



A pleasing result – Council staff admire the natural beauty of Saltwater Creek, recently restored as part of the Estuary Management Plan

ORDINARY MEETING

08 April 2009



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MEETING NOTICE

The **ORDINARY MEETING**
of **Wyong Shire Council**
will be held in the **Council Chamber,**
Wyong Civic Centre, Hely Street, Wyong on
WEDNESDAY 8 APRIL 2009 at 5.00 pm,
for the transaction of the business listed below:

OPENING PRAYER

ACKNOWLEDGEMENT OF COUNTRY STATEMENT

RECEIPT OF APOLOGIES

1 PROCEDURAL ITEMS

1.1	Disclosures of Interest	5
1.2	Proposed Briefings	6
1.3	Proposed Inspections	7
1.4	Address By Invited Speakers	8
1.5	Confirmation of Minutes of Previous Meeting.....	9

2 PLANNING REPORTS

2.1	The Entrance Peninsula Planning Strategy.....	29
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3 PROPERTY REPORTS

3.1	Sale of Council Land at 27 Emerald Place, Berkeley Vale	125
-----	---	-----

4 CONTRACT REPORTS

4.1	Contract CPA 153228 - Construction of Woongarra Sports Facility	128
4.2	Contract CPA 155267 - Hamlyn Terrace Community and Sporting Facility	138

5 GENERAL REPORTS

5.1	Wyong Council Community Environment Network and WyCare Liaison Group.....	147
5.2	Budgewoi, Buff Point, Halekulani Community Precinct Committee	149
5.3	Proposed Councillors' Community Improvement Grants	151

6 GENERAL MANAGER'S REPORT

6.1	Exhibition Draft Management Plan 2009-10.....	154
-----	---	-----

7 BOARD/COMMITTEE/PANEL MEETING REPORTS

7.1	Minutes - Wyong Shire Grants Committee meeting - 18 March 2009.....	164
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8 INFORMATION REPORTS

8.1	Information Reports	168
8.2	Disclosure of Interest Returns	169
8.3	Minutes - Wyong Shire Senior Citizens' Council Meetings - 17 December 2008 and 29 January 2009.....	171
8.4	Recycle/Re-use Initiative - Tip Shop/Re-Use Centre	180
8.5	Outstanding Questions Without Notice and Notices of Motion	183

9 ANSWERS TO QUESTIONS WITHOUT NOTICE

9.1	Q009 - Recreation Smoke Free Policy Publicity	191
9.2	Q010 - Central Community Group Database	194
9.3	Q011 - Waste Management Facility Telephone Number	196
9.4	Q012 - Maintenance of Fire Trails	198
9.5	Q013 - Hazard Reduction in the Shire	200

10 NOTICES OF MOTION

10.1	Notice of Motion - Safety Fencing at The Entrance Bridge	202
10.2	Notice of Motion - Council Facility Fees	203
10.3	Notice of Motion - Change of Start Time of Council Meetings	204
10.4	Notice of Motion - Speaker Protocols	205

11 QUESTIONS WITHOUT NOTICE ASKED

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

Kerry Yates
GENERAL MANAGER

1.1 Disclosures of Interest

TRIM REFERENCE: D01864853

AUTHOR: MR

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

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

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

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

RECOMMENDATION

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

1.2 Proposed Briefings

TRIM REFERENCE: D01864916

AUTHOR: MR

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
8 April 2009	Council Investments	Presentation of current situation and outlook by Mr Brett Westbrook, Director CPG - Council's Investment Advisors.	10.30 am - 11.30 am	Director Corporate Services and Manager Finance.
8 April 2009	Draft Management Plan	Opportunity for Councillors to ask questions/clarify issues prior to the Draft 2009-10 Management Plan being proposed for public exhibition.	11.30 am - 12.30 pm	Manager Economic/Corporate Planning.
8 April 2009	Bushfire Management Update	Legislative background Council and RFS responsibilities. Recent issues in press/Councillor correspondence.	12.30 pm - 1.30 pm	Senior Planner – Legal and Policy, Manager Customer and Community Services, Manager Planning - Legal and Policy, Natural Areas Co-ordinator.
8 April 2009	Mangrove to Mardi Update	Providing Councillors with an update on the Mardi to Mangrove Project.	1.30 pm - 2.00 pm	Director Shire Services, Manager Headworks.
8 April 2009	Mardi Works Tender	Providing Councillors with an update on the Mardi suite of works.	2.00 pm - 2.30 pm	Manager Contracts and Special Projects and Contractor, Contracts and Special Projects
8 April 2009	Buttonderry Scoping and future options	Presentation of scoping paper and a range of potential land use options to maximise the value of Buttonderry Waste Management Facility.	2.30 pm - 3.30 pm	Manager Future Planning, Manager Contracts and Special Projects and Contractor, Contracts and Special Projects

RECOMMENDATION

That Council receive the report on Proposed Briefings.

1.3 Proposed Inspections

TRIM REFERENCE: D01864952

AUTHOR: MR

SUMMARY

Inspections proposed to be held on 22 April 2009 and prior to the second Ordinary Meeting are listed as follows:

Date of Inspection	Location	Requested By
22 April 2009	5 Woodstork Cl, Tumbi Umbi – DA 38/09 – Strata Subdivision of a Dual Occupancy	Director Shire Planning
22 April 2009	Saltwater Creek Rehabilitation Works	Director Shire Services
22 April 2009	The Entrance Community Centre	Director Shire Services
22 April 2009	Roads Rehabilitation Program	Director Shire Services

RECOMMENDATION

That Council receive the report on Proposed Inspections.

1.4 Address By Invited Speakers

TRIM REFERENCE: D01864958

AUTHOR: MR

There have been no requests to address the Ordinary Meeting at the time of printing the Business Paper.

RECOMMENDATION

That Council receive the report on Invited Speakers.

1.5 Confirmation of Minutes of Previous Meeting

TRIM REFERENCE: D01864870

AUTHOR: MR

SUMMARY

Confirmation of minutes of the previous Ordinary Meeting of Council held on 25 March 2009.

RECOMMENDATION

That Council confirm the minutes of the previous Ordinary Meeting of Council held on 25 March 2009.

ATTACHMENTS

- 1 Minutes of the Ordinary Meeting held on 25 March 2009

WYONG SHIRE COUNCIL

**MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN THE COUNCIL CHAMBER
WYONG CIVIC CENTRE, HELY STREET, WYONG
ON WEDNESDAY, 25 MARCH 2009,
COMMENCING AT 5.02 PM**

PRESENT

COUNCILLORS R L GRAHAM (CHAIRPERSON), G P BEST, D J EATON, E M McBRIDE, J J McNAMARA, L A MATTHEWS, W R SYMINGTON, D P VINCENT, L D WEBSTER AND S A WYNN.

IN ATTENDANCE

GENERAL MANAGER, DIRECTOR SHIRE PLANNING, DIRECTOR CORPORATE SERVICES, ACTING DIRECTOR SHIRE SERVICES, MANAGER DEVELOPMENT ASSESSMENT, ACTING MANAGER FUTURE PLANNING AND TWO ADMINISTRATION STAFF.

ACTING MANAGER CORPORATE AND ADMINISTRATION SERVICES, STRATEGIC PLANNER AND SENIOR ENVIRONMENTAL HEALTH OFFICER.

THE MAYOR, COUNCILLOR GRAHAM, DECLARED THE MEETING OPEN AT 5.02 PM AND ADVISED IN ACCORDANCE WITH THE CODE OF MEETING PRACTICE THAT THE MEETING IS BEING RECORDED.

JOHN HARDWICK READ AN ACKNOWLEDGMENT OF COUNTRY STATEMENT AND DELIVERED THE OPENING PRAYER.

APOLOGIES

THERE WERE NO APOLOGIES.

AT THE COMMENCEMENT OF THE ORDINARY MEETING REPORT NOS 1.1, 1.2, 1.3, 1.4 AND 3.1 WERE DEALT WITH FIRST THEN THE REMAINING REPORTS IN ORDER. HOWEVER FOR THE SAKE OF CLARITY THE REPORTS ARE RECORDED IN THEIR CORRECT AGENDA SEQUENCE.

1.1 Disclosure of Interest

3.1 PROPOSED TWENTY LOT RESIDENTIAL SUBDIVISION AT LOT 312 DP 808521 AND LOT 8106 DP 1085360, JOHNS ROAD, WADALBA

COUNCILLOR GRAHAM DECLARED A NON-PECUNIARY INSIGNIFICANT CONFLICT OF INTEREST IN THE MATTER FOR THE REASON THAT THE APPLICANT MADE A DONATION TO HIS LAST LOCAL GOVERNMENT ELECTION CAMPAIGN.

COUNCILLOR GRAHAM STATED:

"I CHOOSE TO REMAIN IN THE CHAMBER AND PARTICIPATE IN DISCUSSION AND VOTING AS THE CONFLICT DOES NOT FALL UNDER CLAUSE 7.23 OF THE MODEL CODE OF CONDUCT AND HAS NOT INFLUENCED ME IN CARRYING OUT MY PUBLIC DUTY."

4.2 RENEWAL OF LEASE TO TUNKUWALLIN TENNIS AND SPORTS CLUB LTD OF PART LOT 4 DP 263812, NO 20, SUMMERLAND ROAD, SUMMERLAND POINT

COUNCILLOR SYMINGTON DECLARED A NON-PECUNIARY INSIGNIFICANT CONFLICT OF INTEREST IN THE MATTER FOR THE REASON THAT HE IS SECRETARY OF TUNKUWALLIN PARK COMMUNITY HALL, 355 COMMITTEE.

COUNCILLOR SYMINGTON 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 GRAHAM and seconded by Councillor BEST:

That the report on Disclosure of Interest be received and advice of disclosures noted.

FOR: COUNCILLORS BEST, EATON, GRAHAM, McBRIDE, McNAMARA, MATTHEWS, SYMINGTON, VINCENT, WEBSTER AND WYNN.

AGAINST: NIL.

1.2 Proposed Briefings

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

That Council receive the report on Proposed Briefings.

FOR: COUNCILLORS BEST, EATON, GRAHAM, McBRIDE, McNAMARA, MATTHEWS, SYMINGTON, VINCENT, WEBSTER AND WYNN.

AGAINST: NIL.

1.3 Proposed Inspections

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

That Council note that inspections previously scheduled for 25 March 2009 were cancelled.

FOR: COUNCILLORS BEST, EATON, GRAHAM, McBRIDE, McNAMARA, MATTHEWS, SYMINGTON, VINCENT, WEBSTER AND WYNN.

AGAINST: NIL.

1.4 Address By Invited Speakers

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

- 1 That Council receive the amended report on Invited Speakers.**
- 2 That Council agree standing orders be varied to allow reports from Directors and/or the General Manager to be dealt with following an Invited Speaker's address.**

FOR: COUNCILLORS BEST, EATON, GRAHAM, McBRIDE, McNAMARA, MATTHEWS, SYMINGTON, VINCENT, WEBSTER AND WYNN.

AGAINST: NIL.

1.5 Confirmation of Minutes of Previous Meeting

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

That Council confirm the minutes of the previous Ordinary Meeting of Council held on 11 March 2009.

FOR: COUNCILLORS BEST, EATON, GRAHAM, McBRIDE, McNAMARA, MATTHEWS, SYMINGTON, VINCENT, WEBSTER AND WYNN.

AGAINST: NIL.

BUSINESS ARISING FROM THE MINUTES

THERE WAS NO BUSINESS ARISING FROM THE MINUTES.

2.1 Notice of Intention to Deal with Matters in Confidential Session

COUNCILLOR BEST LEFT THE CHAMBER AT 5.46 PM AND RETURNED TO THE CHAMBER AT 5.47 PM DURING CONSIDERATION OF THIS ITEM.

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

- 1 That Council consider the following matters in Confidential Session, pursuant to Sections 10A(2)(c), (a) and (g) of the Local Government Act 1993:**
 - 10.1 Detailed Expressions of Interest – Conduct Review Panel**
 - 10.2 Notice of Motion – Waste and Environmental Management**
- 2 That Council note its reason for considering Report No 10.1 as it may confer a commercial advantage (Section 10A(2)(c)) and Report No 10.2 is that discussion is anticipated which concerns the rights of individuals (Section 10A(2)(a)) or Council's legal privilege (Section 10A(2)(g)) should the discussions be held in a non-confidential environment.**
- 3 That Council request the General Manager to report on this matter in open session of Council.**

FOR: COUNCILLORS BEST, EATON, GRAHAM, McBRIDE, McNAMARA, MATTHEWS, SYMINGTON, VINCENT, WEBSTER AND WYNN.

AGAINST: NIL.

3.1 Proposed Twenty Lot Residential Subdivision at Lot 312 DP 808521 and Lot 8106 DP 1085360, Johns Road, Wadalba

COUNCILLOR GRAHAM DECLARED A NON-PECUNIARY INSIGNIFICANT CONFLICT OF INTEREST IN THE MATTER FOR THE REASON THAT THE APPLICANT MADE A DONATION TO HIS LAST LOCAL GOVERNMENT ELECTION CAMPAIGN.

COUNCILLOR GRAHAM STATED:

"I CHOOSE TO REMAIN IN THE CHAMBER AND PARTICIPATE IN DISCUSSION AND VOTING AS THE CONFLICT DOES NOT FALL UNDER CLAUSE 7.23 OF THE MODEL CODE OF CONDUCT AND HAS NOT INFLUENCED ME IN CARRYING OUT MY PUBLIC DUTY."

MS MEGAN HITCHENS, REPRESENTING WADALBA-KANWAL ASSOCIATION INC, ADDRESSED THE MEETING AT 5.07 PM, ANSWERED SOME QUESTIONS FROM COUNCILLORS AND ADVISED SHE WAS UNABLE TO ANSWER FURTHER QUESTIONS ON THE BASIS OF LEGAL ADVICE AND RETIRED AT 5.13 PM.

MR TOM CUMMINS, REPRESENTING WESTMINISTER DEVELOPMENTS, ADDRESSED THE MEETING AT 5.13 PM, ANSWERED QUESTIONS AND RETIRED AT 5.24 PM.

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

- 1 That Council refer the application 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.**
- 2 That Council keep confidential the places and site locations of Aboriginal Heritage items identified in the full version of the report prepared by Total Earth Care in February 2009 titled "Aboriginal Cultural Heritage Assessment and Management Plan, Wadalba Hill, Wyong Shire" to ensure the ongoing security of these sites.**

FOR: COUNCILLORS BEST, EATON, GRAHAM, McBRIDE, McNAMARA, MATTHEWS, SYMINGTON, VINCENT, WEBSTER AND WYNN.

AGAINST: NIL.

3.2 Comprehensive LEP Review

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

- 1 That Council commence, pursuant to Section 54(1) of the Environmental Planning and Assessment Act, 1979, the preparation of draft Wyong LEP 2011 in accordance with the Standard Instrument (Local Environmental Plans) Order, 2006.**
- 2 That Council notify the Department of Planning of the decision as soon as practicable.**
- 3 That Council advise the Department of Planning that it does not intend to request 'Written Authorisation to Exercise Delegation' under Section 65 and Section 69 of the Environmental Planning and Assessment Act, 1979.**
- 4 That Council refer the project to the appropriate authorities for comment under Section 62 of Environmental Planning and Assessment Act, 1979.**
- 5 That Council prepare a Settlement Strategy to support the preparation of draft Wyong LEP 2011 further to Council's resolution of 12 March 2008.**
- 6 That Council request the Department of Planning to confirm that the Settlement Strategy will replace the function of a Local Environmental Study required under Section 57 of the Environmental Planning and Assessment Act, 1979.**

- 7 ***That Council prepare pursuant to Section 74C of the Environmental Planning and Assessment Act, 1979, Development Control Plan (DCP) 2011 – Development Controls for Wyong Shire to support Wyong LEP 2011.***
- 8 ***That Council adopt the Rezoning Requests Strategy and fee schedule for the lodgement and receipt of anticipated rezoning requests during the life of the project.***
- 9 ***That Council still consider rezoning proposals that facilitate significant employment generating developments as matters of priority further to resolution 8 above.***
- 10 ***That Council revise the timeframe for the completion of the project to be consistent with the State Government’s program, that is March 2011.***
- 11 ***That Council update its Section 149 Certificates.***

FOR: COUNCILLORS BEST, EATON, GRAHAM, McBRIDE, McNAMARA, MATTHEWS, SYMINGTON, VINCENT, WEBSTER AND WYNN.

AGAINST: NIL.

4.1 Proposed Easement for Drainage over Lot 103 DP 24621 Barry Street Bateau Bay

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

- 1 ***That Council acquire an easement for drainage 2m wide over Lot 103 DP 24621.***
- 2 ***That Council authorise the payment of compensation, if necessary, for the acquisition of the easement 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 easement in the event that negotiations with the property owner cannot be satisfactorily resolved.***
- 4 ***That Council authorise for the Common Seal of the Wyong Shire Council to be affixed to the Transfer and/or Plan and to any necessary applications to the Department of Local Government 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 Department of Local Government.***

FOR: COUNCILLORS BEST, EATON, GRAHAM, McBRIDE, McNAMARA, MATTHEWS, SYMINGTON, VINCENT, WEBSTER AND WYNN.

AGAINST: NIL.

4.2 Renewal of Lease to Tunkuwallin Tennis and Sports Club Ltd of Part Lot 4 DP 263812, No 20 Summerland Road, Summerland Point

COUNCILLOR SYMINGTON DECLARED A NON-PECUNIARY INSIGNIFICANT CONFLICT OF INTEREST IN THE MATTER FOR THE REASON THAT HE IS SECRETARY OF TUNKUWALLIN PARK COMMUNITY HALL, 355 COMMITTEE.

COUNCILLOR SYMINGTON 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 SYMINGTON and seconded by Councillor WYNN:

- 1 That Council renew the lease to Tunkuwallin Tennis and Sports Club Ltd of part of Lot 4 DP 263812 for the club premises and tennis courts at 20 Summerland Road, Summerland Point for a period of five years commencing on 1 June 2009 for concessional rent of \$1,348 per annum plus annual CPI increases on condition that the club provides Council with a current business and activity plan for the term of the lease.**
- 2 That Council agree to an option for renewal of the lease for a further five years from 1 June 2014.**
- 3 That Council authorise the Common Seal of Wyong Shire Council to be affixed to the formal documents as required between Wyong Shire Council and Tunkuwallin Tennis and Sports Club Ltd.**
- 4 That Council authorise the Mayor and the General Manager to execute all documents.**

FOR: COUNCILLORS BEST, EATON, GRAHAM, McBRIDE, McNAMARA, MATTHEWS, SYMINGTON, VINCENT, WEBSTER AND WYNN.

AGAINST: NIL.

5.1 Contract CPA 154992 - Supply, Delivery and Installation of a Modular Truck Wheel Washing Unit for the Buttonderry Waste Management Facility

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

- 1 That Council accept Tender No 2.2 from Greenbank Terotech Pty Ltd in the amount of \$196,440.00 (excl GST).**
- 2 That Council approve a contract budget of \$216,440.00 (excl GST) that provides for a contingency amount of \$20,000.00 (excl GST) representing approximately 10% of the contract value, to provide for any unforeseen additional works that may become necessary during the course of the project.**

FOR: COUNCILLORS BEST, EATON, GRAHAM, McBRIDE, McNAMARA, MATTHEWS, SYMINGTON, VINCENT, WEBSTER AND WYNN.

AGAINST: NIL.

5.2 Contract Variations - February 2009

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

That Council note the variations to contracts in Attachment 1.

FOR: COUNCILLORS BEST, EATON, GRAHAM, McBRIDE, McNAMARA, MATTHEWS, SYMINGTON, VINCENT, WEBSTER AND WYNN.

AGAINST: NIL.

6.1 Councillor Attendance at Training

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

That Council note the Mayor and General Manager's approval for Councillor Eaton to attend the Councillor Weekend Program being held in Coffs Harbour on 27-28 March 2009 and for payment of reasonable expenses in accordance with the Facilities and Expenses Policy for Councillors.

