carried at the Ordinary Meeting of Council held on 26 September 2007 be rescinded:

- 1 That Council on behalf of the residents and ratepayers increase our efforts to combat the ongoing escalation of vandalism across our Shire by doubling the reward to \$20,000, leading to a conviction, in an effort to identify those responsible for the mindless and methodic attacks on the evening of Saturday, 22 September 2007, on every public building in and around the Norah Head area.***
- 2 That Council note that these attacks are costing our residents and ratepayers approximately \$250,000 to restore.***
- 3 That Council request the General Manager to formally commend administration and field staff for their efficiency in remediating the affected areas.***
- 4 That Council investigate the cost of employing a graffiti hit squad of two, one north and one south, and come back with a report on the costings and also if they could investigate the costs of providing this service via a range of means.***

FOR: COUNCILLORS FORSTER, GRAHAM, ROSE, STEVENS, STEWART AND WELHAM.

AGAINST: COUNCILLORS EATON AND VEUGEN.

Minutes of the Ordinary Meeting of Council held on 10 October 2007 (contd)

It was MOVED on the motion of Councillor FORSTER and seconded by Councillor STEWART:

- 1 That Council investigate the cost of employing a graffiti hit squad of two, one north and one south, and come back with a report on the costings and also investigate the costs of providing this service via a range of means.*
- 2 That in implementing the above, Council staff explore best practice employed in other Council areas.*
- 3 That staff investigate the option of "public art murals" at locations hit regularly with graffiti.*
- 4 That a review of the graffiti walls at Bateau Bay and Lake Haven occurs.*

An AMENDMENT was MOVED by Councillor EATON and SECONDED by Councillor VEUGEN:

- 1 That the reward for reporting vandalism be doubled generally across the Shire for all incidents in accordance with current guidelines.*
- 2 That a telephone hotline be setup to allow anonymous reporting of incidents and information.*
- 3 That these measures be reported widely.*
- 4 That the local State Members of parliament be advised of these measures and requested to support Council's increased emphasis on protection of its community from vandalism by increased police activity.*
- 5 That a review of the graffiti walls at Bateau Bay and Lake Haven occurs.*

The AMENDMENT was put to the VOTE and declared LOST.

FOR: COUNCILLORS EATON, GRAHAM, AND VEUGEN.

AGAINST: COUNCILLORS FORSTER, ROSE, STEVENS, STEWART AND WELHAM.

Minutes of the Ordinary Meeting of Council held on 10 October 2007 (contd)

RESOLVED on the motion of Councillor FORSTER and seconded by Councillor STEWART:

- 1 That Council investigate the cost of employing a graffiti hit squad of two, one north and one south, and come back with a report on the costings and also investigate the costs of providing this service via a range of means.**
- 2 That in implementing the above, Council staff explore best practice employed in other Council areas.**
- 3 That staff investigate the option of "public art murals" at locations hit regularly with graffiti.**
- 4 That a review of the graffiti walls at Bateau Bay and Lake Haven occurs.**

FOR: COUNCILLORS FORSTER, GRAHAM, ROSE, STEVENS, STEWART AND WELHAM.

AGAINST: COUNCILLORS EATON AND VEUGEN.

424 Acquisition of Land for Water Supply Pump Station at Mardi

F2007/01509 PF

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

- 1 That Council acquire part of Lot 4 DP 587932 Old Maitland Road Mardi for water supply purposes associated with the Mardi Dam – Mangrove Dam Link project.**
- 2 That Council authorise the payment of compensation if necessary for the acquisition of the land in Item 1 in accordance with the Land Acquisition (Just Terms Compensation) Act 1991 and based on assessment by a qualified valuer.**
- 3 That Council proceed to compulsorily acquire the land in Item 1 in the event that negotiations with the property owners cannot be satisfactorily resolved.**
- 4 That Council authorise the Common Seal of Wyong Shire Council to be affixed to the Transfer and/or Plan and to any necessary applications for the approval of the Minister and the Governor in order to proceed with the compulsory acquisition.**
- 5 That Council authorise the Mayor and the General Manager to execute all documents relating to the Transfer and/or Plan and all documents relating to the applications to the Minister.**

Minutes of the Ordinary Meeting of Council held on 10 October 2007 (contd)

**425 Renewal of Licence for Amusement Devices Memorial Park
The Entrance**

F2004/11749 PF

RESOLVED unanimously on the motion of Councillor STEWART and seconded by Councillor FORSTER:

- 1 That Council as Trust Manager of Reserve 71875 Memorial Park The Entrance renew the licence over the Reserve with The Entrance Town Centre Management Corporation Inc for the operation of amusement devices and entertainment on Memorial Park for a period of four years for an annual licence fee of \$380.***
- 2 That the licence operate to allow activities by Community Groups during major events and***
 - a Those vendors who have existing businesses within The Entrance Town Centre and whose predominant activity within Memorial Park during the major events is practically identical to the activities being carried out by the business within The Entrance Town Centre.***
 - b Those vendors who do not have existing businesses within The Entrance Town Centre and whose predominant activity is not in competition with any existing businesses within The Entrance Town Centre.***

The decision on whether vendors meet these criteria is at the sole discretion of The Entrance Town Centre Management Corporation Inc.

426 Rate Payment Incentive Scheme

F2004/06159 DT

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

- 1 That Council continue the Rate Incentive Scheme for the 2008/2009 rating year with a \$5,000 local shopping voucher.***
- 2 That the Mayor draw and announce the winner of Council's Rate Payment Incentive Scheme for 2007/2008.***

THE WINNER OF COUNCIL'S RATEPAYER INCENTIVE SCHEME FOR 2007/2008 IS MS V BARKER OF TOUKLEY.

Minutes of the Ordinary Meeting of Council held on 10 October 2007 (contd)

427 Proposed Councillors' Community Improvement Grants

F2007/00729 MW

COUNCILLOR WELHAM DECLARED A NON-PECUNIARY SIGNIFICANT CONFLICT OF INTEREST IN THE MATTER FOR THE REASON THAT HE IS A STAFF MEMBER OF NORTHLAKES HIGH SCHOOL, LEFT THE CHAMBER AT 5.54 PM, TOOK NO PART IN DISCUSSION, DID NOT VOTE AND RETURNED TO THE CHAMBER AT 6.10 PM.

COUNCILLOR EATON DECLARED A NON-PECUNIARY INSIGNIFICANT CONFLICT OF INTEREST IN THE MATTER FOR THE REASON THAT HE IS A MEMBER OF STOP KOREAN COAL MINING GROUP 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."

COUNCILLOR VEUGEN DECLARED A NON-PECUNIARY INSIGNIFICANT CONFLICT OF INTEREST IN THE MATTER FOR THE REASON THAT HE MAY BE A MEMBER OF STOP KOREAN COAL MINING GROUP AND PARTICIPATED IN CONSIDERATION OF THIS MATTER.

COUNCILLOR VEUGEN 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 WELHAM VACATED THE CHAIR AND COUNCILLOR STEVENS ASSUMED THE CHAIR FOR CONSIDERATION OF THIS ITEM.

It was MOVED by Councillor ROSE and SECONDED by Councillor FORSTER:

- 1 *That an amount of \$5,650 be allocated from the 2007/2008 Councillors' Community Improvement Grants as outlined in Attachment 1.*
- 2 *That the allocations, totalling \$1,300 nominated to Stop Korean Coal Mining be deferred pending the preparation of a report by staff.*
- 3 *That staff prepare a report on Stop Korean Coal Mining that includes;*
 - a *an outline of their goals and objectives*
 - b *a copy of their constitution*
 - c *a copy of their membership list*
 - d *a copy of minutes of meetings, and*

Minutes of the Ordinary Meeting of Council held on 10 October 2007 (contd)

- e a copy of their submission to the State Government Strategic Inquiry into the potential impacts of coal mining in Wyong Shire.

An AMENDMENT was MOVED by Councillor EATON and SECONDED by Councillor VEUGEN:

That an amount of \$6,950 be allocated from the 2007/2008 Councillors' Community Improvement Grants as outlined in Attachment 1.

The AMENDMENT was put to the VOTE and declared LOST.

FOR: COUNCILLORS EATON, STEWART AND VEUGEN.

AGAINST: COUNCILLORS FORSTER, GRAHAM, ROSE AND STEVENS.

RESOLVED on the motion of Councillor ROSE and seconded by Councillor FORSTER:

- 1 That an amount of \$5,650 be allocated from the 2007/2008 Councillors' Community Improvement Grants as outlined in Attachment 1.
- 2 That the allocations, totalling \$1,300 nominated to Stop Korean Coal Mining be deferred pending the preparation of a report by staff.
- 3 That staff prepare a report on Stop Korean Coal Mining that includes;
 - a an outline of their goals and objectives
 - b a copy of their constitution
 - c a copy of their membership list
 - d a copy of minutes of meetings, and
 - e a copy of their submission to the State Government Strategic Inquiry into the potential impacts of coal mining in Wyong Shire.

FOR: COUNCILLORS FORSTER, GRAHAM, ROSE AND STEVENS.

AGAINST: COUNCILLORS EATON, STEWART AND VEUGEN.

COUNCILLOR WELHAM RESUMED THE CHAIR.

Minutes of the Ordinary Meeting of Council held on 10 October 2007 (contd)

**428 Wyong Shire Governance Committee Meeting –
10 October 2007**

F2004/07245 MW

RESOLVED unanimously on the motion of Councillor ROSE and seconded by Councillor STEWART:

That the minutes of the Wyong Shire Governance Committee meeting held on 10 October 2007 be received and the recommendations contained therein, adopted.

Information Reports

The information reports were dealt with by the exception method. Report numbers 429, 430 and 433 were called for debate.

429 Recruitment Activities of the Staff Services Unit

F2004/00355 DB:KB

RESOLVED unanimously on the motion of Councillor FORSTER and seconded by Councillor STEVENS:

That the report be received and the information noted.

**430 Local Government Association Conference Motion -
Unaffordable Housing And Mortgage Stress**

F2004/09609 ED

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

That a late Notice of Motion be submitted to the Local Government Association Conference as follows:

- 1 That the Association commission a report into the level of housing/rental stress in NSW and the social impacts this has on our communities.***
- 2 That the Association make recommendations to Councils, State and Federal Governments on means to alleviate housing/rental stress.***

Minutes of the Ordinary Meeting of Council held on 10 October 2007 (contd)

431 Schedule of Bank Balances and Investments – August 2007

F2004/06604 HS

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

That the report be received and the information noted.

432 Activities of the Development Assessment Unit

F2004/07830 NL

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

That the report be received and the information noted.

433 Outstanding Questions Without Notice and Notices of Motion

F2006/02282 ED:MR

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

That the report be received and the information noted.

QUESTIONS WITHOUT NOTICE ASKED**Q102 – Condition of the Tiles in The Entrance CBD
Councillor Stewart**

F2004/07982

“Would Council please look urgently at the condition of the tiles in The Entrance CBD as the replacement tiles are dark grey and match nothing. There is also a patch of plain cement which has been there for some time with no further work being undertaken. There are still many, many damaged tiles which still have to be replaced. There have been two very hard slips reported over the past few weeks. Council urgently needs to address these problems. When will this be happening?”

Minutes of the Ordinary Meeting of Council held on 10 October 2007 (contd)

Q103 – Oasis Youth Centre**Councillor Forster**

F2004/11275

“Can Councillors be given a briefing on current status of Oasis Youth Centre – including the current funding status, current activities/programs run at the Centre, and attendance/participation rates and what future plans are in place for the Centre?”

Q104 – Days/Hours Mayor will be Acting as Mayor**Councillor Eaton**

F2004/06509

“Could the Mayor advise Councillors and the public which days and hours (during Council Business hours) he will be acting as Mayor compared to being a State Government employed teacher?”

Q105 – Possible Conflict of Interest for Mayor as a State Government Employee**Councillor Eaton**

F2004/06509

“Could the Mayor advise how he intends to deal with the embedded and inherent conflict of interest between being a State Government employee and representing often adverse community interests as Mayor?”

THERE BEING NO FURTHER BUSINESS, THE MEETING CLOSED AT 6.35 PM.

.....
CHAIRPERSON

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WYONG SHIRE COUNCIL

31 October 2007
To the Ordinary Meeting of Council

439 **Mayoral Minute – Central Coast Water Corporation**

F2004/08792

In 2004 the then Minister for Water Utilities, Frank Sartor, instructed Wyong and Gosford Councils to examine the issue of combining their water and sewerage functions into a single body. In further meetings with Minister Sartor in 2005, he indicated that he would leave the final decision to the two Councils and that he was prepared to accept whatever decision that might be.

The two Councils jointly commissioned consultants, Price Waterhouse Coopers, to examine a number of options ranging from enhancing the current arrangements (Model 1) through to a separate entity with full asset ownership and employment of all staff (Model 5). A joint meeting of the two Councils supported Model 2, which provided for a separate legal entity taking over the strategic role currently performed by the Joint Water Supply Authority. The key difference from the current arrangement would be that the new entity would make the final decision on strategic issues, such as bulk water supply, without having to go to the two Councils for a decision. The joint meeting decided to propose the following model to Minister Sartor:

- “1 *The Joint Services Entity (JSE) (based on Model 2) recognising the following:*
- a *The JSE be established with shareholding restricted to local government authorities.*
 - b *Retention of Councils’ direct ownership and control of water, sewage and drainage services infrastructure.*
 - c *Councillors, Council officers and non-councillors able to be members of the Board of Directors of the JSE and appointed by the two Councils.*
 - d *Retention of job security and career opportunities for existing staff.*
 - e *Operational responsibility for the water functions to remain with Gosford and Wyong Councils*
 - f *Councils continue to be the water authority under the Water Management Act and, if appropriate, the licensed operator.*
 - g *Councils be responsible to the community for the delivery of water, sewerage and drainage services.”*

This decision was conveyed to Minister Sartor in a meeting with the two Mayors and General Managers in July 2005 and he instructed his relevant officers to proceed with drawing up the necessary legislation in consultation with the two Councils.

31 October 2007
To the Ordinary Meeting of Council

Mayoral Minute – Central Coast Water Corporation (contd)

In early 2006 Council officers worked with the Deputy Director General of the then Department of Energy, Utilities and Sustainability (DEUS) to agree on the framework for legislation to implement Option 2 and by July 2006 agreement had been reached and documented. It was agreed that the two Councils would be further consulted as the actual legislation was being drawn up.

In the later part of 2006 the State Government introduced the Central Coast Water Corporation Bill into the parliament without any further discussion with the two Councils and with some substantial changes from the model that had been agreed to by the State Government at a senior officer level.

The Act provides for the formation by the Minister of a separate entity to cover water, sewerage and drainage functions. However, the entity cannot be formed by the Minister unless the two Councils each formally resolve to proceed with it and make a recommendation to the Minister to proceed. Once the Corporation is proclaimed then certain timeframes in the legislation are triggered. Key points of difference in the legislation include:

- a After one year the two Councils cease to be water supply authorities and the corporation becomes the authority. The two Councils cannot then exercise any water and sewerage functions either as a water supply authority or as a local government body. The Minister can shorten this period or lengthen it up to a maximum of two years.
- b During the first three years, the Minister can only transfer assets, rights and liabilities from the Councils to the Corporation with the consent of the relevant Council. After this initial period the Minister may transfer any assets, rights and liabilities without seeking the consent of the Council. The Minister can lengthen this initial period to a maximum of five years.
- c Each Council can transfer such staff as it sees fit to the Corporation. The Act seeks to provide some protection to transferred staff (ensuring no forced redundancy for three years, transfer of leave entitlements, etc). Legal advice obtained by Council in late 2006 from Mr Tim Robertson SC pointed out that the effect of such provisions is questionable in the light of federal government employment provisions that override such State Government provisions.
- d Board members are appointed by the Governor on the Minister's recommendation. The two Councils make recommendations to the Minister on board members and there can be no more than one Councillor or employee from each Council on the board. An independent chair is appointed by the Minister after consultation with the Council. The number of board members is to be at least three and no more than seven. If there are Council representatives on the board then there is to be a minimum of five board members.

31 October 2007
To the Ordinary Meeting of Council

Mayoral Minute – Central Coast Water Corporation (contd)

Wyong Council was only prepared to pursue the legislation in respect of water headworks (ie supply of bulk water) as it believed that the transfer of all water, sewerage and drainage functions into a separate body could significantly disadvantage the residents of the Central Coast by way of increased costs, difficulty for ratepayers and residents in dealing with separate organisations, lower service levels as experienced in some other corporatised service areas. In addition, a fully corporatised body holding all staff and assets facilitates a future transfer of ownership and privatisation as has happened in the electricity industry around Australia and with the water industry in the United Kingdom.

Earlier this year, the two Councils agreed to form a joint steering committee to examine ways of moving forward in regard to the matter. The membership from each Council consisted of the Mayor and another Councillor, the General Manager and the relevant Director covering water and sewerage functions. This steering committee commissioned lawyers Corrs Chambers Westgarth to do a comparison between the current legislation and the model that had previously been agreed to by DEUS and the two Councils. The steering committee reviewed this comparison and unanimously agreed to approach the State Government to seek some changes to the legislation as follows:

- a Provisions of the legislation whereby the Councils automatically cease to be water supply authorities after one year to be changed so that the timing of any such change would not be automatic and would be decided by joint agreement of the two Councils (as per the previous agreement with DEUS).
- b Provisions of the legislation whereby the Minister has the sole power to transfer assets after three years to be changed so that decisions on transfer of assets be retained by the two Councils (as per the previous agreement with DEUS).
- c A change in provisions relating to membership of the board to permit one Councillor and one staff member from each Council to be on the board. The chair should still be an independent and the voting power of the independents (including the chair's casting vote, if necessary) should exceed that of the Council representatives.

On 8 October 2007, the Mayor of Gosford, Jim MacFadyen and I, together with the two General Managers, met with the Minister for Water Utilities, The Honourable Nathan Rees, to outline the above proposal to him. The Minister indicated that he was prepared to consider any proposals from the Councils but he wanted them to be backed by formal resolutions of the Council. He also indicated that he wanted the formation of the Corporation to proceed as soon as possible and that he would need "powerful arguments" from the Councils concerning the need to make changes to the legislation in order to convince Cabinet and the Parliament.

While the various unions had been consulted as part of the process outlined above, the Minister indicated that he wanted them to be part of the steering committee. A further meeting of the steering committee was held on 18 October and representatives from all unions from both Councils were present.

31 October 2007
To the Ordinary Meeting of Council

Mayoral Minute – Central Coast Water Corporation (contd)

The union representatives tabled a common law deed of agreement for employment of staff that had been entered into by two other Councils and suggested that this was a model that could be used here. The two Councils indicated that they were prepared to examine this deed but would need to seek advice on it. The meeting endorsed the recommendations at the end of this Mayoral Minute.

On 19 October, we met with the Minister for the Central Coast, The Honourable John Della Bosca, to discuss the proposed changes with him. The Minister was briefed on the changes outlined in this Mayoral minute and at the end of the meeting indicated that he was prepared to support the changes proposed.

I believe we now have an opportunity to persuade the State Government to make some changes to the legislation provided we can demonstrate that these changes are in the best interests of the ratepayers and residents of the Central Coast and that there is a commitment to move forward quickly on the matter.

The changes in regard to timing of transfer of functions as a water supply authority and the transfer of assets are necessary as the timetables set in the legislation are arbitrary and are not able to be achieved, may need to occur at inappropriate times or are not desirable at all.

In regard to the transfer of water supply authority status, I would question whether a new corporation could be properly established and fully operational in the timeframes set in the Act. It is not just a question of establishing all of the legal and governance framework such as constitution, shareholder agreements, etc and forming a board. It involves establishing a whole operational framework for the new corporation covering water, sewerage and drainage functions across the whole of the Central Coast, including engineering, accounting and billing functions. While some work can be done by the two Councils' to establish a framework for the corporation before any corporation is proclaimed, the new board would need to decide on and establish the detailed structure and operations.

In late 2006 Council obtained legal advice from Mr Tim Robertson S.C. as to whether Council could still provide one bill to the ratepayers covering local government rates and the Water Corporation's fees and charges after the new Corporation became the water authority. The clear advice was that Council could not do this once it ceased to be a water supply authority. This means that the ratepayers will receive two separate bills (one for water, sewerage and drainage and another for local government rates) and they will have to contact two separate organisations in regard to matters. In addition, there must be an increase in overall costs to the ratepayers if this type of separation and duplication happens. The best outcome for the residents and ratepayers would be if the Councils continue to provide the retail services to them so that they get one bill and one point of day to day contact.

In regard to the issue of assets, there are a number of reasons why the decision on transfers to the Corporation should be left with the Councils. Like the issue of change of water supply authority status, the timeframes in the legislation are arbitrary and it is not desirable to make the transfers in the timeframes envisaged.

31 October 2007
To the Ordinary Meeting of Council

Mayoral Minute – Central Coast Water Corporation (contd)

If the Councils were to retain certain functions relating to frontline delivery of services to the ratepayers and residents, then there will be some assets that shouldn't be transferred at all, eg if the Council retains rating, charging and billing functions then it should also retain water meter reading. It might then be sensible for Councils to retain the functions relating to the provision and maintenance of the water services to the residents. This would provide a sensible "one stop shop" to the residents for all of their billing and service issues.

In regard to make up of the board of the corporation, I fully support the intention to have significant independent representation. I also agree that the independent representatives should have the balance of power on the board. However, I also believe that there is considerable merit in having both elected Councillors and staff members with technical expertise on the board. The staff members would bring a level of technical expertise that is necessary to support the elected officials and while it has been said that staff members could attend meetings even if they aren't board members, there is nothing in the legislation to ensure this can actually happen and a future board might decide to exclude them. Also, their opinions are better heard if they are actual board members. I would propose no more than one Councillor and one staff member from each Council on the board, with the balance of power still held by the independent representatives.

I formally MOVE:

- 1 That Council, in association with Gosford City Council, make a formal submission to the Minister for Water Utilities to amend the Central Coast Water Corporation Act as outlined in this report:**
 - a To vary the provisions in the Act whereby the two Councils automatically cease to be water authorities after a set period and provide for this to be decided by joint agreement of the two Councils.**
 - b To vary the provisions in the Act whereby the Minister has the sole power to transfer assets after a set period and provide for decisions on transfer of assets to be retained by the two Councils.**
 - c To vary the provisions in the Act in regard to membership of the board to provide for one Councillor and one staff member from each Council to be members, with the balance of power held by the independent representatives on the board.**
- 2 That the Minister be advised that, in consultation with the relevant unions, Council will consider common law deeds of agreement for employment purposes.**
- 3 That the membership of the steering committee be expanded to include relevant union representation and that sub-committees, including union representation be established as required to address specific issues.**

Mayoral Minute – Central Coast Water Corporation (contd)

- 4** *That Council indicate to the Minister that provided the amendments are made, as above, Wyong Council is prepared to move forward with the formation of the Central Coast Water Corporation as soon as possible.*
- 5** *That the Minister be further advised that these resolutions should not be taken as a resolution under Part 1, Section 2 of the Central Coast Water Corporation Act.*
- 6** *That the Mayor and General Manager seek a further meeting with the Minister for Water Utilities to present the submission and expand on it.*

WYONG SHIRE COUNCIL

31 October 2007
To the Ordinary Meeting of Council

440 Notice of Motion – Drainage on Tuggerah Straight

F2004/00156 SW

Councillor B J Pavier has given notice that at the Ordinary Meeting of Council to be held on Wednesday, 31 October 2007 he will move the following Motion:

“That following a recent inspection of the works near the traffic lights of the Tuggerah Railway Station on Tuggerah Straight there appears to be a complete blockage of the culvert/drain as workmen are actually in the drain undertaking construction;

- 1 Can the RTA confirm that the drain/culvert is blocked off at present and how long it is blocked off and for what periods of time it will be blocked off?*
- 2 Can the RTA provide Council with what contingencies exist should a freak storm/rain event (as witnessed recently in June on the long weekend) occur and what protection mechanism are in place to assist those businesses upstream or west of this road works area, given that the culvert/drain is blocked by works?*
- 3 Can the State Rail Authority confirm that the section between Tuggerah Railway Station and the Wyong Station is to undergo in the near future a sleeper exchange from wooden to cement and that this process will require more fill to go into the actual rail line, raising the present height of the wall (ie levee) dividing the Tuggerah Straight and business area and Pioneer Dairy Site.*
- 4 That Council write to the Member for Wyong seeking what he is going to do about the present flood and drainage situation on Tuggerah Straight as a result of the road works and potential State Rail works and that he intervenes into this mess and finds a solution to the present flooding potential problem.*
- 5 That a further report on any responses to the above be presented to Council when available.”*

WYONG SHIRE COUNCIL

31 October 2007

To the Ordinary Meeting of Council

**441 Notice of Motion – Upgrading of the Foreshore Area Between
Memorial Park and Picnic Point at The Entrance**

F2006/00496 SW

Councillors K M Forster and R E Stewart have given notice that at the Ordinary Meeting of Council to be held on Wednesday, 31 October 2007 they will move the following Motion:

“That as part of the foreshore upgrading works to be carried out under the Estuary Management Plan, plans be developed for upgrading of the foreshore area between Memorial Park and Picnic Point at The Entrance.

The first stage of the works should provide for increased foreshore areas by narrowing or closure of The Entrance Road in order to provide for a cycleway/pedestrian pathway separated from the fishing areas, together with picnic and barbeque areas and seating.”

WYONG SHIRE COUNCIL

31 October 2007
To the Ordinary Meeting of Council

442 Notice of Motion – Warnervale Town Centre

F2004/07829 SW

Councillor D J Eaton has given notice that at the Ordinary Meeting of Council to be held on Wednesday, 31 October 2007 he will move the following Motion:

- “1 That given the unacceptable delay by the State Government in progressing the proposed Warnervale Town Centre and due to the likely level of imposts that will make development of the town centre uneconomic, Council adopt a fall back or second option of priority residential development in the south east Wadalba precinct.*
- 2 That development of this precinct be based on the recognition that Wyong township can and should perform the retail, community and sporting functions supporting the residential growth.*
- 3 That the Section 94 contributions for this area be adopted on the principle outlined in paragraph 2 above and that this should result in significantly lower contributions and significantly lower cost and more affordable housing.”*

WYONG SHIRE COUNCIL

31 October 2007

To the Ordinary Meeting of Council

443 Notice of Motion – Ratepayers and Residents Satisfaction Survey

SW

Councillor G P Best has given notice that at the Ordinary Meeting of Council to be held on Wednesday, 31 October 2007 he will move the following Motion:

“That Council through a customer satisfaction survey give our ratepayers and residents the opportunity to provide Council with important satisfaction feedback on Council’s key performance areas, such as but not limited to, water supply, waste management, roads / drainage, library facilities, sporting facilities, customer service, parks and gardens, vandalism management and lakes / foreshores.”

WYONG SHIRE COUNCIL

31 October 2007
To the Ordinary Meeting of Council

Director's Report
Shire Planning Department

444 Proposed Section 94A Plan

F2005/03091 PAB

SUMMARY

Reporting on the preparation of a draft Section 94A contributions plan for the Shire. The report provides details of the plan preparation process, which included research of other Councils' Section 94A plans, a Councillor briefing and staff consultation. The report recommends that the draft plan proceed to public exhibition.

RECOMMENDATION

- 1 That in accordance with Clause 28 of Part 4 of the Environmental Planning and Assessment Regulations 2000, the draft plan be exhibited for public comment.**
- 2 That subject to no objections being received as a result of the public exhibition, the plan be adopted and public notice be given in accordance with Clause 31 of Part 4 of the Environmental Planning and Assessment Regulations 2000.**

INTRODUCTION

Section 94A of the Environmental Planning and Assessment (EP&A) Act provides Council with an opportunity to ensure that appropriate development contributions can be levied on development that currently does not pay contributions under Section 94, or pays very little under Section 94.

For such developments, it is difficult to determine the expected types of future development, the rate at which development will occur or where it will occur. This makes it difficult to prepare a contributions plan that authorises the imposition of Section 94 contributions on development because of the nexus required to be established under Section 94 between development and the increased demand for public amenities and public services.

Those difficulties do not exist under Section 94A, because it authorises the imposition of a levy which is calculated as a flat percentage of the development cost, and the Act does not require any connection (nexus) between development which pays the levy and the object of the expenditure of the levy.

The EP&A Regulations 2000 caps the percentage of the levy at 1% of the cost of development and the Minister has given direction that the levy can only be imposed as follows:

Value of Development	Percentage of Levy
\$nil to \$100,000	0%
\$100,001 to \$200,000	0.5%
\$200,001 and greater	1.0%

Proposed Section 94A Plan (contd)

Although a Section 94A levy may be widely used, there are a number of restrictions on its application and use:

- * A Section 94A levy cannot be imposed on the same development application or complying development certificate if a Section 94 contribution is required.
- * Contributions must be expended towards capital costs associated with the provision, extension or augmentation of public amenities or public services (or towards recouping the cost of their provision, extension or augmentation).

The Minister has also given a direction that prohibits a Section 94A levy being imposed on any development for the following purposes:

- 1 Purpose of providing disabled access.
- 2 Sole purpose of affordable housing.
- 3 Purpose of reducing building's use of potable water.
- 4 Sole purpose of adaptive re-use of an item of environmental heritage.
- 5 Where Section 94 has been applied to the subdivision of the land.

PLAN DETAILS

The draft plan covers the whole of the Shire, but will not apply to land where Section 94 has been applied to the subdivision of the land. Plans of these areas to be excluded have been prepared in consultation with various staff and Council's Land Information software will be configured to ensure that Section 94A codes are not placed on these properties.

As a result of the Councillor briefing session held on 12 September 2007, it is proposed to apply the Section 94A levy to the following development types:

- * Commercial
- * Tourist
- * Government Agencies (excluding roads and drainage projects by WSC and Public Utility Providers)
- * Industrial
- * Rural
- * Residential (capped at 0.5% regardless of the value over \$100,001)

Proposed Section 94A Plan (contd)

It is proposed that the proceeds from the levy be directed toward high profile capital works of generally Shire-wide significance. The following projects are therefore nominated:

- * Performing Arts Centre
- * Warnervale Aquatic Centre
- * Cycleways

It is difficult to estimate the level of income to be achieved from a Section 94A Plan due to the unknown factors of the level of development and the value of that development. However, using the 2006 development application data, it is estimated that a Section 94A plan has the potential to raise approximately \$1.5 million per year in total.

The draft plan sets a works programme for the next five years and nominates the expenditure of the income as follows:

Project Description	Amount	Timing	Comment
A contribution towards the cost of constructing the auditorium within the Performing Arts Centre.	\$2,500,000	2009	One off contribution towards the Performing Arts Centre.
A contribution towards the Warnervale Aquatic and Leisure Centre	\$3,921,750	2011 and 2012	15% of the aquatic centre to be funded by the S94A plan. This will involve three payments over 10 years. The first two payments to come in 2011 and 2012.
Cycleways	\$1,078,250	2008 and 2010	Contribution towards the Wilfred Barrett Drive cycleway project
Total	\$7,500,000		

PROCEDURE

The adoption of the Section 94A plan will require some changes to the way in which certain development applications are assessed and processed. The most notable change will be that developer contributions will apply to development types that currently do not pay contributions – eg dwellings and dwelling additions.

As the value of the development is used to determine the levy, it is necessary to ensure that the values being nominated during the development application process are accurate and relevant. The Department of Planning's template for Section 94A contributions plans proposes a procedure be established to ensure that the values are correct and will require reports to accompany certain applications.

Proposed Section 94A Plan (contd)

Two reports are identified within the draft Section 94A plan. The first is a "Cost Summary Report" which can be completed by the applicant or owner. The second is a "Quantity Surveyor's Detailed Cost Report" which must be completed by a member of the Australian Institute of Quantity Surveyors.

After consulting Development Assessment staff, it is proposed to set threshold values for the submission of the above reports. These thresholds are shown below:

Value of Development	Report Required
\$100,001 - \$999,999	No report required
\$1,000,000 - \$4,999,999	Cost Summary Report
\$5,000,000 and greater	Quantity Surveyor's Detailed Cost Report

Irrespective of the above thresholds, the Section 94A plan also states that Council may review the valuation of works and may seek the services of an independent person to verify the costs. In these cases, all costs associated with obtaining such advice will be at the expense of the applicant and no Construction Certificate will be issued until such time that the levy based on the revised valuation has been paid.

Given that the Section 94A plan will introduce new procedures and requirements, it is proposed to provide training to Development Assessment staff and Customer Service staff on the requirements of the new plan prior to the plan being adopted.

CONSULTATION PROCESS

The preparation of the draft Section 94A plan involved consultation with a number of units within Council including Future Planning, Development Assessment, Legal and Policy, Open Space and Recreation, Roads and Drainage and Community Development. During the exhibition period, consultation with industry representatives will be expanded to ensure full consideration of any issues arising. As mentioned above, a Councillor briefing session was also held on 12 September 2007 seeking direction on the types of development to be levied and the types of works to be funded. Should Council resolve to endorse the draft Plan, public exhibition could be arranged to commence from 9 November 2007.

Proposed Section 94A Plan (contd)

CONCLUSION

Section 94A provides Council with an opportunity to levy developer contributions on developments that currently pay little or no contributions towards the upgrading of infrastructure.

The draft plan will involve some changes to the development assessment and customer service processes. Training of staff in these areas is proposed to occur in the lead up to the draft plan being adopted and implemented.

It is recommended that the draft plan be exhibited for public comment. A copy of the draft plan is enclosed.