FOR: COUNCILLORS BEST, EATON, GRAHAM, McBRIDE, McNAMARA, MATTHEWS, SYMINGTON, VINCENT, WEBSTER AND WYNN.

AGAINST: NIL.

6.2 Code of Conduct Review

COUNCILLOR VINCENT LEFT THE CHAMBER AT 6.08 PM AND RETURNED TO THE CHAMBER AT 6.09 PM DURING CONSIDERATION OF THIS ITEM.

COUNCILLOR WYNN LEFT THE CHAMBER AT 6.11 PM AND RETURNED TO THE CHAMBER AT 6.12 PM AND AS A RESULT TOOK NO PART IN VOTING.

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

1 That Council adopt the Model Code of Conduct as resolved at the Ordinary Meeting held on 22 October 2008.

2 That Council appoint:

- **Mark Brady,**
- **Barry Davidow (Fraud Services),**
- **John Gordon, Steve Kent (Internal Audit bureau of NSW)**
- **James Marshall (Insite Social & Economic)**
- **Colin Cowan (Insite Social & Economic),**
- **Rob Malik,**
- **Brian McHugh,**
- **Kath Roach (Sinc Solutions)**

as a Conduct Review Panel for the period 1 April 2009 until 20 June 2011.

FOR: COUNCILLORS BEST, EATON, GRAHAM, McBRIDE, McNAMARA, MATTHEWS, SYMINGTON, VINCENT AND WEBSTER.

AGAINST: NIL.

6.3 Dedication of a Drainage Area

COUNCILLOR WYNN LEFT THE CHAMBER AT 6.11 PM AND RETURNED TO THE CHAMBER AT 6.12 PM DURING CONSIDERATION OF THIS ITEM.

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

That Council authorise the General Manager to obtain a Declaration of Drainage Areas with Wyong Shire in accordance with the Water Management Act 2000 (Section 308(2)).

FOR: COUNCILLORS BEST, EATON, GRAHAM, McBRIDE, McNAMARA, MATTHEWS, SYMINGTON, VINCENT, WEBSTER AND WYNN.

AGAINST: NIL.

6.4 Encouraging Responsible Disposal of Asbestos

COUNCILLOR MATTHEWS LEFT THE CHAMBER AT 6.16 PM AND RETURNED TO THE CHAMBER AT 6.17 PM DURING CONSIDERATION OF THIS ITEM.

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

- 1 That Council note the information on the progress of the campaign to encourage Responsible Asbestos Disposal.**
- 2 That Council retain the current reward of \$500 for reporting of illegal dumping under the “dob in a dumper” (DIAD) campaign that leads to a fine.**
- 3 That Council lobby State Government to significantly increase penalty notices for illegal dumping from currently \$750 to \$2,000 to provide a greater deterrent for dumpers.**
- 4 That Council seek the support of the Local Government Association by resolution to the next Annual Conference in relation to increasing the fine as set out in item 3.**

FOR: COUNCILLORS BEST, EATON, GRAHAM, McBRIDE, McNAMARA, MATTHEWS, SYMINGTON, VINCENT, WEBSTER AND WYNN.

AGAINST: NIL.

7.1 Information Reports

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

That with the exception of report number 7.2, 7.4, 7.5 and 7.7 the information reports be received and the recommendations adopted.

FOR: COUNCILLORS BEST, EATON, GRAHAM, McBRIDE, McNAMARA, MATTHEWS, SYMINGTON, VINCENT, WEBSTER AND WYNN.

AGAINST: NIL.

7.2 Proposed Managed Resort and Residential Development, The Entrance Road West, The Entrance

POINT OF ORDER

COUNCILLOR EATON RAISED A POINT OF ORDER AGAINST COUNCILLOR WYNN AS THE ORIGINAL RESOLUTION OF COUNCIL HELD ON 26 NOVEMBER 2008 WOULD BE SIGNIFICANTLY AMENDED DUE TO THE ADDITIONAL CRITERIA IN THE MOTION SHE IS PUTTING BEFORE COUNCIL THIS EVENING.

THE MAYOR UPHELD THE POINT OF ORDER AND DIRECTED COUNCILLOR WYNN TO AMEND HER MOTION TO REFLECT THE COUNCIL RESOLUTION OF 26 NOVEMBER 2008.

COUNCILLOR WYNN AMENDED THE RECOMMENDATION ACCORDINGLY.

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

That Council advise the applicants, Terrigal Grosvenor Lodge Pty Ltd, that prior to amended plans being lodged for Council's consideration, the following issues (as identified in the GM Urban Design and Architecture report) be addressed and appropriate changes be incorporated in those amended plans:

- ***Connectivity and view corridors through the sites from north to south***
- ***Grain (scale and articulation) in building form, reinforcement of the street edge***
- ***Location of primary open space area for the residential buildings***
- ***Minimise the overshadowing of private and communal open spaces or consolidation of space to a central and more useable area***
- ***Appropriate scale relationship to the western boundary***
- ***Separation between buildings and privacy***
- ***Pedestrian connection to any future carpark along Manning Street through the site to the waterfront***
- ***General legibility (ease of identification of public access) within the development particularly to the public foreshore***
- ***Courtyards for private open space to ground floor apartments***
- ***General architectural treatment and articulation***
- ***Energy efficiency initiatives.***

FOR: COUNCILLORS BEST, EATON, GRAHAM, McBRIDE, McNAMARA, MATTHEWS, SYMINGTON, VINCENT, WEBSTER AND WYNN.

AGAINST: NIL.

7.3 Activities of the Development Assessment Unit

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

That Council receive the report on Activities of the Development Assessment Unit.

FOR: COUNCILLORS BEST, EATON, GRAHAM, McBRIDE, McNAMARA, MATTHEWS, SYMINGTON, VINCENT, WEBSTER AND WYNN.

AGAINST: NIL.

7.4 Results of Water Quality Testing for Bathing Beaches, Lake and River Locations

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

That Council receive the report on Results of Water Quality Testing for Bathing Beaches, Lake and River Locations.

FOR: COUNCILLORS BEST, EATON, GRAHAM, McBRIDE, McNAMARA, MATTHEWS, SYMINGTON, VINCENT, WEBSTER AND WYNN.

AGAINST: NIL.

7.5 General Works In Progress

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

That Council receive the report on General Works In Progress.

FOR: COUNCILLORS BEST, EATON, GRAHAM, McBRIDE, McNAMARA, MATTHEWS, SYMINGTON, VINCENT, WEBSTER AND WYNN.

AGAINST: NIL.

7.6 Water and Sewerage - Works in Progress

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

That Council receive the report on Water and Sewerage - Works in Progress.

FOR: COUNCILLORS BEST, EATON, GRAHAM, McBRIDE, McNAMARA, MATTHEWS, SYMINGTON, VINCENT, WEBSTER AND WYNN.

AGAINST: NIL.

7.7 Further Response to the Central Coast Express Advocate Article Concerning the Welcome to Wyong Shire Sign at Tuggerah

COUNCILLOR BEST LEFT THE CHAMBER AT 7.13 PM AND RETURNED TO THE CHAMBER AT 7.14 PM DURING CONSIDERATION OF THIS ITEM.

POINT OF ORDER

COUNCILLOR SYMINGTON RAISED A POINT OF ORDER AGAINST COUNCILLOR BEST FOR NOT KEEPING TO THE MOTION BY INTRODUCING THE SUBJECT OF QUALITY AND DESIGN OF THE SIGNS.

THE MAYOR RULED AGAINST THE POINT OF ORDER AS COUNCILLOR BEST'S COMMENTS WERE RELEVANT TO THE MOTION.

MOTION OF DISSENT

It was MOVED by Councillor VINCENT and seconded by Councillor SYMINGTON:

"I MOVE dissent from the Chairperson's ruling in respect of the Mayor's decision on Councillor Symington's Point of Order".

The MOTION OF DISSENT was put to the vote and declared LOST on the CASTING VOTE of the MAYOR.

FOR: COUNCILLORS McBRIDE, MATTHEWS, SYMINGTON, VINCENT AND WYNN.

AGAINST: COUNCILLORS BEST, EATON, GRAHAM, McNAMARA AND WEBSTER

RESOLVED unanimously on the motion of Councillor SYMINGTON and seconded by Councillor McBRIDE:

That Council receive the report on Further Response to the Central Coast Express Advocate Article Concerning the Welcome to Wyong Shire Sign at Tuggerah.

FOR: COUNCILLORS BEST, EATON, GRAHAM, McBRIDE, McNAMARA, MATTHEWS, SYMINGTON, VINCENT, WEBSTER AND WYNN.

AGAINST: NIL.

7.8 Outstanding Questions Without Notice and Notices of Motion

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

That Council receive the report on Outstanding Questions Without Notice and Notices of Motion.

FOR: COUNCILLORS BEST, EATON, GRAHAM, McBRIDE, McNAMARA, MATTHEWS, SYMINGTON, VINCENT, WEBSTER AND WYNN.

AGAINST: NIL.

9.1 Notice of Motion - Woodfired Heaters

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

That in accordance with Council's support for sustainability initiatives and to minimise the potential negative social and environment impacts of woodfired heaters, Council staff report on:

- 1 Options to encourage the community to embrace the responsible operation of woodfired heaters, including the use of legislation and enforcement; and***
- 2 Options for promoting the responsible operation of woodfired heaters by way of a media campaign leading into the winter months.***

FOR: COUNCILLORS BEST, EATON, GRAHAM, McBRIDE, McNAMARA, MATTHEWS, SYMINGTON, VINCENT, WEBSTER AND WYNN.

AGAINST: NIL.

9.2 Notice of Motion - Proposed Trial of Green Concrete

COUNCILLOR McNAMARA LEFT THE CHAMBER AT 7.29 PM AND RETURNED TO THE CHAMBER AT 7.32 PM DURING CONSIDERATION OF THIS ITEM.

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

That, following the report on the use of 'Green Concrete', from the 11 March 2009 Ordinary Council meeting:

- 1 Council notify Zeobond or other manufacturers of E-crete that, if the company wishes to have a small scale field trial in NSW, this Council would be interested in being in that trial.**
- 2 Council endeavour to purchase and use the material to replace partially or wholly Portland cement where it is deemed a suitable if E-crete becomes available in NSW.**

FOR: COUNCILLORS BEST, EATON, GRAHAM, McBRIDE, McNAMARA, MATTHEWS, SYMINGTON, VINCENT, WEBSTER AND WYNN.

AGAINST: NIL.

9.3 Notice of Motion - Ensuring Compliance of Guttering with Building Code of Australia

RESOLVED on the motion of Councillor WYNN and seconded by Councillor VINCENT:

That Council alert the Australian Building Codes Board and Standards Australia in writing of the problem regarding high fronted gutters and bring this issue to the next Local Government Association Conference.

FOR: COUNCILLORS BEST, EATON, GRAHAM, McBRIDE, McNAMARA, MATTHEWS, VINCENT, WEBSTER AND WYNN.

AGAINST: COUNCILLOR SYMINGTON.

9.4 Notice of Motion - Safety Concern Regarding an Unfenced Pool at Summerland Point

COUNCILLOR McBRIDE LEFT THE CHAMBER AT 7.59 PM AND RETURNED TO THE CHAMBER AT 8.00 PM DURING CONSIDERATION OF THIS ITEM.

COUNCILLOR MATTHEWS WAS GRANTED LEAVE BY THE MAYOR AND LEFT THE MEETING AT 8.18 PM AND AS A RESULT TOOK NO PART IN VOTING.

COUNCILLOR VINCENT LEFT THE CHAMBER AT 8.19 PM AND RETURNED TO THE CHAMBER AT 8.20 PM DURING CONSIDERATION OF THIS ITEM.

It was MOVED by Councillor SYMINGTON and SECONDED by Councillor BEST:

- 1 *That Council as a matter of urgency erect a temporary construction type fence along the North West boundary of the public walkway between 32 and 34 Gordon Avenue Summerland Point. The fence is to extend from the front boundary along Gordon Avenue, down to the waters edge of Lake Macquarie in such a manner as to make safe the unfenced pool in the rear yard of No 34 Gordon Avenue.*
- 2 *That Council contact the appropriate State Government Minister and request that pool fencing legislation be revised and/or amended to ensure this ridiculous anomaly is removed from the legislation.*

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

- 1 *That Council report on the issue of waterfront properties with unfenced pools.*
- 2 *That Council report on the number of unfenced waterfront pools, cost of fencing, legal issues, precedent and any other relevant issues.*

The AMENDMENT was put to the VOTE and declared CARRIED.

FOR: COUNCILLORS BEST, EATON, GRAHAM, McNAMARA, WEBSTER AND WYNN.

AGAINST: COUNCILLORS McBRIDE, SYMINGTON AND VINCENT.

The AMENDMENT became the MOTION.

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

- 1 ***That Council report on the issue of waterfront properties with unfenced pools.***
- 2 ***That Council report on the number of unfenced waterfront pools, cost of fencing, legal issues, precedent and any other relevant issues.***

FOR: COUNCILLORS BEST, EATON, GRAHAM, McNAMARA, WEBSTER AND WYNN.

AGAINST: COUNCILLORS McBRIDE, SYMINGTON AND VINCENT.

9.5 Notice of Motion - Surf and Sand Series (SSS)

COUNCILLOR MATTHEWS WAS GRANTED LEAVE BY THE MAYOR AND LEFT THE MEETING AT 8.18 PM AND AS A RESULT TOOK NO PART IN VOTING.

It was MOVED by Councillor BEST and SECONDED by Councillor WEBSTER:

- 1 *That further to Surf Life Savings Central Coast's request for Council assistance with their proposed new surf championship initiative known as Surf and Sand Series, Council give consideration as to the benefits of sponsoring such an event.*
- 2 *That subject to Councils support, Council fund the event from the line item 1.1.15 08/09 budget unallocated residual funds.*

An AMENDMENT was moved by Councillor McBRIDE and seconded by Councillor WYNN:

- 1 *That Council use the unallocated funds for sponsorship of Central Coast Pro Surfing Competition under 1.1.15 of the Council's Management Plan and be reallocated to item 1.1.11 Community Financial support to be allocated under the Community Benefits Grants Program.*
- 2 *That Council maintains due process and equity of distribution of its limited Community Development Grants Program funding by adhering to appropriate processes for the assessment of Community Funding Requests.*
- 3 *That Council invites Surf Lifesaving Central Coast to make an application under the Community Benefits Grants Program for Surf and Sand Series.*

The AMENDMENT was put to the VOTE and declared LOST.

FOR: COUNCILLORS McBRIDE, SYMINGTON, VINCENT AND WYNN.

AGAINST: COUNCILLORS BEST, EATON, GRAHAM, McNAMARA AND WEBSTER.

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

- 1 ***That further to Surf Life Savings Central Coast's request for Council assistance with their proposed new surf championship initiative known as Surf and Sand Series, Council give consideration as to the benefits of sponsoring such an event.***
- 2 ***That subject to Councils support, Council fund the event from the line item 1.1.15 08/09 budget unallocated residual funds.***

FOR: COUNCILLORS BEST, EATON, GRAHAM, McBRIDE, McNAMARA, SYMINGTON, VINCENT, WEBSTER AND WYNN.

AGAINST: NIL.

QUESTIONS WITHOUT NOTICE ASKED

Q017 – Submission on Variation of the \$20,000 Section 94 Cap

Councillor Eaton

F2004/00552

“Could staff provide to Councillors copies of the Council submission to the Department of Planning seeking a variation of the \$20,000 Section 94 cap?”

Q018 – Amalgamation of Central Coast Area Consultative Committee (CCACC) and Business Central Coast (BCC)

Councillor Eaton

F2004/12960

“Could staff report on the amalgamation of Central Coast Area Consultative Committee (CCACC) and Business Central Coast (BCC)?”

CONFIDENTIAL SESSION

AT THIS STAGE OF THE MEETING BEING 8.35 PM COUNCIL MOVED INTO CONFIDENTIAL SESSION WITH THE PRESS AND THE PUBLIC EXCLUDED.

OPEN SESSION

COUNCIL RESUMED IN OPEN SESSION AT 8.40 PM AND THE GENERAL MANAGER REPORTED ON PROCEEDINGS OF THE CONFIDENTIAL SESSION OF THE ORDINARY MEETING OF COUNCIL AS FOLLOWS:

10.1 Detailed Expressions of Interest - Conduct Review Panel

That Council receive the report on Detailed Expressions of Interest - Conduct Review Panel.

10.2 Notice of Motion - Waste and Environmental Management

- 1 That Council endorse the letter sent by the General Manager to DECC as requested by Council at its recent confidential briefing in respect to DECC's current investigation of Waste Management Matters and the actions taken by the General Manager to upgrade Councils Environmental Management Systems.**
- 2 That Council recognise the value of the Council's Internal Auditor. By acting in an independent and professional manner, continuing to raise with the General Manager, Governance Committee and Council sensitive and substantial issues he has thereby facilitated Council to be in a more informed position. This has enabled Council to make better decisions in the interest of Council and its ratepayers.**
- 3 That the General Manager report to Council on DECC's response to item 1.**

THERE BEING NO FURTHER BUSINESS, THE MEETING CLOSED AT 8.42 PM.

.....
CHAIRPERSON

2.1 The Entrance Peninsula Planning Strategy

TRIM REFERENCE: D01862339

AUTHOR: SA

SUMMARY

The Entrance Peninsula Planning Strategy (TEPPS) was publicly exhibited between November 2007 and February 2008 and approximately 300 submissions were received.

This report briefly describes the contents of TEPPS, including the changes proposed to TEPPS as a result of input received during the public exhibition period, analysis of the recently released Central Coast Regional Strategy (CCRS) and the findings of the recently completed Entrance Peninsula Planning Strategy Economic Feasibility Assessment.

This report recommends adoption of TEPPS. The next stage will be the implementation of the Strategy outcomes. This will include the preparation of a draft Local Environmental Plan (LEP) for The Entrance Peninsula, revision of Development Control Plan (DCP) 2005: Chapter 60 - The Entrance and preparation of masterplans for The Entrance North waterfront area, The Entrance Town Centre and Long Jetty Village Centre.

Councillors will note that the recommendation below does not include the usual items pertaining to the preparation of a draft LEP. The reason for the omission is that these matters will be processed as part of the comprehensive LEP process, which has already commenced.

RECOMMENDATION

- 1 That Council adopt the draft The Entrance Peninsula Planning Strategy.**
- 2 That Council advise the Department of Planning of its decision and forward a copy of the adopted Strategy for information.**
- 3 That Council include the above rezonings in the draft Wyong Local Environmental Plan 2011.**

BACKGROUND

History

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 prepared a planning strategy to address the subsequent increase in development, the need to create employment opportunities and desire to maintain the appeal of The Entrance as an attractive holiday destination and pleasant place to live. The Entrance Precinct Study 1998 formed the basis of The Entrance Strategy 2000. New planning controls evolved from this strategy resulting in amendments to Council's principal LEP and the introduction of DCP 2005, Chapter 60 – The Entrance.

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

- A lack of focus on coastal design in medium to high density developments to achieve the maritime vision sought in the Strategy and planning controls.
- The 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.
- Maximising long-term investment to ensure that the public and private domains integrate into a high quality, functional built environment.

As part of this review of the existing controls, 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 resolved to comprehensively review The Entrance Strategy 2000. In 2004, following application by Council, State Government Grant Funding (\$60,000) was provided to assist with this review. Work on the strategy commenced midway through 2004 and public consultation sessions were held throughout 2005 and 2006 to ascertain the key community and stakeholder issues.

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 TEPPS which focused on reviewing aspects of The Entrance Strategy 2000 and current planning controls for The Entrance suburb. It also incorporated comprehensive strategic planning for Long Jetty and The Entrance North suburbs, which had not previously been done.