Enclosure

Draft Section 94A Plan

445 Adoption of the Wyong/Tuggerah Planning Strategy

F2004/07589 LH:LH

SUMMARY

The draft Wyong/Tuggerah Planning Strategy has been exhibited and 21 submissions were received. The submissions identified a need for further planning of a number of precincts within the Wyong/Tuggerah Major Centre, namely the River Foreshore, Baker Park and Tuggerah Town Centre precincts.

A Council resolution is sought to adopt the Wyong/Tuggerah Planning Strategy and commence implementation of the Strategy outcomes, being preparation of a draft Local Environmental Plan (LEP) for the Wyong Town Centre and revision of Development Control Plan (DCP) 2005: Chapter 7 Wyong Town Centre.

At the same time it is proposed to commence masterplanning of the River Foreshore and Baker Park precincts, funded by Council's 2007-2008 Management Plan. Funding has yet to be allocated for the Tuggerah Town Centre Masterplan; however, this funding will be included in the 2008/2009 Management Plan. The timing will depend upon the progression of the Baker Park and River Foreshore Masterplans.

RECOMMENDATION

- 1** *That the draft Wyong/Tuggerah Planning Strategy be adopted.*
- 2** *That Council commence implementation of the Wyong/Tuggerah Planning Strategy by:*
 - a** *The preparation of a draft Local Environmental Plan to rezone land within the Wyong township to allow for mixed use, commercial and residential development in accordance with the Strategy;*
 - b** *The revision of Development Control Plan 2005: Chapter 7 Wyong Town Centre to increase heights and densities, and improve design guidelines for the Wyong Town Centre, in line with the Strategy and in association with the draft Local Environmental Plan; and*
 - c** *The preparation of masterplans for the River Foreshore and Baker Park Precincts in accordance with Council's 2007/2008 Management Plan.*
- 3** *That the preferred sites for public carparking be further investigated during the preparation of the draft Local Environmental Plan to rezone land within the Wyong Township and revised Development Control Plan 2005: Chapter 7 Wyong Town Centre, in accordance with the Strategy.*

Adoption of the Wyong/Tuggerah Planning Strategy (contd)

- 4** *That the carparking sites be identified publicly through the proposed draft Local Environmental Plan and revised Development Control Plan, and costed in a Section 94 Contribution Scheme for Carparking within the Wyong Town Centre.*
- 5** *That a copy of the Wyong/Tuggerah Planning Strategy be forwarded to the Department of Planning for its reference.*

BACKGROUND

The draft Wyong/Tuggerah Planning Strategy was publicly exhibited for a period of six weeks from 1 November 2006 to 15 December 2006. During the exhibition period Council staff presented the Strategy to the Wyong/Tuggerah Chamber of Commerce. The Strategy was well received by over 100 local business people who attended the meeting. In addition, staff have attended a number of meetings about land within the Strategy area and have been told that the Strategy is welcomed and generally supported by the community.

Twenty-one submissions were received from various Government agencies, businesses and landowners during the exhibition period. The majority of submissions supported the guidance provided by the Strategy as to the future development potential within the Wyong/Tuggerah area.

The main concerns raised in the submissions were in relation to:-

- * Traffic and parking constraints within the Wyong Town Centre;
- * Flooding constraints within Tuggerah;
- * Land use proposed for the eastern side of Bryant Drive, Tuggerah;
- * Identification of land adjoining the Chapman Stores as a public courtyard in the Urban Design Vision and Masterplan (UDVMP); and
- * Workability of the concept plans in the UDVMP for the River Foreshore, Baker Park, Tuggerah Town Centre and Gateway precincts.

Traffic and parking within the Wyong Town Centre

The draft Strategy was placed on public exhibition at the same time as the exhibition of the Pacific Highway, Wyong Options Paper by the NSW Roads and Traffic Authority (RTA). A number of submissions were concerned as to the potential impact on traffic and parking within the Wyong Town Centre should any of the central corridor options be selected. Suggestions were made as to the suitable location of a centralised parking station with the Wyong Town Centre.

Adoption of the Wyong/Tuggerah Planning Strategy (contd)

The RTA raised concern as to the suitability of a number of intersection treatments proposed for the Pacific Highway, such as roundabouts and suggested that further detailed planning is required to determine how each intersection fits in with the overall strategy of works for the Pacific Highway and traffic circulation in the town centre. The RTA submission also sought further detail on the additional transport facilities required under the Strategy and the options available to fund such facilities.

It is agreed that further detailed planning is required in consultation with the RTA to determine the type of intersection treatments to be provided. It is difficult to formally assess what types of intersection improvements are required along the Pacific Highway until the outcomes of the proposed upgrade of the Pacific Highway are known, with no details yet released by the RTA as to its preferred option. Each of the four central corridor options would significantly impact on parking and traffic within the Wyong Town Centre. Council's report has acknowledged this uncertainty and attempted to provide direction for the township in any case. Issues identified in Council's investigations for the Wyong Town Centre have been forwarded to the RTA for consideration in the development of the Pacific Highway upgrade.

Flooding constraints at Tuggerah

Concern was raised by the Department of Planning (DoP) and a number of community members as to the flood characteristics of the Tuggerah area. Further investigation was requested into the flooding implications for the Tuggerah Straight precinct, and the two "deferred areas" off Lake Road, Tuggerah. The "deferred areas" have been identified as such to emphasise that any increase in development potential for these two sites will not be able to proceed until the outcomes of detailed flood investigations are known, and any required flood mitigation works are scheduled for construction.

As discussed later in this report, flooding investigations are currently being undertaken for the area by Council's Hydrology Engineers and consultants, Webb, McKeown and Associates. Such investigations have indicated that the deferred flooding areas are highly unlikely to be developed for residential, commercial or industrial purposes.

Minor additional development is proposed within Tuggerah Straight, along Mildon and Johnson Road where it is proposed to rezone a number of properties from 4(b) Light Industrial to 3(b) Centre Support. This will allow for an improved building design along the two intersections which are both highly visible from the Pacific Highway. All existing properties fronting the Pacific Highway along Tuggerah Straight are currently zoned 3(b) Centre Support.

Bryant Drive, Tuggerah

The proposed change in zoning of land to the east of Bryant Drive, Tuggerah was discussed in a number of submissions. Whilst the majority of submissions were supportive of the increase in land use permitted under the proposed bulky goods zoning, others argued that additional uses such as mixed use development should be considered for the area.

Adoption of the Wyong/Tuggerah Planning Strategy (contd)

As discussed below, the Strategy has been amended to identify this area as being suitable for "employment generating land". However, a number of issues require resolution prior to development of the land. The definition of an appropriate zone for this area will be reliant on further investigation of flooding impacts and outcomes of the Central Coast Regional Economic Development and Employment Strategy (REDES) being prepared by the DoP.

Chapman Stores

The Urban Design Vision and Masterplan (UDVMP) identifies the land to the rear of the Chapman Stores, on the corner of Alison Road and Hely Street, Wyong as having the potential for a civic open space/public courtyard area. Concern has been raised as to the impact this proposed concept may have on the development potential of the site.

It is noted that the UDVMP includes a number of concepts to illustrate how the precincts within the Wyong/Tuggerah Major Centre may develop to ensure that the area retains its unique qualities and sense of place, whilst accommodating growth, providing a choice of housing type and catering to a diversity of future residents. Whilst such concepts will be considered when formulating the revised DCP 2005: Chapter 7 Wyong Town Centre, they will not necessarily form strict controls but rather guidelines or objectives for the development of the site.

The Strategy proposes no change in zoning for the subject site, currently 3(a) Business Centre Zone, and development of the site would be in accordance with its commercial zoning.

Concept plans for the River Foreshore, Baker Park, Tuggerah Town Centre and Gateway Precincts

The Urban Design Vision and Masterplan outlines a number of concept plans for the various precincts within the Wyong/Tuggerah Major Centre. The River Foreshore, Baker Park, Tuggerah Town Centre and Gateway Precincts created the most concern as to workability, suitability, proposed heights, proposed land uses and site constraints. It was considered that further detailed planning within these precincts is required to address the issues at a more comprehensive level.

As discussed below, the first stage in implementing the Strategy will require the preparation of masterplans for the River Foreshore and Baker Park precincts. The Baker Park precinct is currently identified with the Strategy as a deferred development area, subject to resolution of improved vehicular and pedestrian access across the railway line. The masterplanning of the Baker Park Precinct can commence on the assumption that the access issue will be resolved; however any increase in development potential identified within the masterplan will not be able to proceed until access improvements have been identified and scheduled for construction. It is anticipated that the required access improvements will be implemented in conjunction with the RTA following resolution of the preferred option for the Pacific Highway upgrade.

Adoption of the Wyong/Tuggerah Planning Strategy (contd)

The River Foreshore Masterplan will investigate appropriate land use to complement the cultural focus of the proposed Performing Arts Centre. It will identify options to improve the social amenity of the area by upgrading existing open space areas, provision of parklands, improved pedestrian connections, and introducing retail and commercial uses, such as cafes, to address and activate the foreshore.

The Tuggerah Town Centre Masterplan will commence in 2008/2009, depending upon the progression of the first two precincts and associated LEP and DCP review.

CHANGES TO THE DRAFT WYONG/TUGGERAH PLANNING STRATEGY

A summary of the submissions is outlined in the enclosure, together with comments on the issues raised and whether any amendments to the draft Strategy have been deemed necessary. The issues were presented to Councillors at a briefing on 9 May 2007. Following discussion of the major issues outlined in the submissions, both staff and the attending Councillors agreed that the following changes be made to Figure 16 (Tuggerah Development Strategy) prior to adoption of the Wyong/Tuggerah Planning Strategy:

- 1 Provision for additional carparking at the Tuggerah Rail Station to reflect future development plans by the Ministry for Transport;
- 2 Identify the land to the east of Bryant Drive as "employment generating land";
- 3 Include the large parcel of land to the south of Club Tuggerah within the area identified as "employment generating" land; and
- 4 Require any future development of the Crown land to the north of Lake Road, Tuggerah to complement and integrate with development proposed for Tuggerah Lakes Reserve (Pioneer Dairy).

It was also agreed at the Councillor Briefing to amend Figure 12 (Wyong Development Strategy) to identify the land either side of Margaret Street, between Alison Road and Anzac Road, as being suitable for mixed use development. Mixed use development is ground floor commercial with upper levels for residential development.

SUPPORTING STUDIES

Two projects are operating concurrently with the preparation of the Wyong/Tuggerah Planning Strategy. These are the Wyong Township Carparking Report which investigates parking issues within the Wyong Town Centre, and the Tuggerah Flood Study which identifies any potential constraints that the existing and future flood environment will place on the type and extent of development in the Tuggerah area.

Adoption of the Wyong/Tuggerah Planning Strategy (contd)

Wyong Township Carparking Report

The Wyong Township Carparking Report has recently been completed by Council staff. This study considers current and future parking requirements, both on and off-street, and seeks to quantify those requirements in terms of number and potential location of parking. The outcomes of the exhibition of the draft Wyong/Tuggerah Planning Strategy were required to inform the study in terms of type and scale of proposed land use and the implications on future parking for the township.

The Report separates the Wyong Town Centre into three (3) sections. Two sections are located to the west of the Railway line, one North of Alison Road, the other South of Alison Road. A third section is identified to the East of the Railway Line.

The availability of suitable sites for public carparking is very limited. The only suitable sites are restricted in size because of flooding and topography. Consequently, the parking demand has been calculated on the basis that commercial developments provide 90% of their parking requirements on site (i.e. any Section 94 contributions are limited to 10% of the parking requirements) and all residential development areas provide 100% of their parking requirements on-site (i.e. there is no option to pay Section 94 contributions in lieu of the required parking spaces).

The report identified that there is a current shortfall with on-site parking, but when on-street parking is taken into account there is a surplus of 172 and 84 spaces respectively for the sections North and South of Alison Road. With full development by 2031, there is likely to be a shortfall of 243 and 168 on-site parking spaces respectively for the sections North and South of Alison Road, which will need to be funded through Section 94 contributions.

As such two public carparks should be provided, one in each section north and south of Alison Road, to provide approximately 200 to 250 parking spaces in each carpark. The carparks will cater for the anticipated future shortfall in on-site parking. A number of potential public carparking sites have been identified in the Report. The preferred public carpark sites are to be further investigated for inclusion in the draft LEP to rezone land within the Wyong Town Centre in line with the outcomes of the Wyong/Tuggerah Planning Strategy.

For the section east of the railway line, there is a current shortfall in on-site parking for the Baker Park Complex. This shortfall is being catered for by on-street parking. The carparking report, however, identifies some improvements that can be incorporated in the proposed Baker Park Management Plan to better cater for on-street parking in the future. Based on residential development providing 100% of parking requirements on-site, there is no identified shortfall in parking spaces for future developments. If Council is prepared to accept the continuation of the existing on-street parking, then there is no justification in providing a carpark funded from Section 94 funds for the section east of the railway line.

Adoption of the Wyong/Tuggerah Planning Strategy (contd)

The Wyong Township Carparking Report concluded that there are limited sites where Public Parking Stations can be provided in the Wyong Town Centre at a reasonable cost. As such, it is essential that each and every development provide its own parking on-site. Where this is not possible for commercial developments, any Section 94 parking contributions should be limited to 10% of the development's parking requirements.

Tuggerah Flood Study

The Tuggerah Flood Study is currently being finalised by Webb, McKeown and Associates. The final study will assess the existing flood behaviour, identify flood related issues and constraints and outline key development restrictions due to flooding. Initial flooding investigations have raised significant concern as to the development potential of the land to the north of Lake Road, Tuggerah. As such, this area has been identified as a "deferred area" within the Wyong/Tuggerah Planning Strategy and will need to be investigated further as part of the Lower Wyong River Floodplain Risk Management Study. This constraint has been conveyed to planning consultants currently preparing a land feasibility study for the Department of Lands.

It should be noted that some areas of the Wyong Town Centre are also restricted by flooding and stormwater issues and this will be taken into account when preparing the draft LEP and revising DCP 2005: Chapter 7 Wyong Town Centre to implement the recommendations of the Strategy.

IMPLEMENTATION**Masterplans**

It is proposed to masterplan the River Foreshore, Baker Park and Tuggerah Town Centre Precincts as part of the first stage in implementing the Wyong/Tuggerah Planning Strategy. The masterplans will investigate the capability of the land and the workability of the precincts to provide greater development certainty.

Funding of \$45,000 each is provided in Council's 2007/2008 Management Plan for the Baker Park and River Foreshore Masterplans, however no funding has been allocated for the Tuggerah Town Centre Masterplan, or for any works that may be required to implement the Masterplans. Funding of the Tuggerah Town Centre Masterplan by Council will be required before the detailed planning of this area can proceed. This will be requested in the 2008/2009 Management Plan. The timing will depend upon the progression of the other two masterplans in Wyong Township.

Adoption of the Wyong/Tuggerah Planning Strategy (contd)

Draft Local Environmental Plan (LEP) and revised DCP 2005: Chapter 7 Wyong Town Centre

The first stage of implementing the Wyong/Tuggerah Planning Strategy will also involve the preparation of a draft LEP and revised DCP 2005: Chapter 7 for the Wyong Town Centre. The draft LEP and revised DCP 2005: Chapter 7 Wyong Town Centre will give statutory force to the recommendations of the Strategy, including provision for increased density and height for commercial and residential buildings within the Wyong Town Centre.

CONCLUSION

The Wyong/Tuggerah Planning Strategy has been exhibited, with submissions received and reviewed. Some minor changes to the draft Strategy have been made to address issues raised during the public exhibition process. The next stage is to adopt the Strategy and commence masterplanning for the River Foreshore and Baker Park. In addition, a draft LEP and revised DCP for the Wyong Town Centre will be prepared to give statutory force to the relevant findings of the Wyong/Tuggerah Planning Strategy that relate to the Wyong Town Centre.

Enclosures

***Summary of submissions received to the draft
Wyong/Tuggerah Planning Strategy
Draft Wyong/Tuggerah Planning Strategy
Urban Design Vision and Masterplan***

446 The Entrance Peninsula Planning Strategy

CPA/105639 SA:SA

SUMMARY

This report provides an update on the current status of The Entrance Peninsula Planning Strategy, proposes that it be placed on public exhibition for an extended period and outlines the proposed community consultation process.

RECOMMENDATION

- 1** *That the draft The Entrance Peninsula Planning Strategy be placed on public exhibition in accordance with the community consultation process outlined in this report.*
- 2** *That the results of the public exhibition and community consultation be reported to Council.*

BACKGROUND

In 1997, Council funded significant upgrading works at The Entrance Town Centre and waterfront, creating a quality public domain and foreshore area. That capital injection was and continues to be, a strong catalyst for private sector investment.

Council developed a planning strategy to address the increase in development, the need to create employment opportunities and desire to maintain the appeal of the location as a holiday destination and place to live. The Entrance Precinct Study 1998 formed the basis of The Entrance Strategy 2000. New planning controls also evolved from this strategy including amendments to Council's principal Local Environmental Plan (LEP) 1991 and the introduction of Council's Development Control Plan (DCP) 2005, Chapter 60.

In 2003, Council officers reviewed the success of the 2000 Strategy and the new controls. This review found that a number of issues need to be addressed, as follows:

- * Lack of focus on coastal design in medium to high density developments to achieve the maritime vision sought in the Strategy and planning controls.
- * Need to encourage vitality in the town centre and tourist hub by achieving an appropriate mix of uses and concentrating more activity in these areas.
- * Long-term investment to be maximised by ensuring that the public and private domains integrate into a high quality, functional built environment.

The Entrance Peninsula Planning Strategy (contd)

It was concluded that a review of The Entrance Strategy 2000 should be carried out with a strong urban design focus. As part of this review, public concerns were raised regarding a number of elements of the new planning controls relating to bulk, scale, heritage and servicing issues. External professional personnel and land owners also expressed concerns in relation to the constraints (particularly height) provided by the new controls.

In October 2003, Council endorsed a comprehensive review of The Entrance Strategy 2000. In 2004, following application by Council, State Government Grant Funding (\$60,000) was provided to assist with this review. Consultation sessions were held throughout 2005 to ascertain community and stakeholder issues. Key issues raised in these sessions are summarised in Attachment 1.

Following these sessions, the issues were evaluated and project briefs were prepared for technical studies to consider issues relating to hydrology, heritage and economic viability. A separate technical consultancy was conducted jointly with the Roads and Traffic Authority (RTA) into transport issues predominantly related to traffic flow and access options. A project brief was also drafted for the preparation of The Entrance Peninsula Planning Strategy (TEPPS) which focused on reviewing aspects of The Entrance Strategy 2000 and conducting more comprehensive strategic planning for Long Jetty and The Entrance North suburbs, which was not previously done. A copy of the draft Strategy is enclosed.

In 2006, consultants were appointed to carry out studies on hydrology, heritage and economic viability. These have been satisfactorily completed and have been used to inform the preparation of draft TEPPS.

OVERVIEW OF THE DRAFT TEPPS

The draft TEPPS is based, in part, on the review of The Entrance Strategy 2000 (covering The Entrance and part of The Entrance North suburbs) and includes comprehensive strategic planning for the Long Jetty and The Entrance North suburbs.

The draft TEPPS was developed following substantial site analysis and careful consideration of all community/stakeholder issues. These issues have been considered broadly over the entire study area, as well as examined in detail at a neighbourhood level within 16 precincts (divided largely in relation to their relatively uniform characteristics). The entire study area and individual precincts have all been analysed in terms of their existing character and potential for future development.

A desired future character has been established for the entire study area as well as for individual precincts. Design objectives have also been established and strategies recommending improvements have been included for the general area and individual precincts.

The Entrance Peninsula Planning Strategy (contd)

These objectives and strategies include improvements to:

- * Development controls (including changes to zoning, building heights and scale, floor space ratios and introducing coastal design principles/criteria in place of the current maritime theme requirements).
- * The public domain (including, improvements to streetscape, landscape, paving, outdoor furniture, signage, lighting, public art).
- * Roads and transport (including, changes to The Entrance Road (particularly in relation to line marking, parking arrangements and intersection/junction treatments), improvements to the public transport network and facilities, including introducing a potential tourist bus circulator route and improved bus shelter availability and facilities).
- * Bicycle and pedestrian facilities (eg. bicycle rack provision and design, improved links between bicycle and pedestrian facilities and public transport).
- * Tourist elements (including, improved identification of the Peninsula's attributes, directional signage, branding, interpretation of heritage and environmental elements).

The above provides only a brief description of the items included in detail in the draft TEPPS.

The draft TEPPS complies with the "State Plan – A New Direction for NSW", as it addresses many of the priorities identified in the Plan, including, but not limited to:

- * Enabling the latest water reuse systems to be incorporated in new development.
- * Proposing to invest in infrastructure to support the existing and proposed development.
- * Proposing to improve the efficiency of the road network.
- * Providing opportunity for a range of high quality housing types and affordability.

The draft TEPPS complies with the draft Central Coast Regional Strategy (CCRS), as it:

- * Recognises The Entrance and Long Jetty as a Town Centre and Village Centre respectively, in accordance with the hierarchy of centres indicated in the draft CCRS. It also proposes medium to high density infill development close to commercial / retail centres and a wide variety of businesses and services in or close to the centres.

The Entrance Peninsula Planning Strategy (contd)

- * Complies with the economy and employment capacity targets indicated in the draft CCRS, being a component of the 'Other Centres' category where the employment capacity target for the Wyong Local Government Area is 5,400 jobs. In addition, it proposes to facilitate a wide variety of businesses and, therefore, a wide variety of jobs, particularly in regard to retail (including speciality retail), commercial and services.
- * Complies with the draft CCRS in terms of environment and natural resource conservation largely by locating future population growth in existing urban areas and maintains and/or improves open space and recreation buffer areas along the coast and lake. The draft TEPPS also protects groundwater and proposes the incorporation of water sensitive urban design and flood mitigation measures in the sensitive areas (eg. the Saltwater Creek vicinity). The draft TEPPS also addresses heritage matters by proposing amendments to Council's LEP and DCPs in regard to treatment of Aboriginal and European heritage.
- * Addresses natural hazard issues by calling up Council's Flood Prone Land and Acid Sulphate Soil Policies and recommends the adoption of recommendations contained in Council's draft Coastline Management Plan and adopted Estuary Management Plan. The draft TEPPS also does not recommend any increased development in potential hazard areas along the coast.
- * Addresses water issues by ensuring there will be adequate supply to cater for increased population.
- * Addresses infrastructure and transport provision issues by promoting improved access to The Entrance Peninsula via improvements to The Entrance Road, additions to shared pedestrian/cycleway facilities on the Peninsula and the introduction of a shuttle circulator bus route that facilitates access to the Peninsula's attributes and places of interest.

The population for The Entrance Peninsula Planning Strategy Area in 2006 was 11,600.

Under current planning provisions, the predicted total population for The Entrance Peninsula Planning Strategy Area is projected to grow to approximately 17,400 by 2031.

If the draft TEPPS is adopted, the predicted total population for The Entrance Peninsula Planning Strategy Area would be approximately 17,800 by 2031, an additional increase of 375 over the current planning provisions scenario.

The Entrance Peninsula Planning Strategy (contd)

The number of dwellings in The Entrance Peninsula Planning Strategy Area during the 2006 Census was approximately 8,400. Of these, about 2,950 were unoccupied, assumed to be a reflection on the visitor population characteristic of The Entrance Peninsula Planning Strategy Area when the census was taken on 8 August 2006. Should the TEPPS be adopted, the estimated potential total number of dwellings within the study area will be approximately 8,580 by 2031.

Analysis of the predicted total population for The Entrance Peninsula (i.e., 17,800 in 2031) and its impact on the provision of public open space/recreation areas, roads and other infrastructure (ie, water, sewerage, drainage and community facilities) indicates that capacity is available within the existing network and/or already endorsed upgrades, as follows:

Public open space/recreation areas: There is currently a total provision of approximately 175 ha available when only a total of 53ha is nominated in Council policies. All categories of open space (ie, Large Park, Small Park, Sports Fields and Courts, Semi-Natural and Sports Facilities) have provision above that nominated in Council policies (refer Enclosure 1, page 15 for more detailed discussion on this issue).

Roads: Recent (2006-2007) traffic modelling, carried out to identify the spread of demand across the existing and future network for a number of scenarios (ie, various route options), concludes that the most practicable option is to upgrade The Entrance Road (the Central Coast Highway) to provide two lanes in both directions with some intersection improvements and the abolition of kerbside parking and direct access (refer Enclosure 1, pages 2 – 10 for more detailed discussion on this issue).

Water Supply and Sewerage: Council's draft Development Servicing Plan No.3 indicates sufficient capacity within the existing network and/or already programmed future upgrading works on existing facilities (refer Enclosure 1, page 2 for more detailed discussion on this issue).

Drainage: Recent (2006) studies into the hydrology of The Entrance to examine the capacity of the drainage system and the contribution of discharges to pollution of ecosystems and the health of Tuggerah Lake, concludes that while there are some:

- * existing capacity issues resulting in isolated instances of flooding, most are being addressed via Council's current works programs.
- * pollution issues (ie elevated levels of sediments and nutrients) associated with current drainage discharges, the introduction of certain measures and practices would largely address these issues.

(Refer Enclosure 1, pages 11-12 for more detailed discussion on this issue)

The Entrance Peninsula Planning Strategy (contd)

Community Facilities: There are adequate facilities currently available or planned to cater for the predicated population of 17,800 in 2031. The following have been identified as the main community facilities for The Entrance Peninsula:

- * The Entrance Community Centre on Oakland Avenue will continue to develop through Stages 2 (scheduled to complete in 2008) and to Stage 3. This facility is expected to be the key hub of community activity to provide for current and population needs on The Entrance Peninsula.
- * The District Library and Customer Services Centre is intended to be relocated to a new district facility at Bateau Bay to enable modernisation and expansion of the current library service provision in The Entrance Social Planning District.
- * A new youth shop front / drop in centre, comprising a café, comfortable informal area to 'hang out', information and referral services, preferably located near The Entrance Town Centre, near other attractions and access to transport facilities.
- * Public art needs to be incorporated into the landscape of The Entrance Peninsula to contribute to its uniqueness as a place, preferably being subtly integrated into the designs of other elements (eg, play equipment, buildings, exercise equipment, etc).

(Refer Enclosure 1, pages 20-22 for more detailed discussion on this issue)

Draft TEPPS has acknowledged the above matters in some way and has either proposed strategies to address the issues or has stayed silent in the knowledge that the matter is currently being adequately addressed via existing initiatives. Refer Enclosure 1 for more detailed discussion on the proposed solutions.

The draft TEPPS also includes recommendations for actions common to the entire study area such as cycle and pedestrian movement, public transport, economy and tourism, landscape and public domain improvement. It will require extensive liaison and consultation with residents, land owners, local interest groups, precinct committees, Town Centre Management, Chamber of Commerce and other stakeholders to:

- * Explain how the proposed strategies in the draft TEPPS address issues raised by the community and other stakeholders.
- * Provide ample opportunity for participation and feedback on the proposed and alternative strategies.

The Entrance Peninsula Planning Strategy (contd)

PROPOSED COMMUNITY CONSULTATION PROCESS

Council gave a commitment in 2003 when the comprehensive review of The Entrance Strategy 2000 was endorsed and in subsequent media releases to "*consult extensively with all stakeholders throughout the project and to provide adequate opportunity for participation throughout the planning process*".

A draft strategy in such a sensitive location will inevitably be controversial. The goal of this project is to incorporate stakeholders, including the community, into the decision-making process to build on local knowledge, in order to achieve an understanding by all stakeholders of the critical and competing issues, derive clear objectives and statements of desired character, and test proposed planning and design solutions. This is the best way to ensure that the final adopted strategy best meets the collective objectives and visions of the region's residents.

In order to confirm future visions and test proposed strategies for the entire Strategy area, community consultation will include:

- * Public exhibition period (Ten weeks, commencing late November through December to the end of January. This period should provide adequate opportunity for both residents and visitors to The Entrance Peninsula to participate in the exhibition period).
- * Community presentations over a two day period.
- * Bus trip including the executives of all the various committees and organisations relevant to The Entrance.
- * Venue in The Entrance Township Commercial/Retail Area to display the draft TEPPS and consult with the community/stakeholders.
- * Attend meetings of the SEPP 65 Design Panel, Precinct Committee, Chamber of Commerce, The Entrance Town Centre Management Corporation, Watch Committee, Community Environmental Network, Council staff, etc. to present the TEPPS, discuss issues and receive feedback.
- * Prepare flyers to be inserted into the Express Advocate and selected shops in The Entrance/Long Jetty/The North Entrance.
- * Prepare submission sheets and submission boxes, to be available at various profile locations around the study area.

A report to Council will be prepared after close of the public exhibition outlining the submissions and comments on issues.

The Entrance Peninsula Planning Strategy (contd)

CONCLUSION

The Draft TEPPS has been prepared to guide the future planning of the Long Jetty, The Entrance and The Entrance North suburbs. Implementation of the strategy has the potential to significantly assist in raising The Entrance Peninsula's profile as a quality tourist destination and will help ensure that it continues to be a pleasant place to live.

A major step towards achieving good quality practical outcomes is to publicly display and present the draft TEPPS to the community and to provide for effective consultation and participation by giving the community an opportunity to view, absorb, ask questions, discuss and provide input on the strategy.

An effective community consultation program for achieving this is outlined in this report. It is recommended that Council endorse the draft document for public exhibition purposes and that the results of the exhibition and community consultation be reported back to Council.

Attachment 1

Key Community Issues List (5 pages)

Enclosures

***Key Infrastructure and Issues Analyses – Enclosure 1
Draft - The Entrance Peninsula Planning Strategy***

The Entrance Peninsula Planning Strategy (Attachment 1)

Key Community Issues List

The following list is a summary of issues identified during consultation sessions held in Stage 1 of the Project.

THE ENTRANCE NORTH

- * Identify the existing character of the locality.
- * Identify the desired future character of the area.
- * Identify and consider potential development scenarios taking into consideration issues relating to built form, architectural treatments, streetscape, heritage, pedestrian and traffic movements, crime, safety, provision of community services, private and public open space, coastal and hazard management, stormwater, water quality and amenity issues.
- * Review and consider the appropriate zoning in terms of the quality of development being achieved by current planning controls.

THE ENTRANCE**Review of Specific Planning Controls (mainly Wyong LEP 1991 and DCP 2005: Chapter No 60)**

- * Review building heights, densities, quality of the built form and streetscapes being achieved since the current controls were introduced in January 2001; particularly:
 - In the area surrounding the commercial/tourist areas (including the proportion of holiday accommodation to permanent resident accommodation).
 - In the western areas of The Entrance (eg. McGirr Avenue, Lakeside Avenue, Tuggerah Parade, etc).
- * Consider the appropriate zoning and form of development within the remaining Residential 2(d) (High Density) zoned land at The Entrance (between Denning Street and Ocean Parade).
- * Review transition of building scale between developments in the 2(a) (Low Density Residential), 2(b) (Multiple Dwelling Residential) and 2(c) (Medium Density Residential) zones.

The Entrance Peninsula Planning Strategy (Attachment 1) (contd)

- * Clarify setbacks required in side streets to The Entrance Road.
- * Review the heritage components (a recent heritage study will be available).
- * Review the clarity and effectiveness of the current Maritime Theme for The Entrance and recommend changes (if required).
- * Clarify architectural treatments, colours, finishes, etc. in relation to maintaining/enhancing a coastal/maritime theme for The Entrance (if considered appropriate following review – refer previous dot point).
- * Review the appropriateness of removing the 50 percent limitation on tourist units in the Residential 2(g) and Business 3(d) zones.

Assessment of Development Potential

- * Consider rezoning and development options for:
 - The Short Street/Dening Street carpark site (adjacent to the Police Station which is a listed Heritage Item).
 - The Lakeside Plaza (Coles) and adjoining land.
 - The Entrance Bowling Club landholdings.
 - The Torrens Avenue Carpark.
 - The proposed Manning Street Carpark.

(A recent Economic Viability Assessment will be available).
- * Identify opportunities to revitalise the 'top end' of The Entrance commercial area (ie. in the Lakeside Plaza vicinity).
- * Investigate and identify solutions for under-croft (basement) vehicle parking, particularly in relation to groundwater.
- * Consider the appropriateness of introducing mixed-use development on main roads.

Economic Analysis

Consider the returns/feasibility of development considering land prices, holding and construction costs, limits on development from current planning controls, sale prices and profit margins. A recent economic viability assessment will be available.

The Entrance Peninsula Planning Strategy (Attachment 1) (contd)

Streetscape and Landscape Treatments

- * Review the adequacy of on-site and on-street road pavement design/alignment in terms of narrowing, meandering and landscape treatments, and in terms of ongoing management and desired safety, amenity and character. Such review should include a comparison of costs (both construction and ongoing management) between retaining the current arrangements and providing increased landscaped scenarios.
- * Review the presentation of commercial areas including building façades, streetscapes and recommend solutions that will facilitate upgrading/improvement, if necessary.
- * Review provision for adequate useable private open space, particularly in relation to higher density unit developments.

Infrastructure

- * Consider the capacity of local infrastructure, including The Entrance Bridge, roads, water, sewerage and stormwater services. Internal reports will be available.

Tourism Role

- * Review tourism information and nominate further opportunities for tourism development.

LONG JETTY**Character and Identity**

- * Consider the existing character of the locality.
- * Identify the needs of the current and future population.
- * Identify the desired future character of the area.
- * Possible re-naming of Long Jetty.

The Entrance Peninsula Planning Strategy (Attachment 1) (contd)

Retail/Commercial Role

- * Consider the current and future role of the Long Jetty retail/commercial strip.
- * Consider the potential linkage between the commercial area and Tuggerah Lake foreshore area.
- * Review the presentation of commercial areas including building façades, streetscapes and recommend solutions that will facilitate upgrading/improvement, if necessary.
- * Consider the appropriateness of introducing mixed-use development on main roads.

Residential/Tourism Role

- * Identify opportunities to promote re-development for higher density residential and tourist accommodation and facilities, taking advantage of accessibility to services, views and proximity to the lake and beaches.
- * Identify the implications for land use and planning controls arising from the recent approval of a high-rise development at Kitchener and Toowoan Bay Roads.
- * Consider the appropriateness of the zoning and the development potential of the remaining Residential 2(d) (High Density) zoned land in Long Jetty.

Urban Design Strategy

- * Identify development scenarios taking into consideration an appropriate coastal location theme, built form, architectural treatments, streetscape, traffic movements, crime and safety, provision of private and public open space and amenity issues.

GENERAL (APPLICABLE TO ALL THREE SUBURBS)

- * Consider the adequacy of the current road and traffic network (existing and future volumes, traffic routes and/or management), public transport, parking facilities, and facility for other modes of transport, including cyclists and pedestrians (including the disabled). Recent studies should be available.
- * Identify opportunities for improvement of the current road and traffic network, parking facilities, public transport services and facility for other modes of transport. Recent studies will be available.

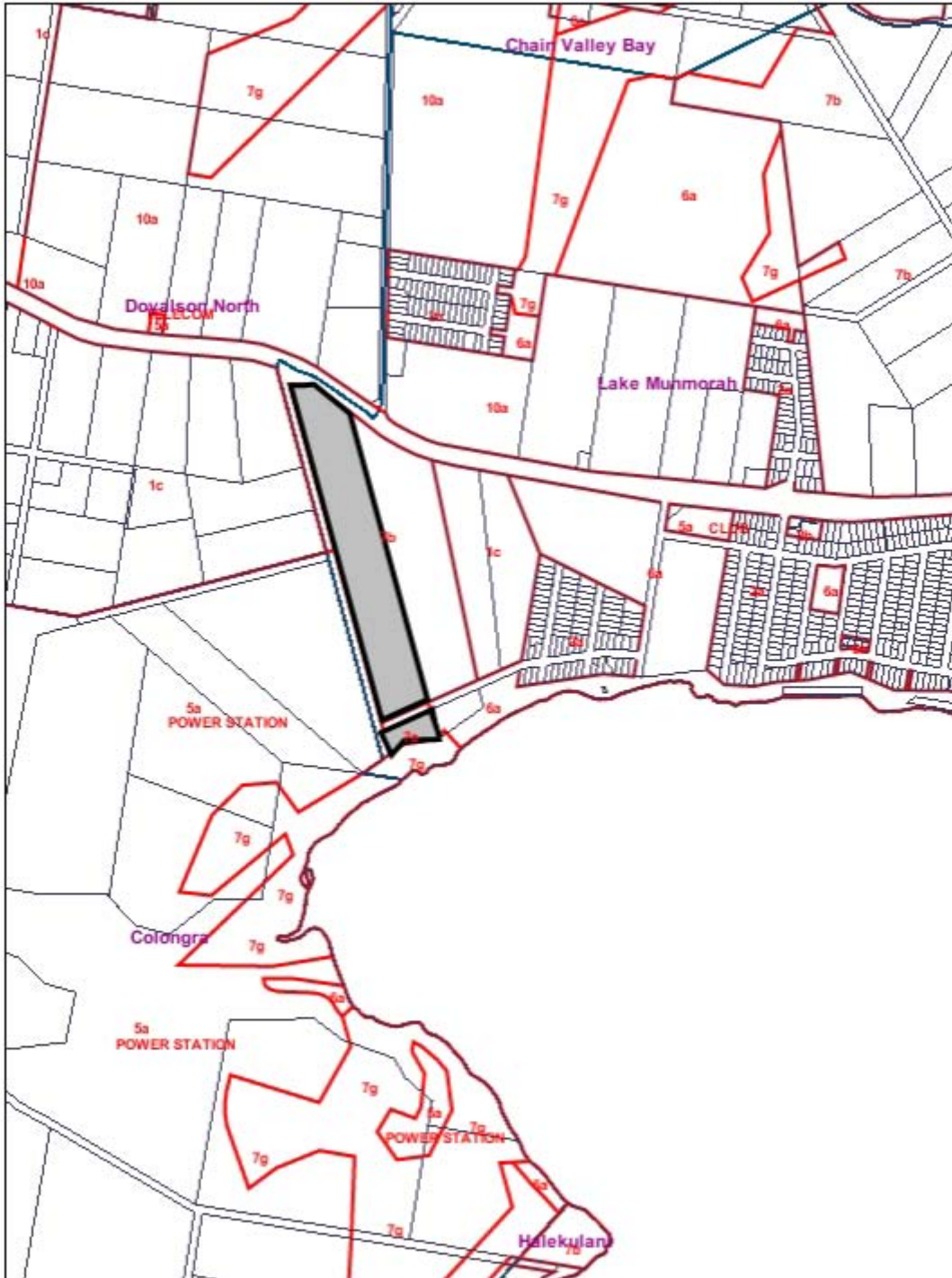
The Entrance Peninsula Planning Strategy (Attachment 1) (contd)

- * Consider opportunities for improvement of current community facilities.
- * Provide comment and incorporate any results arising from the proposed RTA review of The Entrance Road.
- * Review capacity (in terms of size and existing ageing infrastructure) of local infrastructure (including, The Entrance Bridge, roads, water, sewerage and stormwater services).
- * Review drainage and stormwater management and potential impacts on the lake. A study of the hydrology of the study area will be available.
- * The capacity of utilities (eg electricity) to meet peak demand.
- * The need to establish what is a 'sustainable population' level.
- * Identify realistic ways of adequately resourcing any recommendations of this project, including consideration of any necessary funding from State and Federal Governments.
- * The implications of a natural disaster in terms of emergency access/evacuation.
- * Consider providing strategies for housing diversity and affordable housing options.
- * Review whether it is appropriate to require on-site retention and re-use of water on The Entrance Peninsula (ie. economic cost of development, positive and negative environmental impacts).
- * Consider impact on the environment. Studies will be available.
- * Review adequacy of on-site and on-street road pavement design/alignment (eg. narrowing, meandering, etc.) landscape treatments in terms of ongoing management and desired safety, amenity and character.
- * Consider the potential impacts of future commercial developments and/or improvements in the Study Area, particularly those affecting The Entrance's existing commercial core and other commercial areas within the Study Area (eg. Long Jetty commercial area revitalisation and/or the 2(g) (Tourist) zone land to the west of the current retail core) and vice versa.
- * Develop an appropriate urban design strategy taking into consideration an appropriate coastal location theme, built form, architectural treatments, streetscape, traffic movements, crime and safety, provision of private and public open space and amenity issues.

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447 Proposed Modifications to Caravan Park at Lake Munmorah (Attachment 1)

Locality Plan



WYONG SHIRE COUNCIL

31 October 2007
To the Ordinary Meeting of Council

Director's Report
Shire Planning Department

447 Proposed Modifications to Caravan Park at Lake Munmorah

DA/658/1989/H RSM:RSM

SUMMARY

An application lodged under Section 96 of the Environmental Planning and Assessment Act has been received by Council for modifications to an existing caravan park. The application has been examined having regard to the matters for consideration detailed in Section 79C of the Environmental Planning and Assessment Act and other statutory requirements with the issues requiring attention and consideration being addressed in the report.

Applicant	Johnson Partners
Owner	ZW2 Pty Ltd
Application No	DA/658/1989/H
Description of Land	340 Pacific Highway, Lake Munmorah Lot 114 DP 755266
Proposed Development	Modification to existing caravan park – replace cycleway with road
Site Area	11.68 Ha
Zoning	7(a) Conservation 7(b) Scenic Protection
Existing Use	Caravan Park

EXECUTIVE SUMMARY

- * The site is currently approved for 225 long-term caravan park (mobile home) sites.
- * Access to the site is currently from Saliene Avenue only. The constructed portion of Saliene Avenue terminates just beyond the access to the caravan park. The remainder of Saliene Avenue is unformed road which meets an unformed section of Kamilaroo Avenue at the rear of the site.
- * The proposal involves the modification of a condition of consent which requires construction of a 2.5 metre wide concrete cycleway linking the southern boundary of the caravan park to the constructed section of Kamilaroo Avenue such that the cycleway is replaced with a 3.5 metre wide one-way access road.
- * The basis for this proposal is to provide a safer manner for vehicles to head north from Saliene Avenue avoiding the current situation involving a u-turn at the Basford Avenue/Pacific Highway intersection.

Proposed Modifications to Caravan Park at Lake Munmorah (contd)

- * Objections received can be divided into two separate groups. In general, residents living in the immediate area do not wish to see any further traffic on Kamilaroo Avenue. Residents of the greater area generally would like the construction of Kamilaroo Avenue and Saliens Avenue completed.
- * The proposed development provides for a significantly safer method for vehicles to head north along the Pacific Highway from this site and is recommended for approval.

RECOMMENDATION

- 1** *That the application be referred to the General Manager for determination having regard to the matters for consideration detailed in Section 79C of the Environmental Planning and Assessment Act and other relevant issues with an indication that based on the information available to it, Council favours approval to the modification to conditions of consent of DA/658/1989/H as detailed in the schedule attached to the report.*
- 2** *Those who made written submissions and the RTA be advised of Council's decision.*

INTRODUCTION

Consent is sought for a modification of the consent for an approved caravan park located at the corner of Saliens Avenue and Pacific Highway Lake Munmorah.

The site is currently approved for 225 long-term caravan park (mobile home) sites. Development of the site is approximately 60% completed and occupied. Dwellings approved toward the rear or south of the site are yet to be constructed. Land to the rear boundary of the caravan park site is bushland consisting of Kamilaroo Avenue road reserve and a section of 7(a) Conservation zoned land located between Kamilaroo Avenue and Lake Munmorah which is to be transferred to Council for conservation purposes.

The proposed modification involves the amendment of Condition 31, which requires the construction of a 2.5 metre wide concrete cycleway linking the southern boundary of the park to Kamilaroo Avenue.

The applicant has proposed that condition 31 be amended to permit the construction of a 3.5 metre wide access road to replace the requirement for construction of a cycleway. It is proposed that the access road be a one-way road exclusively providing access for the residents of the caravan park to Kamilaroo Avenue. A boom gate to be located at the southern exit of the caravan park is proposed to ensure that non-residents cannot utilise the access road.

Proposed Modifications to Caravan Park at Lake Munmorah (contd)

The current condition states as follows:

“31 The provision at no cost to Council of a shared concrete cycleway from the southern boundary of the park to Kamilaroo Avenue (approximately 150.0 metres length). The footpath design is to:

- a Provide a minimum 100mm concrete path with F72 reinforcement;*
- b Be constructed on 75mm compacted roadbase on compacted subgrade;*
- c Increased cycleway thickness is to be provided for maintenance vehicle crossings; and*
- d Be minimum width of 2.5 metres.*

All other details are to be in accordance with Council's Development Control Plan No. 67 - Engineering Requirements for Development. The design plans to be approved by Council prior to the issue of a Construction Certificate. All works are to be approved by Council prior to the issue of an Occupation Certificate.”

The proposed condition is shown in Attachment 2.

HISTORY

The current application is the eighth amendment to the initial approval. Many of the amendments have involved relatively minor alterations to the internal operation of the park. The pertinent issues with regard to the history of the site are summarised below.

Consent was granted for a caravan park comprising 284 caravan sites and community amenities on 15 December 1989.

The applicant achieved commencement of this development in 1992 with the construction of the water mains along Saliena Avenue.

On 14 June 1994, an approval was granted for alterations to the internal layout of the development, including an increase in visitor parking and a reduction in caravan sites from 284 to 267.

On 30 January 2003, an approval to modify the existing consent was granted approving the following amendments:

- * Reduction in the total number of sites within the park from 267 to 225.
- * Additional community facilities throughout the park.
- * Relocation of the park entrance closer to the Pacific Highway.

Proposed Modifications to Caravan Park at Lake Munmorah (contd)

On 26 November 2003, Council granted consent to increase the number of caravan sites from 225 to 230 and to increase the number of long-term sites from 93 to 230 (100%). Following consultation with the Roads and Traffic Authority (RTA), it was proposed that a second vehicular access should be provided to Kamilaroo Avenue. However, as part of Council's determination, the access to Kamilaroo Avenue was reduced to a cycleway.

STATUTORY REQUIREMENTS**Wyong Local Environmental Plan 1991 (Wyong LEP 1991) Clauses 7 and 10 – Definitions, Zone Objectives and Development Control Table**

A mobile home village falls within the definition of caravan park, as stated in Clause 7 of Wyong LEP 1991. The site is split zoned 7(a) Conservation and 7(b) Scenic Protection. The caravan park is located wholly within the 7(b) portion of the site. The proposed access road is located within land zoned 7(a) Conservation. A road is defined under the Wyong LEP 1991 as a utility undertaking which is permissible in the 7(a) zone with consent.

ECOLOGICALLY SUSTAINABLE PRINCIPLES

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

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

RELEVANT ISSUES

Having regard to Section 79C of the Environmental Planning and Assessment Act, it is considered that the following matters require further consideration and are addressed in the following sections:

Context and Setting

The site of the proposed access is best described as similar to parkland, with the understorey planting replaced by grassed areas and larger trees remaining. The road design has been established to minimise tree loss. Plans indicate that 3 trees will require removal to make way for the road. The applicant will be required to provide suitable replacements for these trees.

Proposed Modifications to Caravan Park at Lake Munmorah (contd)

Access, Transport and Traffic

The basis for this proposal is to provide a safer way for vehicles to head north along the Pacific Highway from the site. Currently, there is no right turn permitted at the Saliene Avenue and Pacific Highway intersection. Vehicles wishing to head north from Saliene Avenue must turn left and then perform a u-turn at Basford Road. Though this u-turn is a legal manoeuvre that was endorsed by the RTA when right turns were omitted from Saliene Avenue, the manoeuvre involves turning into two lanes of oncoming traffic in an 80 km/hour zone. The applicant contends this is an unacceptably dangerous arrangement for the residents of the caravan park.

It is noted that the RTA provided comments on the last amended application which was determined by the elected Council. The RTA recommended that consideration be given to access from the subject site to Kamilaroo Avenue which would encourage a "safer" right hand turn manoeuvre onto the Pacific Highway by allowing residents to use the signalised intersection at the intersection of Elizabeth Bay Drive and the Pacific Highway. In this instance, Council resolved to alter the proposed condition requiring road construction to a cycleway only.

The RTA was once again consulted during the assessment process for the current application. In the assessment of this proposal, it has been established that there is insufficient minimum safe intersection sight distance at the intersection of Colongra Bay Road and Pacific Highway, which is the next northbound exit point from Kamilaroo Avenue.

In comments provided for this current proposal, the RTA has raised no objection and has indicated its intent to ban right hand turns from Colongra Bay Road, further encouraging the use of the signalised intersection at Elizabeth Bay Drive.

The approval of the access road will increase the number of vehicle movements on Kamilaroo Avenue. The RTA Guidelines for Traffic Generating Developments indicates that developments of this type generate approximately 1.5 daily vehicle trips (DVT) per day per dwelling. This figure is consistent with a resident survey conducted by the applicant involving the existing residents of the site. The resident survey also revealed that vehicle trips were generally split 50% - 50% north and south bound. It is considered by Council's Development Engineer that Kamilaroo Avenue can cope with the likely additional vehicle movements.

Public Domain

The access road is proposed on land owned by Council but currently maintained by the adjoining residents and therefore has taken the appearance of open parkland. The land does not interconnect with surrounding public spaces and is zoned 7(a) (Conservation), not 6(a) (Open Space and Recreation). It is considered that the introduction of a single lane access road will not alter public recreational opportunities in the locality. Due to the relatively low traffic volumes likely along this access road, the proposed access road can be used to improve access for residents using all forms of transport from the caravan park to public areas.

Proposed Modifications to Caravan Park at Lake Munmorah (contd)

Utilities

The proposed roadway and associated works are located clear of an existing sewer main in the immediate area.

Heritage

There are no known heritage items in the locality affected by this proposal.

Flora and Fauna

Council granted consent for the construction of the cycleway under DA/658/1989/D. No plans were submitted at this time. The trees are located within a road reserve. The applicant has indicated that apart from underscrubbing, three trees are to be removed to allow the construction of the access to take place. The applicant has agreed to replant trees of the same species in a suitable adjacent location. Council considers that this is an acceptable arrangement.

Safety, Security and Crime Prevention

The proposed access road will increase safety for residents by promoting a safer method of heading north along the Pacific Highway from the site. The proposed road is for one-way traffic leaving the site only. A boom gate will eliminate the potential for shortcuts through the site for southbound traffic from the surrounding area.

Economic Impact in the Locality

The connection of the caravan park to Kamilaroo Avenue may increase the use of the local shopping centre, increasing the viability of the Lake Munmorah shopping centre.

Submissions made in accordance with the Environmental Planning and Assessment Act or Regulation**Public Submissions**

The proposal was placed on public notification in accordance with Development Control Plan 2005: Chapter 70 – Notification of Development Proposals. Ten public submissions were received during the notification period. Public opinion appears to be split on this proposal with 1 submission in support, 5 objections which generally request that the road be fully constructed and extended joining Kamilaroo Avenue and Saliene Avenue and 4 objections which generally request that no roadworks occur in the area. Specific issues raised in the public submissions are addressed below.

Proposed Modifications to Caravan Park at Lake Munmorah (contd)

Doc. No	Summary of Issues
D00936486 and D00915218 (same person)	<ul style="list-style-type: none"> * Safety of u-turn at Basford Road * Permissibility of road on 7(a) land
D00916859	<ul style="list-style-type: none"> * Private road in lieu of a community shared pathway * Support full construction of Saliena and Kamilaroo Avenues
D00924262	<ul style="list-style-type: none"> * Consider the existing condition of Kamilaroo Avenue dangerous due to narrowness of the road and blind spots and cannot support a further increase in traffic from another caravan park.
D00921835	<ul style="list-style-type: none"> * Private road in lieu of a community shared pathway * Support full construction of Saliena and Kamilaroo Avenues at the developer's cost * Developer using public land for private benefit * Consider the existing condition of Kamilaroo Avenue dangerous
D00921632	<ul style="list-style-type: none"> * Private road in lieu of a community shared pathway * Support full construction of Saliena and Kamilaroo Avenues
D00920663	<ul style="list-style-type: none"> * Consider the existing condition of Kamilaroo Avenue dangerous due to narrowness of the road and blind spots and cannot support a further increase in traffic from another caravan park.
D00920151	<ul style="list-style-type: none"> * Support full construction of Saliena and Kamilaroo Avenues
D00919818	<ul style="list-style-type: none"> * Consider the existing condition of Kamilaroo Avenue and Colongra Bay Road dangerous due to narrowness of the road and blind spots and cannot support a further increase in traffic from another caravan park. * Colongra Bay Road / Pacific Highway intersection dangerous.
D00919791	<ul style="list-style-type: none"> * Support full construction of Saliena and Kamilaroo Avenues
D00919349	<ul style="list-style-type: none"> * Colongra Bay Road / Pacific Highway intersection dangerous. * Consider the existing condition of Kamilaroo Avenue and Colongra Bay Road dangerous due to narrowness of the road and blind spots and cannot support a further increase in traffic from another caravan park.

Proposed Modifications to Caravan Park at Lake Munmorah (contd)

Doc. No	Summary of Issues
D00917917	<ul style="list-style-type: none"> * Colongra Bay Road / Pacific Highway intersection dangerous * Consider the existing condition of Kamilaroo Avenue and Colongra Bay Road dangerous due to narrowness of the road and blind spots and cannot support a further increase in traffic from another caravan park. * Traffic lights required at Saliene Avenue or an intersection created at Tall Timbers Road for traffic leaving manufactured home sites.

Safety of u-turn at Basford Road*Comment*

The RTA has recommended that northbound traffic should be channelled towards Elizabeth Bay Drive, which provides for a safer right hand turn onto the Pacific Highway.

Permissibility of road on 7(a) land*Comment*

The proposed access road is on dedicated unformed public road. A road is defined as a utility installation in Wyong LEP 1991 which is permissible with consent within a 7(a) (Conservation) zone. Construction of works in the locality has already been approved by Council. The location of the road has been chosen to minimise vegetation disturbance consistent with the objectives of the 7(a) zone.

Private road in lieu of a community shared pathway*Comment*

The approved pathway was a condition of an earlier amendment to this application and was only to provide access from the caravan park site to Kamilaroo Avenue and was never intended to link with other cycleways or public paths.

Proposed Modifications to Caravan Park at Lake Munmorah (contd)

Support full construction of Saliena and Kamilaroo Avenues

Comment

This is not being considered as part of this application. This proposal does not involve any additional occupation of the site or generate the likelihood of any further vehicle movements than that already approved. The proposed access does not eliminate the possibility of full road construction if warranted in the future.

Consider the existing condition of Kamilaroo Avenue dangerous due to narrowness of the road and blind spots and cannot support a further increase in traffic from another caravan park

Comment

The existing condition of Kamilaroo Avenue and the potential number of additional vehicle movements has been assessed by Council's Development Engineers. It is considered that, when compared to traffic volumes on comparable roads within the Shire, Kamilaroo Avenue can cope with the additional vehicle movements likely to occur.

Colongra Bay Road / Pacific Highway intersection dangerous

Comment

The RTA has recommended that northbound traffic should be channelled towards Elizabeth Bay Drive, which provides for a safer right hand turn onto the Pacific Highway. The RTA has indicated that it intends to ban right hand turns from Colongra Bay Road.

Traffic lights required at Saliena Avenue or an intersection created at Tall Timbers Road for traffic leaving manufactured home sites.

Comment

The RTA has reviewed the local traffic situation and has recommended that northbound traffic should be channelled towards Elizabeth Bay Drive, which provides for a safer right hand turn onto the Pacific Highway.

Submissions from Public Authorities - Roads and Traffic Authority

Although the proposal does not directly impact a State road, the application was referred to the RTA for comment given its previous input with regard to the development of the site and the potential impact on the change in traffic conditions.

Proposed Modifications to Caravan Park at Lake Munmorah (contd)

It is to be noted that in 2003, the RTA recommended that a vehicular access be provided to Kamilaroo Avenue. The RTA has raised no objection to the current proposal, however, it has indicated that given the limited sight distance from the Colongra Bay Road / Pacific Highway intersection, it intends to ban right hand turns from Colongra Bay Road to the Pacific Highway.

CONCLUSION

The additional access at the rear of the caravan park along with the banning of right hand turns from Colongra Bay Road provides for a safer method for vehicles travelling north from the caravan park and the Kamilaroo Avenue area to access the Pacific Highway.

The proposed access road is over land that is a dedicated unformed road, with an access already approved in the locality. The applicant has designed the road location to minimise vegetation disturbance. It is therefore considered that the proposal will have an acceptable environmental impact.

Given that traditionally caravan parks of this nature do not generate a high number of vehicle movements and Kamilaroo Avenue currently deals with relatively low traffic volumes, it is considered that Kamilaroo Avenue can cope with the likely additional vehicle movements.

Attachment 1
Attachment 2

Locality Plan (1 page)
Proposed Amendment to Condition No 31 (1 page)

Enclosure

Development Plan

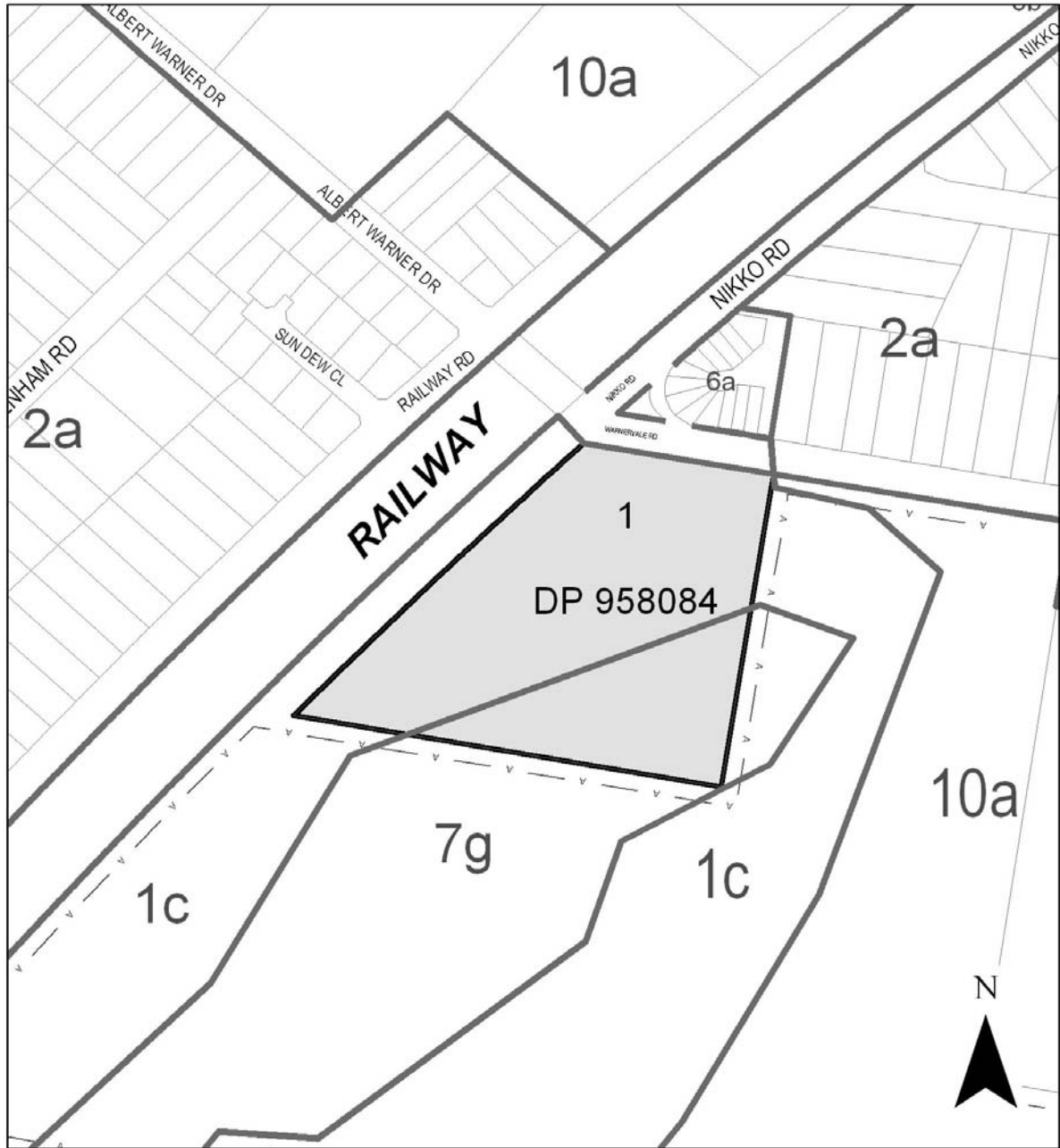
Proposed Modifications to Caravan Park at Lake Munmorah (Attachment 2)

Proposed Amendment to Condition No 31

- 31** The provision at no cost to Council of a single lane access road from the southern boundary of the park to adjoin the existing carriageway within Kamilaroo Avenue. Works are to be generally in accordance with Drawing No. D17, dated 7-6-07 by Johnson Partners and include the following:
- * The access way carriageway be 3.5m wide and constructed in 150mm minimum thick reinforced concrete over a cement-stabilized base course material.
 - * The access way is to be designed and constructed in consultation with an arborist, to ensure maximum retention of trees.
 - * Timber bollards are to be installed adjacent to each side of the carriageway to delineate the accessway alignment.
 - * The access way is to be designed protecting services ie particular the sewer main.
 - * A boom gate is to be installed at the exit point from the site.
 - * The access way shall be one-way. The appropriate signage shall be installed in accordance with AS 1742.
 - * The access way is to be a 10km/h shared pedestrian, vehicle and cycle way appropriately signed posted "Shared Zone".
 - * The access way is to be approved by Council in accordance with Council's Development Control Plan No 67 - *Engineering Requirements for Development* prior to issue of the Construction Certificate.
 - * Existing stormwater drainage paths and infrastructure are to be generally maintained. Where modification to stormwater drainage paths and infrastructure is required, details are to be submitted to and approval by Council in accordance with Council's Development Control Plan No 67 - *Engineering Requirements for Development* prior to issue of the Construction Certificate.
 - * Replacement trees are to be planted in adjoining public reserves at a rate of 3.1 and using locally occurring species.

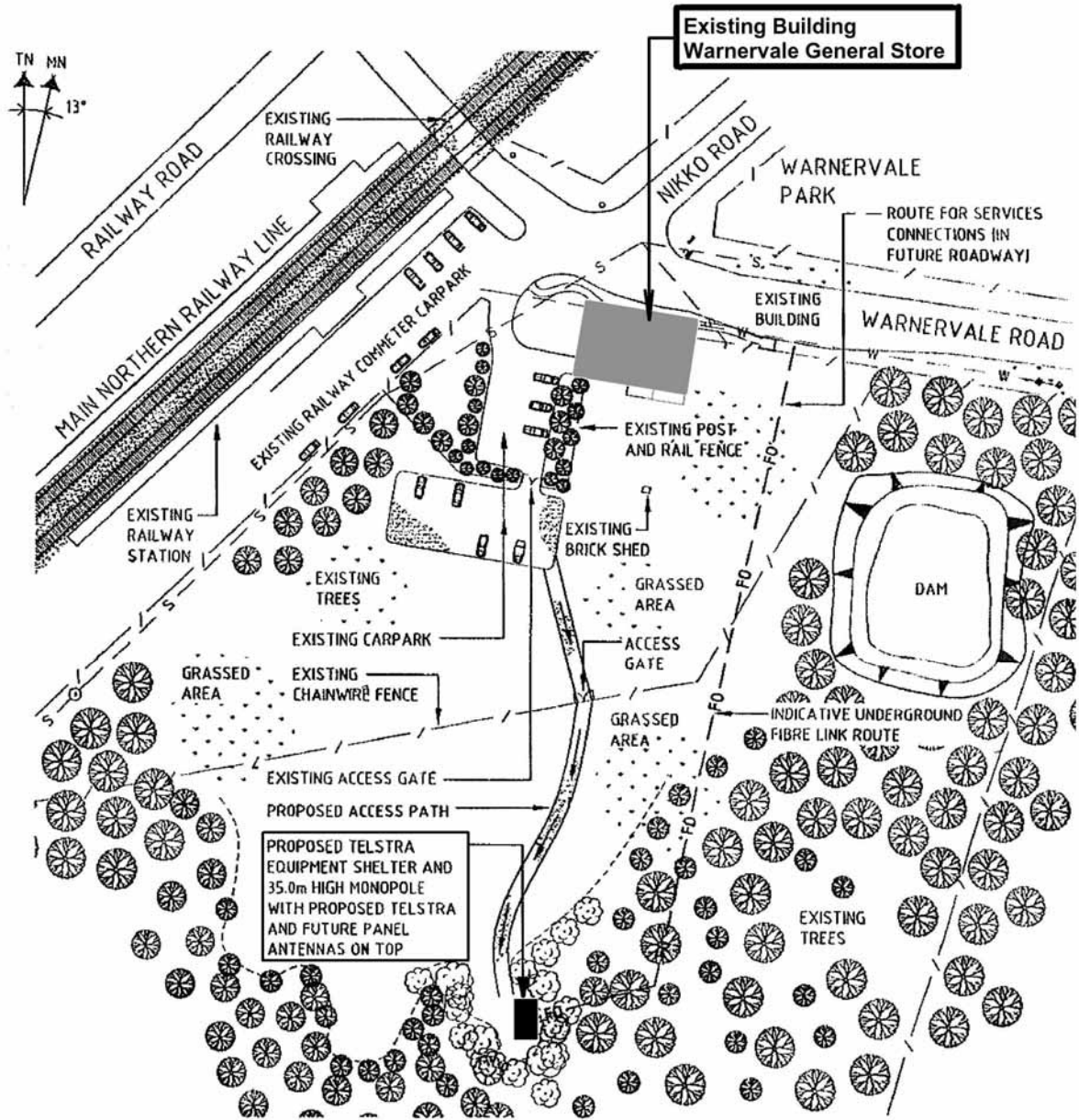
**448 Proposed Telecommunications Facility at Warnervale
(Attachment 1)**

Locality Plan



**Proposed Telecommunications Facility at Warnervale
(Attachment 2)**

Site Plan



SITE LOCATION PLAN

WYONG SHIRE COUNCIL

31 October 2007
To the Ordinary Meeting of Council

Director's Report
Shire Planning Department

448 Proposed Telecommunications Facility at Warnervale

DA/1071/2007 RSM:RSM

SUMMARY

An application has been received for the construction of a telecommunications facility on the subject land. The application has been examined having regard to the matters for consideration detailed in Section 79C of the Environmental Planning and Assessment Act and other statutory requirements with the issues requiring attention and consideration being addressed in the report.