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

Main Findings of the Draft Strategy

The draft TEPPS has been prepared and refined following substantial site and issue investigation and analysis, including careful consideration of community / stakeholder input. These investigations, analyses and considerations were carried out at a broad level over the entire strategy area, as well as examined in more detail at a neighbourhood level within the precincts. The strategy area was divided into 16 precincts, the extent of which were determined primarily in relation to their relatively uniform characteristics.

It was important to carry out such comprehensive investigation and analysis to confirm that the appropriate planning controls and non-planning aspects were in place to facilitate suitable development types in appropriate locations, and identify any anomalies or issues that needed to be rectified.

The draft strategy makes a substantial number and variety of recommendations to implement Council's vision for The Entrance. Recommendations in relation to improving land use planning (via future masterplanning and LEP and DCP amendments); the public domain (including streetscapes, open spaces, reserves, beaches, lake foreshores and the like); roads, traffic and transport, pedestrian and bicycle facilities, connections between various areas and facilities; and tourism. Important recommendations are also made in relation to facilitating a process of ongoing liaison between stakeholders. While it is recognised that The Entrance Town Centre Management Corporation has a number of roles, including:

- promoting The Entrance Peninsula and its attributes, activities, events, etc to markets both within and outside the locality and Wyong Shire;
- employing event management expertise in The Entrance Town Centre;
- generating ideas for and organising various events, entertainment, attractions, amenity improvement, business improvement and assistance schemes/programs;
- improving communication and understanding of established principles and processes between the various stakeholders;
- maintaining community assets;

It is mooted that, in accordance with Council's support for on-going liaison with all relevant stakeholders, that Council investigate facilitating the following additional items:

- developing comprehensive tourism strategies.
- seeking and obtaining various available grants.
- providing business coaching and/or mentoring expertise.
- the effective liaison of the various stakeholders in generating effective solutions for improving the amenity and function of The Entrance Road Corridor through Long Jetty.

The final action of the TEPPS has resulted in:

A desired future character, objectives and recommended strategies for improvement have been established for the entire study area as well as for each of the individual 16 precincts.

In general terms, the objectives and recommended strategies include improvements to:

Planning controls including;

- changes to zoning, building heights, floor space ratios and introducing new provisions such as coastal design principles/criteria in place of the current maritime theme requirements.
- flexibility for developers to demonstrate better innovative solutions using masterplanning techniques,
- specified floor to floor heights for different types of development, and various other issues.

- The public domain including,
 - improvements to streetscapes;
 - landscaping and paving;
 - Provision of outdoor furniture, signage, lighting and public art.
- Roads and transport including changes to
 - The Entrance Road through Long Jetty, particularly in relation to line marking, parking arrangements and intersection/junction treatments;
 - improvements to the public transport network and facilities, such as introducing a tourist bus circulator route (if determined feasible), express bus services between The Entrance Peninsula and other major Centres/Transport nodes, like Tuggerah, Wyong and Gosford; and
 - improved bus shelter availability/design and other facilities.
- Bicycle and pedestrian facilities including;
 - bicycle/pedestrian track provision, bicycle rack provision and design;
 - improved links between bicycle and pedestrian facilities and public transport.
- Tourist elements including
 - improved identification and marketing of the Peninsula's attributes;
 - directional signage and, branding;
 - additional attractions and facilities; and
 - interpretation of heritage and environmental elements.
- Connections between sites and localities within and outside the strategy area including
 - potential extensions/provision of pedestrian and bicycle pathways;
 - as well as requiring development designs that facilitate or provide direct and functional connections between sites.

In addition to the above improvements, TEPPS also recommends:

- An increased number and varied activities for people of all ages and abilities (including the identification of additional attractions and things to do on The Entrance Peninsula).
- The establishment of mechanisms to assist with such matters as:
 - developing comprehensive tourism strategies.
 - seeking and obtaining various available grants.
 - providing business coaching and/or mentoring expertise.
 - the effective liaison of the various stakeholders in generating effective solutions for improving the amenity and function of The Entrance Road Corridor through Long Jetty.

The above provides only a brief description of the items included in more detail below under the heading Strategy Recommendations, and in the TEPPS.

Public Exhibition and Consultation

In late November 2007 through to the end of February 2008, the draft TEPPS was placed on public exhibition. A draft strategy in such a sensitive location will inevitably have controversial aspects. Recognising this the objective of the exhibition period was to involve all relevant stakeholders into the planning and decision making processes to build on local knowledge, to achieve an understanding by all stakeholders of the critical and competing issues, derive clear objectives and statements of desired character, and test the proposed planning and design solutions. This was considered an effective way to ensure that the final adopted strategy best met the collective objectives and visions of the region's residents, visitors, property owners and other relevant stakeholders.

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

- A public exhibition period of 12 weeks, commencing late November 2007 through to the end of February 2008). This period provided adequate opportunity for both residents and visitors to The Entrance Peninsula to participate in the exhibition period.
- Community presentations over a two day period (held on 8 and 9 December 2007).
- A bus trip that included the executives of all the various committees and organisations relevant to The Entrance Peninsula.
- A venue in The Entrance Town Centre (in Lakeside Plaza) to display the draft TEPPS and consult with the community and various stakeholders.
- Attending meetings of the State Environmental Planning Policy (SEPP) 65 Design Panel, Precinct Committee, The Entrance District Chamber of Commerce, The Entrance Town Centre Management Corporation, Watch Committee, Community Environmental Network, The Entrance Town Centre Business Owners Group and The Long Jetty Business Owners Group to present the TEPPS, discuss issues and receive feedback.
- Regular advertisements (at least one every week) inserted into the Express Advocate during the public exhibition period between late November 2007 and late February 2008.
- Submission sheets and submission boxes, available at various profile locations around the strategy area.
- Councillor Briefing Sessions at which various groups presented.

It is considered that the objectives of the public exhibition period were achieved and, further, all comments have been acknowledged and carefully considered during the evaluation and subsequent review and revision of the draft TEPPS.

Approximately 300 submissions were received during the public exhibition period.

The main issues raised in the submissions were as follows:

Main Stakeholder Issues

- Support for proposals to improve the public domain.
 - Support for proposals to improve transport options and arrangements.
 - Support for proposals to improve infrastructure.
 - Concern regarding over-supply of residential units and high vacancies.
 - Concern over population targets and infrastructure not coping and the lack of services and facilities.

- Supports proposals to improve and provide more attractions/activities.
- Support for proposals to retain low scale character of The Entrance North.
- Concern over the proposed retail area expansion of The Entrance North and Long Jetty areas.
- Concern over the proposed height increases along Oakland Avenue in The Entrance.
- Concern and support for the overall increase in heights across The Entrance.
- Concern and support re proposed zonings/heights of The Entrance Road business strip in Long Jetty.
- Concern over proposed rezonings between Tuggerah Parade and The Entrance Road at Long Jetty.
- Concern that loss of parking along The Entrance Road and in the Thompson Street vicinity will adversely impact businesses.

Attachment 1 provides a detailed summary of all issues raised, together with an evaluation of each comment and a description of how the draft TEPPS has been altered (where alteration is proposed).

OVERVIEW OF TEPPS

The Entrance Peninsula Planning Strategy (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.

Planning Context

NSW State Plan

TEPPS is consistent 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:

- Ensuring employment land is at least maintained and expanded where appropriate to increase potential for increase in the availability of local jobs.
- Improving infrastructure to support the existing and future development.
- Improving the safety and efficiency of the road network.
- Providing opportunity for a range of high quality housing types and affordability.
- Improving the public transport system.

Central Coast Regional Strategy (CCRS)

TEPPS is consistent with the CCRS, as it:

- Recognises the retail/commercial areas of The Entrance as a Town Centre, Long Jetty as a Village Centre and Toowoan Bay and The Entrance North as Neighbourhood Centres, in accordance with the hierarchy of centres indicated in the CCRS. It also proposes medium to high density residential development close to commercial/retail centres and a wide variety of businesses and services in the centres.
- Facilitates the population and dwelling capacity targets in the CCRS, being a component of the ‘Other Centres’ category, where the population and dwelling targets for the Wyong Local Government Area are 39,500 and 14,500 respectively.

- Proposes planning controls that reflect the housing types recommended by the CCRS in particular: low to medium density development in and surrounding village and neighbourhood centres (within 600m) and medium to high density (multi-storey) development in and surrounding The Entrance Town Centre (within 800m).
- Complies with the economy and employment capacity targets indicated in the CCRS. The Entrance Peninsula is a component of the 'Other Centres' category where the employment capacity target for the Wyong Local Government Area is 9,000 jobs. In addition, it proposes to facilitate a wide variety of businesses and services and, consequently, a wide variety of jobs, via providing:
 - Quality and adequate office space to enable the delivery of professional and commercial services.
 - Manufacturing and logistics enterprises.
 - Quality and adequate retail (particularly speciality retail) space.
 - Adequate health services.
 - Adequate education services.
- Satisfies the environment and natural resource conservation requirements largely by locating future population growth in existing urban areas and maintaining and/or improving open space and recreation buffer areas along the coast and lake. The draft TEPPS also protects groundwater and proposes the use 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 DCP 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 the adoption of recommendations contained in Council's draft Coastline Management Plan and adopted Estuary Management Plan. The TEPPS also does not recommend any increased development capacity in potential hazard areas along the coast and lake foreshores.
- Addresses water issues by ensuring there will be adequate supply to cater for the future population.
- Addresses infrastructure and transport provision issues by promoting improvements to The Entrance Road Corridor; additions to shared pedestrian/cycleway facilities on the Peninsula; gives consideration to the introduction of a shuttle circulator bus route that facilitates access to the Peninsula's attributes and places of interest; and express bus services between The Entrance and other major centres (like Tuggerah/Wyong) with bus priority systems in place.

Population and Dwellings

The population for The Entrance Peninsula Planning Strategy Area in 2006 was 10,941. Under current planning provisions scenario (i.e. the existing zoning regime without the recommendations in draft TEPPS), the predicted total population for The Entrance Peninsula Planning Strategy Area is projected to grow to between approximately 25,390 and 29,620 by 2031. The difference between the estimates being whether an occupancy rate of 8 or 2.1 persons per dwelling is applied.

If the draft TEPPS is adopted, the predicted total population for The Entrance Peninsula Planning Strategy Area would be between approximately 28,955 and 33,781 by 2031. This represents an additional population of between approximately 3,565 and 4,161 (again dependant on the occupancy rate). In addition to the current planning provisions scenario, described in the previous paragraph.

Both these projections assume that all the zoning is developed to its practical full potential by 2031.

The number of dwellings in The Entrance Peninsula Planning Strategy Area during the 2006 Census was approximately 8,128. Of these, about 2,917 (36%) were unoccupied, assumed to be a reflection on the tourist/visitor population characteristic of The Entrance Peninsula Planning Strategy Area when the census was taken on 8 August 2006. If the TEPPS is adopted, the estimated potential total number of dwellings within the study area will increase to approximately 16,086 by 2031.

Whilst increasing the population is not a key driver behind the strategy, the draft TEPPS will assist in achieving the population and dwelling capacity targets in the Central Coast Regional Strategy, being a component of the 'Other Centres' category, where the population and dwelling targets for the Wyong Local Government Area are 39,500 and 14,500 respectively.

(Sources: ID Consulting (2008), Wyong Shire Community Profile ABS (2006) Dwelling Characteristics.)

Existing Character

Analysis of existing character and urban design on The Entrance Peninsula indicates opportunities for improvement. The following lists the common features of the public domain that make up the general character of The Entrance Peninsula:

- Streetscapes are generally similar comprising mainly straight relatively wide streets with sealed pavements in varying condition; many streets having kerb and gutter, but there are large segments without; relatively wide grassed verges with occasional street tree or shrub planting; power poles with overhead wires; various driveway treatments; various styles, heights of fences in varying condition; varying front boundary setbacks, generally between 3 and 6 metres; reasonable side and rear setbacks and generally well maintained front gardens that are generally consistent comprising lawn with some tree and shrub plantings.
- Open space areas are relatively spacious with most located along the foreshores of Tuggerah Lake and the Pacific Ocean. These areas provide a limited array of attractions and activities. Some of these open space areas appear overgrown and have structures and facilities in need of repair or replacement (eg. seating, dilapidated buildings, playground equipment).
- Built form comprises a mixture of architectural styles, construction materials, colours varying in age from the late 19th Century/early 20th Century holiday/fishing shacks constructed of fibro-cement, weatherboard, vertical board and face brick through to contemporary designs, generally constructed of face, bagged or rendered brick with other material intrusions (eg. timber, colourbond and cement sheeting, etc).

- Generally, The Entrance Peninsula is evolving as the early small scale holiday/fishing shacks are redeveloped into much larger scale buildings, ranging from detached one storey dwellings to multi-storey unit complexes (generally up to a maximum 8 storeys, but up to 14 storeys in one case) in a variety of styles, not all consistent with designs commonly associated with coastal areas. Roofs are generally low pitch or flat in a variety of forms.

In addition to the planning context, the TEPPS was prepared and refined following substantial site and issue analysis and careful consideration of all community and stakeholder input. These matters have been considered broadly over the entire strategy area, as well as examined in detail at a neighbourhood level within the 16 precincts. The entire strategy area and individual precincts have all been analysed in terms of their character, potential for future development and utilisation of the areas many attributes.

Strategy Recommendations (by issue)

The main findings of the investigations and analysis were as follows, that:

For Land Use Planning Aspects

- 1 It was confirmed, following careful analysis, that for most of the strategy area, the existing zoning framework is appropriate to cater for the future population. However, some zoning changes, considered to be essential, have been recommended and these include:
 - a Extending the 3(a) – Business Centre Zone of The Entrance North Neighbourhood Centre to the southern side of Hargraves Street, currently zoned 2(a) - Residential.
 - b Rezoning the Dunleith Tourist Park site to facilitate higher quality tourist development, considered to be important for this important site alongside The Entrance Channel.
 - c Rezoning the Denning Street Carpark Site to facilitate a higher and better use, which it is capable of supporting;
 - o retail, commercial, entertainment uses on the lower levels with private residential and/or tourist accommodation above.
 - d Rezoning the former The Entrance Infant School site on the corner of Oakland and Battley Avenues to reflect its current land uses and highest and best uses It is proposed to be zoned part 5(a) Special Use - Community Centre, part 2(c) – Medium Density Residential and 6(a) -Open Space and Recreation).
 - e Rezoning the Greens of the Entrance Bowling Club site between Taylor and Park Streets from part 2(b) – Multiple Dwelling Residential, 2(c) – Medium Density Residential and 5(a) Special Use - Carpark to 5(a) Special Use – Club, to reflect its best and highest use.
 - f Rezoning the land bounded by The Entrance Road, Thompson Street, Tuggerah Parade and Pacific Street in Long Jetty from 2(a) - Residential to 3(a) - Business Centre, to provide for the expansion of the Long Jetty Village Centre.

The intention is to expand the Long Jetty Village Centre by up to an additional 5000 square metres of retail space, as recommended by Council's Retail Strategy. By consolidating this additional space into the area surrounded by The Entrance Road, Thompson Street, Tuggerah Parade and Pacific Street, strong functional linkages can be fostered between the Long Jetty Village Centre and Tuggerah Lake and its foreshore reserve.

This additional 5000 square metres of retail space will provide for local convenience services. This will primarily serve the future resident population of Long Jetty which is projected to be approximately 20,000 by 2018. To facilitate such future retail development, the subject lands will need to be rezoned from 2(a) to 3(a), with appropriate building height and floor space ratio controls inserted.

- g Rezoning 309 The Entrance Road from 5(a) Special Use - Club to 2(c) Medium Density Residential, to reflect its best and highest use and to fit in with the desired future character of the vicinity.
 - h Rezoning the Timber Yard site on the corner of Toowoan Bay and Kitchener Roads, from 2(d) High Density Residential to 2(c) Medium Density Residential to reflect its highest and best use, and to fit in with the desired future character of the vicinity which is medium density residential.
 - i Rezoning the Tuggerah Lakes Golf Club site from 6(a) Open Space and Recreation to 5(a) Special Use – Club to facilitate redevelopment of the golf club.
- 2 It was confirmed, following careful analysis, that for most of the strategy area, the existing height control regime is appropriate to cater for the future population and to fit in with the desired future character of the various areas. However, some height control changes, considered to be essential, have been recommended. In most cases, the changes will facilitate the highest and best use of these lands and provide increased opportunities for view sharing whilst ensuring future development to meet the desired future character of the area and these include:
- a Specifying maximum heights for Dunleith Tourist Park to maintain a relatively low scale of development that fits in with the desired future character of this relatively low density locality.
 - b Specifying maximum heights for The Entrance North Neighbourhood Centre on the corner of Hutton Road and Hargraves Street to maintain a relatively low scale of development that fits in with the desired future character of this relatively low density locality.
 - c Altering height controls on the land bounded by Wilfred Barrett Drive, Oakland Avenue, Coral and Bent Streets by increasing the maximum height limit from 18 metres to 24 metres.
 - d Altering height controls on the lands zoned 3(a) Business Centre on the east side of The Entrance Road in The Entrance Town Centre by increasing the maximum height limit from 12 metres to 18 metres.
 - e Altering height controls on the lands zoned 3(a) Business Centre on the east side of The Entrance Road in The Entrance Town Centre by increasing the maximum height limit from 12 metres to 18 metres.

- f Altering height controls on the Lakeside Plaza Site in The Entrance Town Centre by slightly increasing the maximum height limit from 12 metres to 18 metres.

Other land within the Strategy area currently has no height limit. In order to ensure the current character is maintained it is considered necessary to specify heights for the following sites:

- g A maximum height of 24 metres for the lands zoned 2(d) High Density Residential, adjacent to The Entrance Town Centre.
 - h A maximum height of 24 metres for the Denning Street Carpark Site in The Entrance Town Centre.
 - i A maximum height of 9.6 metres for the community centre component (zoned 5(a) Special Use – Community Uses) on the former The Entrance Infant School Site on the corner of Oakland and Battley Avenues.
 - j A maximum height of 14.1 metres for the Diggers at The Entrance Site on The Entrance Road.
 - k A maximum height of 11.1 metres for the 3(a) Business Centre Zone and 4(b) Light Industrial Zone and 8.1 metres for the 3(b) Centre Support zone along The Entrance Road.
 - l A maximum height of 12 metres (approx. 4 storeys) on the 2(c) Medium Density zoned land surrounding Taylor/Shore Park. These lands currently do have height limits of 3 storeys and it is considered important to provide some incentive for future development to be designed to provide passive surveillance of the parks as well as the streets. A maximum height of 4 storeys will fit in with the desired future character for the vicinity and the transition from the neighbouring higher density town centre and the lower density residential areas adjacent to the coast.
 - m A maximum height of 8.1 metres (approx. 2 storeys) for the Toowoan Bay Neighbourhood Centre.
 - n A maximum height of 8.1 metres (approx. 3 storeys) for the Tuggerah lakes Golf Club.
- 3 A number of changes to the floor space ratio provisions are required to facilitate and an increase in the design variations/viability of development of retail/commercial development. These proposed changes are in keeping with each area's future desired character. It was confirmed, following careful analysis, that for most of the strategy area, the existing floor space ratio controls are appropriate to cater for the future population and will achieve the desired future character of the various areas. However, some changes to floor space ratio controls, considered to be essential, have been recommended and these include:
- a Increase the floor space ratios from 0.5:1 to 1.0:1 for The Entrance Town Centre.
 - b Increase the floor space ratio from 0.5:1 to 0.6:1 for the 3(a) Business Centre zones, along the Entrance Road through Long Jetty Village Centre.
 - c Insert a floor space ratio of 0.6:1 for the 3(b) Centre Support zones, along the Entrance Road through Long Jetty Village Centre.
 - d Insert a floor space ratio of 1.0:1 for The Greens The Entrance Bowling Club site.

e It is proposed to review floor space ratios for Dunleith Tourist Park and Tuggerah Lakes Golf Course as part of future masterplanning, LEP and DCP review processes, recommended by the draft strategy.