Applicant	D Tsoi - Connell Wagner
Owner	Bitova Pty Ltd
Application No	DA/1071/2007
Description of Land	1-13 Warnervale Road Warnervale Lot 1 DP 958084
Proposed Development	Installation of a telecommunications facility consisting of a 35 metre tall monopole, antennae and shelter
Site Area	3.237Ha
Zoning	1(c) Urban Constrained Lands and 7(g) Wetlands Management
Existing Use	General Store
Value	\$263, 000

EXECUTIVE SUMMARY

- * The proposed development is considered to be consistent with the objectives of the 1(c) and 7(g) zones, as stated in Wyong Local Environmental Plan (LEP) 1991 and is permissible with Council consent.
- * The applicant has provided information that indicates that the proposed tower will emit electromagnetic energy (EME) which would be no greater than 0.2 % of the standard set by the Australian Communication and Media Authority.
- * The site of the proposed development is on the same lot as the heritage listed Warnervale General Store. It is considered that the communications facility will not have a negative impact on the heritage value of Warnervale General Store.
- * A new base station would provide a significant increase in mobile phone coverage for the rapidly expanding Warnervale area.
- * The proposal was placed on public notification in accordance with Council Policy. No public submissions were received during the notification period.

Proposed Telecommunications Facility at Warnervale (contd)

RECOMMENDATION

That the application be referred to the General Manager for determination having regard to the matters for consideration detailed in Section 79C of the Environmental Planning and Assessment Act and other relevant issues with an indication that based on the information available to it, Council favours approval of the application subject to appropriate conditions.

INTRODUCTION

Consent is sought for the construction of a mobile phone network base station intended to improve Telstra mobile phone coverage in the Warnervale area. The proposed base station would be comprised of the following elements:

- * A 35m high concrete monopole
- * Installation of six panel antennas
- * Equipment shelter – approximately 3m x 3m x 3m
- * Installation of security fencing around the facility
- * Access road from the existing general store carpark to the site location

The subject site for the proposed telecommunications facility is to the rear of the subject lot which is comprised of three distinct areas (see Attachment 2). The front or north western portion of the site contains the existing Warnervale General Store. The central area of the site is an open grassed area and the rear of the lot is wooded wetland that extends into an adjoining site which is held in common ownership with the subject lot.

The site is somewhat isolated from surrounding development, with the general store being the closest development and approximately 100m away. The nearest residential development is approximately 200m to the west of the site and located beyond Warnervale Railway Station. There is some residential development to the north and minimal development to the south and east of the site.

HISTORY

Significant previous approvals for the use of the site are for the general store and monthly markets.

Proposed Telecommunications Facility at Warnervale (contd)**STATUTORY REQUIREMENTS****Wyong LEP 1991 Clauses 7 and 10 – Definitions, Zone Objectives and Development Control Table**

The proposed works are defined as a utility installation under Clause 7 of Wyong LEP 1991. In accordance with Clause 10 of the Wyong LEP 1991, utility installations are permissible in both the 7(g) (Wetlands Management Zone) and 1(c) (Non Urban Constrained Lands Zone) with Council consent.

The proposed development falls partially within both the 7(g) and 1(c) zones. The proposed development is considered to be consistent with the objectives of both the zones, as stated in Wyong LEP 1991.

Telecommunications Act 1997 and the Australian Communications Industry Forum (ACIF) Code

The ACIF Code is made under Part 6 of the *Telecommunications Act*. The objectives of this code are:

- * To apply a precautionary approach to the deployment of radio communications infrastructure.
- * To provide best practice processes for demonstrating compliance with relevant exposure limits and protection of the public.
- * To ensure relevant stakeholders are informed and consulted before radio communication infrastructure is constructed.
- * To specify standards for consultation, information availability and presentation.
- * To consider the impact on the wellbeing of the community, physical or otherwise, or radio communications infrastructure.
- * To ensure Council's and the community's views are incorporated into the radio communications infrastructure site selection.

The Australian Communications Authority (ACA) sets standards that limit human exposure to EME under the Telecommunications Act. The ACA has adopted the Australian Radiation Protection and Nuclear Safety Agency (ARPANSA) Standard as the mandatory standard for human exposure to EME from mobile base stations. The applicant has provided information that indicates that the proposed facility will emit EME no more than 0.2% of the ACA mandatory standard. These figures have been provided for exposure levels from 0 to 500 metres from the site.

Proposed Telecommunications Facility at Warnervale (contd)

With regard to public participation, the proposal was notified in accordance with Council policy, with no public submissions received.

Development Control Plan 2005: Chapter 76 – Conservation of the Built Environment

The shop/residence known as Warnervale General Store is identified as a Heritage Item of Regional Significance in Wyong LEP 1991. The stated aims of Chapter 76 are to guide and provide a management framework for the development of heritage items, buildings and land in the vicinity of heritage items.

The site of the proposed telecommunications facility is approximately 100m from the heritage building. Although located on the same allotment, the two sites are separated by a carpark, open grassland and a continuous 1,800mm high cyclone fence giving the impression that the sites are on distinctly separate properties. When viewed from the General Store, once constructed, the telecommunications facility would be partially obstructed by existing vegetation. The General Store is closer to the Warnervale Railway Station and other surrounding development than the telecommunications facility site. It is considered that the addition of a telecommunications tower in the location proposed will not impact on the heritage significance of the general store.

Development Control Plan 2005: Chapter 30 – Wyong Shire Wetland Areas

The subject site falls within two zones, the 1(c) and 7 (g) zones. The immediate and surrounding areas exhibit wetland characteristics. The location of the proposed development is on a cleared section of land surrounded to the south, east and west by wetland vegetation. There are no works affecting the existing vegetation. Once constructed, the development would have no ongoing impact on surrounding land. It is considered that the proposal is consistent with the aims and objectives of the Chapter 30.

Warnervale Planning Strategy

It is not proposed that there will be any change in the use of the subject site as part of the future development of the Warnervale area. No residential or commercial areas are proposed in locations any closer to the site than already established. The location of the tower is consistent with Council's vision for the locality as it will provide for a significant increase in mobile communication availability in the area.

Proposed Telecommunications Facility at Warnervale (contd)

ECOLOGICALLY SUSTAINABLE PRINCIPLES

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

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

RELEVANT ISSUES

Having regard to Section 79C of the Environmental Planning and Assessment Act, it is considered that the following matters require further consideration and are addressed in the following sections:

Context and Setting

The issue of the location of telecommunications facilities is often problematic as the facilities need to be located relatively close to residential and commercial areas, while remaining visually unobtrusive. The selected site has been chosen on the basis that its proximity to the Warnervale Township can provide for adequate telecommunication services into the future. Though the site is located on the same allotment as the Warnervale General Store, the physical isolation of the proposed facility from the shop will assist in ensuring preservation of the heritage values of this site. The building site is surrounded by natural vegetation which limits the visual impact of the facility. The applicant proposes to paint the monopole and shelter "pale eucalypt" to minimise the visual impact of the development. Should the application be approved, a condition of consent will be imposed to require that all power and telecommunications cables must be located underground between the road reserve and the equipment enclosure to further limit the visual impact of the development.

Access, Transport and Traffic

An access road from the existing Warnervale shop carpark to the site forms part of the proposal. This road will provide access during construction and for ongoing maintenance. There is an alternative access location for the transportation of major construction items if required. Ongoing maintenance will generally take place on a quarterly basis and can be accommodated via the proposed access.

Proposed Telecommunications Facility at Warnervale (contd)

Public Domain

The proposed development will not have an impact on public recreational opportunities in the locality or impede the management of the public spaces in the area.

Utilities

Water and sewer is not required for this proposal. Power supply is available in the locality.

Flora and Fauna

The proposed tower and equipment shelter are within a cleared and gravelled area within the 1(c) and 7(g) zones and can be constructed without the removal of native vegetation.

The submitted plans also identify a route for underground fibre optic cables and service connections. The proposed route is likely to require clearing within the Endangered Ecological Community (EEC) Swamp Sclerophyll Forest. Should the application be approved, a condition of consent will be imposed to require that any service connections, fibre optic links or any other works that require soil disturbance must be situated outside the vegetated area. Any clearing of native vegetation on the site (including undergrowth and shrubs) would require an ecological assessment, in particular an assessment of impacts on the EEC and a Wetlands Effects Statement (DCP 30). In addition, the 1(c) and 7(g) zones are subject to the Native Vegetation Act and if any clearing is to be undertaken, approval under that Act is required from the Hunter Central Rivers Catchment Management Authority. The applicant has been informed of this issue and has agreed to relocate the fibre optic cable route clear of vegetated areas.

Natural Hazards

The site is located in a bushfire prone area. It is considered that the presence of the base station in this locality will not increase the potential for bushfire in the area and can be easily accessed if the site needs to be defended in the event of bushfire.

The site is considered flood liable. Should the application be approved, a condition of consent will be imposed requiring all electrical equipment and outlets to be located above the 1 in 100 year flood level for the site.

Safety, Security and Crime Prevention

The base station will be suitably fenced to provide adequate security.

Proposed Telecommunications Facility at Warnervale (contd)

Social and Economic Impact in the Locality

The new base station will provide a significant increase in mobile phone coverage for the Warnervale area, increasing communication capabilities for commercial and emergency services. It is generally the case that other mobile phone operators will co-locate antennae on this type of structure in the future subject to the relevant consents, providing better phone coverage for other mobile phone networks.

Construction

There is adequate provision for access to the site and open space surrounding the site to permit construction to occur without disrupting surrounding activities. Should the application be approved, conditions of consent will be imposed to ensure that the construction will have a negligible impact on the flora and fauna of the area.

Submissions made in accordance with the Environmental Planning and Assessment Act or Regulation**Public Submissions**

The proposal was placed on public notification in accordance with Council Policy. No public submissions were received during the notification period.

Submissions from Public Authorities

As the subject site is located in the vicinity of Warnervale Aerodrome, the application was referred to the Civil Aviation Safety Authority (CASA) for comment. CASA has indicated that the proposed structure will not disrupt the operation of the aerodrome.

CONCLUSION

Construction of the proposed communications facility will significantly improve mobile phone services in the locality. The proposal will have an acceptable impact on the surrounding environment and EME emissions will be well below the current accepted standard. The proposed communications tower is therefore recommended for approval.

Attachment 1
Attachment 2

Locality Plan (1 page)
Site Plan (1 page)

Enclosure

Elevations

WYONG SHIRE COUNCIL

31 October 2007
To the Ordinary Meeting of Council

Director's Report
Shire Planning Department

449 State of the Environment Report 2006/2007

F2004/06956 KD:KD

SUMMARY

The draft State of the Environment Report, issued to Councillors on 21 September 2007, is an essential resource for Council's decision making and planning. It provides a report card on the sustainability of Council's activities and the overall condition of the Shire in respect to environmental matters. In addition, the Local Government Act intends that it be used in the preparation of the annual Management Plan which sets the principles, priorities, budgets and directions of Council operations as well as Unit Operational Plans. The report is also widely used as a source of valuable reference material in respect of the Shire's environment by universities, schools, precinct committees, environmental groups and interested members of the community.

RECOMMENDATION

That the 2006/2007 State of the Environment Report be adopted.

BACKGROUND

Wyong Shire has many environmental assets of note which are in relatively good condition when compared to other coastal councils in NSW. These include our beaches, clean air, extensive bushland and expansive waterways. The environment is a major asset that attracts people to the Shire and is therefore extremely significant in terms of tourism, economic development and general quality of life. However, the legacy of past practices associated with the development of our towns, farming, industrial, commercial and forestry areas, together with the current urban growth trends, has and is continuing to place significant pressure on these valuable assets.

Under the NSW Local Government Act (1993) Council is required to produce a State of the Environment Report to review the status of these assets. A full report is required every four years. Supplementary reports are produced for each year in-between. This is a supplementary report.

Wyong Shire Council has been reporting on the environment since 1994 and the process has been one of continuous change and improvement in how we report, what we report on and how we respond to the report. As required under the Local Government Act, Council has indicated its commitment to ecological sustainability by:

- * including relevant environmental objectives and setting sustainability targets in its Management Plan;

State of the Environment Report 2006/07 (contd)

- * undertaking a range of environmental programs and projects to mitigate past impacts; and
- * continuing quality research and planning to understand and better address environmental issues.

This year's report indicates continued decline in some areas, as reported in previous years.

However, there are indications that improvement is likely in our lakes, creeks and wetlands with implementation of programs such as the Estuary Management Plan, the Floodplain Risk Management Plans and the Water Sensitive Urban Design (WSUD) DCP. This is a positive outcome.

The report also demonstrates the importance of reaching out to schools and the community by way of delivering sustainability principles. The aim of this is to achieve behavioural change in the implementation of regional education programs through partnerships with neighbouring councils. It is important, therefore, that current programs are maintained and additional programs developed to move Council towards a more sustainable future. It is considered that Council should focus on those actions that will bring about further improvement and where most benefit can be achieved with Council's limited resources.

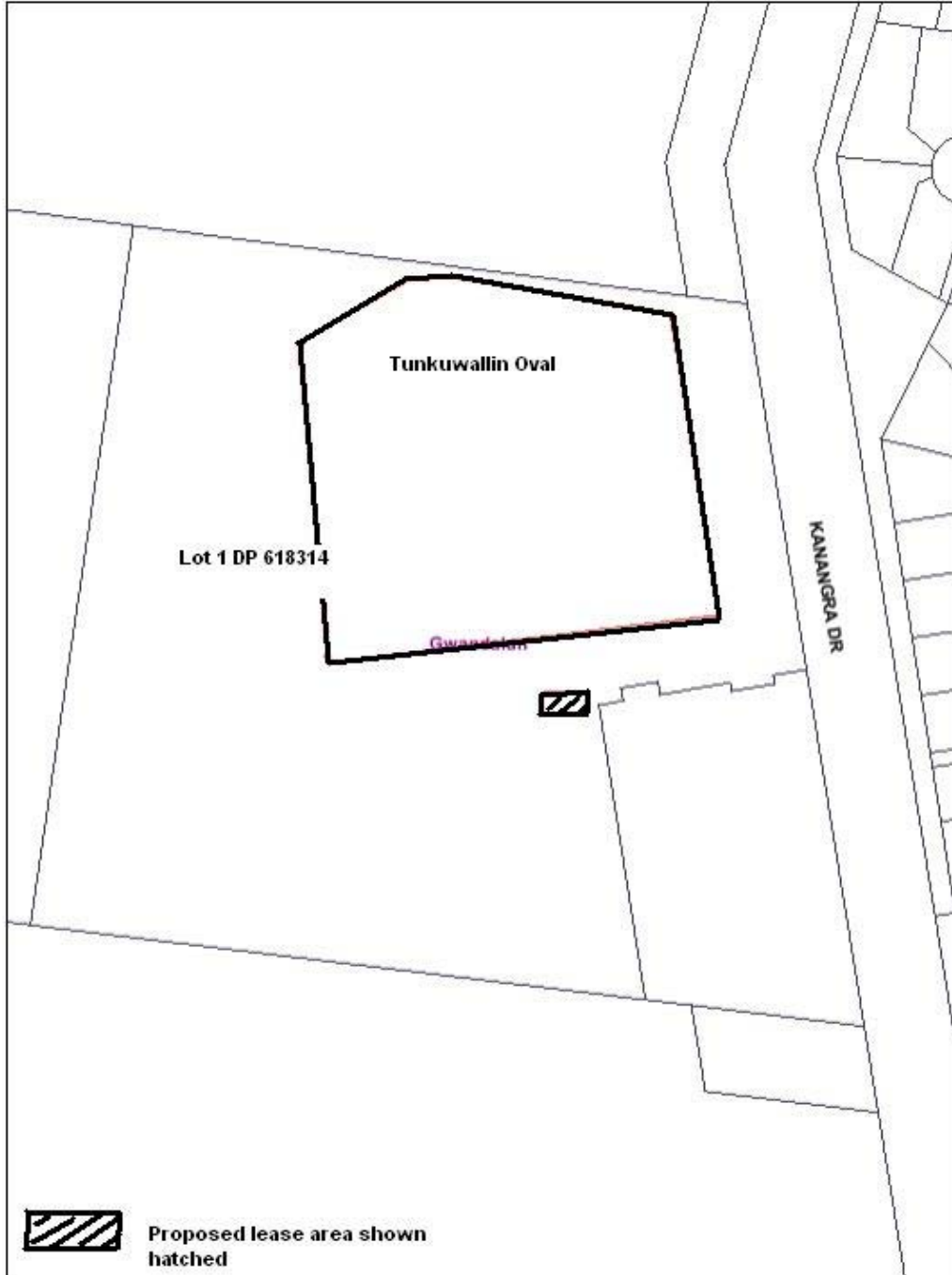
Enclosure

State of the Environment Report 2006/2007

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450 Proposed Lease to Telstra Corporation Limited – Tunkuwallin Oval, Gwandalan (Attachment 1)

Locality Plan



WYONG SHIRE COUNCIL

31 October 2007
To the Ordinary Meeting of Council

Director's Report
Corporate Services Department

450 Proposed Lease to Telstra Corporation Limited – Tunkuwallin Oval, Gwandalan

F2007/01432 JMT

SUMMARY

An application has been received from CPS Global, on behalf of Telstra Corporation Limited (Telstra), to lease part of Tunkuwallin Oval for the operation of a mobile telephone base station facility.

RECOMMENDATION

- 1** *That Council lease part of Lot 1 DP 618314 Kanangra Drive, Gwandalan to Telstra Corporation Limited for the purpose of constructing and operating a mobile telephone base station.*
- 2** *That the term of the lease to Telstra Corporation Limited be up to a maximum of 20 years at a commencing rent of \$25,538.87 per annum inclusive of GST, subject to annual 5% increases and a market review on the anniversary of the commencement of the lease each five years.*
- 3** *That Council authorise the Common Seal of the Wyong Shire Council to be affixed to the Lease between the Wyong Shire Council and Telstra Corporation Limited.*
- 4** *That Council authorise the Mayor and the General Manager to execute all documents relating to the Lease between the Wyong Shire Council and Telstra Corporation Limited.*

BACKGROUND

At its meeting held on 12 September 2007, Council considered a report in relation to a development application for the installation of a 35 metre telecommunication monopole, antennas and shelter on part of Tunkuwallin Oval being Lot 1 DP 618314 Kanangra Drive, Gwandalan (the Land). Council resolved to refer the application to the General Manager for determination with an indication that Council favours approval of the application. Council also resolved that staff report back on the negotiations of the leasing arrangements. Under delegation, the application was approved on 17 September 2007.

Telstra has applied to lease part of the Land from Council comprising an area of approximately 60 square metres. The lease would enable Telstra to construct and operate a mobile telephone base station on part of the Land.

**Proposed Lease to Telstra Corporation Limited – Tunkuwallin Oval,
Gwandalan (contd)**

Following negotiation with Telstra's consultants, rental has been agreed at \$25,538.87 per annum, inclusive of GST, for 2007 subject to annual rent increases of 5% and a five yearly review to market in accordance with Council's standardised lease. A term of 20 years is sought on the basis of a five year initial term with consecutive five year leases thereafter.

The rental sought from Telstra is supported by other rentals being paid to Council for similar sites and by a market valuation prepared by Robertson & Robertson.

Attachment 1

Locality Plan (1 page)

WYONG SHIRE COUNCIL

31 October 2007
To the Ordinary Meeting of Council

Director's Report
Corporate Services Department

451 Central Coast Regional Organisation of Councils

F2007/00900 JPB

SUMMARY

The Central Coast Regional Organisation of Councils (CCROC) is required to be formalised under Section 355 of the Local Government Act 1993 to facilitate an efficient and legally compliant means of distributing grant funds from State and Federal Governments.

RECOMMENDATION

- 1 That Council, pursuant to Section 355 of the Local Government Act, 1993 formalise a joint committee with Gosford City Council being known as the Central Coast Regional Organisation of Councils.**
- 2 That Council delegate the following functions to the Committee:**
 - a calling for applications for grant money;**
 - b assessing applications and determining the identity of successful recipients;**
 - c authorising the payment of money to successful applicants.**
- 3 That Council delegate to the General Manager the authority to carry out the resolutions of the Committee in so far as they relate to the distribution of grant funds from State and Federal Governments.**
- 4 That Council nominate two Councillors and the General Manager (or nominee) as Wyong's members of CCROC.**
- 5 That Council endorse the Charter for CCROC formalised under Section 355 of the Local Government Act, 1993 as attached to this report.**

BACKGROUND

Since June 2007 storms, Council has had confirmation of financial assistance for the Central Coast from both State and Federal Governments. A copy of the guidelines for the Central Coast Community Recovery Fund and application form are enclosed.

Gosford and Wyong Councils were approached by the Premier's Department to use CCROC as the regional body to undertake the task of distributing the financial assistance. To facilitate this and any other future financial assistance from other tiers of government an appropriate formalisation of CCROC is required.

Central Coast Regional Organisation of Councils (contd)

The most efficient manner of distributing the grant moneys is via a "top-down" approach. "Top-down" means that Council deals with the matter by way of resolution in the first instance, and thereby establish the machinery to enable the allocation and distribution of funds to happen thereafter, without the necessity for returning to Council for further resolutions.

To achieve this, both Gosford and Wyong Councils need to pass identical resolutions establishing a Joint Committee under the Section 355 of the Local Government Act.

Legal advice has been sought confirming that as Council is acting as a conduit for administering State and Federal Governments' funds, Council is not required to adhere to Section 356 of the Local Government Act which would apply if Council's funds were being distributed. As Section 356 outlines the requirements for financial assistance (including public notice requirements) exemption from this part permits this more streamlined approach to be developed.

The proposed Charter for the Section 355 Committee are enclosed and generically provides for the distribution of any grant funds sourced from State or Federal Governments. The current arrangements for Sporting and Cultural grants distributed through CCROC are not the subject of this report.

Enclosure***Draft Charter for CCROC as a Section 355 Committee******Central Coast Community Recovery Fund Guidelines and Application Form***

WYONG SHIRE COUNCIL

31 October 2007
To the Ordinary Meeting of Council

Director's Report
Corporate Services Department

452 Representation on External Committees and Associations

F2004/06395 ED

SUMMARY

Following the election of Councillor Stevens as Deputy Mayor, a new alternate delegate needs to be appointed for the next 12 months to the Gosford – Wyong Council's Water Authority.

RECOMMENDATION

That Council nominate a new alternate delegate to the Gosford Wyong Councils' Water Authority.

Council's delegates to the Gosford Wyong Councils' Water Authority are the Mayor, Deputy Mayor, one Councillor being Councillor Rose and one alternate being Councillor Stevens. As Councill Stevens is now the Deputy Mayor, a new alternate delegate should be appointed for the next 12 months.

WYONG SHIRE COUNCIL

31 October 2007
To the Ordinary Meeting of Council

Director's Report
Corporate Services Department

453 Proposed Councillors' Community Improvement Grants

F2007/00729 SG

SUMMARY

Councillors proposed the following allocation of funds for expenditure from Councillors' Community Improvement Grants.

RECOMMENDATION

That an amount of \$6,700 be allocated from the 2007/2008 Councillors' Community Improvement Grants as outlined in Attachment 1.

BACKGROUND

Funds are available and expenditure is permissible under Section 24 and 356(1) of the Local Government Act, 1993.

Attachment 1

***Councillors' Community Improvement Grants 2007/2008
(1 page)***

31 October 2007
To the Ordinary Meeting of Council

Director's Report
Corporate Services Department

Proposed Councillors' Community Improvement Grants (Attachment 1)

Proposed Councillors' Community Improvement Grants 2007/2008

COUNCILLORS' COMMUNITY IMPROVEMENT GRANTS ALLOCATION	Best	Eaton	Forster	Graham	Pavier	Rose	Stevens	Stewart	Veugen	Welham	SUB TOTAL
Allocation 01/07/2007 - 30/06/2008	7,500	7,500	7,500	7,500	7,500	7,500	7,500	7,500	7,500	7,500	75,000
Expenditure up to and including Ordinary Council Meeting of 10/10/2007	3,350	1,700	2,850	2,500	50	3,895	695	6,050	2,600	3,700	27,390
Available allocation as at 10/10/07	4,150	5,800	4,650	5,000	7,450	3,605	6,805	1,450	4,900	3,800	47,610
31 October 2007											
Give Me Five for Kids	250	200	250	250		200	200	200	1,500		3,050
Lakeland Park Fitness Exercise Group (situated at Buff Point)	100										100
Samaritans Foundation Central Coast (payment in advance)							500				500
Spirit of the Coast Harmony Chorus		200	200	200	200	200	200	200	200	200	1,800
The Friends of Toukley Inc	500	500									1,000
Toukley Fun N Fitness Group & Kindy Gym	100										100
Tuggerah Lakes Secondary College - The Entrance Campus								150			150
Total Proposed Allocations for 31/10/2007	950	900	450	450	200	400	900	550	1,700	200	6,700
Total Accumulated Allocations as at 31/10/2007	4,300	2,600	3,300	2,950	250	4,295	1,595	6,600	4,300	3,900	34,090
Deferred Allocation 10/10/2007 pending investigation of further information - Stop Korean Coal Mining	500	500	0	0	0	0	0	0	300	0	1,300
Pending Allocations to next meeting or requiring further information	350	0	1,250	0	0	1,200	200	450	400	200	4,050
Total of Pending Allocations	850	500	1,250	0	0	1,200	200	450	700	200	5,350
Balance of Accumulated and Pending Allocations	5,150	3,100	4,550	2,950	250	5,495	1,795	7,050	5,000	4,100	39,440
Balance Uncommitted including pending allocations as at 31/10/2007	2,350	4,400	2,950	4,550	7,250	2,005	5,705	450	2,500	3,400	35,560

454 2006/2007 Annual Financial Reports

F2007/00501 SJG

SUMMARY

In accordance with Section 413(1) of the Local Government Act 1993 a Council must prepare financial reports for each year, and must refer them for audit as soon as practicable after the end of that year. Section 413(2) (c) of the Local Government Act 1993 and Section 41C of the Public Finance and Audit Act 1983 require Council to prepare a statement in the approved form as to its opinion on those financial reports. In addition Section 419(1) of the Local Government Act 1993 requires Council to present its audited financial reports, together with the auditor's reports, at a meeting of the Council.

RECOMMENDATION

- 1** *That the Annual Financial Reports for 2006/2007 be adopted.*
- 2** *That Council grant authority to the Mayor, Deputy Mayor, General Manager and Director, Corporate Services to sign the necessary Financial Statements, in the approved form, as to the Council's opinion on the General Purpose Financial Reports, Special Purpose Financial Reports and the Wyong Shire Council Water Supply Authority financial reports as required under Section 413(2) (c) of the Local Government Act 1993 and Section 41C of the Public Finance and Audit Act 1983.*
- 3** *That upon receipt of the Audit Report, a copy of the Financial Statements be forwarded to the Department of Local Government and the Australian Bureau of Statistics in accordance with Section 417(5) of the Local Government Act 1993.*
- 4** *That 14 November 2007 be fixed as the date for the presentation of the audited 2006/2007 Financial Reports and Audit Report in accordance with Section 419(1) of the Local Government Act 1993.*

BACKGROUND

The 2006/2007 Financial Reports are enclosed for the information of the Council to provide a brief analysis of Council's statutory accounting performance for 2006/2007.

This report to the Ordinary Meeting of Council reviews the financial performance of Council in 2006/2007 and refers to the information presented in the Financial Reports.

2006/2007 Annual Financial Reports (contd)

Council's External Auditor will be present at and the Ordinary Meeting of Council on 31 October 2007 to answer any questions in relation to Council's 2006/2007 Financial Reports.

EXECUTIVE SUMMARY

Council's Annual Financial Reports are drawn up in accordance with the Local Government Act (1993) and Regulations, Australian Accounting Standards and the Local Government Code of Accounting Practice.

Whilst the Annual Financial Reports are drawn up in accordance with the above, Council's annual budget incorporated in the Management Plan is developed on a different basis, representing strategy and line item information designed to meet community and management requirements.

A review of 2006/2007 results in terms of the Management Plan format was presented to Council's Governance Committee on 8 August 2007 and it reported that projects were largely completed within their budgets. The original budget adopted by Council in the 2006/2007 Management Plan showed a deficit of \$50,000. During the year a number of variations were reported to Council with a final surplus of \$2.176 million. This large surplus was primarily the result of timing delays in expenditures for the Estuary Management Plan (\$1.75 million) and the RTA Roads Construction (\$1.20 million). The report as presented to the Audit Committee on 8 August 2007 should be referred to for detailed information in relation to Management Plan outcomes and results.

Annual Financial Reports focus primarily on Council's **statutory** accounting requirements. The reports show that during 2006/2007 Council continued to hold a sound financial position.

Council's net operating result for the year ended 30 June 2007 was a surplus of \$27.1 million. While this seems like a large number, it does not mean that Council has surplus funds of that amount. The main reason for that is that the Income Statement includes \$ 40.9 million of income relating to grants and contributions for capital, but does not take into account capital expenditure which is shown in the Balance Sheet. In 2006/07 Council's capital expenditure was \$97.6 million which is described in Note 9 – Infrastructure, Property, Plant and Equipment.

The term capital works encapsulates the purchase and construction of infrastructure, property, plant and equipment assets. These works were funded from the operating surplus as well as from reserves such as developer contributions that were held at the end of last financial year.

Council continues to hold sufficient reserves to meet future liabilities, but does not have surplus funds to the magnitude that could be suggested by considering the operating result of Council in isolation.

2006/2007 Annual Financial Reports (contd)

Additional information regarding Council's Water and Sewer operations can be found in The Special Purpose Reports and Special Schedules (Schedules 3 – 6) included in Council's 2006/2007 Financial Reports and in the draft financial reports for Council's Water Supply Authority.

Enclosures

2006/2007 General Purpose Financial Reports

2006/2007 Water Supply Authority Financial Reports

Technical Analysis

WYONG SHIRE COUNCIL

31 October 2007
To the Ordinary Meeting of Council

Delegate's Report

455 2007 New Zealand Sister City Conference Report

F2004/07107 WJW

SUMMARY

Delegate's report of the 2007 New Zealand Sister City Conference held on 26 April – 29 April 2007 from Councillor W Welham, on behalf of those who attended.

RECOMMENDATION

That the report be received and the information noted.

The 2007 New Zealand Sister City Conference was proudly hosted by Wyong Shire's Sister City, Southland. The conference was held in Te Anau, Fiordland from the 26 April until the 29 April 2007. The theme of the conference was 'For all of us and the generations that follow'.

It is important to note that Southland only has one Sister City relationship and it is with Wyong, therefore the relationship is highly valued by the people of Southland. It was an honour and a privilege for us as a council to be invited to attend and participate in the conference and to support Southland in their endeavours to promote their Sister City relationship to other New Zealand local government authorities.

As Chairman of the Sister City Committee, Cr Warren Welham presented a key note address at the conference on advantages and disadvantages encountered with our two Sister City relationships, Southland and Tanabe. Mayor Cr Bob Graham introduced Cr Welham and spoke briefly on behalf of Wyong Shire, congratulating Southland on hosting the Sister City Conference.

Cr Graham, Cr Welham were joined by Cr Stewart a long time supporter of Sister Cities in Wyong Shire, along with Ian Hinton, our Sister City Ambassador and community members of the Sister City Committee.

During the Conference these representatives heard from the following people:

- 1 **Mr Tony Laker** – Tony is a highly successful NZ business operator, having on of the largest travel companies on NZ. Tony spoke on how he became successful and how the principles he used to make his business a success can be used by anyone in their own business, life or other activity.

2007 New Zealand Sister City Conference Report (contd)

- 2 **Madam Li Xiaolin** – Madam Li is the Vice-President of the Chinese People's Association for Friendship with Foreign Countries. She spoke on the benefits of having a relationship with a Chinese city and gave some examples of activities undertaken with NZ cities.
- 3 **Mayor Frana Cardno (Southland), Mayor Tracy Hicks (Gore), Deputy Mayor Neil Boniface (Invercargill) and Mayor Peter Chin (Dunedin)** – These elected representatives participated in a Mayor's forum, each presented their involvement with Sister City projects and spoke with passion about the successes and benefits they have had. Each was also available for questions from the delegates attending.
- 4 **Mrs Penny Simmonds and Mr Rex Capil** – Mrs Simmonds is the CEO of the Southern Institute of Technology, Mr Capil is the group manager of Community Development and Events for Venture Southland. Together they presented on the opportunities and schemes available through local government scholarship to attract people from NZ and Australia to study in institutions in Southland.
- 5 **Mr Peter Tennant, Mr Bill Woods and Mr Brian Cross** – All three gentleman are members of Sister Cities New Zealand, they spoke on the achievements of various councils in NZ in regards to Sister City projects and highlighted the best of these with examples. One in particular was how to leverage opportunities off World Expos and especially the recent expo held in Aichi, Japan.
- 6 **Mr Hyojong Yoo** - Mr Yoo represents the Ministry of Government and Home Affairs for the Korean Government and is based as the Deputy Director for the Korea Local Government Centre in Sydney. Mr Yoo spoke on opportunities for councils to form partnerships with Korean local governments that could lead to significant opportunities for business partnering.
- 7 **Mr Reg Kemper** – Mr Kemper is responsible for the Fiordland National Park, he spoke on the growth of tourism in Southland based on the successful promotion of the natural beauty and assets of the area.
- 8 **Judge Wilson Isaac** – Judge Wilson is the Deputy Chief Judge of the Maori land court, he spoke on the history of the relationship between Maori and 'white' NZ and the Waitangi treaty and subsequent tribunals. He referenced the relationships built between these people and the outcomes achieved with the similarities' to the current work of Sister Cities.
- 9 **Mr Mark Solomon** – Mark is the Kaiwhakahaere (Chairman) of the Te Runanga o Ngai Tahu. As Kaiwhakahaere, mark provides leadership for the tribe at a National level. He spoke on his role and some of the areas he has needed to show leadership in.

2007 New Zealand Sister City Conference Report (contd)

- 10 **Mr Joris De Bres** – Mr De Bres is the NZ Race Relations Commissioner, he spoke on the important role the Sister City movement has in promoting genuine tolerance and understanding between people of differing ethnic backgrounds.
- 11 **Mr Ray Kelly** – Mr Kelly is a long-time member of the Australian Sister City Executive and is based in Noosa where he has been a councillor for 21 years. Ray outlined some of the successful Sister City programs run in that area.
- 12 **Mr Wook Jin Lee** – Mr Lee is the President of International Christchurch youth, this is a group formed in 2004, that involves a group of young 14 -22 years of age people promoting and engaging in Sister City projects. The ICY was awarded first place in the 2006 NZ Youth in Local Government awards and have been recognised for promoting effective youth engagement in the community. Mr Lee presented a number of projects that have been highly successful and spoke on a model that could be adopted elsewhere based on the lessons that they learned.
- 13 **Mr Daniel Carruthers** – Mr Carruthers lived in China for 3 years, he is fluent in Mandarin and completed a thesis on 'Sister City relationships between NZ and China and their implications for tourism development'. Daniel toured China on a bicycle visiting a number of NZ's Sister Cities to gather his data. He achievements are all that more amazing due to his hearing impairment. He outlined his studies and conclusions to the conference.

Whilst in Te Anau, Mayor Graham, Cr Welham and Cr Stewart visited Te Anau Primary School, where they toured the school and spoke to a number of the Primary school classes. Cr Stewart had brought along some artwork from students at Gwandalan Primary School and the Te Anau students had prepared some to take back to Australia, which has been given to Gwandalan Primary School. The three councillors spoke to the school Principal and a verbal agreement was made to pursue a school link between Te Anua Primary and Gwandalan Primary.

Also during the conference the Wyong Councillors and the Sister City community members had a number of opportunities to speak with the Southland members of the Sister City Committee and a renewed enthusiasm was created to explore and expand on the projects that we undertake together. There was also a high degree of support for Wyong Sister Cities Ambassador program, after Ian Hinton proved to be an outstanding representative of Wyong Shire, having spoken at the Te Anau, Anzac Day Service, participated in the conference and undertook a number of activities in Southland with community members and homestay families.

2007 New Zealand Sister City Conference Report (contd)

The participation of the Wyong Mayor, Councillors and Sister City Community members was valued by our colleagues in Southland with the following letter arriving on the 11 May.

'Dear Warren,

2007 NZ Sister Cities Conference – Te Anau

On behalf of the Southland District Council Friendship Committee I would like to sincerely thank you for taking the time to 'come across the ditch' to attend our conference, meet old and make new friends, and present Wyong's story on their Sister City relationships.

We really appreciated your council making the effort to send not only two delegates but six. We felt this was a very positive message from your council.

It was also great to be able to give you all the opportunity to meet the Principal of the Te Anau School that Gwandalan is exchanging with.

It was neat to spend time with you all, and I hope you will all come back again so we can show you some more of our wonderful countryside and people.

From all accounts, the overall conference was a great success and we thank you for playing a large part in this and contributing to such success.

Yours Sincerely,

*Shirley Mason
Liaison Officer
SDC Friendship Committee'*

WYONG SHIRE COUNCIL

31 October 2007
To the Ordinary Meeting of Council

Delegate's Report

456 International Cities, Town Centre and Community Society

F2004/06466 WJW

SUMMARY

Delegates report on the International Cities, Town Centres and Community Society (ICTC) held on 26-29 June 2007 as submitted by Councillor W Welham and in response to Q038 asked by Councillor Pavier.

RECOMMENDATION

That the report be received and the information noted.

Councillor Pavier asked a question Q038 at Council's meeting of 28 March 2007 as follows:

"Could Councillor Welham report on the benefits of the (International Cities, Town Centres and Communities) ICTC organisation and Conference he and Councillor Forster have attended?"

The Aims of the ICTC Society

The International Cities, Town Centres and Communities Society (ICTC) states the following as its aims:

- 1 To enhance the quality of life of inhabitants of cities, towns and communities.
- 2 To assist cities, towns and communities to be as environmentally, socially and economically sustainable as possible.
- 3 To bring together the required visionary professionals to discuss the challenges of replacing sprawl with compact environmentally, socially and economically acceptable environments.
- 4 To facilitate world best practices in the planning, development and management of cities, towns and communities and particularly the planning, development and management of public spaces and infrastructure

The Conference held this year from the 26 June to the 29 June was the ICTC's 8th Conference and it was hosted by North Shore City, Auckland.

International Cities, Town Centre and Community Society (contd)

The Conference theme was 'Cities on the edge' and referred to North Shore's place on the edge of Auckland. Mayor George Wood described North Shore City as "a prime location for commercial and business development and the city is home to high quality retail centres, attractively designed technology parks, leading educational institutions, world class sports, health, leisure, libraries, heritage and arts facilities, with a strong focus on sustainable living and protecting the cities natural beauty and clean environment".

This drew strong parallels to the Central Coast's place near Sydney and the vision we have here for Wyong Shire.

The Conference consisted of 6 special interest groups of which delegates could choose to attend one, a series of keynote and concurrent workshops and four field trips again of which delegates could choose to attend one.

Special Interest Group

The aims of the SIG's are as follows:

- To provide a discussion forum at annual ICTC conferences for ICTC members and delegates to discuss successful and challenging projects.
- To provide an ongoing platform for SIG members to continue their discussions between conferences.

I chose to attend Special Interest Group 3:

Managing Retail Sprawl

The Chairperson for the Managing Retail Sprawl SIG was **Tony De Fazio**, Manager Civic Services, City of Whitehorse, Victoria. There were approximately 40 people who attended this discussion, including planners, councillors, retailers, consultants and developers.

The initial discussion topic was:

"In the view of many, big box stores impose hidden costs that don't appear on the price tags of the products they sell - traffic congestion; loss of trees, open space and farmland; displaced small businesses; substitution of jobs that support families with low paying jobs that don't; air and water pollution; dying downtowns with vacant buildings; abandoned shopping centres; a degraded sense of community; and sprawl. Can't we have stores with both low prices and community friendly design? (Source - Constance Beaumont and Leslie Tucker)"

International Cities, Town Centre and Community Society (contd)

This was followed by:

"What are effective strategies for creating a vibrant diversity of retail shopping in older main streets as opposed to the creation of monopolistic box style shopping centres?"

"Should planners or the market guide the location of retail activity? In particular, should retail activity be concentrated in centres, as opposed to allowing laissez-faire location throughout business zones?" Are there some sorts of activity (e.g. large format retail, trade based retail) that are not suited to in-centre locations and how can these unsuitable activities be identified (activity type definitions, floorspace thresholds, pedestrian generation, transport and accessibility requirements)?" What restrictions should be placed on non-centre retail (e.g. allow convenience stores locating in large-format centres)?"

"We have many heritage buildings in the CBD with a huge 60 acre subdivision planned 1 kilometre from the core of the CBD. It is to contain light commercial, bulk retail (already existing and bulk retail buildings) and office space. Once this subdivision reaches its full potential we will see the CBD in a very precarious position with its fragile heritage buildings. Fewer opportunities to redevelop existing properties and manage retail sprawl because of the unfriendly Resource Management Act (RMA) and Building Act - Any suggestions!"

Some of the relevant comments/questions that were made to note as part of the discussion are:

Do mainstreet levies really work in assisting ageing town centres? Shouldn't mainstreet businesses be given relief rather than extra tax/burden in competing against large shopping centre developments? Should the levies be placed on the new developer?

All councils should have a retail hierarchy, this was unanimously agreed by all in attendance as it provides certainty to both the developers and the community. Dubbo City provided examples where they maintain their hierarchy by providing reduced rates for development in the CBD (to avoid urban sprawl) and require economic impact statements for any retail proposal larger than 1000sqm outside the CBD.

It was suggested that all Retail strategies have imbedded planning controls that allow older disused retail spaces to be converted back to residential or appropriate use, especially where mainstreets need to contract.

International Cities, Town Centre and Community Society (contd)

- *The 'Regional' tag is becoming redundant in many areas where the duplication of Retail offering means catchments are shrinking. Community wants convenience shopping and with the rising cost of fuel/transport costs are unwilling to travel to 'Regional' centres. Argued that as an option 'Regional' should be deleted from hierarchy's and allow local centres to build up.*
- *Retailing is too dynamic in terms of format to be locked into floorspace caps/ratios as these caps/ratios must be based on data that dates too quickly and does not allow retailers to respond to market needs.*

Keynote Speakers and Concurrent Workshops:**1 Community Renewal – Strength-Based Approaches to Rejuvenating Poor Neighbourhoods**

Alan Bernacchi - Programme Manager – Community Renewal and Healthy Housing
Rosie Gallen - Community Development Manager Housing New Zealand Corporation, New Zealand.

Community Renewal was launched in 2000 as a partnership between Housing New Zealand Corporation and the people living and working in communities that have high concentration of public housing, such as Northcote where 40% of the total housing stock was supplied through Housing New Zealand. There were design issues in this community that included shared driveways, unsafe parks and a lack of community infrastructure such as meeting halls. The Corporation has taken a community development rather than an asset intensive approach and aims to develop community partnerships to strengthen and empower communities. This included asking for and appointing "Community Champions" whose responsibilities were to promote the proposed project within the community, through a variety of methods including 'word-of-mouth', door to door discussions, and organising bus trips to see other similar communities. Housing New Zealand's focus is revitalising neighbourhoods by using strength-based approaches, improvements to the physical environment and amenities, and helping residents build networks and establish a community spirit. Other initiatives include supporting employment and training opportunities, improving access to affordable community services, supporting initiatives that increase neighbourhood safety and reduce crime. All developments now include a 'Community Focus House' where families can gather together.

The presentation provided case studies on how Community Renewal works on the ground and outlined recent evaluation findings.

International Cities, Town Centre and Community Society (contd)

2 Designing Out Crime – A State Strategy In Action

Michael Coe - Masters Crim. Jus, Dip. L.G, Grad Cert. L.G, Principal Policy/Planning Officer
Office of Crime Prevention, Perth, Western Australia, Australia.

Designing Out Crime (DOC) practices are increasingly being implemented throughout the world and there is clear supporting evidence for its effectiveness. Local governments and other agencies in Western Australia (WA) are embracing this method of crime prevention as there is increasing demand for Designing Out Crime advice, consultation and training. In October 2004 the Office of Crime Prevention (OCP) established a Designing Out Crime Unit to provide policy advice, strategic direction and practical guidance in this area. Most importantly the WA Government has established designing out crime guidelines and created a first in Australia by developing a specific Designing Out Crime Strategy which provides exiting new approaches to the way we plan, design and build our environment. The Strategy is an evidence-led and multi-agency approach to reducing crime and the fear of crime through the planning, design, use and management of the built environment. The Designing Out Crime Unit has also developed extensive education and training packages for local government and other stakeholders coupled with a series of awareness-raising forums. Intensive training workshops with local government and other agencies are well underway with high demand from interested parties which assist organisations to embed Designing Out Crime principles in local community safety and crime prevention plans.

Designing out crime includes design elements that foster:

Clear sightlines and natural surveillance through:

- * appropriate landscaping
- * low walls or 'see-through' fencing
- * mirrors
- * placement and design of buildings and space
- * effective lighting.

Safe movement, good connections and access through:

- * clear signage and location maps
- * good lighting for night use
- * elimination of entrapment spots
- * walkable streets that encourage activity and social interaction

International Cities, Town Centre and Community Society (contd)

- * continuous accessible paths of travel for all users
- * road treatment to slow traffic speeds.

Ownership that is clear through:

- * clearly defined boundaries of public and private space
- * distinguished entrances and access points
- * signage
- * lighting
- * landscaping and clearly defined pathways.

Mixed use activities that promote public use through:

- * buildings fronting onto public places
- * mixing uses, particularly at ground level
- * active frontages, detailed facades and shade provision
- * activity generators including cafes, markets and all-hour services
- * frequent doors and windows with few blank walls
- * diversified use of space, particularly at vulnerable times.

Designing out crime incorporates physical features that foster:

An urban structure that promotes:

- * 'walkable neighbourhoods'
- * networks of streets providing pedestrians and cyclists with a variety of routes and avoids a high proportion of cul-de-sacs
- * the co-location of pedestrian, cycle and vehicle routes to maximise opportunities for safety
- * the physical integration of new residential subdivisions with adjacent ones
- * the interface between activity centres and surrounding neighbourhoods.

International Cities, Town Centre and Community Society (contd)

Quality building design through:

- * integrating buildings into public places
- * designing buildings to support natural surveillance of adjacent open space
- * ensuring buildings are safe and accessible for all users.

Safe parks and landscape through:

- * appropriate vandal proof and well-maintained landscaping
- * streets and houses looking onto parks and open spaces
- * continuous and accessible paths of travel between streets and parks
- * low vegetation to run 700mm and broad canopy trees, providing shade and amenity 2,400 above ground level.

Fences and walls which support safety through:

- * clearly defining space between public and private land and development
- * walls and hedges lower than 1,200mm or, if above, provide 'see through' fences to allow views and provide clear sightlines
- * avoiding 'back fence' lot orientation to pedestrian/bicycle routes, collector or arterial roads.

Appropriate and integrated lighting through:

- * indicating safe connections
- * ensuring visibility to 15 metres
- * encouraging or discouraging use
- * ensuring visibility for all users - pedestrians, cyclists, wheelchairs, prams, motorists.

International Cities, Town Centre and Community Society (contd)

Clear signage and symbolism through:

- * legible and clear directions
- * identification of safe routes
- * defined use of space
- * use of internationally recognised symbols, tactile and Braille surfaces
- * placement considered by all users.

Designing out crime encourages development that promotes personal safety and property security through:

- * defined ownership and the legitimate use of private, public and communal space
- * maintenance of visibility and surveillance of public space
- * preventing unwanted access to private spaces, including buildings
- * use of materials that are durable and low maintenance
- * ongoing maintenance systems and procedures to ensure design and development features are sustained and maintain continuous safety improvements
- * encouraging land uses that generate activity and surveillance in areas that may otherwise be isolated
- * locating public transport stops and taxi ranks near buildings with active frontages for good natural surveillance.

Further information can be found at: www.crimeprevention.wa.gov.au

International Cities, Town Centre and Community Society (contd)

3 Building The Foundations For Community Wellbeing

Robyn Douglas - Manager, Community Lifestyle Policy Caloundra City Council, Caloundra Queensland Australia.

How do you plan for community's 40 years in advance? And know what infrastructure will be required. Caloundra City Council in South East Queensland is taking on the challenge and preparing a Social Infrastructure Plan to meet the needs of its community in 2046.

How do you identify what are the building blocks are for a healthy and vibrant community? This presentation gave an overview of the planning being undertaken in Caloundra City, the pitfalls and the some of what they had learned.

Social Planning Staff identified that it was hard to keep Social Infrastructure on the political Agenda as often 'Hard' Infrastructure dominated debates and funding. They also found that this was difficult because of a lack of definitive definitions of what is community infrastructure and that benchmarks are not necessarily transferable between communities.

The 40 year social plan was hoped to include benchmarks, scope, cost estimates and what's currently available within communities. One difficulty was a discussion on how broad does the plan go, eg should it include post boxes and phone booths? Related to this was which level of government was responsible for the provision and should council be planning for other levels of government?

Areas the plan looked at on 'How do we identify the infrastructure required for?'

- * Open Space
- * Community Facilities
- * Linkages
- * Transport and Employment
- * Entertainment
- * Technology
- * Sport and Recreation

and how did we determine what we want and need?

- * Benchmarks – are they worth using?
- * Resources – how can we afford it?
- * Technology – what infrastructure will we need?

International Cities, Town Centre and Community Society (contd)

They found that most NGO's that provided social services in their area had no meaningful input into a 40 year document as most are delivering services in survival mode of 'hand-to-mouth' funding arrangements and as such had little in the way of future plans or requirements.

The plan also threw up the question of financial sustainability of current provision level of services into the future. A good example was that of providing open space and recreation areas. At current levels of provision in existing communities, it would cost the council \$485 million to provide for their newly created communities over the life of the plan. This is in contrast to many existing facilities where land was donated by 'Crown' or 'Trust' at no cost to the council.

Examples of some recent Social Infrastructure Planning with supporting visual images were provided to demonstrate the process from planning to implementation, all demonstrated the need for flexibility to be able to ensure that the facility meets community needs on completion.

- * Lake Kawana Community Centre – \$12 million facility
- * Golden Beach Community Master Plan

4 Streets Apart? Transport Policy And Urban Design In New Zealand

Christopher E. Harris - PhD (Planning), Public Transport Coordinator North Shore City Council, Takapuna, New Zealand.

Old transport policies have their basis in the rise of the motor car. Many roads policies and town centre designs were created around concepts and practices of the 1950's and 1960's. As the number of vehicles rose then the roads got wider to accommodate. Many town centres are still working towards trying to achieve their 1950/60's visions. This presentation explored current concepts of urban design and how these differ vastly from the car dominated schemes. Key texts on urban design stress concepts of 'life between buildings' and 'finding lost space'. These argue for the humanisation of street environments in ways that combine attention to street façades and traffic reduction in equal measure.

Chris argued that for viable town centres, traffic volumes need to be reduced to provide safe and enjoyable pedestrian and cycling activity. That streets only become active with 'human occupation' when the number of cars are reduced below a tolerable 'tripping point'. Chris argued that more needs to be done in planning, to allow Public Transport to be regular, reliable, fast and dignified for people to use it. Practical issues to be confronted include the continuing prevalence of outdated four-lane arterial road designs in shopping high streets, levels of transit service which are often inadequate to act as a regulator of traffic and/or parking demand, and the integration of transit stops with traffic calming and cycle lanes. Chris showed a number of examples in NZ where poor planning practices have provided for vehicles at the expense of pedestrians (human domain) in town centres.

International Cities, Town Centre and Community Society (contd)



5 Urban Planning Tools: The Simpler The Better

Nathan Austin - Design Engineer Opus International Consultants, Tauranga, New Zealand.
(nathan.austin@opus.co.nz)

Nathan argues that since the discovery of vast amounts of cheap energy - oil - urban forms have been able to grow in a way that has allowed great spatial separation of activities from residents. The result of this is that urban forms and transport systems have become increasingly complex, so much so that equally complex modelling techniques and tools have been applied to help decision makers to first understand the complex urban relationships and then direct urban areas in the supposed desired direction, but do these modelling tools such as 'Travel demand modelling' and 'Travel demand management' really work?

International Cities, Town Centre and Community Society (contd)

Nathan's presentation argued that there are two major problems associated with urban planning today:

- 1 many planning tools are too complex for decision makers without a technical background to understand
- 2 urban areas have become too complex for even academics to fully understand.

However, this need not be the case; Nathan argues that some cities to present day have maintained a simple form that does not require overly complex tools to understand. Cities such as Karlsruhe, Germany, famous for its sustainable urban transport system rarely need to collect data describing trip characteristics because the city functions in a simple sustainable way. The challenge that faces urban planners striving for sustainability today is to keep simple cities simple and return complex unsustainable urban forms to simple sustainable forms.

Nathan's presentation then went on to explain a new modelling tool that has been developed called the 'Transport Energy Specification (TES). Simply it measures 'neighbourhood transport energy efficiency' and gives it an energy rating similar to that on household electrical appliances. A is very efficient and D is not. The model provides a transport energy efficiency score (MJ/person/week) and then looks for areas of improvement, such as if you open a pre-school closer to residents, does that reduce the energy the community uses in transport? The model is endorsed by the US Green Building Council to provide sustainable housing developments and subdivisions.

6 A Tale Of Four Streets

The Street That Flowed Better When It Was Narrowed, The Street That Forgot Pedestrians, The Motorway That Forgot Where It Was, The Motorway That Cannot Flow Half Full

John Mackay - B.Arch., Dip.T.P., MNZPI, Urban Designer Boffa Miskell Ltd, Auckland, New Zealand.

John's presentation outlined 4 case studies to demonstrate poor transport/road planning and how these could be improved.

1 The Street that flowed better when it was narrowed

Elliot St used to get blocked by a lot by trucks that double-parked. A comparative study with the much narrower High St found that vehicles would flow better if the street was narrowed (and pedestrians would get more elbow room too). A video survey revealed some of the bizarre psychology of double-parking behaviour on streets that were wide enough to allow it.

International Cities, Town Centre and Community Society (contd)

2 The Street that Forgot Pedestrians

Through a series of photo's, John demonstrated what a walk along Wellesley St, a major road in Auckland CBD is like. He showed that it's a wonderful example of the best and worst of urban design, of the strange outcomes of unrelated decisions, and of how footpaths can morph into a succession of vehicle crossings or even disappear altogether when developments and re-developments are considered in isolation and not integrated into a consistent scheme for the length of the street.

3 The Motorway that Forgot where it Was

Why are the Auckland suburbs of Takapuna and Birkenhead better known than Glenfield and Browns Bay? Why do people think Northcote is somewhere where it isn't? And is any of this geographical confusion caused by the rigorous logic of motorway signage? This study examined what people living south of the Harbour Bridge know and don't know about the North Shore, and the implications for improving the city's imageability. John demonstrated this by showing a study of people drawing mental maps of their local area. His showed that people do understand their local surroundings by road signage and landmarks. He argues that signage should be accurate in relation to the placing of suburbs and that major intersections, such as round-a-bouts, should be distinctive in some form to assist with navigation.

4 The Motorway that Cannot Flow Half Full

Auckland's western motorway suffers twice daily from severe congestion, yet it is seldom more than half-used. How can Waitakere City and the Regional Council manage growth and property development to make the most efficient use of the transport asset? John argues that the motorway needs more flexibility designed into it to allow variations of lane usage and for signage to be improved to avoid unnecessary trips on sections of the motorway.

7 Tod 2.0 – Ensuring Tods Will Deliver Forecast - Transport Behaviours

Kevin Luten – MURP Director UrbanTrans ANZ – Melbourne, VIC Australia.

Kevin's presentation argues that travel behaviour change programs promote multimodal travel alternatives to the single occupant vehicle (SOV) in order to reverse unsustainable traffic congestion and air quality trends affecting rapidly growing urban areas worldwide.

Just as auto-oriented land use patterns contributed to higher per-person vehicle kilometres travelled (VKT) rates in many high growth cities of the developed world, future development patterns have the potential to impact travel patterns in a more sustainable manner. Specifically, transit-oriented developments (TODs) represent supportive landscapes for more efficient and sustainable urban transport, and are a key element of regional land use and transport plans through Australia and New Zealand.

International Cities, Town Centre and Community Society (contd)

For many years, discussions related to TODs have primarily involved the conditions needed to spur development interest in TOD, along with a focus on the static physical attributes of the development site. These "TOD 1.0" recommended physical attributes are usually summarised as the "3 Ds":

- * Density
- * Diversity
- * Design

Kevin explained under this '3D theory' that statistically 40 dwellings per hectare make a bus service viable while 60 dwellings per hectare make a rapid transport system viable. That under this model providing diversity through 10% commercial/retail space in hub allows for a 3% increase in use of the transport hub. Clearly he argues, getting land use density, diversity, and design right is the first key step in achieving urban development patterns that support more sustainable transport behaviour. However, for even the best designed land use developments to achieve their maximum transport efficiency potential, additional focus on people-focused strategies is needed. An individual's day-to-day travel behaviour decisions involve a complex array of factors. Including, the availability of high-quality alternatives to driving alone set within the context of a well-designed physical environment creates a very strong foundation for non-SOV mode choice, trip-chaining, and other smart travel choices. These static physical attributes alone will certainly lead to positive travel behaviour change among a certain segment of the full travel market. Increasing market share for non-SOV travel options, however, requires supplemental efforts that build on the strong foundation of the "3 Ds" by offering more dynamic, people-focused strategies designed to address the travel behaviour decisions of additional market segments.

The "5 Ps" outlined by Kevin in this presentation are intended to supplement the "3 Ds" of sound land use planning and design with dynamic, on-going travel behaviour change strategies.

The "5 Ps" of TOD 2.0 thinking as presented are:

- * Promotion
- * Parking
- * Pricing
- * Policies
- * Program management

International Cities, Town Centre and Community Society (contd)

Promotion – Kevin explained the importance of having an organisation responsible for promoting the benefits and ease of non-SOV travel options. He provided the Atlantic Station Access and Mobility Program as an example of some best practice in achieving this. (www.asap-plus.com)



Above is the Atlantic Station logo for their 'walk' promotion.
Below are details of their 'bike' promotion.

"Ever wish you could hop on a bike to grab lunch or go shopping in The District, or even get some exercise enjoying the Commons? Well, now you can... announcing the ASAP+ BikeShare program. Three easy steps.

- 1 [Sign-up](#) and receive your FREE membership card*.
- 2 Sign out a bike at the security desk in the lobby of 171. The brand new bikes come equipped with helmets, locks, racks for carrying goods, and odometers so you know how far you have gone.
- 3 When you are done enjoying your ride, return the bike to 171 and sign it back in for the next rider.

Not sure what routes are the safest for bikers? This [Bicycle Suitability Map](#) can answer your questions. All the roads in midtown and downtown have been split into different levels of bicycling difficulties.

The [ASAP+ Transportation Map](#) 1.64 Mb may also be of use in locating bike racks in Atlantic Station. If you have a suggestion for a new location, we'd love to hear from you!"

International Cities, Town Centre and Community Society (contd)

Parking and Price – Kevin challenged us with ‘as a planner or decision maker do you know where your car parking ratios come from?’ From experience most are copied from other plans, so who did the original study? He argued that by providing free parking within developments, it is effectively providing subsidies for car users and why aren't these matched with subsidies for non-car users? He used the analogy of chocolate cake – how much chocolate cake do you need if you are giving it away as opposed to people having to buy it. The person then makes a decision of if they really need it. Why does this same logic not apply to transport subsidies/provision?

Policies – Kevin outlined how employer policies can impact on transport choice and therefore provision of such. He provided a Californian example in Berkeley where the local government has worked with employers to introduce or modify policies to decrease the number of SOV's through the use of car-pooling etc.

Program Management – Kevin provided an example at (www.transolutions.org) on how programs can be developed and managed to provide alternative transport options. Below is a screen from that site that outlines the “Walk Score” program.

The screenshot shows the Walk Score website interface. At the top, it says "Walk Score - Helping homebuyers, renters, and real estate agents find houses and apartments in - Microsoft Internet Explorer". The address bar shows "http://www.walkscore.com/index.shtml". The main content area has a search bar with the text "Type an address to get your Walk Score™" and a "Go" button. Below the search bar, there is a section titled "How it works:" with three steps: 1. Type an address, 2. See what's nearby, and 3. Get your Walk Score. The first step shows a text box with "Street Address: 88 Bedford St, New". The second step shows a map with various icons representing nearby amenities. The third step shows a list of amenities with their respective distances: "Walk Score: 81 out of 100", "Structural Abuses", "Restaurants", "Coffee shops", "Schools", and "Parks". Below the "How it works" section, there is a section titled "What is Walk Score?" with a brief description of the service.

International Cities, Town Centre and Community Society (contd)

Integrating the "5 Ps" into thinking about TODs requires a greater role for travel behaviour change programs and practitioners in the development design, review, and approval process. It requires practices that promote the increase of linked trips and dual purpose trips rather than just mode change to reduce SOV car usage.

Kevin argue's that the "5 Ps" offer avenues for win-win relationships between travel behaviour change programs, land developers, property managers, and related parties. In most cases, strategies which reduce trip generation rates for new developments translate into cost savings for land developers through reduced parking provisions, enhanced community support, and smoother, more predictable project approval processes and an opportunity to showcase their development as a premium project leading the field.

8 Downtowns Versus Shopping Centres – Competitors Or Collaborators?

David Feehan President, International Downtown Association (IDA) NEW YORK USA.

The International Downtown Association is the oldest and largest organisation of its type with approximately 1000 members. It's aims are to provide advice and assistance to re-vitalising Town Centre's, provide research and advocacy on issues facing Town Centre's and they produce "How to Guide's" for Town Centre Management.

David provided a history of Shopping Centre development starting with the 'Grand Markets' of Istanbul and "The Galleria" in Milano established in the 17th Century. He showed the elements of these areas and what made them successful areas of community gathering and trade. He then talked about the Country Club Plaza in Kansas City established in 1922 and how this then led to the first US enclosed regional mall Southdale Shopping Center, opened in Edina, Minnesota in 1956. He argued that it launched a veritable tsunami that swept over the United States. By the mid-1960s, regional enclosed shopping malls were popping up on the fringe of most major cities, serving the burgeoning population of middle class families created during the post-war baby boom and pushed out of the cities through poor urban design and the building of large expanses of highways. For fifty years, suburban shopping centres expanded into even small city markets, decimating downtown (central business district) retail markets and turning downtown department stores into dinosaurs. He showed that in the 1970's Adult American's spent 12 hours per month in a shopping mall and that it was mainly a 'experiential' experience. This need for an experience in the 80's and 90's led to Megamalls and Huge Regional Centres.

International Cities, Town Centre and Community Society (contd)

Almost as suddenly, the tsunami has receded, and the landscape in the 00's has changed forever. Downtowns in the US have experienced an unforeseen but welcome renaissance; and development in suburban communities has shifted almost entirely from regional shopping malls to what are known in the US as "lifestyle centres" – open air shopping centres that are modelled on Main Street America, with brick streets, parallel parking, historic-style street lighting and street furniture, and more recently, a combination of office and residential uses mixed in. Now studies show that Adult Americans spend just 2 and a half hours per month in a shopping mall and that it is mainly for 'goods and service' provision. 3 distinct shopping styles have evolved; Convenience shopping (Milk, bread, groceries – wanted at a very local level), Necessity Shopping (Electrical, Clothing, comparison type shopping) and Experience Shopping (Shopping to 'satisfy the soul').

Downtowns have traditionally responded to the challenge of Shopping Centres in a variety of predictable ways; urban renewal, pedestrian malls, mixed use projects, markets/festivals, or gimmicks like halls of fame, aquariums. These 'fixes' often don't work. So what does? David presented that studies show people want their Downtowns to be:

- 1 Clean and Safe - very much based on perception; 50% of achieving this is actually doing the cleaning and 50% is actually being seen doing the cleaning. (Street sweeps before dawn lose much of their effectiveness). If somewhere is not clean people do not feel safe, as no one is in charge. Uniforms on cleaning staff indicate that someone is in charge.
- 2 Friendly and Attractive – facades of buildings, street furniture and signage all need attention.
- 3 Have Good Transportation
- 4 Provide opportunities for Economic Development
- 5 Consist of some Residential Development

Strong Downtowns need DNA. They need clearly articulated vision and this comes from their current reality, the things that make them unique, such as:

- * History and Heritage
- * Architecture and Design
- * Environment, Geography and Design
- * Economy

International Cities, Town Centre and Community Society (contd)

Downtowns need people to take pride in them and in their public places, whether it is a waterfront, market place, theatre or general mainstreet.

“What attracts people most is other people”

David argues that the new paradigm for Downtowns is to offer one-on-one shopping, to create a personal experience. Downtowns are and should be the stage on which we celebrate our communities.

9 Putting the Pieces of the Puzzle Together – An Australasian First in CBD Revitalisation Best Practice

Brent McAlister, General Manager Strategic, Hamilton City Council, Hamilton, New Zealand and Steven Burgess, Principal, Community Development Parsons Brinckerhoff, Sunshine Coast, Queensland, Australia.

Gladstone City is Queensland's main heavy industrial centre with a major port. It has a population of approximately 30,000 and is located in Central Queensland. It's CBD has had all the classic factors that have caused it to decline namely; its located on a hill, it has lost all its major retailers, it has been badly impacted by a suburban centre and it has five kilometres of ribbon development. The City was booming with \$14 billion of potential development but the CBD was providing a poor shopfront for the City. Big challenges demand best practice solutions. The standard off the shelf CBD streetscape upgrade was not going to turn a CBD with all the classic issues around.

The Gladstone City Council has developed an Australasian first approach to CBD revitalisation. Most projects adopt a 'silver bullet' approach involving two or three pieces to the puzzle. With the help of TTM consulting, the Council developed an award winning CBD/waterfront forward plan involving eight pieces of the puzzle namely; using an innovative 'set up shop' consultation technique, developing a comprehensive traffic/parking strategy, developing a master plan, setting up a Mayoral taskforce, developing a unique signage/artwork strategy based on 'tall stories', developing a creative City entries 'way finding' strategy, putting in place supportive planning scheme incentive provisions and negotiating a number of comprehensive landowner funding agreements to support the upgrades.

International Cities, Town Centre and Community Society (contd)

Lessons learnt from their process was that it is important to have a 'Council Champion' on the project as a consultant usually doesn't have the enthusiasm to push just that one project. Investment dollars for upgrades is a competitive market all along the Eastern Coastline; so what makes your area different from the others to attract those dollars? Density and accessibility are important to make an upgraded town centre viable, suggestions in the presentation included 100 people per square kilometre and carparking of 1 space per 100 square meters of commercial spaces in the CBD to allow more pedestrian friendly space in the town centre and allow people to walk past shops as they "don't spend money if they are sitting on their wallets".

10 "Bringing Them In From The Cold" A Bendigo Model For Co-Locating Community Groups

Jill Karena Manager, Community and Cultural Development City of Greater Bendigo, Victoria, Australia.