4 As part of the future master planning, LEP and DCP processes it is proposed to review the current set back provisions at certain locations on The Entrance Peninsula. Locations affected include Dunleith Tourist Park, Long Jetty Village Centre, Taylor / Shore Park environs, The Entrance Road corridor through Long Jetty and the Toowoan Bay Neighbourhood Centre and Tuggerah Lakes Golf Club.

The objective of the review is to:

- o minimise potential overshadowing of the public domain;
- o Minimise overshadowing of adjoining properties;
- o Maintain central village scale; and
- o ensure new developments improve the urban design of the precinct.

5 A review of the current clauses that dictate the percentage of permanent and tourist residential mix for development of Residential Tourist and Tourist Business zoned lands, and lands nominated for managed resort facility development is required.

Concerns have been raised by stakeholders that the current percentage split is not appropriate and is causing development viability issues. Research reveals that there appears to be no particular justification for the current percentage splits.

It is intended, as a component of the preparation of a proposed economic and tourism plan, to investigate all potential methods and/or mechanisms that could be used to encourage the optimal mix of private residential and tourist accommodation development in The Entrance Town Centre. This will include:

- a Consideration of the social, economic and environmental feasibility of the current provisions for private residential and tourist accommodation split, in the Wyong Local Environmental Plan 1991.
- b Mechanisms that could be used to encourage private provision of tourism land uses.

6 New LEP and DCP provisions are required including:

- a New coastal design criteria that will clarify the meaning of high quality coastal design. This criteria will require buildings to be designed to reflect the coastal character of The Entrance Peninsula and address elements of local context, design, construction materials, colours and textures. Such criteria will replace of the current maritime design theme requirements that are currently causing confusion, and in some cases resulting in outcomes that are not sympathetic to the Peninsula.

The design criteria will also take into account of the need to achieve adequate separation from neighbouring developments and streets to minimise potential overshadowing and overlooking impacts, and to provide for the appropriate scale of development that reflects the relatively low scale coastal village character when viewed from street level.

- b Investigating the potential for providing for increased flexibility for developers to demonstrate innovative solutions using masterplanning techniques. Under such an initiative, developers would be expected to demonstrate that proposals which deviate from the normal planning provisions will provide superior outcomes by utilising masterplanning approaches. Strict performance criteria would need to be developed covering a variety of issues including;
 - o protection of important view corridors;
 - o general amenity;
 - o flood hazard, coastal hazards, acid sulphate soil hazard; and
 - o visual impact, overshadowing and overlooking.
 - c Specified minimum floor to floor heights for different types of development (i.e., retail, commercial, residential and carparking), with tolerances for different slope categories. Developers set floor to floor heights to the minimum permissible with the aim to achieve as many units as possible. Many of the resultant spaces are not suitable for certain developments, particularly retail and/or commercial, resulting in potential tenants having to locate elsewhere.
 - d Requirements for new developments to provide adequate on-site vehicle parking with access via side streets, along The Entrance Road through Long Jetty and in the Toowoong Bay Neighbourhood Centre.
 - e Requirements for appropriately themed signage that reflects the coastal character of The Entrance Peninsula.
 - f Reviewing, current provisions relating to flood, acid sulphate and coastal hazard and heritage issues to reflect contemporary best practices and revisions as required.
- 7 Integrated masterplans for The Entrance Town Centre and Long Jetty Village Centre and the north side of the Entrance Channel need to be prepared to facilitate coordinated, integrated and orderly development of these strategically important areas.
- 8 Masterplans for various sites, including Dunleith Tourist Park, Lakeside Plaza, The Greens The Entrance Bowling Club and Tuggerah Lakes Golf Club need to be prepared to facilitate coordinated, integrated and orderly development of these strategically important sites.
- 9 Appropriate housing diversity provisions need to be developed during preparation of masterplans and amendments to Council's LEP and DCP. These provisions need to provide for a range of housing types to cater for an increased demand for housing choice and affordability with the outcome being a suitable match of housing stock to meet current and future demographic profiles. This needs to be done in accordance with Council's adopted strategy – "Promoting Choice: A Local Housing Strategy for Wyong Shire".

For Non Land Use Planning Aspects

In addition to the changes identified above, the Strategy also identifies changes to the following "Non Land Use" aspects:

- 1 There is a need to achieve, maintain and promote sustainability by seeking to meet the main objectives:
 - Social cohesion which recognises everyone's needs.

2.1 The Entrance Peninsula Planning Strategy (contd)

- Effective protection, conservation and management of the 'natural' environment, biodiversity and cultural heritage.
 - Effective energy management.
 - Effective management of hazards, including those associated with sea and lake level rise, ocean processes, flooding, acid sulphate soils and groundwater resources.
 - Prudent use of The Entrance Peninsula's attributes and resources.
 - Achievement and maintenance of stable levels of economic growth and employment.
- 2 There is a need to maintain and improve biodiversity by protecting threatened species and their habitats and the Peninsula's terrestrial and aquatic environments. Promoting biodiversity by improved linkages between the urban environment and the 'natural' attributes and open space areas (eg. parklands, beaches, reserves, Tuggerah Lake, islands and the Pacific Ocean).
- 3 There is a need to address climate change issues, particularly in regard to The Entrance North area and the foreshore areas of Long Jetty and The Entrance.
- 4 There is a need to improve the public domain, including improvements to streetscapes, landscaping, paving, outdoor furniture, signage, lighting and incorporating public art.
- 5 There is a need to improve roads, traffic and transport, including:
- Changes to The Entrance Road Corridor to improve amenity and function, particularly in relation to line marking, intersection / junction treatments, parking and access arrangements, landscaping and improving the quality of the building stock.

Improvement to The Entrance Road Corridor is required to cater for the projected future population of The Entrance Peninsula. It is also required to improve the amenity of the southern gateway to the Peninsula.

Expert consultants were engaged to carry out traffic modelling for The Entrance Peninsula for the purpose of identifying the spread of traffic demands across the existing and possible future road network. The prime objective was to identify how the existing road network would perform with the traffic generated by the ultimate uptake of zonings and the most appropriate way of resolving any issues. A discussion on the findings of this modelling is included later in the report.

In summary, while a number of potential routes were investigated (including the use of Tuggerah Parade on the western side of The Peninsula and the use of a network of roads on the eastern side of the Peninsula), the modelling concluded that the most desirable option in terms of road safety and efficiency, amenity of residents and visitors and cost, is to upgrade The Entrance Road corridor. This upgrade will be required by 2031 when the predicted population approaches 28,000 and will provide two lanes in both directions with modifications at certain intersections to cater for turning movements. The main reasons for this conclusion are based on the following advantages:

- Maintains current levels of residential and visitor amenity and safety in existing residential areas and open space/recreation areas.
- Is more economical to construct and maintain.
- Is not flood prone (except for the relatively small portion in the vicinity of Saltwater Creek Reserve).

- Does not compromise current opportunities to facilitate strong future safe links between the residential and retail/commercial areas of Long Jetty and the Pacific Ocean and Tuggerah Lake foreshore areas.
- Alternative on-site parking arrangements are achievable and can be accessed via side streets and rear lanes in lieu of existing on street parking.
- It is the only corridor option acceptable to the RTA. The RTA will not agree to the inclusion of another classified road to carry traffic flows on its State Road system.

The draft strategy also recommends improved landscaping treatments of the road corridor and abutting properties together with improving the quality of the building stock to improve the amenity of the road corridor. The draft strategy proposes to achieve these aims via bottom-up partnership approaches facilitated by new liaison arrangements.

- Improvements to the public transport network and facilities, including introducing an express bus service between The Entrance Peninsula and other major centres, such as Tuggerah, Wyong and Gosford, a potential tourist bus circulator route, bus interchange facilities and bus shelter availability and design.
- 6 There is a need to improve bicycle and pedestrian facilities to achieve intended social, economic and environmental outcomes. This will include extending the bicycle / pedestrian track network, bicycle parking provision and design. This will include.
- 7 There is a need to improve links between bicycle, pedestrian facilities public transport and various areas. This may require some land acquisition to effectively improve pedestrian and bicycle links between areas.
- 8 There is a need to improve tourist elements including;
- improved identification and marketing of the Peninsula's attributes;
 - directional signage;
 - branding;
 - additional attractions/activities and facilities; and
 - interpretation of heritage and environmental elements.
- 9 There is a need to improve connections between sites and localities within and outside the strategy area. For example, potential extensions of pedestrian and bicycle pathways and development designs facilitating/providing direct and functional connections between sites and areas.
- 10 There is a need to provide opportunities for more activities for people of all ages and abilities, including the identification of additional attractions and things to do on The Entrance Peninsula such as:
- Growers markets.
 - An open air cinema.
 - Quality nightclub(s)/social entertainment venue(s).
 - More festivals (eg, music, opera, jazz).
 - More facilities
 - Ecotourism activities, physical fitness activities, carnivals, and the like.
 - Weekend markets.
 - Permitting 'busking' style entertainment (eg, music, singing, magicians, novelty acts).
 - Long running events (ie. week-long rather than just weekend).

2.1 The Entrance Peninsula Planning Strategy (contd)

- Commercial and/or educational activities associated with the existing jetties.
- 11 There is need to establish mechanisms to assist with promoting The Entrance Peninsula and its attributes, activities and events to markets both within and outside the locality and Wyong Shire.
 - 12 There is need to investigate employing event management expertise in The Entrance Town Centre and Peninsula to develop comprehensive tourism strategies, generating ideas for and organising various events, entertainment and attractions.
 - 13 There is need to investigate introducing business improvement and assistance coaching, schemes and programs, seeking and obtaining various available grants, whilst working with business owners and business property owners to improve the amenity of areas, such as The Entrance Road Corridor.
 - 14 In accordance with Council's support for enhanced community engagement, facilitate a process of on-going liaison with all relevant stakeholders potentially comprising representatives of Council, The Entrance Town Centre Management Corporation, The Entrance District Chamber of Commerce, Central Coast Tourism, The Entrance Community Precinct Committee and Business Owners, for the purpose of implementing The Entrance Peninsula Planning Strategy.

The purpose of such liaison would include:

- Developing comprehensive tourism strategies.
- Seeking and obtaining various available grants.
- Facilitating business coaching and/or mentoring expertise.
- Facilitating the effective liaison of the various stakeholders in generating effective solutions for improving the amenity and function of The Entrance Road Corridor through Long Jetty.

It is envisaged that these liaison arrangements would establish community / government partnerships, utilising bottom up planning approaches to deliver practical and consensual planning outcomes. These arrangements could be efficiently facilitated through existing structures on The Entrance Peninsula, such as the existing administrations of The Entrance Town Centre Management Corporation or The Entrance District Chamber of Commerce. This would minimise the need to establish additional administration structures, but additional resources are still likely to be required to carry out the required tasks.

Alternatively, a new administrative structure(s) could be formed for the specific purpose of activating and driving the recommendations mentioned above. This is potentially a significant task requiring a number and variety of additional resources. This approach has the benefits of being more focused on the tasks at hand and is likely to be more efficient in achieving quality outcomes. It is envisaged that such a structure(s) would comprise the same stakeholders as mentioned above.

- 15 A strategy has been established, to provide for implementing the proposals put forward in this Strategy. It aims to stage each of the proposals according to priority and funding opportunities. It involves both short and long-term actions.

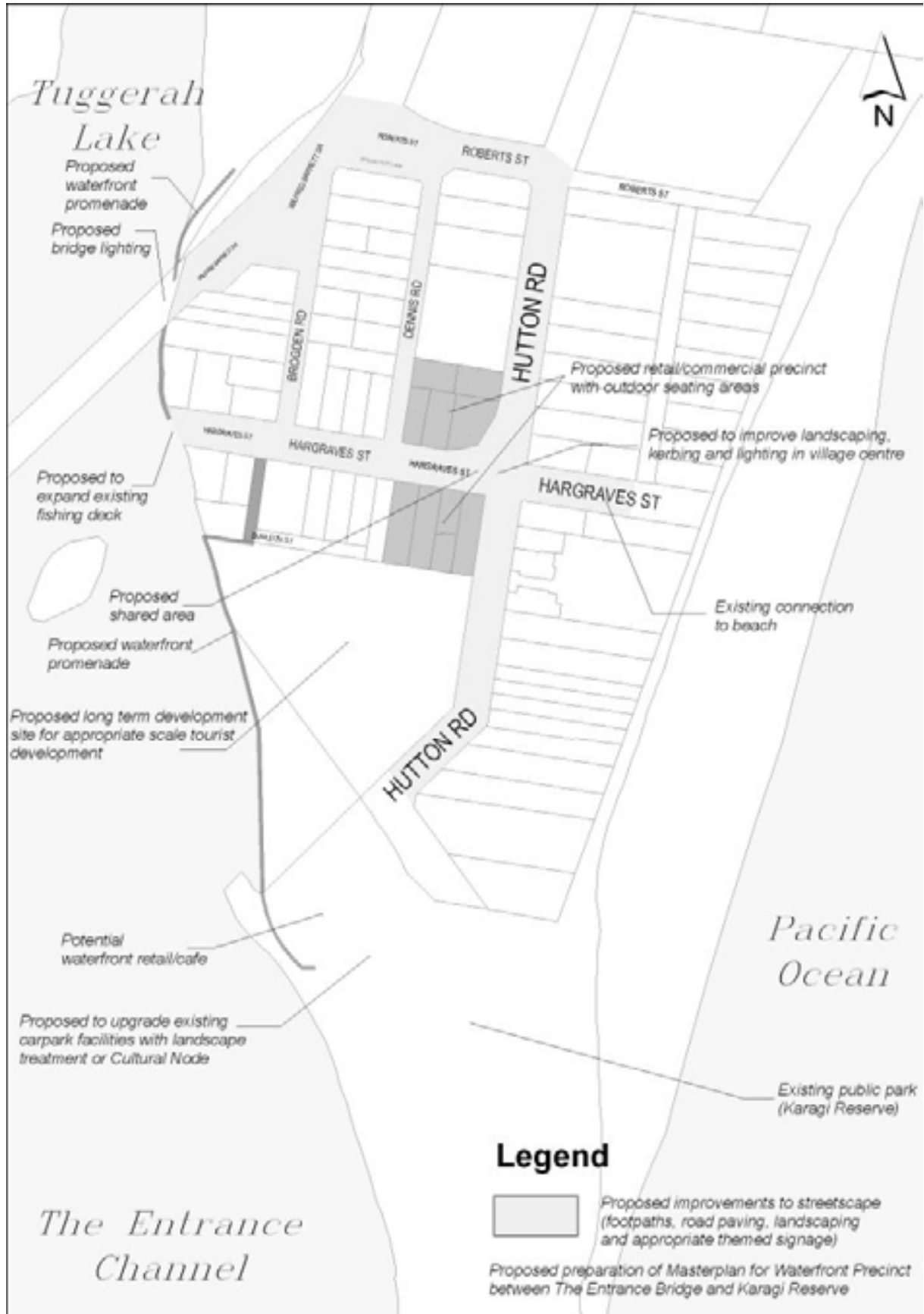
- 16 In addition, a series of action plans have been established containing recommendations for implementing the issue based actions for pedestrian and bicycle facilities, landscape and the public domain, coastal design and public transport improvement.

Key Land Use Planning Recommendations (by area)

Key Precinct Specific Land Use Planning Recommendations

Over the following pages, text and images highlight the main proposals for the various precincts and sites. Some Precincts just include a map while others include additional supporting text. These changes are in addition to the strategy recommendations detailed in the preceding pages.

Precinct 2 – The Entrance North Village Centre Precinct

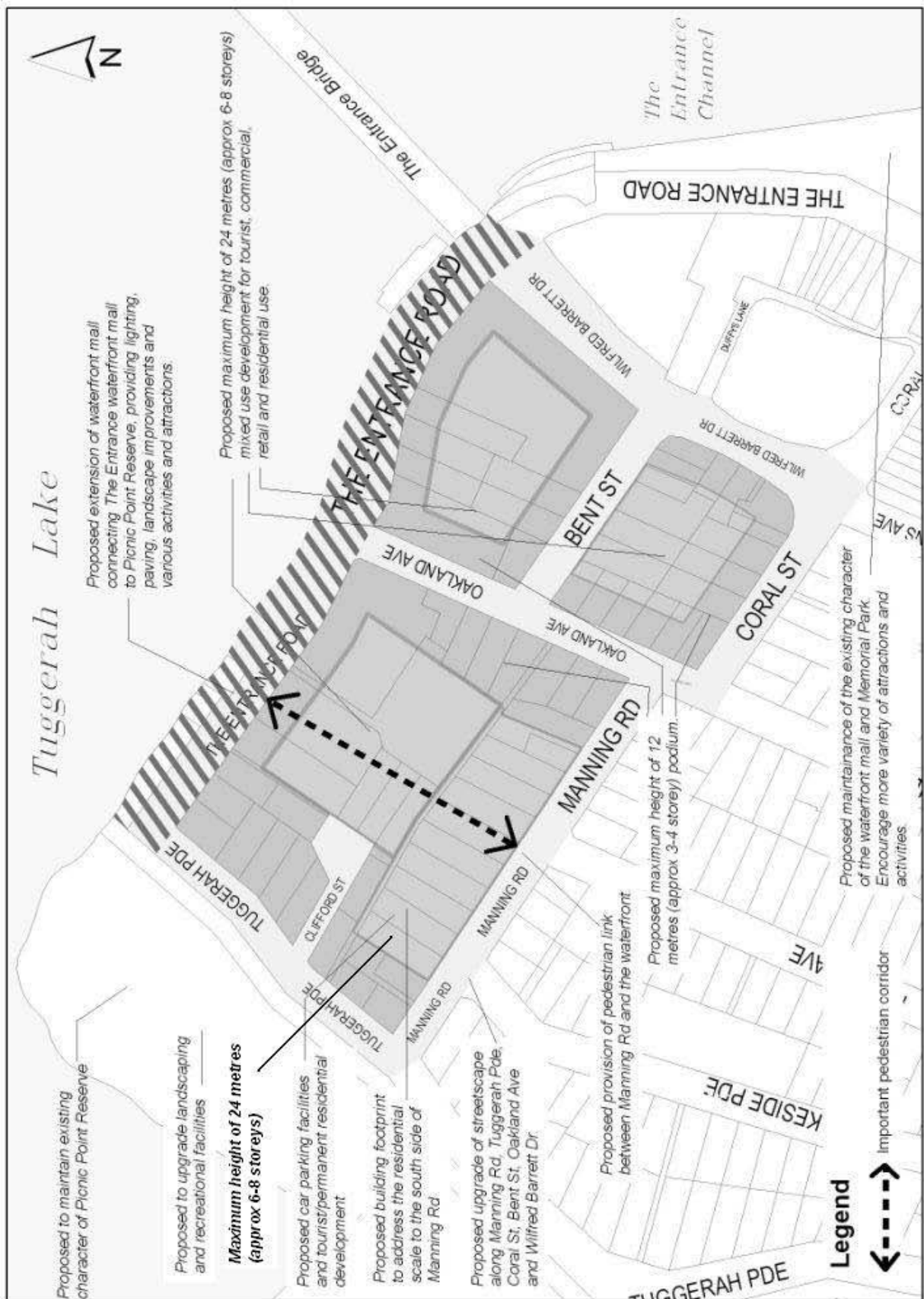


- Expand the 3(a) Business zone onto the southern side of Hargraves Street (between Hutton Road and opposite Dennis Road) to provide for future expansion and create a more defined and integrated village centre.
- Facilitate redevelopment of the Dunleith Tourist Park that respects its waterfront location, provides for public access along The Entrance Channel and connects to the broader pedestrian and cycle pathway network.

Council's planning controls are to be altered to provide suitable zoning and a conservative 'deemed-to-comply' scenario for this site. The controls will specify a maximum height of 7.5 metres (adjacent to The Entrance Channel) stepping up to 15 metres (adjacent to Hutton Road). Appropriate setback, floor space ratio and open space requirements will also be provided.

Alternative non-compliant options may be considered where appropriate site masterplanning is undertaken addressing established performance criteria and which demonstrate a superior design outcome.

Precinct 3 – Picnic Point to Memorial Park Tourist District Precinct



- Raising the maximum height limits of the internal building envelope for the area surrounded by Bent Street, Oakland Avenue, Coral Street and Wilfred Barrett Drive from 18 metres to 24 metres.
- In conjunction with any future application for redevelopment, extend the Waterfront Mall along The Entrance Road (West) to Picnic Point, between the waters edge and property boundaries on the southern side of The Entrance Road (West).
- Review the provisions of Council's planning instruments to allow mixed use (carpark and residential) development on the land currently zoned 5(a) Special Uses (Carpark) in Manning Road.

Any building is to primarily provide for public carparking with a component of permanent residential or tourist accommodation.

Building design must provide for pedestrian movement through the site from Manning Road to connect with a link across the residential tourist zone lands to the north, to the waterfront. Such links must incorporate safety-by-design principles and provide 24 hour access to the waterfront.

Buildings are to be a maximum 24 metres high, including car parking on the lower levels with permanent residential or tourist accommodation above, with a maximum 12 metre high podium with appropriate setbacks from all boundaries to achieve visual separation from, and minimise overshadowing and overlooking impacts on, neighbouring developments.

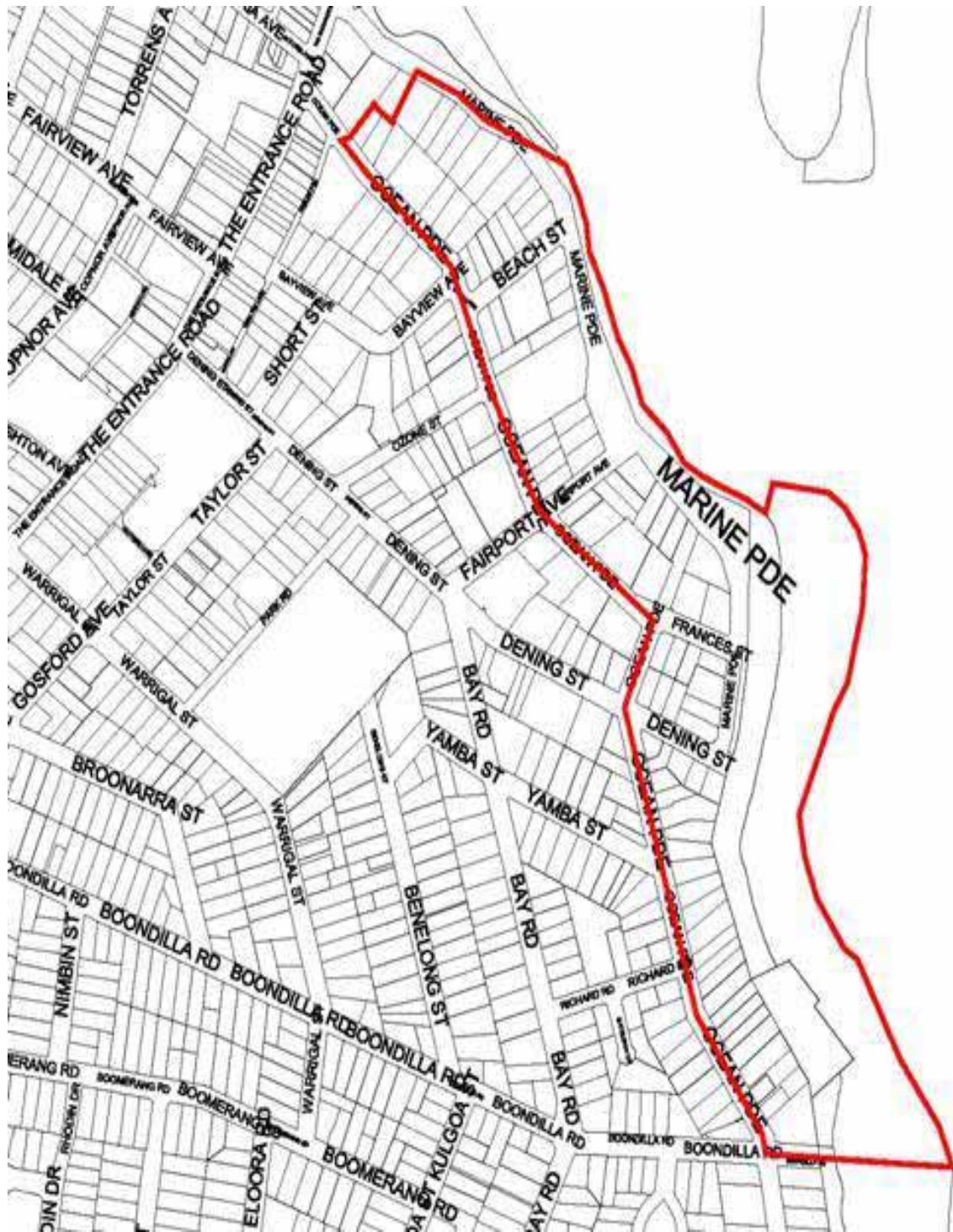
- Encourage development of the lands currently zoned 2(g) Residential Tourist to provide for high quality mixed uses (eg. retail, commercial, tourist facilities, permanent residential and tourist accommodation) that is a maximum 24 metres high with maximum 12 metres high podium providing high quality design and active edges along all streets.

Alternative non-compliant options may be considered where appropriate site masterplanning is undertaken addressing established performance criteria and which demonstrate a superior design outcome.

For Both Precincts 3 and 6

- Prepare an integrated masterplan covering the entire Entrance Town Centre vicinity including the lands covered by Precincts 3 and 6. Such masterplanning will include consideration of the appropriate land use mix, connectivity between land uses, open space areas, the public domain and other areas outside Precincts 3 and 6, adequate vehicle parking and arrangements, circulation patterns (vehicle, pedestrian and cyclist) and infrastructure requirements and provision.

For Precinct 4 – The Entrance Channel Residential



- There are no specific land use planning recommendations for Precinct 4.

Precinct 5 – High Density Residential



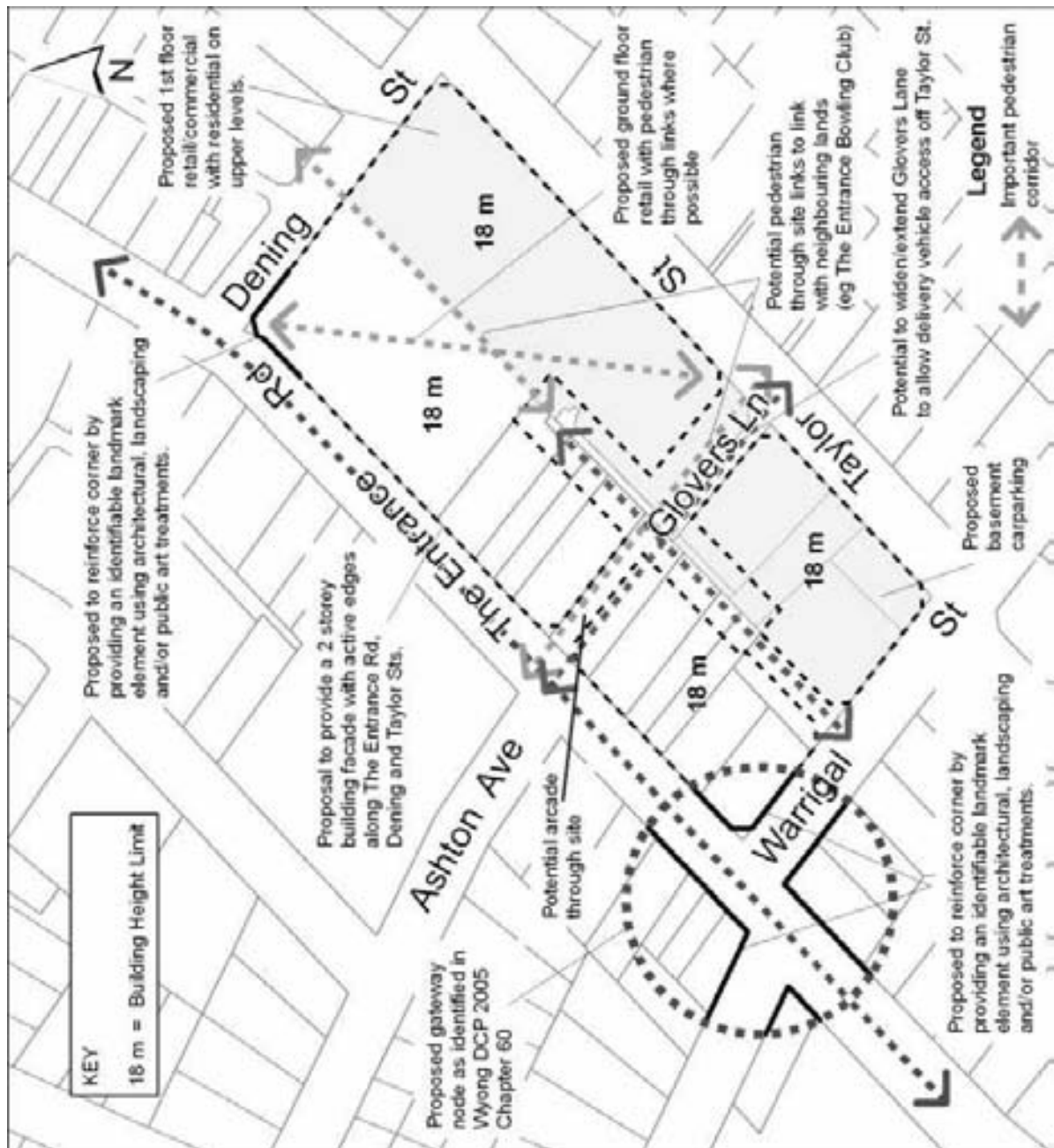
- Insert height controls into Council's planning controls to limit heights in this precinct to a maximum 24 metres and 18 metres in accordance with the above map. Such action will maintain view sharing opportunities, the character of the area and compliment suitable transition from Town Centre to the Coast.

Precinct 6 – The Entrance Town Centre

Precinct 6 – The Entrance Town Centre includes the following significant sites:

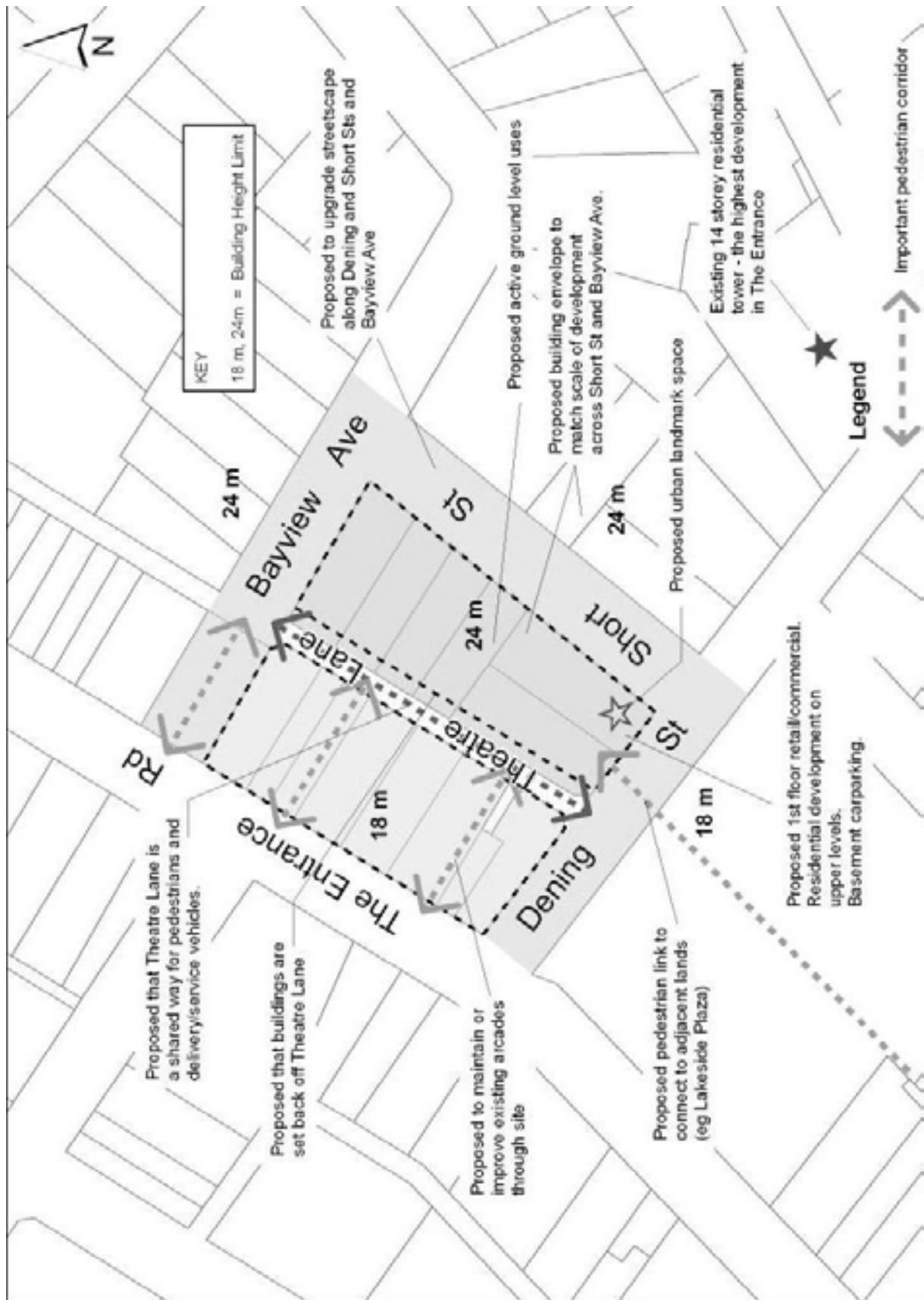
- Lakeside Plaza
- Denning Street Carpark
- The Ebbtide Mall
- The vacant site on the corner of The Entrance Road and Marine Parade.

Lakeside Plaza Site



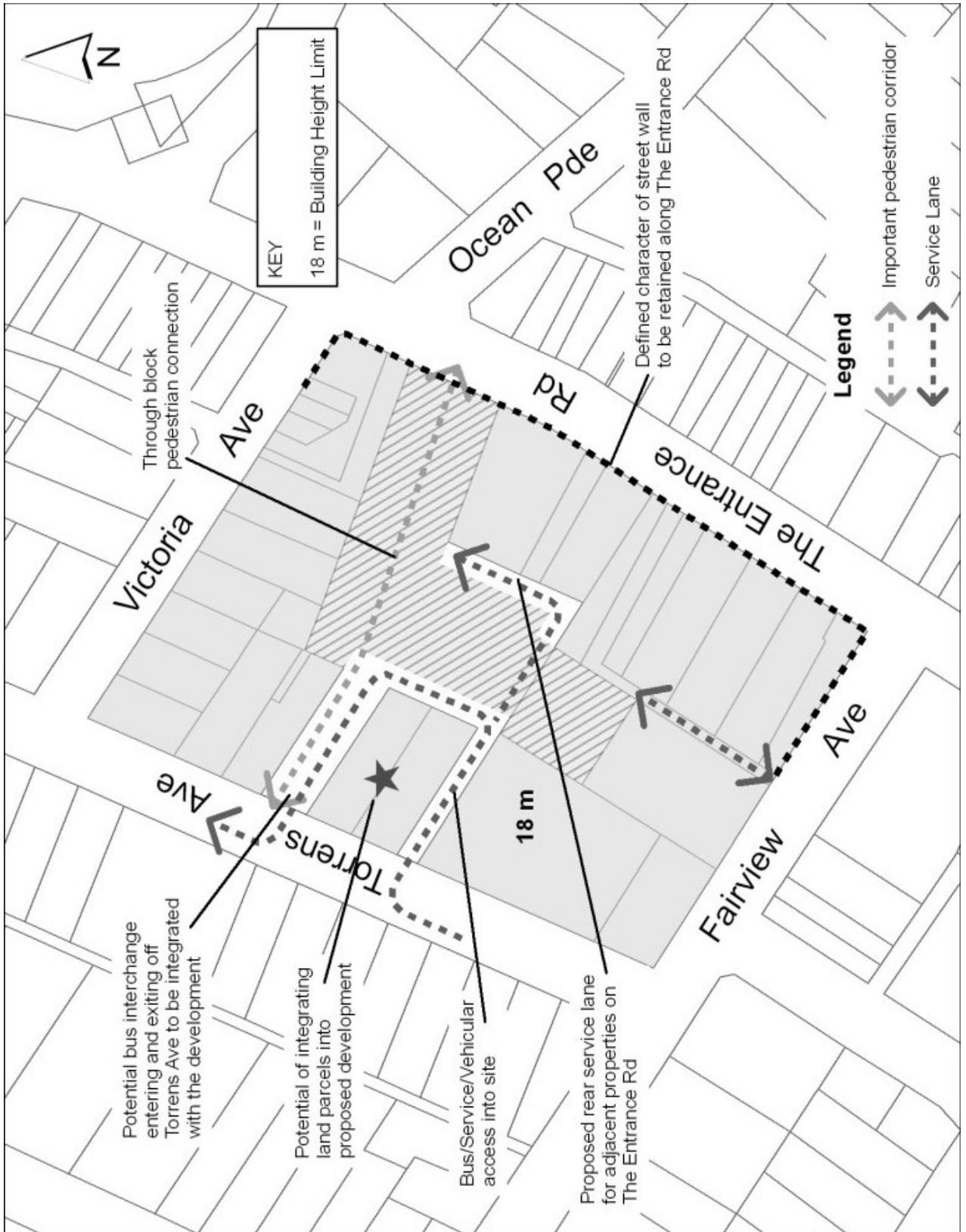
- Provide for appropriate higher density development by raising the maximum permissible building heights from 12 metres to 18 metres for development on the eastern side of The Entrance Road (between Ocean Parade and Warrigal Street), where upper levels are setback over a lower 9 metre podium fronting the street, to ensure adequate solar access to streets and neighbouring properties.
- For the Lakeside Plaza Site, amend Council's planning controls to allow maximum 18 metre high buildings on the eastern side of The Entrance Road with the upper floors set back from a lower 9 metre podium at the property boundary, to permit adequate solar access to the street and neighbouring properties, and to maintain the coastal village character of The Entrance Township, when viewed from street level.
- In any redevelopment of Lakeside Plaza, the design of the building should appear as a number of buildings along The Entrance Road, Denning Street and Taylor Street frontages. Active frontages are to be provided to all buildings along The Entrance Road, Denning Street and Taylor Street.