The City of Greater Bendigo and the local Non-Government Organisation CEO Network is working together to tackle the ongoing challenge of accommodating numerous community groups that are without an adequate home. A recent feasibility study explored the idea of diverse community agencies co-locating in a central "hub". Instead of following the more usual pattern of identifying a suitable building and co-location model to fit the structure, the Bendigo approach was to start at ground level by determining the level of interest, space requirements, specific operational requirements and resources available from 47 local community organisations that had a potential interest in co-locating. A short list of interested organisations needed a better understanding of how co-location would work before they could commit to such an initiative. So the next step is developing a business plan and co-location model that specifies how organisations would co-locate, what resources might be shared, governance arrangements, occupancy costs, and community access and use of the facility. Only then will space and functional analyses be undertaken to enable the design of a co-location facility that enables efficient functioning of the participating agencies while maximizing community access and encouraging collaborative service delivery.

International Cities, Town Centre and Community Society (contd)

11 Balancing Vision And Strategy: Country Living And Urban Growth In Outlying Auckland

Shannon O'Shea Senior Urban Designer, Chow: Hill, Auckland, NZ
Carolyn Wratt Senior Policy Planner, MWH, Auckland, NZ

This presentation started with the premise that "For much of the 20th Century growth pressures have threatened rural environments adjacent to urban centres". Achieving clean and green environments is a complex endeavour. Today, urban design has unquestionably captured the imagination of politicians, professions and communities world-wide to promote sustainable development. It is these communities that are turning to design-led planning to align a 'rural living' vision with strategies for growth development.

The Franklin District to the south of the Auckland region has undertaken development of a design-led, integrated District Growth Strategy as its population growth projections are set to double within fifty years. The aim is to produce a policy and spatial blueprint to inform and guide this growth and development of the District over the same period. The integrated nature of this project proves that the quadruple bottom line being Social, Economic, Environmental and Cultural dimensions is more than just catch phrases.

12 The Influence Of Transport And Building Cycles On Urban Form And The Implications For Strategic Planning

Vince Dravitzki, BSc (Hons) Research Manager, Transport and Environmental Sciences, Opus International Consultants, Lower Hutt, New Zealand

Strategic Regional Planning often has to address the relationship of a large urban area with its surrounds and inevitably focuses on the form of that large urban area.

Dravitzki in this presentation explained in length the historical relationship between transport and urban form as follows:

An extensive literature exists on the relationship between transport and urban form. Typically it is expressed as a particular urban form being favourable to walking or to public transport. Often in this literature it is not the whole city or metropolitan area being considered. For example, walking accessibility studies usually concentrate on the town centre or the neighbourhood level, while Transit Oriented Development generally considers only a neighbourhood-scale centred on a public transport station, albeit that the station is part of the wider city's public transport system.

International Cities, Town Centre and Community Society (contd)

Vance reverses the way in which this relationship is expressed showing that the urban form arises from a particular transport technology and the nature of the transport network that this technology generates. In his analysis, transport is not the driver of form, (the drivers being often economic, or demographic, or home ownership,) but transport regulates the way that the form of the city changes in response to the form-drivers.

Vance describes how, until approximately 1850, almost all cities of the world were essentially very overcrowded pedestrian precincts, little more than 1.6 kilometres in radius. Where steam-train transport existed, it generated a series of pedestrianised settlements spaced at about 5 kilometre centres linked by the train system. These cities were very crowded and, invariably, unhealthy. The development of the horse-drawn omnibus (France, 1837), and the horse-drawn tram (United States, 1850), enabled the release of the overcrowded city into one of wider radius, about four to five kilometres, with consequent lower population density. Accompanying changes were from crowded rented multi-unit housing to owned detached cottages, with the wealthiest residents moving to the city perimeter and a wealth gradient back inwards to the old core. The horse-drawn modes of transport made a new more dispersed lifestyle possible while population growth continued the expansion of settlements, with the wealthy continuing to move outwards and the upwardly mobile following behind. But four to five kilometres is the effective limit of horse-drawn transport.

Ongoing population growth therefore resulted in consolidation infill and other densification processes, such as taller multi-level buildings. This consolidation phase was then relieved by the electric tram, with its effective travel range of about ten to twelve kilometres, which was in turn succeeded by wider ranging rapid mass transit systems and finally cars.

Table 1 Shows each transport mode, its effective range, and the resultant potential city area

Mode	Range of travel enabled	Settlement area enabled
Walking	1.6 - 2 kilometres	to 15 square kilometres
Horse-drawn vehicle	4 - 5 kilometres	50 to 80 square kilometres
Electric tram	10 - 12 kilometres	300 to 450 square kilometres
Rapid transit	30 - 40 kilometres	2,500 to 5,000 square kilometres
Cars	About 60 kilometres	to 11,000 square kilometres

International Cities, Town Centre and Community Society (contd)

This change in city size via change in transport technology is significant in that, while each change allowed an expansion of the city, it also made the previous transport technology less effective. For example, with the change from walking to horse-drawn tram it became difficult to walk to all parts of a city now about five kilometres in radius. Similarly cars have enabled large dispersed cities with form that makes it difficult for trams to be effective in the outer regions. It is not just the change in settlement size that is significant. Changes in transport technology also cause the key components of the city to alter their relative locations.

Important implications for planning can be drawn from this history.

- * First, the further we look forward into the future the more we need to also look back so as to better understand the influences that caused things to be as they are.
- * Cities need to be seen as undergoing continual and ongoing change rather than proceeding to an ideal steady state.
- * Transport technology has been changing in about 50-year cycles, and the changes in form caused by the technology change are difficult to envision 50 years out.
- * Transport is enabling, and urban form follows transport technology.
- * The range of forms currently exhibited is essentially all variants of the car based cities and is much smaller than the potential range possible.
- * The past is imprinted over the city, though the causes may have long since changed.

13 Review of Auckland's Regional Growth Strategy – Where Are We At?

Brenna Waghorn [BRP (Hons) Principal Advisor, Regional Development Auckland Regional Council, Auckland, New Zealand.

International Cities, Town Centre and Community Society (contd)

The councils' of the Auckland Region adopted the Auckland Regional Growth Strategy in 1999. They used the Perth Growth Strategy as a basis for the document. The strategy promotes compact urban form with most growth focussed in centres with good passenger transport accessibility. The region has experienced rapid growth and it was found important to be explicit about the timing of growth in the document to commit community and other levels of government to the required infrastructure. Demand for business land, concerns around housing affordability and the quality of the urban environment, and pressure for rural and coastal development, are key issues for the Auckland Region. Six years on the strategy is being reviewed and updated. The process focuses on improving implementation rather than rethinking the strategic approach as it was found that in the original process, too much time and resource was spent on vision and strategies and not enough on implementation. This presentation provided an overview of the review process, key issues and options being considered by the region's councils.

14 The Making Of A Regional River City

Ruth Goldsmith B App Sc (Env PI), MDR, MPIA, ALGMA Local Planning Manager Penrith City Council, Penrith, NSW, Australia

Penrith has always been a 'City on the Edge' – of Sydney, of the Blue Mountains World Heritage Area, of the Central Western region of NSW. It has a population of nearly 180,000, and serves a catchment of 500,000 people. It is on a floodplain next to the Nepean River, with escarpments encircling the City Centre. From the 1960s to the 1980s, the expanding dormitory suburbs brought people without commensurate growth in local jobs. The Regional City of Penrith has been 20 years in the making, as elected Councillors, Council staff and local communities brought a strategic approach to managing and shaping the growth of the City. The Penrith City Centres Strategy, based on three years of analysis, research and consultation, has now influenced the development of a Vision, Local Environmental Plan, Development Control Plan and Civic Improvements Plan for the Centre. These four documents were produced in less than two months, in a partnership between Council and the State Government's Regional Cities Taskforce. The future of the City has been shaped by the Council's strong commitment to strategic planning, partnerships and regional advocacy. An example of a policy introduced was that for each development proposed, there is a requirement that the proponent bring in employment at a set ration to the area.

International Cities, Town Centre and Community Society (contd)

15 Avoiding “Blah Blah Urbanism”: The Importance Of Delivering

Ian Munro BPlan(Hons); MPlan(Hons); MArch(Hons); MNZPI; MRMLA Senior Urban Planner
Urbanismplus Ltd, Auckland, New Zealand

This presentation started with the concept that much of the planning and visioning now occurring is throw away talk that undermines confidence in professions and creates a sense of **'blah blah urbanism'**. For example just what does 'sustainable' mean? Many have different interpretations of the same 'concept', planning runs the risk of becoming “waffly, meaningless words!”. Ian Munro argues that the embedding of sustainability into legislation including the Local Government, Land Transport, and Resource Management Acts in NZ has given a clear imperative that the complexities of sustainability must be taken on board during the processes of development. But while these approaches can offer highly emotive visions of prosperous futures, they can also undermine public confidence if they fail to deliver their promises through not having an adequate focus on implementation. Conventional approaches (irrespective of spatial scale) can often either be too limited or narrow in their scope or terms of reference (for instance only taking into account some of the key influences that are relevant), or alternatively be inadequately 'place based' or spatial (for instance being too theoretical or sweepingly assumptive in nature). The other critical issue relates to the common gap between vision and delivery; even when a vision is realistic there can be a misunderstanding of three tensions between certainty; flexibility; and quality.

A Broad Base

Approaches that embrace complexity by encouraging problems to be solved from many viewpoints allow a continual level of refinement and clarity to be revealed. They also provide greater intellectual robustness and certainty. The Greater Christchurch Urban Development Strategy (GCUDS) 'Inquiry by Design' workshops were based on this approach. It allowed a number of distinct discipline and interest-based working groups to pursue their own preferred approach mindful that this would in all likelihood identify conflicts between different interest areas. But doing so meant that they could be proactively confronted and addressed as a part of the strategy process, and not a reactionary speed-bump encountered downstream. This approach can often reflect the truism that greater investment 'up front' can in the long run be far more cost effective than fire fighting post-ante. These ideals were developed by way of a circular process that moved in two directions – the first was regular feedback between different 'themes' that allowed more informed decisions to be made by each. The second relates to spatial scale, with constant movement from the most strategic 'big picture' to the local 'place based' testing of implications.

International Cities, Town Centre and Community Society (contd)

Focussing Down To An Integrated Preference

From here a preferred overall approach was realised. It drew from each component into a highly informed response to the multiple issues and interests inherent in that pursuit of sustainability. Likewise, a cyclical process that moved from strategic to place based was essential throughout. This approach demonstrated a highly compelling logic that showed how preferences were reached based on careful analysis and comparison of different options, priorities, and interests. It also offered robust outcomes that will now face a much lower risk of derailment from unforeseen critical factors (for example major social capital or ecological limitations). But most of all, it offers efficiencies and synergies that will help to significantly improve or enhance the local condition. The identification of a need to greatly improve two strategic hubs within the sub-regional urban form at Belfast and Hornby / Halswell was hinted at in many individual 'theme' ideals, but was significantly amplified when the themes came together and their overall relevance became clear.

Adopting A Vision

The process of adoption increasingly requires the use of effective communication tools, clear signals; and a need to effectively express complexity simply and concisely. A particular challenge to increasing scale in strategic vision is the necessary diminishing of specificity available in a set timeframe. This can give rise to 'blah blah urbanism', of highly loaded terms and words such as 'sustainable', 'safe', 'prosperous' or 'inspiring' that can be inappropriate when they are used with no reference to any particular space or place and outright misleading when not given a specific definitional context. This is important and can be managed to remain appropriately open and transparent. The GCUDS project has been a good model of open and constant consultation that has provided a wealth of information to the public. But the risk of such effective communication is that if strategies fail to deliver their promises or meet community expectations, a backlash against sustainability, urban design, and other integrated management approaches may occur. This can be more so when strategies commit to things such as reduced travel times, less rates increases, more affordable housing and so on without a clear and definitive road-map leading to implementation.

International Cities, Town Centre and Community Society (contd)

Implementation

After adoption, spatial strategies and preferences do not tend to have their implications well managed relative to the triumvirate of certainty, flexibility, and quality. A core issue relates to the role of statutory planning provisions and in particular the role of or reliance on rules. A wide range of viable tools exist that can facilitate delivery and in most cases a parallel use of many is essential. Critically if delivery is not feasible, affordable, and accessible, there must be serious doubts as to the overall reliability of a vision. This means that instead of the more traditional passive regulator role, Councils increasingly need to become development savvy and much more proactive on the basis of partnering, advocating, and leading delivery of key vision elements. This is most evident in economic development and urban regeneration. This in itself has implications for the skill-sets required by Council officers and in particular questions the adequacy of the 'resource manager'. There is an emerging skills 'gap' relating to understanding economic analysis and projection given the increasing emphasis emerging in the competitiveness between cities and regions for more mobile capital / employment / investment streams. Tools that are improperly used, based on consideration of what is sought and what each particular tool is effective at achieving, will tend to result in lose-lose outcomes where both the outcome and the costs involved in getting that outcome are inappropriate. Experience has shown that the best outcomes are those where developers and Councils have an even footing and clear lines of responsibility over the realisation of built environments.

Conclusions

Overall, there is a need to accept that a vision is only ever as good as its deliverability and realism. The intensification of town centres underpins hopes for the Auckland Regional Growth Strategy and the challenge of whether this critical goal can be delivered remains uncertain. The Local Government (Auckland) Amendment Act has placed a statutory emphasis on the approach which is clearly the 'hope' for improving the region as it grows. Auckland City Liveable Community Plans and Regional Council opposition to City plans for rezoning town centres (for not going far enough!) indicate that communities may buy in to these approaches (and it is noted that the GCUDS likewise indicated a strong focus on compact, intensified urban forms through consultation) but may be less willing to accept the actual costs of those particular visions when they become clear.

International Cities, Town Centre and Community Society (contd)

16 How To Succeed In Creating A Viable Mainstreet

Peter Jackson – Calway Dip, B.M., C.E.D. JP. CEO St Marys Town Centre Management Inc.

In 1999 St Mary's Town Centre Management with a town centre manager was created following a significant decline in trade caused by the re-routing of major roads and development of nearby Penrith (eg. Westfields).

Strategies used to revitalise the town centre have included working with council to achieve footpath improvements and streetscape furniture, the building of a stage to host a program of events that encourage people into the town centre. The TCM and council worked with property owners to improve the property stock (facades and awnings) and acted as a liaison to achieve a good retail mix through the town centre, this also included negotiating around appropriate rents being charged to allow businesses to grow. Businesses that did show signs of stress were offered assistance with business plans, accountant and financial advice/support.

The TCM also ran 'shop locally' promotions and events, which had a high success rate, improving business turnover of between 15% and 25%.

17 Retail Strategies – Lessons For Successful Retail Planning

Matthew Lee Senior Associate Essential Economics Pty Ltd, Melbourne, Victoria, Australia

Our retail environments are constantly undergoing change, and most of the main changes that have occurred over the last few decades - the emergence of large regional malls, power centres, factory outlets, and so on - pose challenges for our town centres as they seek to retain their role in the retail hierarchy. Local governments have sought to mitigate these effects by controlling the type, scale and location of retail development through the planning system. Our planners normally rely on a mix of statutory planning controls, supported by strategic planning arguments expressed in a variety of policy documents. Retail strategies are particularly important documents in this regard. Statutory controls that are backed up by a strong retail strategy are less vulnerable to challenge where new development proposals do not support the local policy. Matthew Lee presented a description of the main processes involved in the preparation of a retail strategy, and drew upon his experience to identify some of the characteristics which help make a retail strategy work well for a region.

International Cities, Town Centre and Community Society (contd)

The emphasis is upon how strategies can assist town centres in identifying and maintaining an appropriate retail role and becoming vibrant activity centres in a competitive retail environment.

Matthew argues that a good Retail strategy should contain the following:

- * Supportable Retail floorspace growth
- * A Retail hierarchy and roles within that hierarchy
- * Accommodation for new retail formats
- * Opportunities for new centres
- * Opportunities for centre improvements
- * Guidance for assessing development applications
- * Marketing and Promotion of the plan

Plans should be based on sound reliable data collection, this might include 'in centre' and 'household' surveys that identify destination and leakage data. The strategy should also be based on sound research and analysis of existing centres such as current performance, trading influence, market share analysis (including how well do existing centres compete against each other), escape spending (and are there opportunities to reduce this escape expenditure), retail gaps (could go as far as brand level) and from this forecast floorspace requirements.

The forecast should take into account projected population growth, real growth in per capita spending (note: last 10 years has been abnormally high in Australia), what spending is captured from beyond trading area (eg. Tourism visitation figures) and what potential is in the LGA to increase market share in Retail sales?

Matthew argues that many of these inputs into a the strategy such as population forecasts, growth in per capita expenditure, source of sales, market share and average turnover per m2 often rely on assumptions and therefore there is an inherent uncertainty in the estimates. This means that strategies should not have prescriptive floorspace figures tied to dates (such as 1000M2 increase in 10 years).

Strategies that do contain these prescriptive floorspace figures are recognised within the industry as being unable to be effective in catering for flexibility and the dynamic nature of the retail industry. Hierarchies should be achieved through a description of each centre, which includes what role the community wants that centre to fulfil (eg. 2 x Supermarkets, 1x DDS, 50 speciality and 5 Bulky goods) and the reasons why.

International Cities, Town Centre and Community Society (contd)

18 Building Communities Through Placemaking

Ethan Kent Vice President, Project for Public Spaces NEW YORK USA

Project for Public Spaces was founded as a non-profit in 1975 to build upon the pioneering work of writer-sociologist William H. Whyte. Since then PPS developed a unique process for transforming public spaces, which they call "Placemaking." They provide planning and design, education and training and also research and outreach to communities working at renewing public spaces. Not only has PPS worked in over 1,500 communities and 26 countries to improve parks, markets, streets, Transport hubs, libraries and countless other places, they have also deeply influenced the way cities and towns approach public space. Ethan Kent discussed case studies and principles of successful public spaces and Placemaking, and presented how PPS's techniques and approach to involving the community in planning projects can bring immense positive change to neighbourhoods, public spaces and waterfronts, creating the kind of vital public life and community energy that has always been the most compelling reason people choose to live in towns and cities. Ethan argues that we should allow more chaos in town centres, that retail activities should 'spill out' onto the street.

Ethan detailed two concepts used in placemaking, one was to understand the relationship between cars and pedestrians in public spaces. He argued that carparking should be outside a town centre to allow people to walk past a range of shops and experiences and allow opportunity to meet other people, rather than allow parking right out the front of a retailer. Ethan showed some research that indicated that if a street has 16,000 vehicles per day, than a person is likely to interact with 0.9 other people on that street, 8,000 vehicles per day – 1.3 people and 2,000 vehicles per day – 3 people. Ethan second concept was that there should be at least 10 things to do in a public space to make it viable as a public space, he argued that there should be a layering of use in public spaces.

19 Transformational Spaces – Exploring The Nature Of Human Ecologies And Culture

Jillian de Beer, de Beer Marketing and Communications Auckland, New Zealand

International Cities, Town Centre and Community Society (contd)

Jillian argues that the world in the first years of the 21st millennium is swinging on a precarious thread between awareness and ignorance. As the present forms of social organisation become more dysfunctional, intentional communities will become a more popular arena for transformation and inspiration. Communities are centres and circles where common intentions join people together for a range of goals, including companionship and group support, personal freedom and empowerment, reducing living expenses, sustainable living practices, and service to others. The 'structural theory' of human ecology interprets communities as problem-solving organisations that are concerned with improving the welfare of their residents. The exploration of human ecology is essential to the successful design and planning of the built environment. Human ecology is an interdisciplinary applied field that uses a holistic approach to help people solve problems and enhance human potential within their near environments - their family, home, and community. Human ecologists promote the well-being of individuals, families, and communities: through education, grass roots involvement and empowerment. The presentation referenced ecological design concepts in different parts of the world that are organic, participatory and transformational. Jillian presented case studies where spatial designers and artists have embarked collaboratively on new forms of urban archaeology and followed organic approaches to reclaim abandoned spaces and objects and transform them into creative spaces that encourage interaction, and are connecting and inspiring. She demonstrated the power and energy the existence of organic, honest underground creative movements can have on a city and its inhabitants.

20 The Importance Of Scale

Tony Quinn B. Sc (Arch), B. Arch Principle Rice Daubney, Sydney, NSW, Australia

Tony's presentation outlined the importance of scale. The focus was on towns and their streets, squares and laneways and how people use them, feel in them and react to them. Tony demonstrated through a series of pictures the importance of human scale in relation to the built form, both in buildings and the landscape. Tony showed how a new instant town needs to be considered not only as a future built out form, but in fact how it works in stages from day one.

21 Going The Distance - Surviving And Delivering A Major Public Project

Linda Cardew LL.B(Hons), Grad Dip (UEM), ASCM Civic Place Project Director, Willoughby City Council, NSW

International Cities, Town Centre and Community Society (contd)

Linda presented a powerpoint display of how Willoughby City Council is developing and delivering a major redevelopment of their civic precinct. She argues that 'the delivery of a major public project is an endurance test requiring persistence, stamina and an extraordinary team spirit. With a timeframe longer than many marriages, the journey is not only challenged by the diverse expectations and demands of politicians, businesses, and community stakeholders. The project's success also depends largely on an enduring collaboration between public and private sector professionals who have come together to deliver a vision – within a timeframe and to a budget. Today many local Councils are faced with the daunting task of redeveloping ageing cultural facilities and libraries, and of optimising land use in major town centres to achieve both social benefits and economic growth. Inspired by promises of private sector involvement, constrained by limited financial resources, and under pressure from stakeholders, the project team needs to navigate a labyrinth of challenges over many years – procedural, professional and psychological.' Linda showed details and critically examined the challenges faced by the project team in the delivery of Willoughby City Council's \$140 million Civic Place Project over the period 2000 – 2006, from project initiation to the approval of the Development Application for regional performing arts facilities and library, retail space and carparking. Linda defined the essential roles and relationships of the team members and assessed the demands, benefits and risks arising from the management of this major project by Council staff, rather than by an external consultant team. She stressed the 10 goals of the team were:

- * To meet community need
- * Highest and best use of the land
- * Design excellence (eg. Ecologically sustainable and accessible)
- * Encourage community critique and comment
- * Reflect the character of the community
- * Support economic growth
- * Sound financial management (including an escalation calculation – their's was \$6 million per year for this project)
- * Identification and management of risks
- * Efficient project delivery with sound governance
- * Plan for cost effective and efficient operations

She also stressed the importance of effective community consultation, this included an interim community consultation committee who signed off on the actual community consultation process.

International Cities, Town Centre and Community Society (contd)

22 Measuring The Real Wealth Of Our Cities And Communities Now And In The Future

David Kettle and Antony Vallyon [PHD; MMS] Consultant; Strategic Policy Advisor D & B Kettle Consulting Ltd; North Shore City Council

David and Antony ask 'Why is it that GDP (Gross Domestic Product) is universally used as an indicator (sometimes the only indicator) of the wealth of our cities when it is only a measure of the total financial throughput and makes no distinction between good and bad expenditures? For example, GDP counts crime, war, sickness and pollution as positive contributions to GDP. They argue that one of the reasons for the global use of GDP is that it has internationally agreed methodologies for measuring it. Therefore, every country is measuring and reporting the same thing. On the other hand, measurements of total well-being (in the social, cultural, financial and environmental components), are still in their infancy, with different indicators being used between countries, regions, cities, towns and communities. They argue the case for the adoption of an 'Index of Well Being' based on a Canadian model. They also argue that local communities should measure and collect the data, as reliance on State or Federal governments leads to poor data, as they argue that they only collect data that makes them look good and not open to political attack.

23 Why Should You Know More About The Environmental Law Roundtable Of Australia And New Zealand And Consensus Building?

John Haydon LLB, MEIANZ, CEnvP Consultant EcoDirections International Pty Ltd Brisbane, Queensland, Australia

John argues that 'communities need to be engaged in the development and implementation of new policies. Consensus building methods can foster communication among stakeholders and lead to stable outcomes which engender wide community support. Importantly, consensus building processes can also lead to the prevention or avoidance of conflict'. The role of the Third Party Neutral person can help disputing parties to move through a process that develops options and arrives at an agreement on what the parties are prepared to live with. Negotiated rulemaking is a process which brings together representatives of various interest groups and a local government or a government department or agency to negotiate the text of a proposed law (wide enough to cover new or amended legislation including delegated legislation) or the text of a proposed policy.

International Cities, Town Centre and Community Society (contd)

The Environmental Law Roundtable of Australia and New Zealand (ELRANZ) is a joint project of the National Environmental Law Association of Australia and the Resource Management Law Association of New Zealand. It promotes the use of consensus building techniques for the development of a dialogue on particular environmental issues. Typically debates will polarise views. On the other hand dialogues work on establishing common ground to develop policy or resolve a conflict. ELRANZ is project oriented and promotes the use of conflict assessment reporting as part of scoping a particular dialogue.

24 Local Character – Don't Tip It Over The Edge

Jane Matthews Conservation Architect Matthews and Matthews, Auckland, NZ
Rebecca Skidmore Urban Designer RA Skidmore Urban Design Ltd, Auckland, NZ
Sue Parsons Senior Planner Auckland City Council, NZ

Over the past 20 years Auckland city council has increased its focus in its District Plan on the conservation of heritage resources. This approach has now developed past the concentration on solely heritage protection to managing of parts of the city in order to protect their distinctive collective character. As part of the Auckland City Growth Management Strategy some parts of Auckland have been considered as not suitable for more intensive development. These "areas of stability" include many of the traditional suburban town centres which developed in conjunction with surrounding traditional residential neighbourhoods. These places have sufficient character, environmental or heritage qualities that mean they cannot support additional levels of growth over and above the existing district plan provisions. While the district plan had already recognised the collective historic and environmental character of traditional residential neighbourhoods, until recently there had not been a similar recognition of collective values and urban character of established historic town centres. This additional focus has come about largely through local community concern, which has often been galvanised by the community's reaction to the threatened or actual loss of particular buildings with local character. This presentation explored the methodology used in a recent project to identify, analyse and record the character values of a number of suburban commercial centres and the resulting statutory mechanisms used to address the values identified. Heritage and Character Studies were commissioned as the basis for the development of centre plan and character overlay plan changes for eight traditional town centres within Auckland City. A multidisciplinary team approach was taken. The initial project team consisted of conservation architects, urban designers and landscape architects. Their brief was to identify the town centre's urban character in terms of historic patterns, centre history and urban form.

International Cities, Town Centre and Community Society (contd)

The strategy for the centre plan and character overlay plan changes is to recognise the centres' dynamic commercial environment and to strive to ensure that the plan change provisions support the urban qualities of each centre and their distinctiveness. The plan changes focus on protecting collective character by including mechanisms that encourage the retention of what is existing as well as controls that direct new development within the centres.

25 Finding The Balance: Seaside Village Or Development Hotspot?

Steve Johnston B.Bus, MBA, MELG Law, Grad Dip LGM. Chief Executive Officer Isis Shire Council, Childers QLD Australia

In the past five years many traditional Queensland coastal holiday villages and beachside towns have been "discovered" as baby boomers continue their headlong rush to the coast and developers move north from the Gold and Sunshine Coasts looking for their next investment opportunity. Once quiet, sleepy, seaside enclaves are rapidly changing and under enormous development pressure. Is it possible to create a balance to retain some of the original character and preserve the pristine environmental aspects these locations offer, against a backdrop of a rapidly increasing population, additional tourists and more intense development? Steve's presentation analysed the experience of Isis Shire Council in managing these issues at Woodgate Beach; a small village in the Wide Bay region of Queensland surrounded by waterways and national parks with some 700 permanent residents, many of them retirees. In peak holiday times the population swells to over 4000, real estate values have increased by over 500% in the past 5 years and Council has received 6 development applications for multi-unit development in the past year.

26 Heritage-Listings: Often Just A Façade

Cr Gary Green JP MA Couns. (Psych. UWS), Grad. Dip. Couns. (Spo. Perf. Psych. ACAP), Dip. T.A. (ATAA), Dip. E.S.T. (Mac.), Cert. IV Asses. Work. Train. (ISA), Cert. IV Ret. Man. (ISA), Int. Cert. TKD 5th. Dan. (MAIA), Int. Cert. Comp. Toast. (TI), Cert. Hypno. (NSWSHS), Level 1 Coach Cert. (ASC), CMACA, CMCAPA, FMNSWCA, Mensa, JP (NSWJA). Councillor Rockdale City Council, Rockdale, NSW, Australia

International Cities, Town Centre and Community Society (contd)

Gary argued very passionately that 'property rights are being disrespected and expropriated, with some councils heritage-listing properties with little or no heritage significance, resulting in severe usage restrictions and grossly reduced property values'. Gary's presentation offered 'the opposing view to that held by most heritage fanatics, who often believe that insignificant or non-genuine heritage must be preserved at any cost (including emotional, social and economic)'. He gave a vivid firsthand account of 'how hypocritical, unethical and unfair certain Governmental policies are, and the often negative effects such have on individuals'. Additionally he covered some of the Productivity Commission's extensive findings into the Conservation of Australia's Historic Heritage Places, which uncovered numerous failings with present heritage-listing systems, including how:

- * local governmental heritage-listings are so poorly conducted that they threaten the integrity and credibility of the whole process.
- * most council systems are not well structured enough to ensure that heritage-listings only occur where a community benefit is likely.
- * most existing arrangements of councils towards privately-owned properties are often inefficient, ineffective and unfair.
- * some councils and neighbours seek to heritage-list properties in order to prevent development.

Gary argued that 'genuine heritage must be preserved, but by preserving 30 year old office blocks, outdoor toilets, asbestos ridden weatherboards, ugly smoke stacks or run-of-the-mill terraces, etc., the system may be abused and its integrity threatened'. He further argued that 'If heritage is a community good, then ethically it should be paid-for by the community, not unwitting owners. Government bodies should acquire properties they wish to freshly heritage-list, or fairly compensate affected owners'.

Field Trip - Auckland City

The fieldtrip commenced with a visit to Auckland CBD. The morning included a presentation at the harbourside America's Cup Team New Zealand Complex. This was followed by a walk along the CBD waterfront to the Viaduct Harbour, where we received an informative explanation of the marina, mixed use and entertainment hubs. We then inspected Princes Wharf and enjoyed stunning views of Auckland's harbour front before boarding coaches for Ponsonby, a highly cultural suburb known for its vibrant street life.

International Cities, Town Centre and Community Society (contd)

Auckland Waterfront precincts

We explored the area from the Harbour Bridge to the Central Wharfs. The Westhaven Marina is the southern hemisphere's largest and most well equipped marina. With the departure of the oil industry, the Western Reclamation is the prime site for mixed use redevelopment on the CBD waterfront. The Viaduct Harbour is the result of ten years of development and planning, with a dynamic mix of recreation and residential developments, and is a hub of regional entertainment and events. The Central Wharfs of Princes, Queens, Captain Cook are considered waterbased extensions of Queen Street and the CBD. They house activities such as commercial port activity, shipping, residential and commercial activities.

Britomart Transport Centre

Britomart is the largest infrastructure project ever undertaken by a local authority in New Zealand, at a total cost of \$204 million. A transport centre linking train, bus and ferry services, Britomart is also an urban renewal project that preserves adjoining heritage buildings and creates a low-level heritage precinct with new public spaces.

Ponsonby Road Mainstreet and Centre Plan

The Ponsonby/Jervois Roads' ridge area is a mixed use area with residential, commercial, retail and entertainment activities. It is a well known mixed heritage built environment. The area has both a Mainstreet programme and a Centre Plan. The centre plan aims at conserving and promoting the heritage amenity and vitality of the precinct.

Conclusion:

As can be seen there is a wealth of information available to those who attend an ICTC Conference. The conference allows you to interact with a range of professionals and councillors all who have a passion for ensuring good, vibrant communities are built/established and nurtured. Membership of the International Cities, Town Centres and Communities Society is free and available on their website www.ictcsociety.org, as is more information on these presentations. I would encourage all councillors, council staff or members of the community who have an interest in the various matters that are contained in this report to join.

The 2008 conference has been scheduled to be held at Olympic Park, Sydney from Tuesday 7 October until Friday 10 October, the theme will be "Creating A Gold Medal Community"

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Information Reports

The following information reports are to be dealt with by the exception method.

WYONG SHIRE COUNCIL

31 October 2007
To the Ordinary Meeting of Council

Director's Report
Shire Planning Department

457 Activities of the Development Assessment Unit

F2004/07830 NL:NL

SUMMARY

The report includes information and statistics regarding the operations of the Development Assessment Unit and covers the submission and determination of development, construction and subdivision applications for the month of September.

RECOMMENDATION

That the report be received and the information noted.

Development Applications Received and Determined

Type:	Number Received:	Estimated Value \$:	Number Determined:	Estimated Value \$:
Commercial	24	1,292,200	15	1,930,500
Industrial	6	5,074,500	9	5,688,550
Residential	111	15,434,986	111	15,898,927
Other	11	8,500	21	1,131,607
Total	152	21,810,186	156	24,649,584

Subdivision Applications Received and Determined

Type:	Number Received:	Number of Lots:	Number Determined:	Number of Lots:
Commercial	0	0	1	7
Industrial	1	4	0	0
Residential	3	23	18	35
Rural	0	0	1	1
Total	4	27	20	43

Activities of the Development Assessment Unit (contd)

Mean Turn-around Time

The mean (average) turn-around time in calendar days for priority applications determined during the month was 40 days.

The mean (average) turn-around time in calendar days for development applications determined during the month was 26 days.