Dening Street Carpark Site

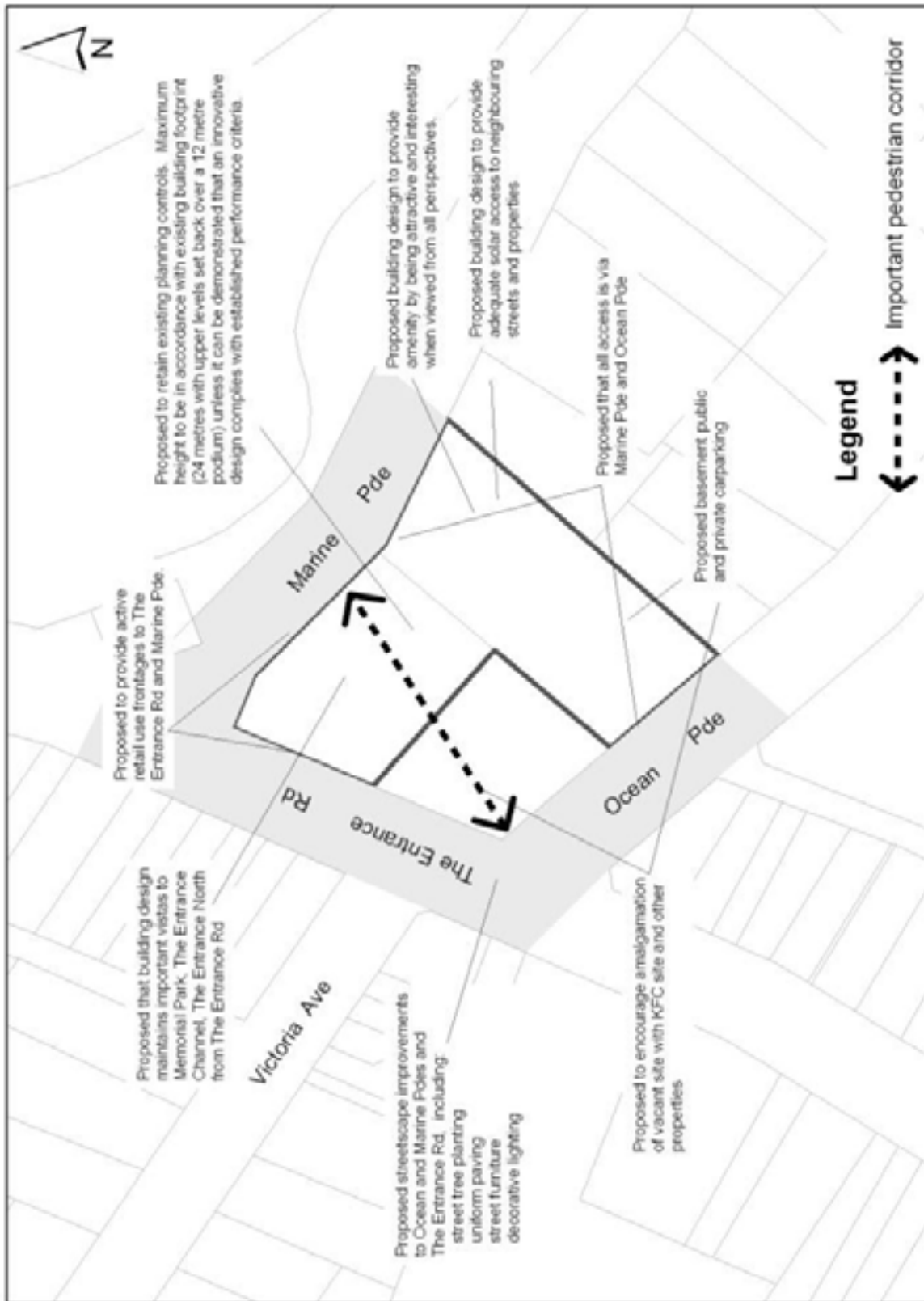


- For the Dening Street Carpark Site, rezone the site from 5(a) Special Uses (Parking) to 3(a) Business Centre to facilitate mixed-use development of the site, incorporating retail and commercial uses, permanent residential apartments, private and public car parking.
- Buildings are to be a maximum 24 metres high, with a maximum 9 metres high podium at the property boundary of all streets, except Theatre Lane to permit adequate solar access and appropriate scale.
- For the Ebbtide Mall Site, buildings are to be a maximum 18 metres high, with a maximum 9 metres podium at The Entrance Road property boundary.
- Building design is to maintain the existing mid-block pedestrian connection between The Entrance Road and Torrens Avenue, either as a skylight arcade or open-to-the-sky pedestrian laneway.
- Investigate the opportunity to incorporate bus interchange facilities into the future design of the site with access to such a facility from either Torrens Avenue and/or Fairview Avenue.

The Ebbtide Mall Site

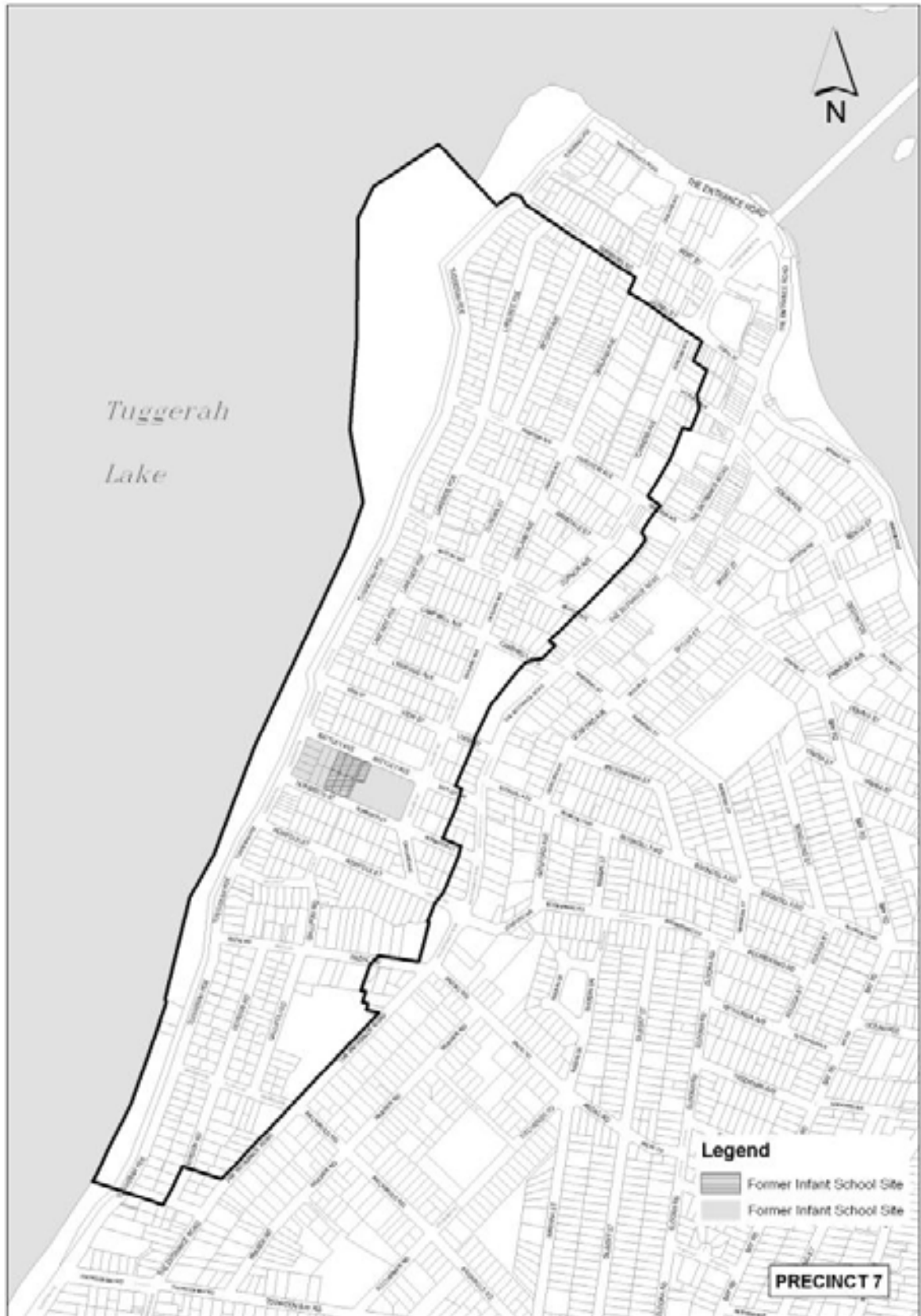


The Vacant Site on the Corner of The Entrance Road and Marine Parade



- For the vacant site on the corner of The Entrance Road and Marine Parade, buildings are to be a maximum 24 metres high, with a maximum 12 metres high podium at The Entrance Road and Marine Parade property boundaries. Any part of the building above the podium is to be set back from the podium edge within the existing stipulated building envelope.

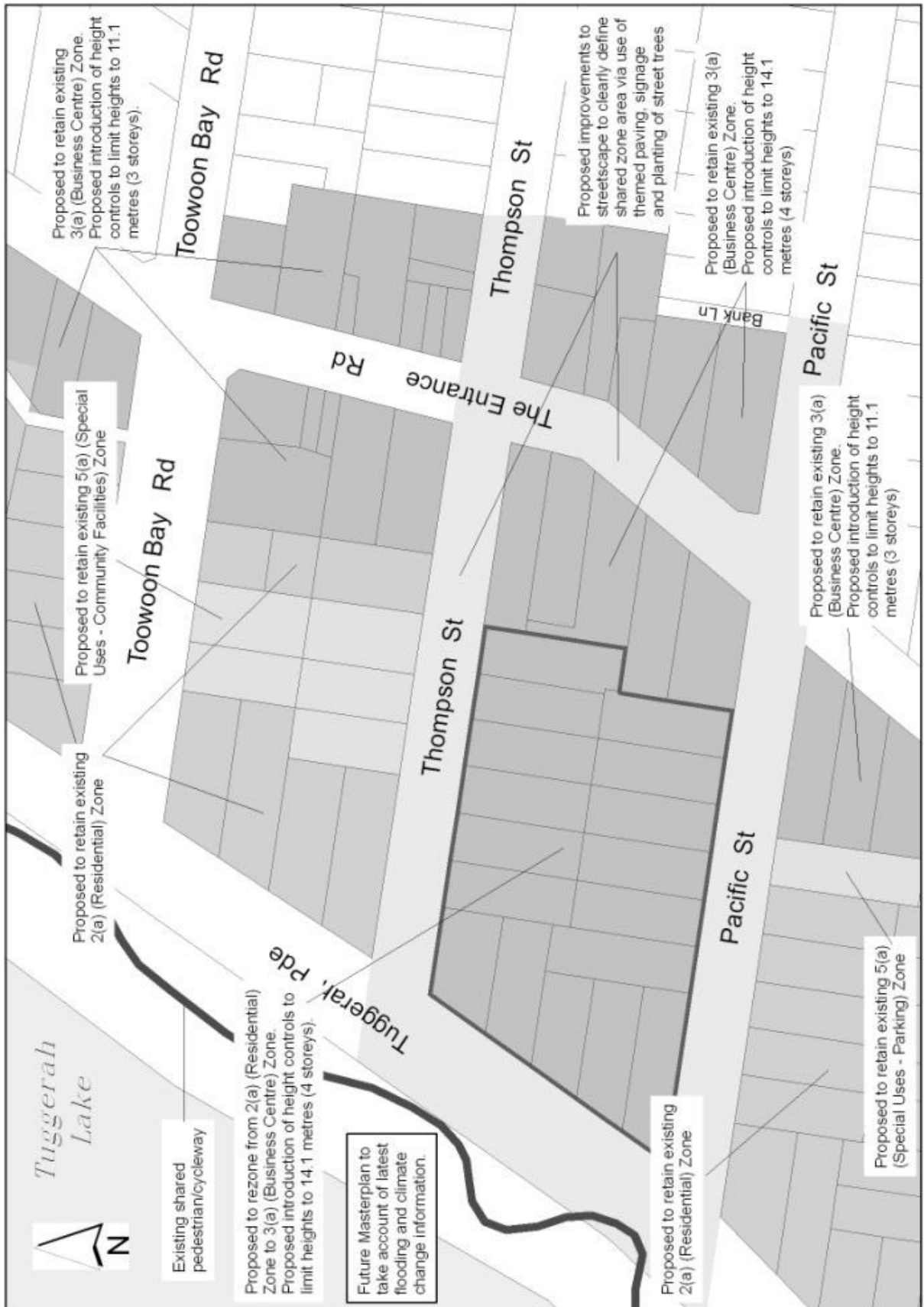
Precinct 7 – Residential Transition (Low to Medium Density)



- Review Council's planning instruments to ensure all sites within the precinct are zoned to reflect the most appropriate land use. An example is:
 - Rezoning the former Entrance Infant School site from 5(a) Special Use – School to part 5(a) Special Use – Community Use, part 2(c) Medium Density Residential and part 6(a) Open Space and Recreation.
- Facilitate redevelopment of the Diggers @ The Entrance, The Entrance Public School and The Entrance Community Centre sites, that respects the location of these sites adjacent to a medium density residential neighbourhoods, some with good views to and across Lake Tuggerah.
- Propose a conservative 'deemed-to-comply' a maximum building height of 14.1 metres (approximately four storeys) for the Diggers @ The Entrance site and 11 metres (approximately three storeys) for The Entrance Public School and Community Centre sites. Appropriate setback, floor space ratio, landscaping and open space requirements will also be provided.

Precinct 8 – Long Jetty Village Centre to Saltwater Creek

Long Jetty Village Centre

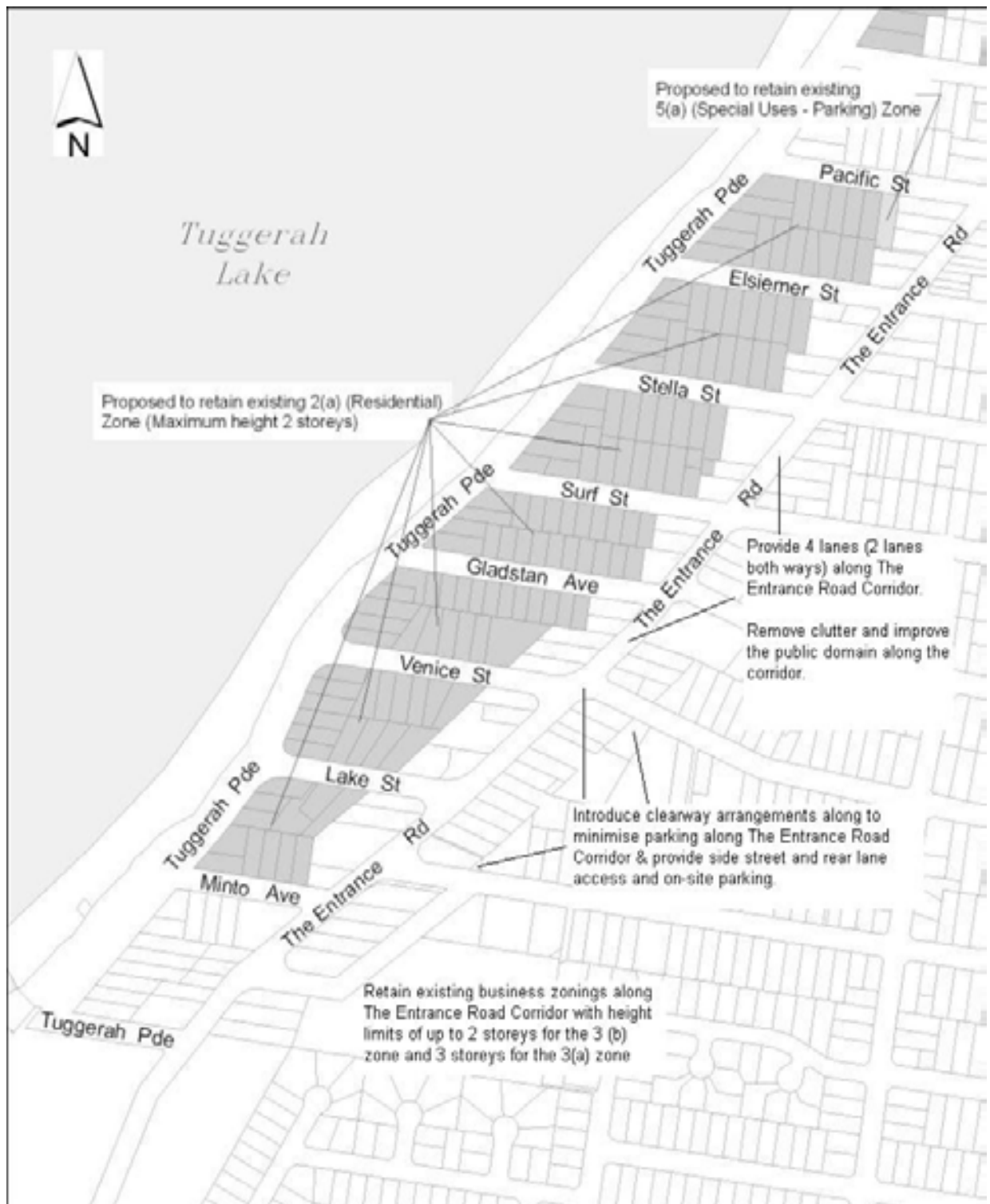


- Consolidate retail/commercial development at Long Jetty within the existing retail/commercial strip along The Entrance Road, with expansion of up to an additional 5000 square metres of retail space, consolidated into the area surrounded by The Entrance Road, Thompson Street, Tuggerah Parade and Pacific Street.

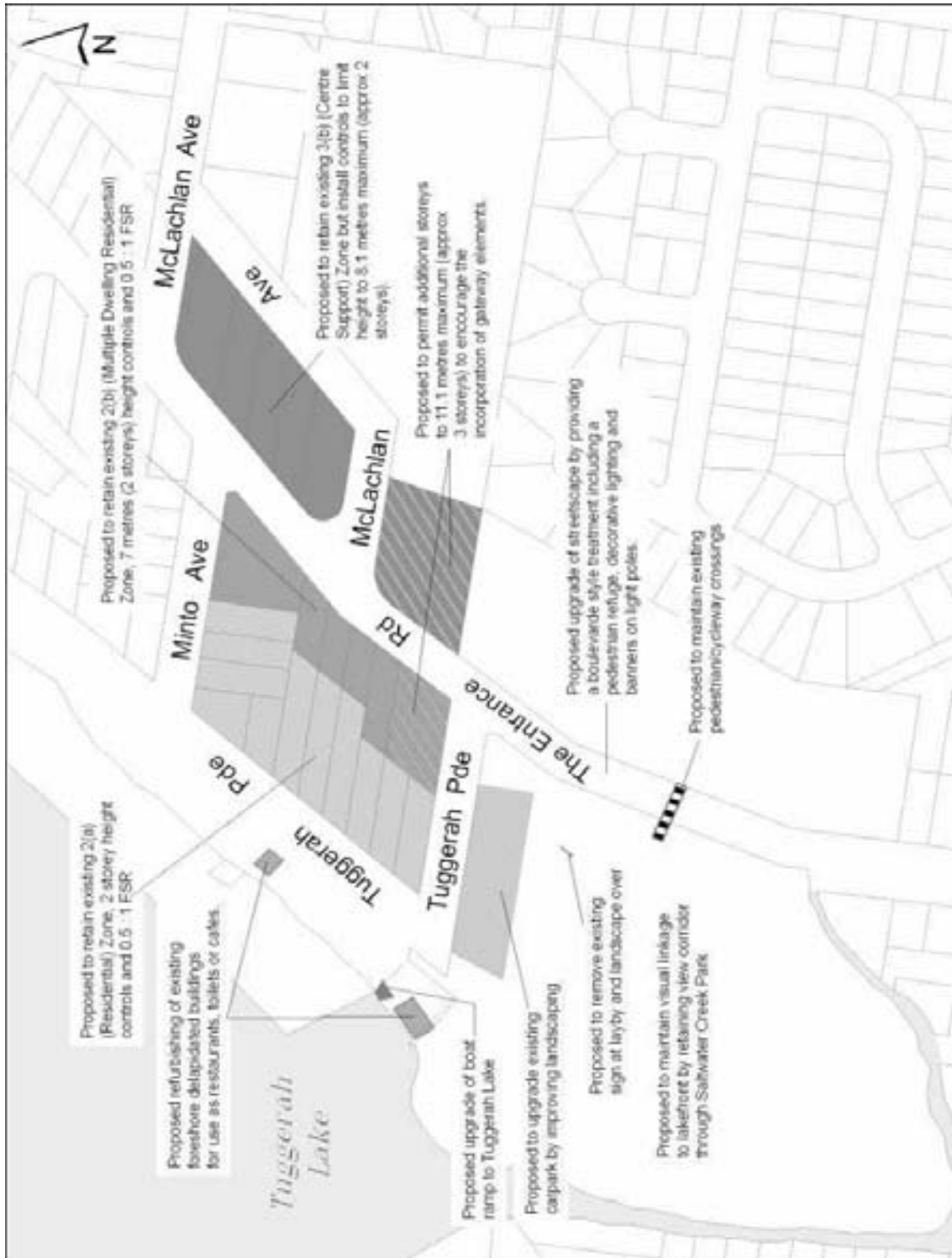
This additional 5000 square metres of retail space is recommended by the Wyong Shire Retail Centres Strategy and will primarily provide for local convenience services, primarily for the future resident population of Long Jetty by 2018, when the population is projected to be approximately 20,000 on The Entrance Peninsula. To facilitate such future retail development, the subject lands will need to be rezoned from 2(a) to 3(a), with appropriate building height and floor space ratio controls inserted.

- Insert height controls that permit mixed use development up to four storeys (approximately 14.1 metres) for the area mentioned above. Retain the existing 3(a) - Business Centre zoning along The Entrance Road.
- Retain the existing 2(a) Residential and 5(a) Special Uses Zoning for properties between the rear of the properties along The Entrance Road and Tuggerah Parade, north of Thompson Street and South of Pacific Street.
- For the 3(a) zone in the existing retail/commercial strip, along The Entrance Road, south of Pacific Street and north of Thompson Street, introduce height controls that permit mixed use development of up to 11.1 metres (approximately three storeys).
- For the 3(a) zone in the existing retail/commercial strip, along The Entrance Road, between Pacific and Thompson Streets, introduce height controls that permit mixed use development up to 14.1 metres (approximately four storeys).
- For all of the Long Jetty Village Centre, floor space ratios are to be inserted to allow ratios of up to 1.0:1, for the 3(a) zone and 0.6:1, for the 3(b) zone.

Residential Areas of Long Jetty



Saltwater Creek Vicinity



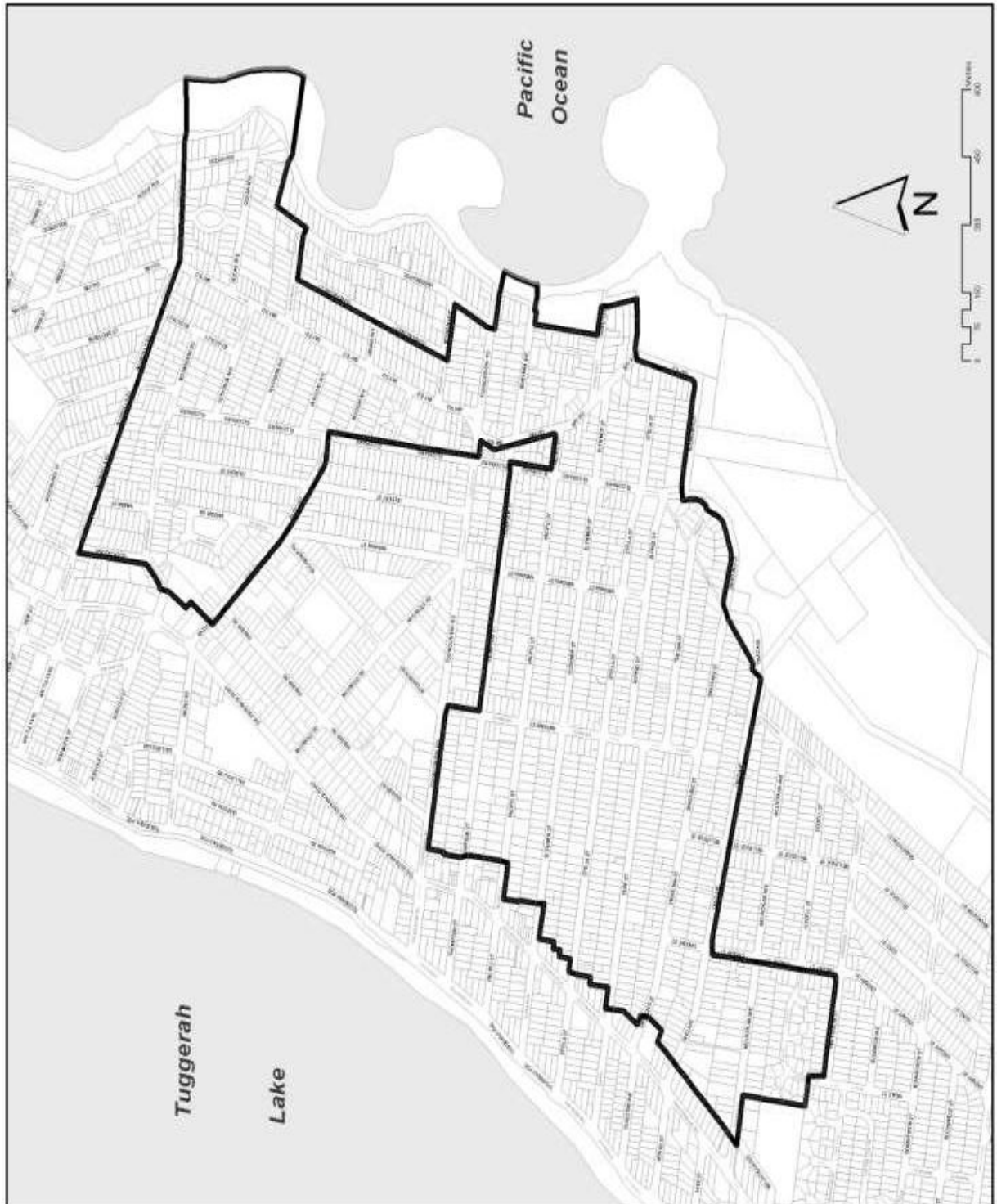
- Proposed to retain existing 3(b) (Centre Support Zone) but install controls to limit height to 8.1 metres maximum (approximately two storeys).
- Proposed to permit additional storeys to 11.1 metres maximum (approximately three storeys) to encourage the incorporation of gateway elements.

For both Precincts 8 and 11

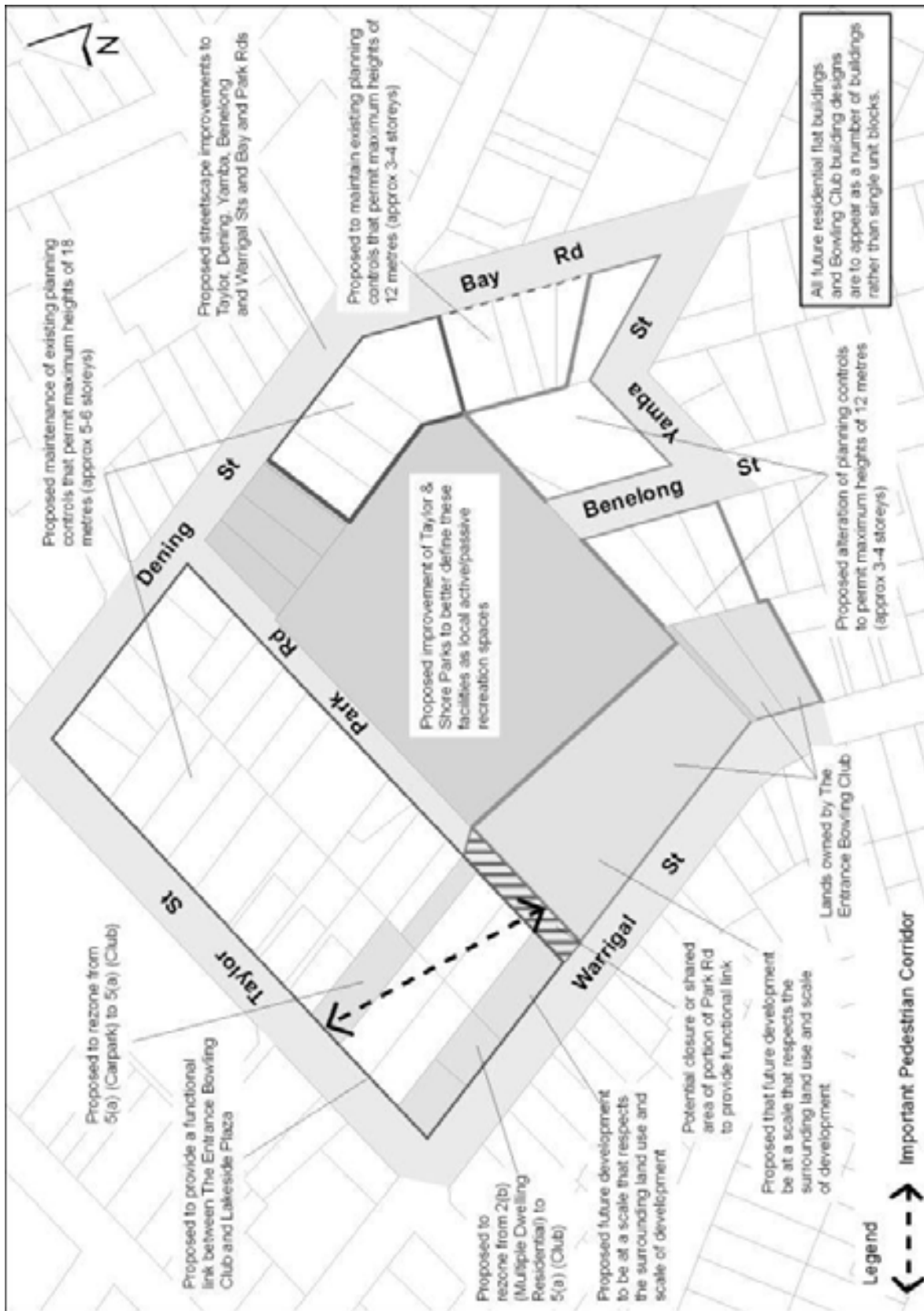
No specific precinct recommendations in addition to the key strategy recommendations.

Precinct 9 – Low to Medium Density Residential

- There are no specific land use planning recommendations for Precinct 9.



Precinct 10 - Taylor/Shore Park Residential Transition



- For The Entrance Bowling Club, a Master Plan and/or site specific set of development controls is to be prepared prior to consideration of any development or redevelopment for the Bowling Club lands. The Masterplan is to establish a consistent design approach that relates and connects to Taylor/Shore Parks and adjoining developments, such as Lakeside Plaza.
- Rezone land at 30 Taylor Street, 8A Warrigal Street and 25 Park Road from 2(b) (Multiple Dwelling Residential) to 5(a) (Club) to facilitate redevelopment of the bowling club lands.
- Review council's planning instruments to ensure any redevelopment of the bowling club buildings east of Park Road are a maximum of 11.7 metres (approximately three storeys) high, with buildings laid out and orientated towards the Warrigal and Park Streets and Taylor Park to encourage passive surveillance.
- Buildings are to be located on the front property boundary to a maximum height of 8.1 metres (approximately two storeys).
- New buildings on the bowling green and car park sites between Taylor Street and Park Road are to be a maximum of 18 metres (approximately five to six storeys) high, with buildings laid out and orientated towards public areas to encourage passive surveillance.
- Future buildings will be located on the front property boundary to a maximum height of 8.1 metres (approximately two storeys). This height will form a podium element on which upper levels are to be setback.
- For residential areas adjoining The Entrance Bowling Club, future buildings on the remaining residential zoned properties, between Taylor Street and Park Road, are to be a maximum of 18 metres (approximately five to six storeys) high, and orientated towards Taylor, Warrigal and Park Streets and Taylor/Shore Parks, to encourage passive surveillance and safety by design with a 6 metres (approximately two storeys) podium element on which upper levels are to be setback.

Precinct 11 - The Entrance Road Corridor



- Maintain the existing business zones for the properties alongside The Entrance Road.
- Review Council's planning instruments to ensure all other sites within the precinct are zoned to reflect the most appropriate land use. An example is:
 - Rezoning the property at 309 The Entrance Road from 5(a) Special Use – Club to 2(c) Medium Density Residential.
- Insert appropriate height controls and floor space ratio controls to facilitate low scale (generally two to three storeys high) mixed use development to complement and encourage the revitalisation of the Long Jetty Village Centre.
- Introduce height controls that permit mixed use development as follows:
 - Introduce floor space ratios of up to 0.6:1 for all future development in the 3(a) Business Centre Zone and the 3(b) Centre Support zone.
 - up to 8.1 metres (approximately two storeys) high for the 3(b) zone, comprising existing bulky goods/light industrial uses, along The Entrance Road, between Minto Avenue/McLachlan Avenue and Surf Street.
 - up to 11.1 metres (approximately three storeys) high for the 3(a) zone in the existing retail/commercial strip, along The Entrance Road, between Surf Street and Elsiemer Street.
 - up to 11.1 metres (approximately three storeys) high for the 3(a) and 4(b) zone, north of Toowoon Bay Road, along The Entrance Road.

The above recommendations represent a substantial departure to the recommendations in the publicly exhibited draft strategy.

The publicly exhibited draft strategy proposed to rezone properties along The Entrance Road Corridor from 3(a) Business Centre and 3(b) Centre Support to 2(c) Medium Density Residential with permissible height limits of up to 4 storeys. The objectives were primarily to provide incentive for redevelopment to improve the amenity and efficiency of the Entrance Road Corridor and achieve a viable revitalised Long Jetty Village Centre. There is a view that maintaining the existing zoning would limit the ability to create a retail and community village off The Entrance Road. There is also a view that increasing the residentially zoned land in this precinct (and the population) would increase the viability of retail and urban design presentation of the gateway to The Entrance.

During the evaluation phase following public exhibition, it was determined that such a strategy would be highly unlikely to achieve its objectives predominantly due to consideration of economic feasibility.

An Economic Feasibility Assessment undertaken after the public exhibition period concluded that rezoning to medium density residential would result in a significant decline in property values (between 45% and 60%) therefore there would have to be considerable improvement in achievable property prices (at least 50%) to make residential development a viable proposition. Also, medium density residential property prices would have to increase at a similar rate over and above business prices for such rezoning to become a relatively more attractive proposition for the property owners.

The Economic Feasibility assessment also suggested that the most feasible types of development along The Entrance Road Corridor were those permissible under the 3(b) Centre Support zoning. The economic feasibility assessment also indicated that there would be a significant decline in business values (between 33% and 48%) and substantial relocation costs for the affected business. The report estimated these costs at approximately \$165,000 per business with a cumulative cost of around \$22 million). Under such circumstances, there would be little incentive for redevelopment and it is more likely that existing businesses would attempt to retain their existing use rights in perpetuity and the amenity of The Entrance Road Corridor and the Village Centre could continue to decline.

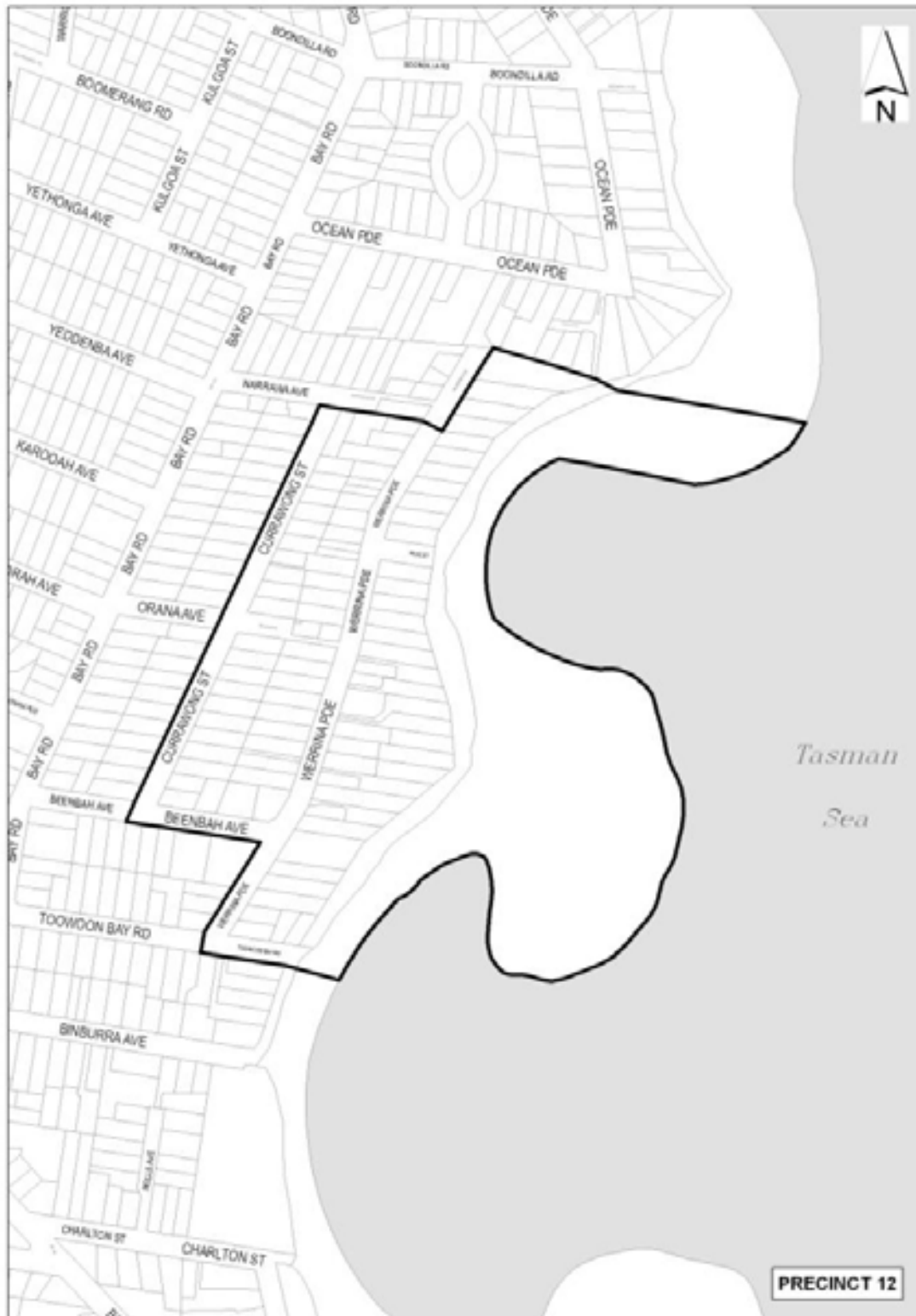
Analysis of the impact of rezoning lands abutting The Entrance Road through Long Jetty from 3(a) Business Centre and 3(b) Centre Support lands to 2(c) Medium Density Residential on the values of affected properties estimates an average decline in land value of between 40% to 60%.

Residential development is currently not viable in The Entrance Road Corridor through Long Jetty. Significant improvements in the residential property market are required to make residential redevelopment viable. Single and two storey retail developments are currently much closer to being viable than residential and given the high traffic volume of the road, and the relationship between retail and residential development is unlikely to significantly change in the foreseeable future.

The above discussion substantiates many of the public submissions received on the exhibited strategy.