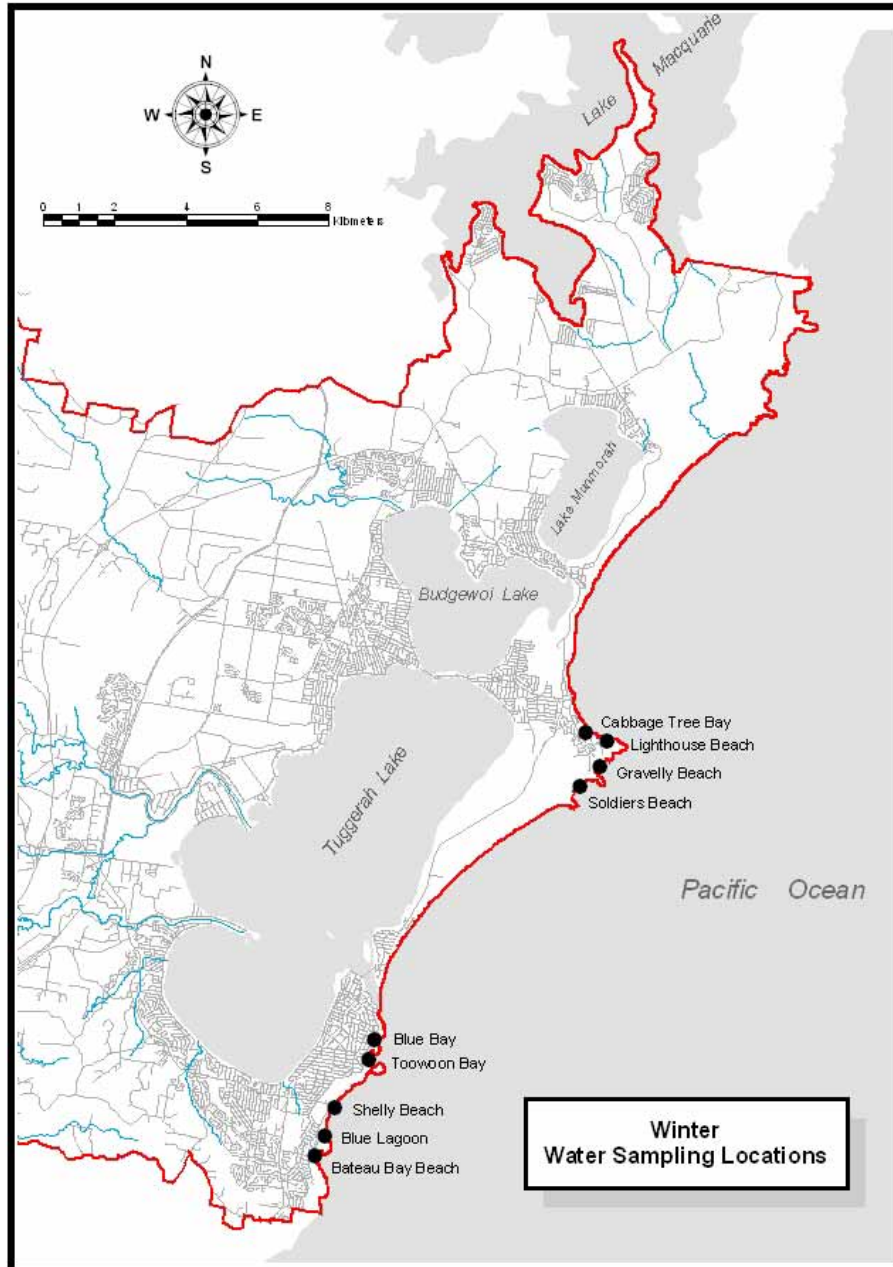
Other Approvals and Certificates

Type:	Number Determined:
Trees	32
Section 149 D Certificates	17
Construction Certificates	80
Complying Development Certificates	13

Enclosure

***Graphs – Development Applications Lodged and
Development Applications Determined***

458 Results of Water Quality Testing for Bathing Beaches (Attachment 1)



WYONG SHIRE COUNCIL

31 October 2007
To the Ordinary Meeting of Council

Director's Report
Shire Planning Department

458 Results of Water Quality Testing for Bathing Beaches

F2004/06822 DR:DR

SUMMARY

Reporting on the results of bacteriological tests for primary recreation water quality for beaches in Wyong Shire.

RECOMMENDATION

That the report be received and the information noted.

BACKGROUND**Primary Recreation Water Quality Monitoring Program**

Wyong beaches are regularly monitored for swimming safety in accordance with the *National Health and Medical Research Council (NHMRC) Guidelines for Recreational Water Use* (1990). These guidelines allow for beaches to be awarded a star rating based upon the potential for sewage and stormwater contamination. These star ratings are awarded as detailed in the table attached *Table 1: NHMRC Star Rating Interpretation*.

During the bathing (Summer) season, Wyong Council undertakes this monitoring program in partnership with the NSW Department of Environment and Climate Change (DECC) Beachwatch Program. Sampling of all beaches occurs five times each month as required to report against the NHMRC Guidelines. The Beachwatch program is inactive during the non-bathing (Winter) months, with the sampling reduced to once per month for all beaches except those adjacent to the ocean outfalls. If the monthly result is unusual further follow up sampling is triggered.

The ocean beaches adjacent to the outfalls are required to be monitored five times a month throughout the year by the NSW DECC ocean outfall licences for Norah Head and Wonga Point.

The summer sampling program recommenced in October, in partnership with NSW DECC Beachwatch.

Results of Water Quality Testing for Bathing Beaches (contd)

Summary of Results for August 2007

All ocean beaches near the ocean outfalls were rated as 4 star – excellent water quality. For all other lake and ocean beaches sampling was reduced to once a month during the non-bathing months (winter) and therefore is not reported.

Table 2: OCEAN BEACHES – August 2007

LOCATION	STAR RATING	RECOMMENDATION
Cabbage Tree Bay	****	Site is safe for swimming
Soldiers Beach	****	Site is safe for swimming
Gravelly Beach	****	Site is safe for swimming
Lighthouse Beach	****	Site is safe for swimming
Shelly Beach	****	Site is safe for swimming
Toowoan Bay	****	Site is safe for swimming
Blue Bay	****	Site is safe for swimming
Blue Lagoon	****	Site is safe for swimming
Bateau Bay	****	Site is safe for swimming

Results of Water Quality Testing for Bathing Beaches (contd)

Summary of Results for September 2007

All ocean beaches near the ocean outfalls were rated as 4 star – excellent water quality. For all other lake and ocean beaches sampling was reduced to once a month over the non-bathing months (winter) and therefore is not reported.

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Bateau Bay	****	Site is safe for swimming

Attachment 1
Attachment 2

Winter Water Sampling Locations (1 page)
Table 1 NHMRC Star Rating Interpretation (1 page)

Results of Water Quality Testing for Bathing Beaches (Attachment 2)

Table 1: NHMRC Star Rating Interpretation

Star Rating		Interpretation	Graphic Representation
****	Good: NHMRC indicates site safe for swimming	All 5 samples during the month were under the NHMRC safe value for swimming.	<p>The graphic shows three horizontal bands: orange (top), yellow (middle), and green (bottom). Five blue dots representing samples are plotted along the x-axis, all of which are within the green band, indicating they are all under the NHMRC safe value.</p>
***	Fair: NHMRC indicates site is safe for swimming	The median of all samples is low, but one sample during the month exceeded the NHMRC maximum safe value for swimming.	<p>The graphic shows three horizontal bands: orange (top), yellow (middle), and green (bottom). Five blue dots representing samples are plotted along the x-axis. One dot is in the orange band, and the other four are in the green band, indicating the median is low but one sample exceeded the safe value.</p>
**	Poor: NHMRC indicates swimming at site is not recommended.	<p>The median of all samples is high and one sample exceeded the NHMRC maximum safe value for swimming;</p> <p>Or</p> <p>The median of all samples is low, but two samples exceeded the NHMRC maximum safe value for swimming.</p>	<p>The graphic shows two possible scenarios for a 2-star rating. In the first, one dot is in the orange band and four are in the green band. In the second, two dots are in the orange band and three are in the green band.</p>
*	Bad: NHMRC indicates swimming at site is not recommended.	The median of all samples is high and two or more samples exceeded the NHMRC maximum safe value for swimming.	<p>The graphic shows three horizontal bands: orange (top), yellow (middle), and green (bottom). Five blue dots representing samples are plotted along the x-axis. Two dots are in the yellow band and three are in the green band, indicating the median is high and two or more samples exceeded the safe value.</p>

WYONG SHIRE COUNCIL

31 October 2007
To the Ordinary Meeting of Council

Director's Report
Shire Services Department

459 Wyong Shire Library Statistics

F2004/11651 JM

SUMMARY

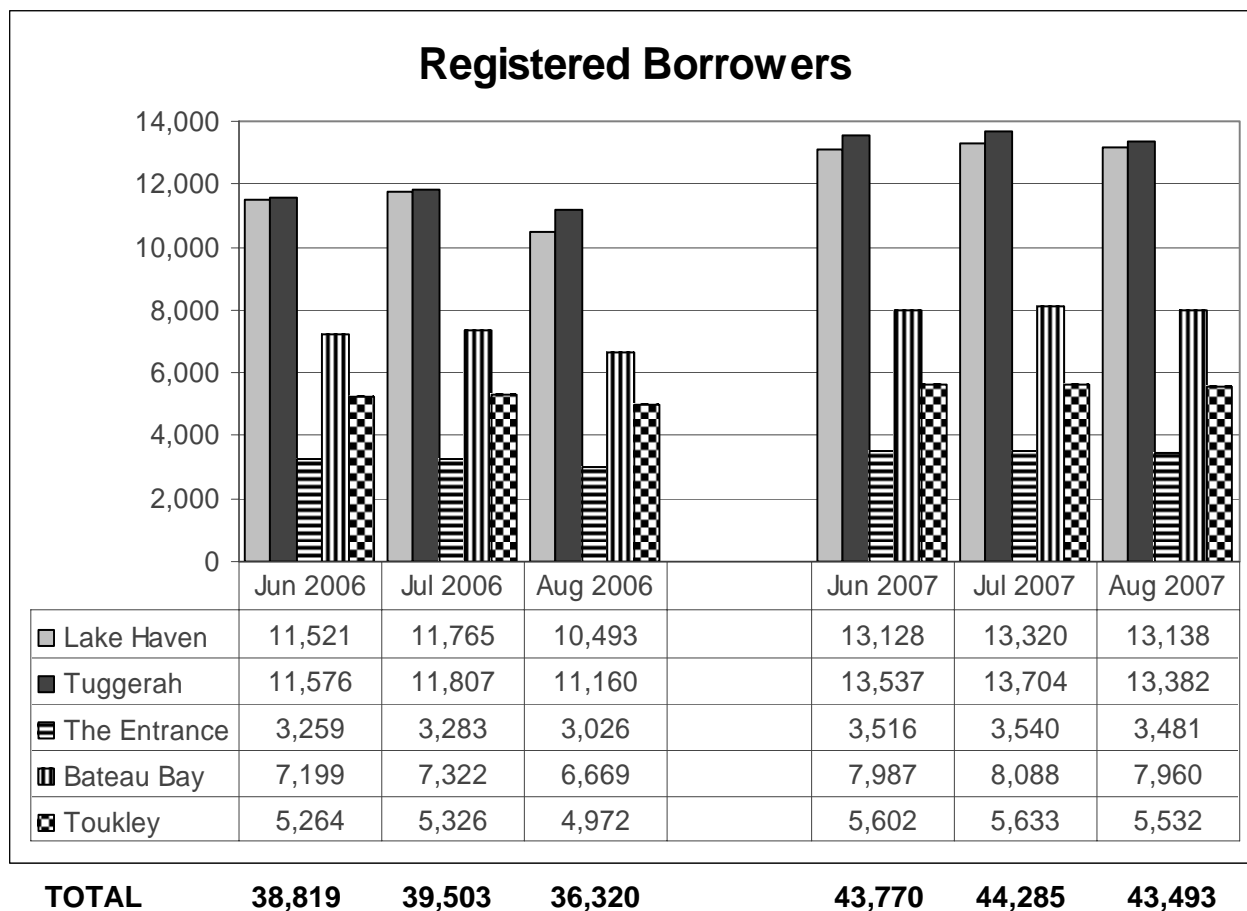
Statistical report on the activities of Wyong Shire Library Service.

RECOMMENDATION

That the report be received and the information noted.

BACKGROUND

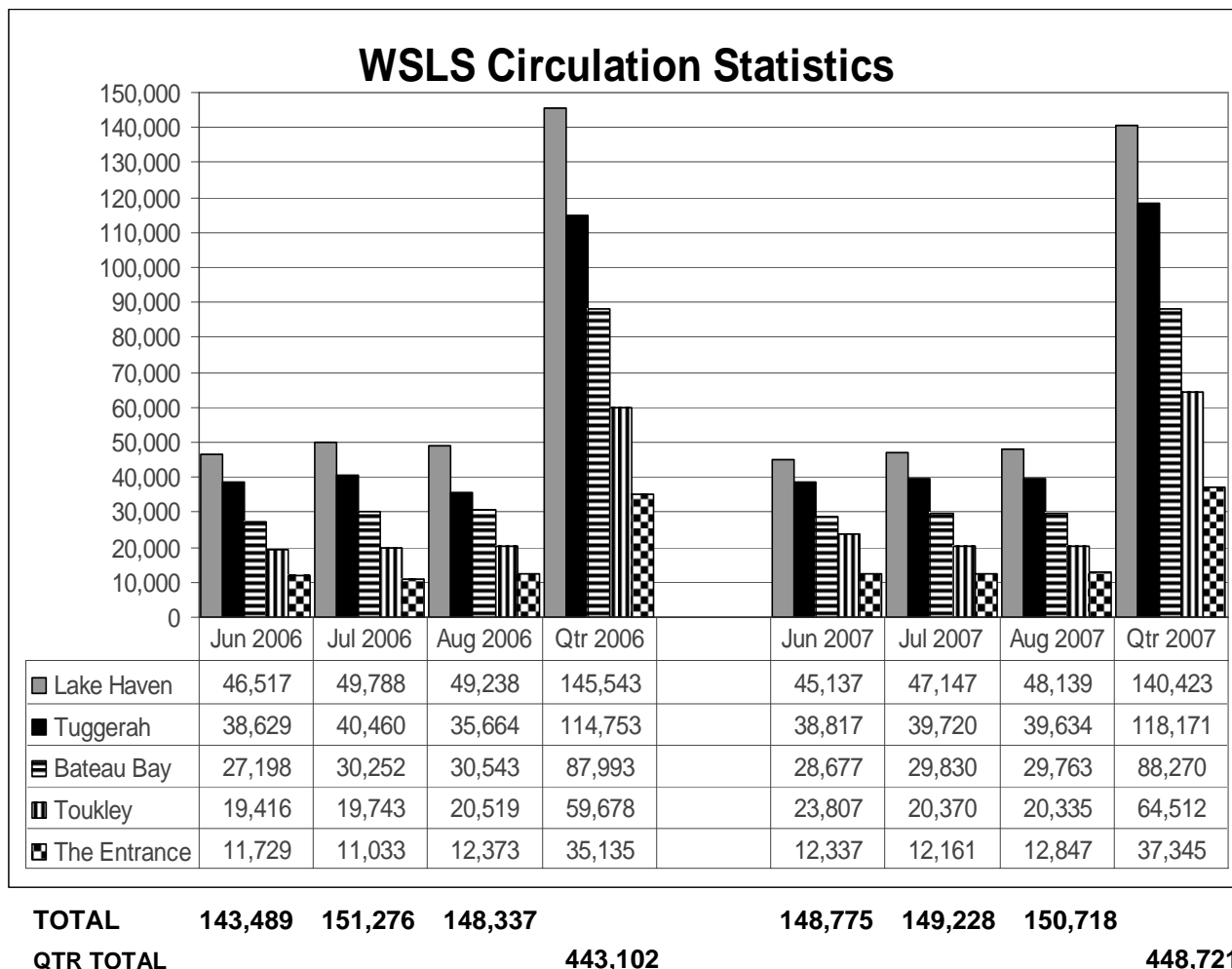
The following statistics present a picture of the activity experienced by the Wyong Shire Library Service in the months June 2007 to August 2007 and the corresponding months of the previous year.

Wyong Shire Library Statistics (contd)

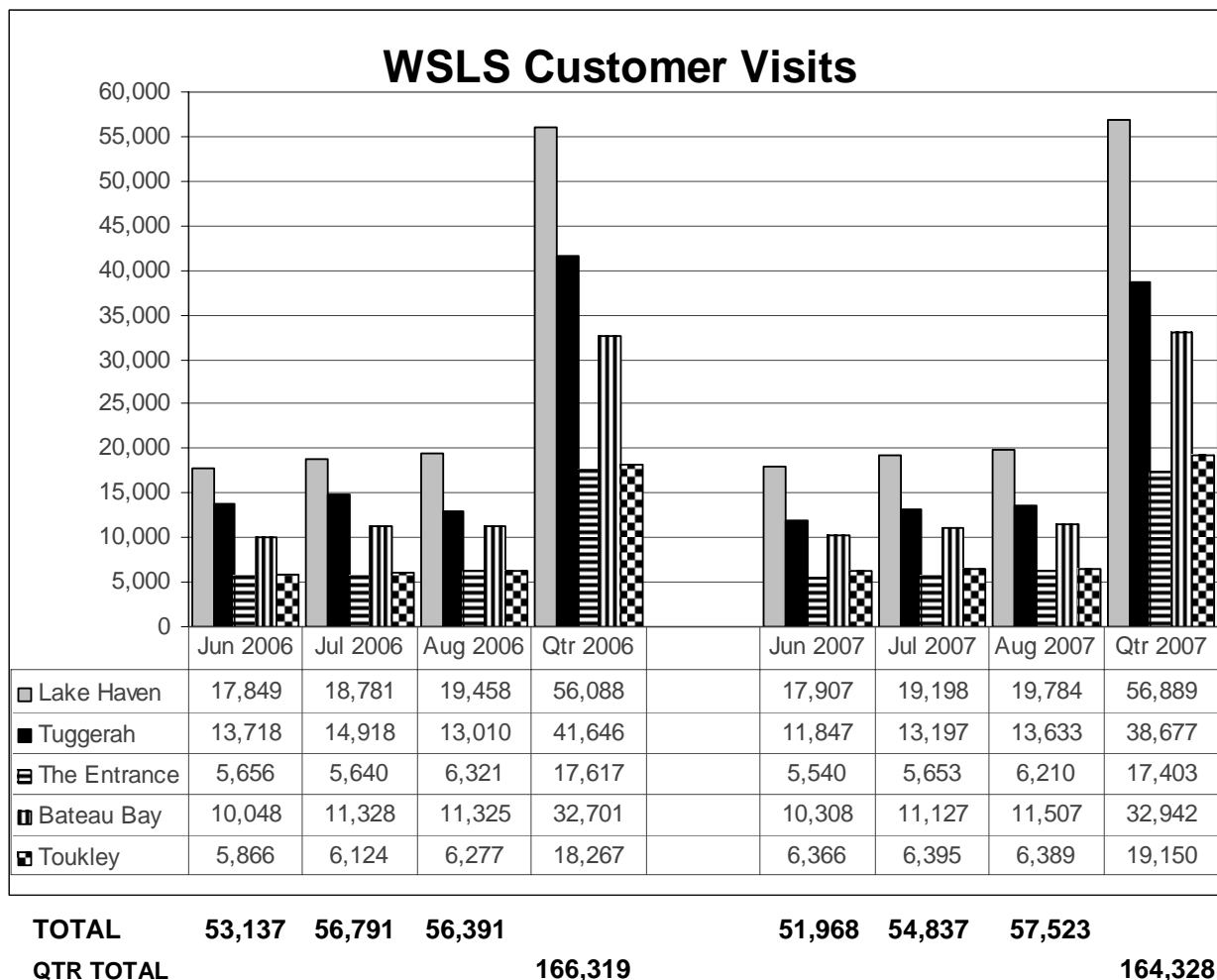
These figures reflect current users of the library service. Borrowers who have not used the Library for a number of years are deleted from the database on a monthly basis.

The total number of registered borrowers at August 2007 has increased by approximately 18% compared to 2006. There are a number of reasons why this has occurred including a change in active encouragement of young children having their own card and the use of library databases which require library membership but can be accessed remotely.

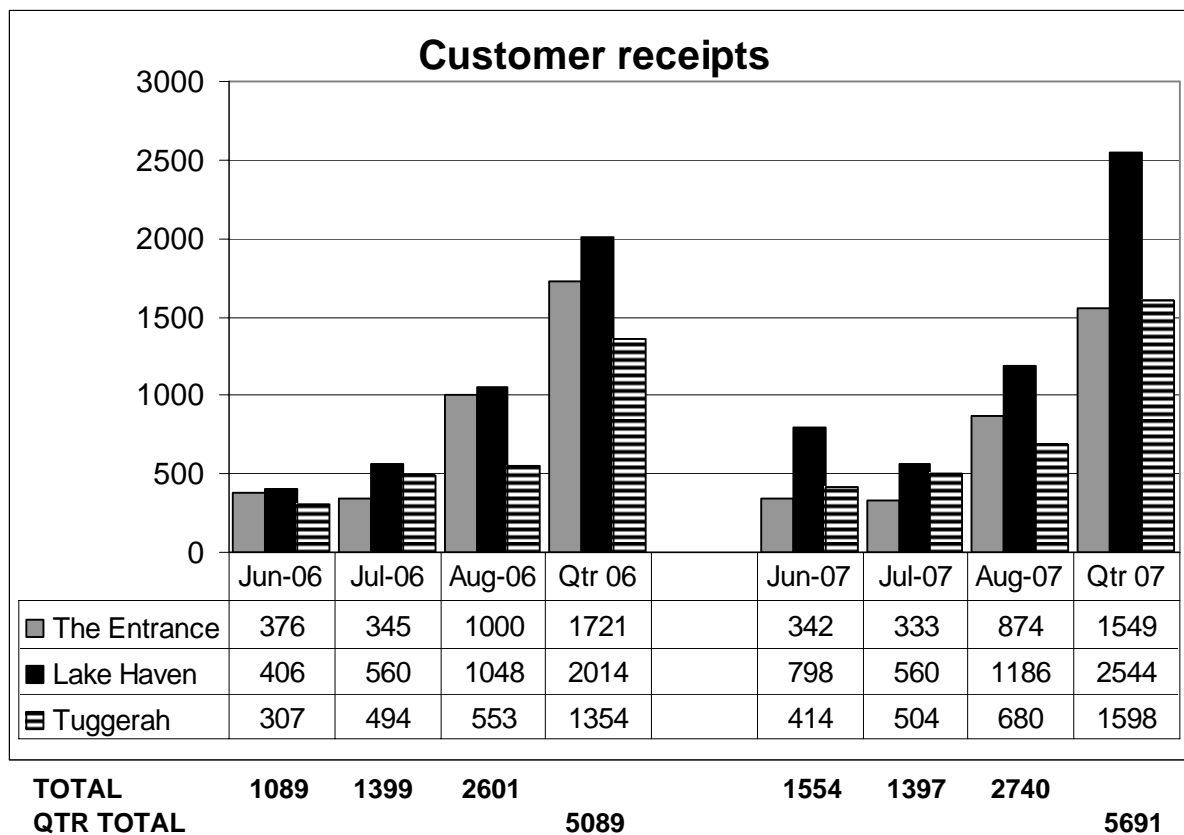
The total number of borrowers now represents approximately 33% of the Wyong Shire population. The average of similar Councils to Wyong is 44.1%. The State average is 47.5% of the population from the State Library of New South Wales Statistics.

Wyong Shire Library Statistics (contd)

The number of items circulated (this figure includes loans and returns) increased at all libraries during the 2007 quarter with the exception of Lake Haven. Overall, there has been an increase in the circulation of items in this quarter when compared to the same period last year.

Wyong Shire Library Statistics (contd)

The visits are measured by door counters in all libraries. The purpose of library visits is varied and may encompass participation in story time sessions and other programs, use of the Internet, research or study, as well as borrowing or returning items. At the Tuggerah, Lake Haven and The Entrance libraries the visitors may also be conducting Council business. Overall, the quarterly figures show a slight decrease compared to the same quarter last year.

Wyong Shire Library Statistics (contd)

The number of receipts for financial transactions is one measure of the activity undertaken relating to Council customer service, but does not include enquiries which are made at the libraries relating to Council business.

The total number of receipts issued at the library based Council customer service centres has risen by 11.8% in this period compared to the same period in the previous year.

31 October 2007
To the Ordinary Meeting of Council

Director's Report
Shire Services Department

460 Works in Progress Report – Water and Sewerage

F2004/07830 KRG:DP

SUMMARY

Water supply and sewerage works in progress and completed for September 2007.

RECOMMENDATION

That the report be received and the information noted.

WATER SUPPLY

Work has commenced on the installation of two 750mm nominal size isolation gate valves on the Hunter/Wyong trunk water main at Sparks Road and Mountain Road, Warnervale.

These valves formed part of the original contract works for the Hunter Water Trunk main. Due to the extensive lead times required for the valves' manufacture, they could not be delivered on site before the water main was completed and brought into service. To avoid delaying the contract works, installation of the valves was removed from the contract and undertaken by Council staff. The isolation valves will enhance the operation of the trunk main and enable the main to be isolated into sections, should it be damaged or broken. Sectional isolation of the main reduces shut down and repair times and conserves water that would otherwise have to be scoured during its repair.

The work, estimated to cost \$20,000 is being carried out by Council's Water and Sewerage day labour staff and is due for completion in mid October 2007. The work is being funded by the Joint Water Supply Capital works program.

Water Storage

As at the 1 October 2007 the storage in Mangrove Creek Dam was 18.8% while the total system storage was 23.6%. Mardi Dam was at 99.4% and Mooney Dam 99.4%.

Water Usage and rainfall data is detailed at Attachment 1. The increase in demand shown for the week ending 8 October 2007 is a result of increased demand from Vales Point Power Station. The increased demand is a result of an operational problem within the power station which allowed their local storage to drop, requiring increased inflows to return the storage to normal levels. The net result is no actual increase in demand from the power station for the period, as demands leading up to this period were reduced by the amount required to refill the power station storage to normal levels.

Works in Progress Report – Water and Sewerage (contd)

SEWERAGE

Work commenced on the installation of a new air valve on a major sewage pumping main in Howarth Street, Wyong.

The original air valve is approximately 22 years old, required manual operation and is no longer serviceable. The replacement valve will operate automatically and will be installed without interrupting the service of the rising main. The work, estimated to cost \$39,000, is being carried out by Council's day labour staff and is due for completion early October 2007. Funds are available for the work within the sewerage maintenance program.

PROCESS

Water Treatment

All water produced by the Water Treatment Plant, for the period 25 July 2007 to 26 August 2007, has met National Health and Medical Research Council Guidelines.

Sewage Treatment

All effluent discharged from the sewage treatment plants, for the period 25 July 2007 to 26 August 2007, has met Environmental Protection Authority Licence requirements.

Effluent Re-use Projects

Council has agreed to the general terms of supply of treated sewage effluent to Delta Electricity for use in a water recycling plant. The plant will supply high quality water to the power station boilers. The project will replace approximately 265ML/annum of potable water which is currently supplied for boiler feed water at Vales Point Power Station. It is expected that Delta will award a tender for the project early October 2007, with a completion date of mid 2008.

Attachment 1 Water Storage, Water Usage and Rainfall (2 pages)

Enclosure Water Storage, Water Usage and Rainfall

Works in Progress Report – Water and Sewerage (Attachment 1)**Monday, 15 October 2007****STORAGES**

Storage	Capacity Full [MI]	Volume in Storage [MI]	Percent Full [%]	Storage Change over last Week
Mangrove Dam	190000	35,581	18.7	Down 47 ML
Mardi Dam	7400	7,345	99.3	Down 48 ML
Mooney Dam	4600	4,379	95.2	Down 84 ML
Total	202000	47,305	23.4	Down 179 ML

Total stored water volume has fallen by 0.2% since last month.

This day last year the volume stored as a percentage of total capacity was 7.7% lower. Hunter Water Corporation supplied 0 ML last week keeping this years supply at 2423 ML. Gosford/Wyong supplied 0 ML to Hunter Water last week keeping this years supply at 288 ML.

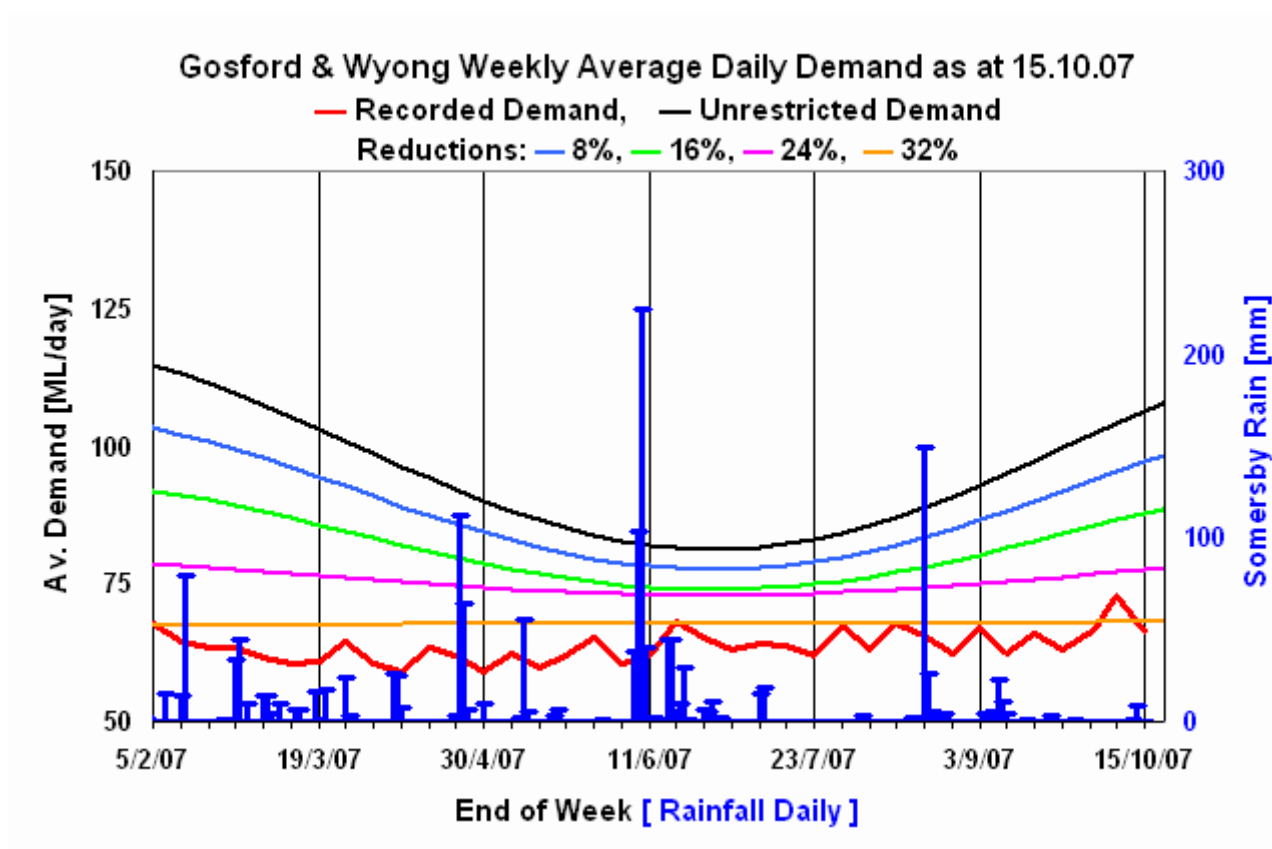
Groundwater Bores supplied 0 ML last week keeping this years supply at 333 ML.

WATER USAGE AND RAINFALL

Period	Water Usage [MI]	Rainfall [mm]		
		Somersby WTP	Mardi WTP	Mangrove Dam
Week to date	465	10	1 2	3
Previous week	509	0	0	0
Current week last year	477	15	8	3
This year to date	18,5 54	1, 590	1 ,352	1 ,088
Same period last year	21,2 96	82 6	7 33	5 31

Week to date consumption was 465 ML, 2.5% less than the same week last year and 8.6% less than the previous week.
Consumption this year to date is 18,554 ML, 12.9% less than the same period last year.
Level 4 Water Consumption Target for the week ending Monday, 22 October 2007 is 475 ML

Works in Progress Report – Water and Sewerage (Attachment 1) (contd)



- 1 **Black Line** Wyong Shire's normal demand when no restrictions are in place.
- 2 **Blue line** 8% reduction (based on the 'black line') over the entire year.
- 3 **Green Line** 16 % reduction (based on the 'black line') over the entire year.
- 4 **Pink Line** 24% reduction (based on the 'black line') over the entire year.
- 5 **Orange Line** 32% reduction (based on the 'black line') over the entire year.
- 6 **Blue bars** Rainfall at Somersby in mm/day.
- 7 **Red line** Wyong Shire's average daily demand.

31 October 2007
To the Ordinary Meeting of Council

Director's Report
Shire Services Department

461 Works in Progress Report - General

F2004/07830 JEM

SUMMARY

General works in progress and completed for the period August 2007 to September 2007.

RECOMMENDATION

That the report be received and the information noted.

ROADS AND DRAINAGE SECTION OVERVIEW

Capital Works In Progress

The table below is a status report of current major road rehabilitation and drainage projects.

Item Description	Estimated Cost \$	% Completed	Estimated Completion Date	Comments
Panorama Avenue – Road and Drainage, Stage 3 Charmhaven (From Jetty Avenue to Wirriga Avenue) CH:480.00 to CH:255.00 (225m Section)	775,000	30	November 2007	Upgrading of existing drainage and pavement; new asphalt seal, new seal, new kerb and guttering, mid block traffic calming device and construct footpath west side on Panorama Avenue.
The Entrance Road Footpath/Paving Works (Fairview Ave and The Entrance Road, The Entrance Town Centre)	90,000	90	November 2007	The upgrading of existing footpath on western side of The Entrance Road, for approximately 60m west and 80m south, from the intersection of The Entrance Road and Fairview Road. Paving works involve clay brick paver header courses with plain concrete infill and street tree planting.

Works in Progress Report - General(contd)

Item Description	Estimated Cost \$	% Completed	Estimated Completion Date	Comments
The Entrance Road Footpath/Paving Works (Contd)				<p>Staff are liaising with the relevant service instrumentalities for the adjustment of service boxes and lids to bring these to the finished footpath levels. Completion of this work, anticipated by mid November 2007.</p> <p>The clay paver header course along an 80m section presently follows the uneven building frontages. A straight edge will be cut along the affected section of concrete footpath and pavers aligned for improved aesthetics. For completion early November 2007.</p>
Station Road East, Fountaindale	745,000 (including school contribution 214,000)	85	October 2007	Upgrade of existing rural road and drainage to current standards including asphalt, K&G and concrete dish drain, parking, drop and kiss zone for the school and a roundabout at intersection of Station and Catamaran Roads to facilitate truck turning movements in the industrial area.
Louisiana Road, Kanwal full Road and Drainage Reconstruction Works (between Pacific Highway and Wahroonga Road 340m)	925,000	15	December 2007	Upgrading existing road and drainage. Drainage works include new box culverts and pipes with kerb and gutter. Road widening to 11m with pedestrian refuge and concrete footpaths.

Works in Progress Report – General (contd)

Item Description	Estimated Cost \$	% Completed	Estimated Completion Date	Comments
The Ridgeway Stage 1b, Tumbi Umbi CH:2165 to CH:2815 650m Section (Between Koorin Road and Awabakil Road.	954,000	4	January 2008	Upgrading of the existing gravel road (approximately 650m) to current standards including sealing upgrade, concrete dish drains and installation of guardrails. Excavation will require significant rock cutting.
Brush Creek Road, Cedar Brush Creek. Storm Damage Works	180,000	85	October 2007	Replace failing steel pipe culvert with new concrete box culvert and reconstruct gravel road.

General Maintenance Work

The following is a list of general works undertaken during this period:

	North	South
Drainage Maintenance	San Remo Budgewoi Ourimbah Kangy Angy Gwandalan Charmhaven	Killarney Vale Wyong Glennings Valley Berkeley Vale Ourimbah North Entrance
Replacement of Damaged Foot paving	Budgewoi Toukley Lakehaven	
Sign Maintenance	Toukley Kanwal Hamlyn Terrace Blue Haven Wadalba Budgewoi Tuggerawong San Remo Canton Beach Wyongah Tuggerawong Jilliby Yarramalong	Toowoomb Bay Berkeley Vale Ourimbah Long Jetty The Entrance Killarney Vale Shelly Beach Bateau Bay Tuggerah Wyong Mardi Chittaway
Shoulder Restoration	Jilliby Yarramalong Noraville	Tumbi Umbi Bateau Bay Long Jetty

Works in Progress Report – General (contd)

	North	South
Heavy Patching	Charmhaven Warnervale Woongarra	
Table Drain Maintenance	Gwandalan Summerland Point Mannering Park Chain Valley Bay San Remo Charmhaven Canton Beach Budgewoi Toukley	Berkeley Vale Long Jetty Bateau Bay Killarney Vale Chittaway
Rural Road Grading	Dooralong Yarramalong Ravensdale Jilliby Kiar	Ourimbah Palmdale
Foot paving Construction	Nil	Nil
Carpark Maintenance	Toukley Budgewoi Norah Head Gorokan	
Fencing	Charmhaven	Nil
Vegetation control	Dooralong Jilliby Budgewoi Buff Point Woongarra Halloran Hamlyn Terrace Lakehaven	Tuggerah Berkeley Vale Tumbi Umbi Ourimbah Watanobbi Wyong The Entrance Killarney Vale

Works in Progress Report – General (contd)**CONTRACTS AND SPECIAL PROJECTS SECTION**

The table below is a status report of current major projects.

Contract No	Contract Description/Contractor	Contract Status	% Completed
CPA/94531	Consultancy for investigation and design of Link Road and trunk water main	Impacts of possible reduction in Section 94 funding for Link Road being addressed by redesigning to reduce initial number of traffic lanes. Project procurement strategy now changed. Fast tracking design of southern section of Link Road to enable completion of design and tender documentation for the full length of the road by 9 October 2007. Trunk water main connection back to Mardi Dam to be constructed later as a separate contract.	85
CPA/94559	Design and Documentation of Woongarra Sportsfields	Master Plan being finalised. Cost plan under review due to changes in scope. Purchase of land from developer now finalised. Public information meeting held 9 October 2007. DA expected to be lodged in October 2007. Construction anticipated to start in May 2008 and finish May 2009.	50
CPA/94561	Dredging of Tumbi Creek	Dredging contract due for completion in November 2007 due to delays from June floods, wet weather and partial sinking of dredge. Approximately 30% of spoil has been transported to Buttonderry Waste Management Facility. Completion of dredging and other related project works expected to be completed by April 2008.	30
CPA/97897	Feasibility Study – shared pathway linking The Entrance North and Toukley	Overall preferred route option still under review. Commenced process for obtaining approvals by January 2008 for likely route through Crown land north from Terilbah Place, North Entrance. Up to \$500,000 from Estuary Management Plan has been allocated to shared pathways and some funds will be available to extend the path northwards. Planning underway to finalise the preferred route through Crown land.	6

Works in Progress Report – General (contd)

Contract No	Contract Description/Contractor	Contract Status	% Completed
CPA/98240	Implementation of Buttoderry Waste Management Facility Entry Masterplan	Progressing with the design documentation for Stages 1 and 2 after incorporating several design changes, DA to be submitted mid Oct 2007. Pre-construction work for Stage 1 is expected to commence early 2008 with completion of Stage 2 possible by December 2008.	40
CPA/98601	Design, Development and Construction of the Morisset to Warnervale water trunk main	Pipeline connecting Morisset to Warnervale completed and commissioned on 15 December 2006. Practical Completion of all remaining works has been delayed by the provision of acceptable pit lids. Replacement lids have been installed.	99
CPA/99940	Construction of Wadalba Sports Facility	A technical solution to address the quality of soil issue has been finalised and implemented. Turf also laid early October. Other landscaping, building and facility works progressing. Anticipate practical completion of works by end October 2007 with use of fields by May 2008.	93
CPA/107166	Warnervale District Sports Fields	Project still on hold until the Warnervale Town Centre Master Plan is finalised. No change to status.	5
CPA/110431	Mardi Landfill Remediation – Investigations	Stage 1 works are complete. Stage 2 works for more detailed investigation planned to commence on site on 9 October 2007. WSC has provided access roads to the site. Remediation works in the field will be a future contract based on Stage 2 report.	14
CPA/113366	Detail Design and Construction of Central Coast Lifetime Learning Centre (CCLLC) at Palmdale	Contract for the construction works in Defects Liability Period until 1 June 2008. Access Road to be rectified, Nov 07. CCLLC Facility was officially opened on 21 August 2007.	99

Works in Progress Report – General (contd)

Contract No	Contract Description/Contractor	Contract Status	% Completed
CPA/113367	The Entrance Community Facility Stage 2 – Design and Documentation for refurbishment of Building C (Arts and Culture), Building D (Activities), Building E (Education), Building F (Mens' Shed) and Design only for Building AA (Family and Children's Services).	Consultant has lodged documents for DA and draft documents for Construction Certificate submission. Consultant scope includes tender documents. Site works programmed to commence January 2008 for completion in August 2008.	55
CPA/115479	Bateau Bay Landfill Rehabilitation and Redevelopment	The contractor has completed the majority of the bulk earth works on the site and four of the recycled irrigation water tanks. Dynamic compaction of the site and the commencement of the synthetic capping is expected to commence by mid October 2007 and be completed by the end of November 2007. Contract completion date is April 2008, with turf fields able to be used by April 2009.	20
CPA/116883	Construction of underground tank for oval irrigation. Kanwal Oval, Kanwal.	Tank construction and associated drainage works have been completed. Installation of tank and connection to irrigation system to be completed by end October 2007.	85
CPA/116947	Construction of underground tank for oval irrigation – Kurraba Oval, Berkeley Vale.	Civil works and pump installation have been completed. Connection to irrigation system and commissioning to be completed by mid October 2007.	95
CPA/122995	Warnervale Town Centre and Wyong Employment Zone Water Supply and Sewerage, Review of Environmental Factors (REF)	Field work and investigations have commenced but are presently being delayed due to access restrictions as a result of equine flu outbreak.	20

Works in Progress Report – General (contd)

Contract No	Contract Description/Contractor	Contract Status	% Completed
F2004/07982	The Entrance Town Centre Refurbishment Works	Current actions include: 1 Rubber wetpour to steps in Vera's Watergarden: Completed. 2 Tiles for pedestrian ramps are being procured. Anticipate commencement October 2007 with completion being 30 November 2007. 3 Replacement of lights to Fountains: Suitable replacement lights have been sourced. Expect installation December 2007. 4 Construction commenced on refurbishment of public toilets beside Visitor Information Centre. Scheduled to be completed by mid-October 2007.	65
Contract 2408	Capture and Commercial Utilisation of Landfill Gas from Buttonderry Landfill	The Agreement that will form the basis of the contract is under review by legal representatives for Council and the contractor. No site works have commenced or are possible until the Agreement is finalised. It is anticipated that the Agreement will be finalised by the end of October 2007.	5

CONTRACTS STILL IN DEFECTS LIABILITY PERIOD			
CPA/94532	Excavation and lining of cell 4.2A, Buttonderry landfill.	Contract works in Defects Liability Period until October 2007.	100
CPA/98705	Construction of Edwards Creek Bridge, Dooralong.	Contract in Defects Liability Period until October 2007.	100
CPA/105697	Toukley Aquatic Centre Refurbishment.	Contract works in Defects Liability Period ending 1 November 2007.	100
CPA/96544	Blue Haven Community Centre.	Contract works in Defects Liability Period until 31 January 2008.	100
CPA/112098	Design and Construction of Berkeley Vale Skate Park.	Contract works in Defects Liability Period until 28 February 2008.	100
CPA/97631	Lake Haven Leisure Centre Upgrade Works.	Contract works in Defects Liability Period until 22 December 2008.	100

462 Premature Electrification of New Estates

F2004/00189 SW

SUMMARY

Report on letters of response received regarding report 253 – Notice of Motion - Premature Electrification of New Estates.

RECOMMENDATION

That the report be received and the information noted.

BACKGROUND

At its meeting held on 27 June 2007, Council resolved:

- “1 That Council put the following motion to the next Local Government Association Conference (LGA):

That the LGA lobby Energy Australia and the appropriate State Minister to cease its premature electrification of new estates.
- 2 *That this matter be referred to Central Coast Regional Organisation of Councils for their support.*
- 3 *That Council write to the Member for Wyong, Mr David Harris, and the relevant State Ministers seeking their assistance to stop this rampant waste of electricity and generation of greenhouse gases.”*

Council has received letters of response from Member for Wyong, Mr David Harris (Attachment 1) and the NSW Department of Water and Energy - Director General, Mr Mark Duffy (Attachment 2).

Attachment 1
Attachment 2

Letter from the Member for Wyong, Mr David Harris (1 page)
Letter from the NSW Department of Water and Energy - Director General, Mr Mark Duffy (1 page)

31 October 2007
To the Ordinary Meeting of Council

Director's Report
Corporate Services Department

Premature Electrification of New Estates (Attachment 1)



REF:WSCyates70814.let

Mr K Yates
General Manager
Wyong Shire Council
P O Box 20
WYONG NSW 2259

16 August 2007

Dear Mr Yates

I refer to your letter of 10 July 2007 concerning the premature electrification of new estates.

I am informed that Energy Australia electrify new estates at the time of development as a security measure to help minimise vandalism and antisocial behaviour.

I consider this to be a legitimate reason for the electrification of new estates prior to development. Nevertheless, I will forward your concerns to the Hon Ian Macdonald, Minister for Energy.

Yours sincerely

A handwritten signature in black ink, appearing to read "D. Harris".

DAVID HARRIS MP
Member for Wyong

Encl

Electorate office: 243 Main Road, Toukley • Mail: Po Box 31, Toukley NSW 2263
Phone: 4397 1000 • Fax: 4397 1012 • Email: wyong@parliament.nsw.gov.au



31 October 2007
To the Ordinary Meeting of Council

Director's Report
Corporate Services Department

Premature Electrification of New Estates (Attachment 2)



New South Wales Government
Department of Water and Energy

Level 17
227 Elizabeth Street
Sydney NSW 2000
GPO Box 3889 Sydney NSW 2001
Telephone + 61 2 8281 7777
Internet: <http://www.dwe.nsw.gov.au>
ABN 43 863 863 906

MPI07/4084
D07/1397

Mr Kerry Yates
General Manager
Wyong Shire Council
PO Box 20
WYONG NSW 2259

11 SEP 2007

Dear Mr Yates

I refer to your letter of 6 July 2007 (your reference: F2004/408351) to the Hon Ian Macdonald MLC, Minister for Energy, concerning the Wyong Shire Council's resolution in regard to connection of street lighting to the electricity network in new housing estates prior to construction of all dwellings. The Minister has asked me to reply on his behalf.

As you would be aware, Accredited Service Providers undertake contestable works, including the installation of street lighting in new subdivisions, on behalf of developers. The work must comply with relevant standards and meet necessary requirements. The street lights must be energised for an assessment of the work to be made.

I am advised that once a subdivision has been completed the roads become public roads and are therefore required to be lit for pedestrian safety. This is necessary regardless of the number of buildings in the subdivision. The lights also provide a deterrent to anti-social behaviour, regardless of the number of buildings completed.

I am sure you are aware that EnergyAustralia provides a standard range of street lighting equipment for selection by local councils, which are carefully evaluated for effectiveness and efficiency as well as cost. EnergyAustralia is currently evaluating the latest in energy-efficient street lights and when it meets all the requirements it will be available for review by councils.

Should you wish to discuss this matter further with EnergyAustralia, please contact Ms Annette Sharpe, Corporate Communication, on 9289 2113.

Thank you for raising this issue with the Minister.

Yours sincerely

Mark Duffy
Director-General

WYONG SHIRE COUNCIL

31 October 2007
To the Ordinary Meeting of Council

Director's Report
Corporate Services Department

463 Outstanding Questions Without Notice and Notices of Motion

F2006/02282 ED:MR

SUMMARY

Report on outstanding Questions Without Notice and Notices of Motion.

RECOMMENDATION

That the report be received and the information noted.

Question Asked	Asked By	Meeting Asked	Department
Q074 – Mobile Phone Service on Trains Between Newcastle and Sydney (A response will be reported when reply received from State Rail)	Councillor Eaton	8 August 2007	Corporate Services
Q086 – September Business Review Article regarding Wyong Council and the Mayor (A response will be reported to the Ordinary Meeting on 14 November 2007)	Councillor Stewart	12 September 2007	Corporate Services
Q090 – New Warnervale Community Centre Report (A response will be reported to the Ordinary Meeting on 14 November 2007)	Councillor Eaton	12 September 2007	Corporate Services
Q092 – Update on Progress of the Klumper Entrance Development (A response will be reported to the Ordinary Meeting on 14 November 2007)	Councillor Eaton	26 September 2007	Shire Planning

Outstanding Questions Without Notice and Notices of Motion (contd)

Question Asked	Asked By	Meeting Asked	Department
Q093 – Minutes of Confidential Meeting held on 29 August 2007 between Councillors and the General Manager (A response will be reported to the Ordinary Meeting on 14 November 2007)	Councillor Eaton	26 September 2007	General Manager's Unit
Q095 – Staffing Levels at Wyong Council (A response will be reported to the Ordinary Meeting on 14 November 2007)	Councillor Graham	26 September 2007	General Manager's Unit
Q096 – Legal Costs Incurred by Wyong Council opposing Mr Darcy Smith in the Land and Environment Court (A response will be reported to Council once a breakdown of costs is received from Council's Solicitors)	Councillor Pavier	26 September 2007	Shire Planning
Q097 – Daley – Waugh Neighbour Dispute (A response will be reported to the Ordinary Meeting on 14 November 2007)	Councillor Pavier	26 September 2007	Shire Planning
Q099 – Official Opening of Jubilee Oval (A response will be reported to the Ordinary Meeting on 14 November 2007)	Councillor Stewart	26 September 2007	Shire Services
Q101 – Annual Fishing Competition at Mangrove Creek Dam (A response will be reported to the Ordinary Meeting on 14 November 2007)	Councillor Veugen	26 September 2007	Shire Services

Outstanding Questions Without Notice and Notices of Motion (contd)

Question Asked	Asked By	Meeting Asked	Department
Q102 – Condition of the Tiles in The Entrance CBD (A response will be reported to the Ordinary Meeting on 28 November 2007)	Councillor Stewart	10 October 2007	Shire Services
Q103 – Oasis Youth Centre (A response will be reported to the Ordinary Meeting on 28 November 2007)	Councillor Forster	10 October 2007	Corporate Services
Q105 – Possible Conflict of Interest for Mayor as a State Government Employee (A response will be reported to the Ordinary Meeting on 14 November 2007)	Councillor Eaton	10 October 2007	Mayor's Office

Notice of Motion	Department	Meeting Resolved	Status
314 – Regional Sporting Facilities <i>That staff report on Investigations into the possibility of constructing an integrated regional sporting/educational facility at Warnervale.</i> <i>That staff report on negotiations / opportunity to provide district sporting facility to service the Tuggerah / Mardi area.</i>	Shire Planning	9 August 2006	A report will be submitted to Council's Ordinary Meeting on 14 November 2007.

Outstanding Questions Without Notice and Notices of Motion (contd)

Notice of Motion	Department	Meeting Resolved	Status
113 – Senior Citizens Advisory Council <i>That Council support formation of Senior Citizens Council and prepare a charter.</i>	Shire Services	14 March 2007	A report will be submitted to Council's Ordinary Meeting on 28 November 2007.
196 - Deletion of Gun Nozzle from Refit Kit <i>Recommend to the Joint Water Authority the deletion of the Gun Nozzle hose from refit kit. Investigate other items to include in kit.</i>	Shire Services	23 May 2007	Held over until the November Joint Water Board Meeting.
224 - Energy Efficiency Initiative <i>That councillors be briefed on new and evolving technology to reduce energy consumption.</i>	Shire Planning	13 June 2007	Briefing scheduled for 5 December 2007.
282 - Cost of Installing a WIFI Hot Spot in The Entrance Mall Area <i>That Council report on the cost, feasibility and advantages of installing a WIFI Hot Spot Zone in The Entrance Mall area, so tourists and locals can get their wireless internet connection.</i>	Corporate Services	11 July 2007	A report will be submitted to Council's Ordinary Meeting on 14 November 2007.
326 - National Natural Disaster Funding <i>Report required on climate change impacts.</i>	Shire Planning	8 August 2007	A report will be submitted to Council when response from Department of Environment and Climate Change (DECC) is received.
370 - Plebiscite on Nuclear Power Station(s) in Wyong Shire <i>That Council officers write to the Prime Minister, the Federal Opposition Leader and local Federal members requesting that they authorise/support the Australian Electoral Commission in conducting a plebiscite. Also Howard Government of its opposition to Nuclear Power and seek support from neighbouring councils.</i>	Corporate Services	12 September 2007	A report will be submitted to Council once all responses are received.

Outstanding Questions Without Notice and Notices of Motion (contd)

Notice of Motion	Department	Meeting Resolved	Status
<p>371 - Unaffordable Housing and Mortgage Stress</p> <p><i>That a late Notice of Motion be submitted to the Local Government Association Conference as follows:</i></p> <p>1 <i>That the Association commission a report into the level of housing/rental stress in NSW and the social impacts this has on our communities.</i></p> <p>2 <i>That the Association make recommendations to Councils, State and Federal Governments on means to alleviate housing/rental stress.</i></p>	Corporate Services	10 October 2007	A letter is being prepared to include as a late item at the Local Government Conference.
<p>398 – Resumption (or Buy Out) Policy</p> <p><i>That staff report with a précis on DCP 77 where applies and the controls that this plan limits with regards to the type of nature and development. Numerous issues relating to Coastline Management Plan and Council's buy out policy.</i></p>	Shire Planning	26 September 2007	A report will be submitted to Council's first meeting of 2008.

Rescission Motion	Department	Meeting Resolved	Status
401A – Rescission Motion – Vandalism Across our Shire	Shire Services	10 October 2007	A report is currently being prepared.

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WYONG SHIRE COUNCIL

31 October 2007
To the Ordinary Meeting of Council

Shire Services Department

Answers to Questions Without Notice

Q085 – Condition of The Entrance Bridge

Asked by Councillor Stewart at the Ordinary Meeting held on 12 September 2007
F2004/00409

“Would Council please take up urgent negotiations with the Roads and Traffic Authority regarding the condition of The Entrance Bridge, including the underneath of the bridge on the southern side?”

The NSW Roads and Traffic Authority (RTA) advised that it intends to undertake refurbishment works on The Entrance Bridge in 2008/2009. As this bridge is part of the State road network, the RTA is fully responsible for all activities relating to it. This will include a refurbishment of the handrails and lighting in addition to repairs to the concrete structure and cathodic protection. A more definitive time frame has not been able to be determined.

Council staff have recently removed graffiti from the underneath of the southern side of the bridge.

Both Council staff and the RTA will continue to liaise over the planning and implementation of works on The Entrance Bridge.

Answers to Questions Without Notice (contd)

Q087 – Removal of Wrack on Tuggerah Lakes

Asked by Councillor Welham at the Ordinary Meeting held on 12 September 2007
F2004/11674

“Could staff provide an update on negotiations with NSW Fisheries on the removal of wrack on Tuggerah Lakes and also permits to remove aquatic and terrestrial wrack from Lake Macquarie?”

A permit is currently in place for collection of wrack and algae from approved areas of the Tuggerah Lakes using Council’s aquatic weed harvester. To conduct further removal of wrack and algae below the mean high water mark by other means (e.g. terrestrial based or nearshore aquatic collection from shallow waters inaccessible to the aquatic weed harvester), an additional ‘Permit to Harm Marine Vegetation’ is required from the Department of Primary Industries (Fisheries) under the Fisheries Management Act 1994.

Applications are currently being drafted for lodgement with Fisheries for numerous near shore locations in the Tuggerah Lakes system. The application process requires the provision of detailed information including accurate identification of specific locations, proof of land owner’s consent, recognition of planning instruments that require consideration, identification of additional permits that may be needed, elaboration of other measures used to mitigate environmental impact and potential consequences of works. Many of these issues will be identified in a Review of Environmental Factors (REF) which is likely to be required. The required information is still being collated and although it is expected permits will be obtained by March 2008, an accurate prediction on the timeframe in which permits will be granted cannot be made.

Although a permit to harm marine vegetation is not required for those areas above the mean high water mark, use of the beach cleaner, whilst permitted in these areas is also being considered as part of this process to manage the risk of environmental harm. Works above the mean high water mark will be incorporated into the REF process to ensure compliance with Council planning instruments and to ensure Endangered Ecological Communities (such as saltmarsh) and other features of environmental significance in this foreshore zone are protected.

As part of the Wyong Shire Council application to harm marine vegetation, Chain Valley Bay, Lake Macquarie, is being identified as an area where approval is being sought for terrestrial based or nearshore aquatic collection of wrack and algae. Lake Macquarie has generally less open shallow areas than the Tuggerah Lakes and therefore less area for wrack and algae to accumulate. If a permit is issued for terrestrial or aquatic nearshore collection of marine vegetation at Chain Valley Bay, Council will then be in a position to conduct works in this area if required. There are no other areas of the Wyong Shire adjoining Lake Macquarie that have been identified as potential wrack and algae accumulation zones.

Answers to Questions Without Notice (contd)

Q087 – Removal of Wrack on Tuggerah Lakes (contd)

Deployment of the aquatic weed harvester for removal of marine vegetation has not been planned for Lake Macquarie due to the comparatively lower impact of wrack and algae on Lake Macquarie, and because of the low percentage of Lake Macquarie foreshores that adjoin the Wyong local government area. Intermittent relocation of Council's aquatic harvester would also be a costly exercise.

Following issuing of permits, terrestrial or nearshore aquatic based wrack and algae removal measures will be conducted by Council on a priority basis following site inspections within allocated budgets. The highest priority areas will be those areas identified as having the highest visitation (typically popular foreshore reserves such as Canton Beach) with the lowest priority areas being private foreshores and undeveloped foreshores.

Answers to Questions Without Notice (contd)

Q088 – Options to Council on DCP 23

Asked by Councillor Welham at the Ordinary Meeting held on 12 September 2007
F2004/12355

“Could the General Manager provide options to Council on DCP 23 given his comments on page 79 of the Business Paper “it is imperative for Council to clarify its position in relation to this matter”?”

A review of Development Control Plan 2005: Chapter 23 - Caravan Parks is on the draft work program for Planning - Legal and Policy, to be undertaken in the 2008/2009 financial year.

Any such review needs to be comprehensive and include, but not be limited to, consideration of:

- * appropriate zonings for the location of caravan parks (currently 7(b) - Scenic Protection and 7(d) Coastal Lands Protection Zones);
- * whether residential development standards are more appropriate for long-term parks;
- * desirability of long-term parks and/or mix of long-term and short-term sites within individual parks;
- * interaction with draft model Local Environmental Plan;
- * interaction with State Environmental Planning Policy (SEPP) BASIX (currently exempt);
- * relation to SEPP 21 - Caravan Parks and SEPP 36 - Manufactured Home Estates;
- * relation to Council's draft Local Housing Strategy (housing affordability and suitability issues);
- * suitability of manufactured housing for aged people and those with disabilities,
- * locational concerns (isolation, services, transportation, community facilities, bushfire risk, flood risk, environmental impacts);
- * ultimate size of residential parks; and
- * tenure matters (community title, security of residential tenure for renters)

Answers to Questions Without Notice (contd)

Q088 – Options to Council on DCP 23 (contd)

Given the history of previous attempts to draft an appropriate policy framework to govern the development and expansion of caravan parks, it is proposed that a three stage process be undertaken.

- 1 A briefing paper be prepared by staff outlining the range of issues and options within the first quarter of the financial year 2008/2009;
- 2 Councillor workshop so that Councillors can discuss, consider and determine a clear overall policy position; and
- 3 Preparation by staff of relevant environmental planning instruments to reflect Council's policy position in accordance with normal procedures.

It is estimated that the process will be commenced during the second quarter of the financial year 2008/2009, with completion anticipated in early 2009.

Answers to Questions Without Notice (contd)

Q089 – Willows Bend Estate Hamlyn Terrace Mowing and Maintenance

Asked by Councillor Eaton at the Ordinary Meeting held on 12 September 2007
F2004/05432

“Could Council Staff increase mowing and maintenance at the park in Willows Bend Estate Hamlyn Terrace or report on why not?”

Mowing and maintenance will be increased at the Willow Bend Estate Park as part of the normal increase in services provided during the warmer growing period of September to April. This is consistent with the level of maintenance provided in other neighbourhood parks across the Shire.

This reserve received six maintenance service visits in this calendar year before the 12 September 2007 the last being 3 July 2007. No maintenance has been undertaken since that date because the grass has exhibited very slow growth during the intervening period. A maintenance service visit is scheduled for early October.

Answers to Questions Without Notice (contd)

Q091 – Sparks Road F3 Interchange

Asked by Councillor Best at the Ordinary Meeting held on 12 September 2007
F2004/07399

“Mr General Manager my question is, an endeavour to avoid serious injury and/or fatality on the Sparks Road F3 interchange east side, where the Roads and Traffic Authority (RTA) has installed a small visually obstructed traffic island that numerous motorists have reported hitting and/or near misses at high speed. Could Council’s Traffic Committee raise this issue as a matter of urgency with the RTA and provide an information report in reply to this question?”

Staff requested that this item be placed on the inspections list for the October meeting of the Wyong Shire Traffic Committee. The Roads and Traffic Authority (RTA) has subsequently advised that it was not appropriate for this item to be considered by the Committee as it is not consistent with the new *Guide to the Delegation to Councils for the Regulation of Traffic*. The Guidelines specify that the local Traffic Committee agenda should only contain items which require the local Council to exercise its delegated functions, ie requests for, or changes to traffic calming devices, regulated parking restrictions, bus stops, ‘Stop’ or ‘Give Way’ signage at intersections etc. Given the subject traffic Island is located on a State Road; the RTA has advised it will be making a determination on the matter.

Staff have subsequently written to the RTA requesting that they investigate this as a matter of urgency and respond on the outcome. At the time of writing no formal response has been forthcoming, however the RTA has verbally advised that the subject device is a standard treatment for ‘seagull’ type intersections and the options of removal, modification or enhanced linemarking will be considered on merit.

Answers to Questions Without Notice (contd)

Q094 - Sister Cities Committee Trips for Residents to Visit Japan and New Zealand

Asked by Councillor Graham at the Ordinary Meeting held on 26 September 2007
F2004/07107

"I see where our Sister Cities Committee is calling for applications for two residents 18 years or older, to win a trip each, one to Japan, the other to New Zealand. My question is, how much do these junkets cost, and what if anything, do the ratepayers of Wyong Shire get for their investment?"

The Ambassador Program is designed to enrich the lives of Southland, Tanabe and Wyong communities through social and cultural interaction. It is important to maintain a strong relationship between Wyong and its Sister Cities. Running the exchange program helps achieve this.

The successful applicant is entitled to a return airfare to Southland or Tanabe. The Sister City budget allocates approximately \$2,500 towards the Ambassador Program annually. The guidelines state the applicant must be willing to take part in a "home stay" to gain the full cultural experience of the country. Additional expenses are borne by the applicant.

The program includes an informal meeting with the respective Mayor and the ambassador is to report back to the Sister City Committee. Ambassadors become members on their return which helps strengthen the committee. Maintaining these international relationships is an asset to Wyong Shire residents as they are welcome to be involved in the committee and benefit from these experiences.

31 October 2007
To the Ordinary Meeting of Council

Shire Services Department

Answers to Questions Without Notice (contd)

Q098 - Completion of Safety Fencing Around Playground at Memorial Park, The Entrance

Asked by Councillor Stewart at the Ordinary Meeting held on 26 September 2007
CPA/119190

“Would Council please look at the cost of completing the safety fencing (with the view to completing an enclosed playground) at the Memorial Park, The Entrance, as it is seen by young mothers as being vital to the safety of that area?”

Following consideration of a number of requests from several parents the fencing location has been reviewed and considered appropriate that the remainder of the fence on the western side be installed with a self closing gate. While this will assist parents with more than one young child by containing the children within the playground, it should be recognised that parental supervision will still remain important for young children using the play equipment.

The additional cost to provide stainless steel fencing along the western side of the playground is approximately \$20,000 including GST. It is anticipated that the work will be completed by 21 December 2007.

Attachment 1

General Photo of Playground and Existing Fence (1 page)

Answers to Questions Without Notice (contd)

Q098 - Completion of Safety Fencing Around Playground at Memorial Park, The Entrance (Attachment 1)



Answers to Questions Without Notice (contd)

Q100 - Management Plan for Threatened Orchid Species

Asked by Councillor Best at the Ordinary Meeting held on 26 September 2007
F2004/06946

"Has Council a management plan adopted in regards to threatened orchid species such as Caladenia porphyrea, Genoplesium insignis, Diuris praecox, Cryptostylis hunteriana, Caladenia tessellata, Diuris bracteata and Microtis angusii?"

Council does not have an adopted management plan in regard to orchid species. Council previously undertook a detailed study of threatened orchid species as part of the research and data used to inform the draft Wyong Conservation Strategy. Since that time, a number of new records and threatened species listings for orchids and other species have been established. Council has, in part, attempted to deal with these in specific sensitive locations. However, in moving towards a new Local Environmental Plan (LEP), a shire-side assessment will be required for these listings.

Council's Natural Resources Unit has undertaken some habitat assessments for these species, within existing budgets, but more resources will be required to complete these assessments as part of the LEP review.

31 October 2007
To the Ordinary Meeting of Council

Answers to Questions Without Notice (contd)

Q104 - Days/Hours Mayor will be Acting as Mayor

Asked by Councillor Eaton at the Ordinary Meeting held on 10 October 2007
F2004/06509

“Could the Mayor advise Councillors and the public which days and hours (during Council Business hours) he will be acting as mayor compared to being a State Government employed teacher?”

I thank Councillor Eaton for his question and advise the following;

“As the elected Mayor for Wyong Council I assume the responsibilities of this position whilst undertaking all of my various roles within the Wyong Shire community. As a local teacher I am an active member of the school community and as a member of Gorokan-Kanwal Lions Club I undertake various social and fundraising activities again in the Wyong Community. At no time in my activities in Wyong Shire do I take the ‘Mayoral hat’ off and as such take on the position seriously and diligently.

As for when I am in the office for appointments, I am available;

- * Mondays 3.00 pm – 6.00 pm
- * Tuesdays 12.30 pm – 6.00 pm
- * Wednesdays 8.00 am – 6.00 pm
(except for normal councillors commitments to inspections, briefings and meetings)
- * Thursdays 8.00 am – 6.00 pm
- * Fridays 3.00 pm – 6.00 pm

However during the 11 weeks of designated school holidays I am available Monday to Friday 8am – 6pm. I also have arrangements in place with my Principal that allows flexibility in case I am required at alternative times for important matters, such as Minister’s visits.

I also have the support of a reliable Deputy Mayor in Councillor Stevens who is able to assist when various community functions clash.”