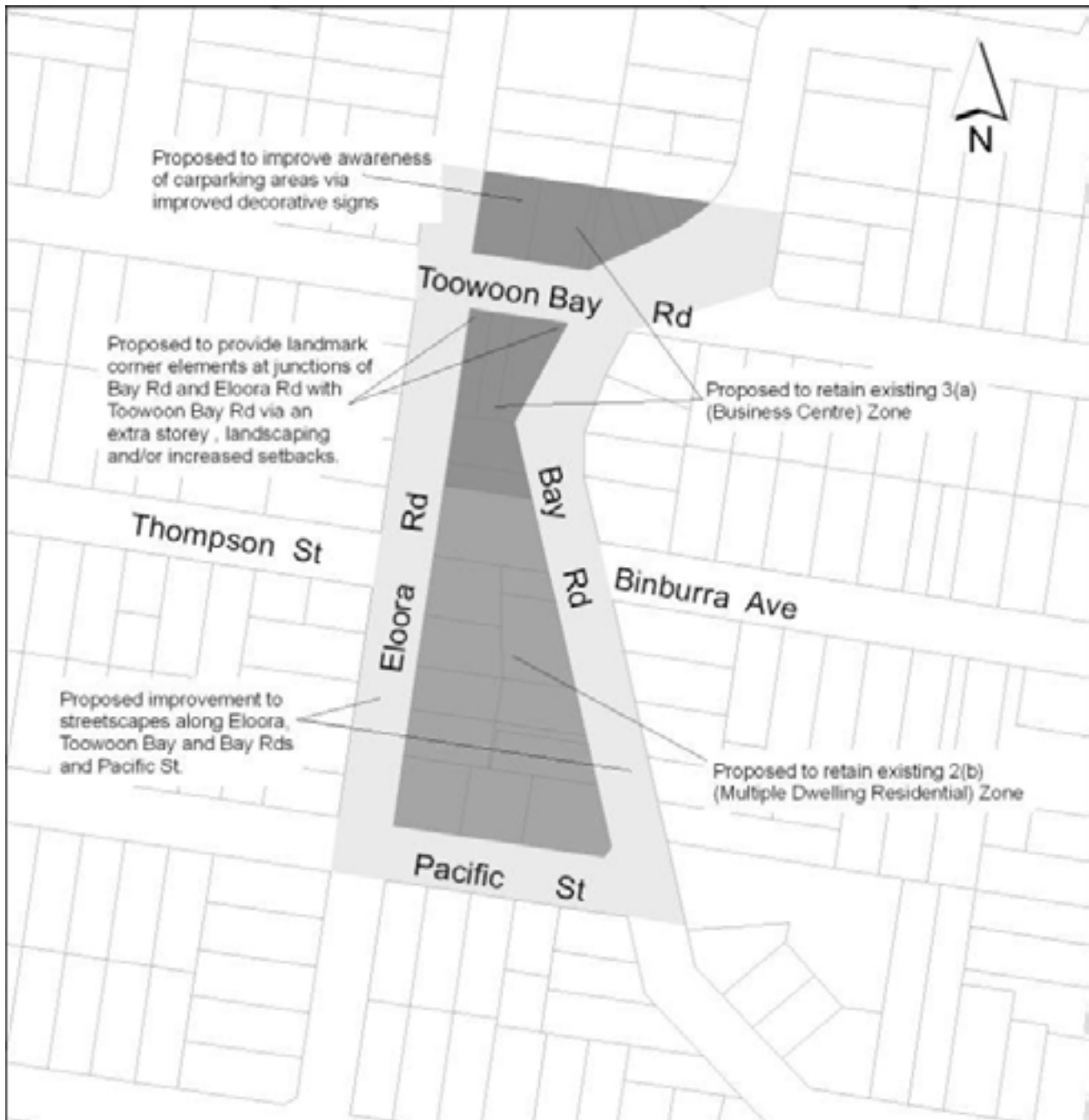
Consequently, the strategy has been revised and now recommends that the 3(a) and 3(b) zones be retained with partnership approaches established, supported by liaison arrangements to facilitate the prime objectives for the Entrance Road Corridor of improved amenity and efficiency and a viable revitalised Long Jetty Village Centre.

Precinct 12 - Oceanside Residential



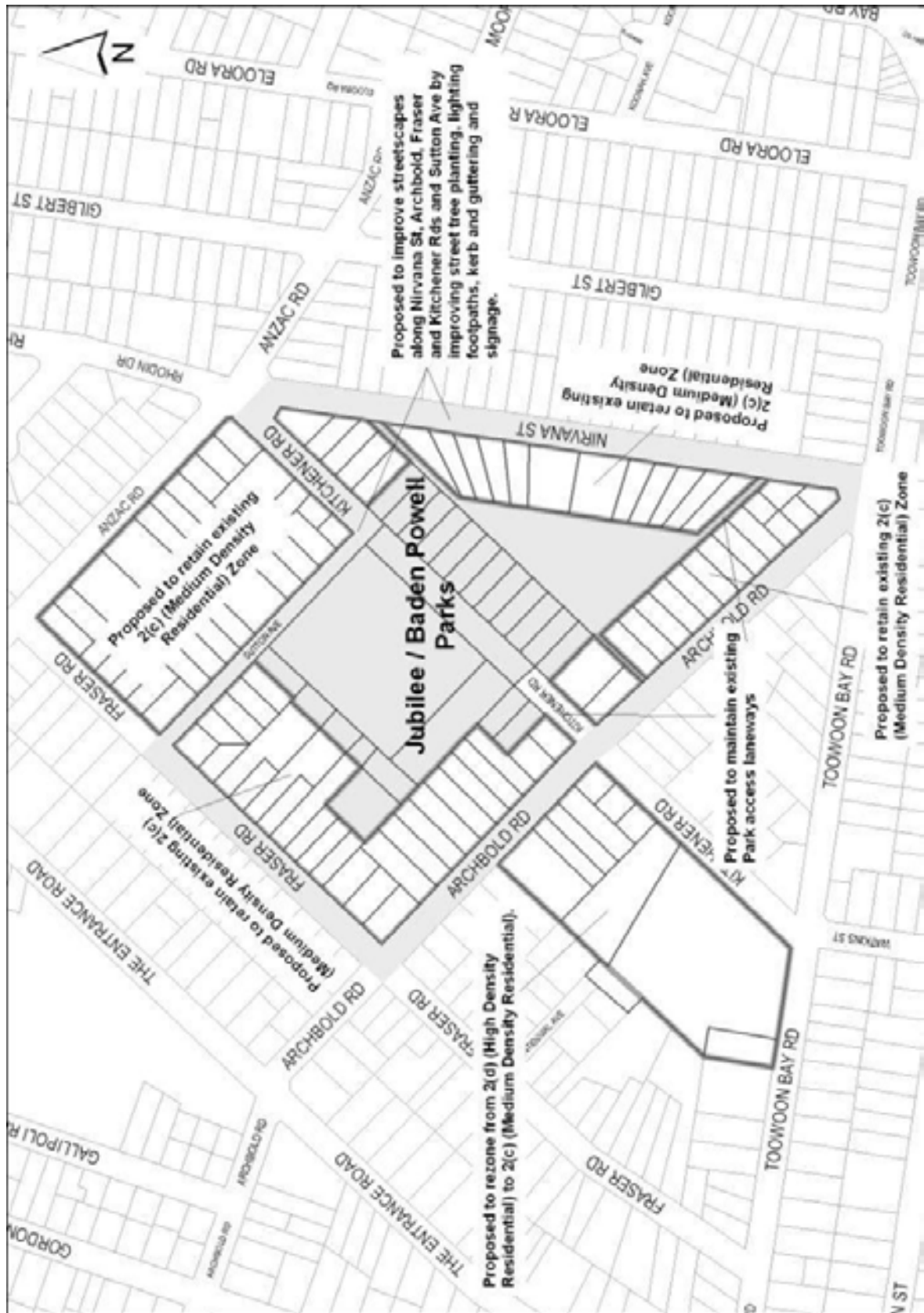
- There are no specific land use planning recommendations for Precinct 12.

Precinct 13 – Toowoon Bay Neighbourhood Centre



- Limit the height of future development within the precinct to a maximum height of 8.1 metres (approximately two storeys).

Precinct 14 – Jubilee/Baden Powell Parks



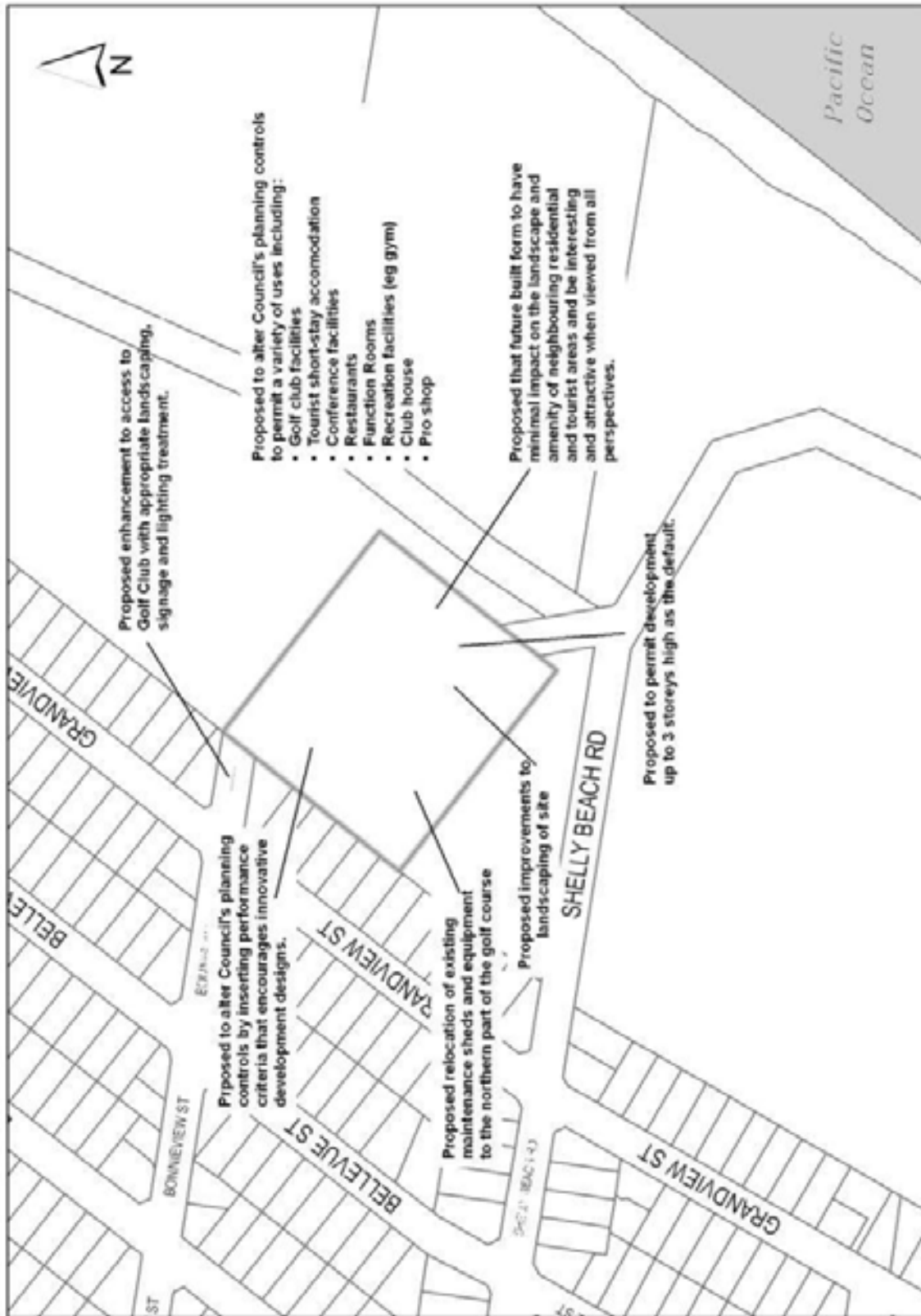
- Rezone the existing 2(d) High Density Residential zoned land surrounded by Toowoon Bay, Kitchener and Archbold Roads to 2(c) Medium Density Residential to be consistent with the low to medium density residential character of the surrounding vicinity.

Precinct 15 – Low Density Residential South



- There are no specific land use planning recommendations for Precinct 15.

Precinct 16 – Tuggerah Lakes Golf Club and Crown Lands



- The Strategy aims to facilitate redevelopment of the Tuggerah Lakes Golf Club at a scale, and of a design, that respects its coastal location and permits the Club to improve and continue as a viable operation.
- Provide suitable zoning and a conservative 'deemed-to-comply' development controls for this site, where buildings are to be a maximum 11.1 metres high (approximately 3 storeys) with appropriate setback, floor space ratio and open space requirements.
- Alternative non compliant options may be considered where appropriate site masterplanning is undertaken addressing established performance criteria and which demonstrate a superior design outcome. The performance criteria will cover a variety of issues, including the protection of important view corridors, maintaining /improving general amenity, addressing coastal hazards, minimising visual impact, overshadowing and overlooking.
- Revise Council's planning controls, including rezoning and/or incorporating enabling clauses in Wyong LEP 1991, to ensure future redevelopment of the Tuggerah Lakes Golf Club facilities can potentially include various uses, such as, hotel/tourist accommodation, restaurants, conference centres and recreational centres.

INFRASTRUCTURE, ECONOMIC FEASIBILITY AND TRANSPORT

The recommendations of the Strategy have been underpinned by comprehensive analysis of infrastructure and service capacity, economic feasibility and alternative transportation options such as a ferry service. The findings of this analysis are summarised under the following headings.

Infrastructure and Services: Analysis of the predicted total population for The Entrance Peninsula (i.e. between 28,955 and 33,781 in 2031) and its impact on the provision of adequate infrastructure and services (i.e. public open space/recreation areas, roads, water, sewerage, drainage and community facilities) concludes that capacity is available within the existing network and/or already endorsed upgrades.

Public Open Space/Recreation Areas: There is currently a total provision of public open space and recreational areas of just over 174 hectares available when only a minimum total of just over 110 hectares is nominated in Council policies as being required for the projected population. All categories of open space have provision above that nominated in Council policies, except for the category of sports fields and courts. For this category there currently exists 5.4 hectares when a nominal 11.1 hectares is nominated as being required. However, the sports fields and courts category is bolstered to acceptable levels by the existence of a further 17.4 hectares of sports fields close to the southern boundary of the strategy area at Bateau Bay.

Road/Traffic Infrastructure: Traffic modelling was carried out in 2007/2008 to identify the spread of demand across the existing and future network for a number of alternative scenarios and various route options. This concludes that the most practicable option is to upgrade The Entrance Road (the Central Coast Highway) to provide four lanes, two lanes in both directions, including some intersection improvements. This upgrade also includes the restriction of kerbside parking at least within a clearway scenario and direct access, where possible.

A number of alternative routes to the Central Coast Highway (The Entrance Road) have been assessed for their suitability as the major access route to and through The Entrance Peninsula and to cater for the future traffic volumes in the area. These alternatives include:

- Western By-pass route utilising Tuggerah Parade in conjunction with the Central Coast Highway in a one way system (Tuggerah Parade being one-way north and the Central Coast Highway one-way south).
- Utilising Tuggerah Parade as a two-way road for through traffic.
- An Eastern By-pass route following Shelley Beach Road, Grandview Street, Oaks Avenue, Swadling Street, Koongara Street, Bay Road, and Dening Street for one-way traffic south, with the Central Coast Highway being one-way north.
- The Eastern By-pass Route as a two-way road.

The modelling was carried out in conjunction with the RTA. Expert traffic modelling consultants were engaged to undertake the traffic modelling for various land use development pattern scenarios for different timeframes. This work was carried out concurrent with The Entrance Peninsula Planning Strategy consultancy in order to provide synergy between the two projects. The modelling was carried out for the years 2016 and 2031.

The prime objective for the RTA was to see how the existing road network would perform with the traffic generated by the ultimate uptake of zonings and if the existing Central Coast Highway had to be upgraded, how and where that may be needed. The RTA has advised that it has no agenda to examine alternative State Road routes in lieu of the Central Coast Highway through Long Jetty, and that it will not agree to the introduction/inclusion of another classified road to carry one-way traffic flows on its main road system.

Any alternative route upgrade and maintenance would, therefore, have to be at Council's expense through some Section 94 contributions, but mainly via revenue funding. Alternative routes were, however investigated.

The modelling for the Preferred Development Land Use Option identified that the Central Coast Highway (The Entrance Road) is the most attractive and, with improvements, has the capacity to cater for predicted population and traffic volume increases to 2031. The improvements are envisaged to involve removing parking and upgrading intersections at strategic locations. In some instances, the intersection upgrades would involve road widening and property acquisition.

The modelling indicated that:

- For 2016 the Central Coast Highway (The Entrance Road), with a single travelling lane in each direction, remained as the most attractive route between The Entrance Bridge and Wyong Road. At this time, traffic flows along the eastern roads (i.e., Shelley Beach Road, Grandview Street, Oaks Avenue, Swadling Street, Koongara Street, Bay Road, and Dening Street) will increase significantly. There will only be a minor increase in traffic volumes along parts of Tuggerah Parade. Although traffic volumes along the Eastern route will be significant, it has the capacity to carry the volume.
- For 2031, with the Central Coast Highway remaining with a single travelling lane in each direction, motorists will continue to utilise both the eastern route and the Central Coast Highway. There also will be a slight increase in traffic volumes along parts of Tuggerah Parade.

2.1 The Entrance Peninsula Planning Strategy (contd)

- With the Central Coast Highway upgraded to two travelling lanes in each direction, by 2031 the modelling identified that motorists will be attracted back to the Central Coast Highway, in lieu of the Eastern route. Traffic volumes along Tuggerah Parade will reduce to approximately 2007 volumes.
- The modelling identified that intersection upgrading works would most likely be required by 2016 at the following intersections on the Central Coast Highway:
 - Oakland Avenue (Oakland Avenue/Coral Street/Manning Road).
 - Toowoan Bay Road.
 - Thompson Road.
 - Pacific Street.
 - The Entrance Road/Warrigal Street/Campbell Avenue.

The following table compares each of the options for major road access to and through The Entrance Peninsula in terms of a number of issues.

Issue	Route Option 1 (Preferred) The Entrance Road Upgrade	Route Option 2 Tuggerah Parade	Route Option 3 Eastern Route
Estimated order of costs* (includes road works, rear access provision and land acquisition)	\$10's Millions (2007)	\$100's Millions (2007)	\$10's Millions (2007)
Impact on established neighbouring residential areas.	Low impact (Minor increase over existing situation)	High impact (Major increase over existing situation)	Medium to High Impact (Medium to major increase over existing situation)
Impact on existing open space / reserve areas.	Low impact (Minor increase over existing situation)	High impact (Major increase over existing situation)	Medium to High impact (Medium to major increase over existing situation)
Flood Prone	No	Yes	No
Compromises opportunities for safe links between residential / retail / commercial areas.	No impact	High impact	Medium to High impact
Need for off- road parking	Yes	Yes	Yes
Supported by the RTA	Yes	No	No

* All cost estimates are raw estimates and do not include contingency factors for cases where site conditions may be found to be abnormal and other factors may cause an exclamation in costs. These estimates do not take account of ground conditions, design, constraints, problems encountered during construction, delays, need for works on abnormal days/times (eg, weekends, public holidays, evenings), and the like.

Water Supply and Sewerage Infrastructure: Council's draft Development Servicing Plan No.3, which applies to The Entrance Peninsula, indicates sufficient capacity within the existing network and/or already programmed future upgrading works on existing facilities

Drainage Infrastructure: A recent (2006) study into the hydrology of The Entrance was undertaken to examine the capacity of the drainage system and the contribution of discharges to pollution of ecosystems and the health of Tuggerah Lake. This concluded that while there are some existing capacity issues resulting in isolated instances of flooding, most are being addressed via Council's current works programs.

In relation to pollution issues (i.e. elevated levels of sediments and nutrients) associated with current drainage discharges, the introduction of certain 'best practice' measures and practices such as those identified as part of the Estuary Management Plan would largely address these issues.

Community Services and Facilities: There are adequate facilities currently available or planned to cater for the predicated population in 2031. The following have been identified as the main community services and facilities for The Entrance Peninsula, by relevant Council Departments.

- The Entrance Community Centre on Oakland Avenue will continue to be redeveloped as a vibrant multi-use district facility. Stage 1 was completed in 2006. Stage 2 is scheduled to be complete in 2009. Stage 3 will be constructed when sufficient Section 94 funds are available. This facility is expected to be the key hub of community activity to provide for current and population needs on The Entrance Peninsula.
- A new youth shop front/drop in centre, comprising a café, comfortable informal area to 'hang out', information and referral services, preferably located within or near The Entrance Town Centre, near other attractions and good 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.).

Economic Feasibility

A recent economic feasibility study, carried out to ascertain the factors that contribute to the economic feasibility or non-economic feasibility of development on The Entrance Peninsula, includes the following key findings:

- Both The Entrance Town Centre and Long Jetty Village Centre currently suffer from a very weak residential market, soft tourism market and oversupply of residential, retail and commercial space. These factors account for development being mostly unviable in the region at present.

This current situation is due, in part, to factors outside of Council's control (i.e. the Greater Sydney property market, interest rates, fuel prices and the global credit crisis). However, an oversupply of residential apartments and townhouses on The Entrance Peninsula is a key contributor for the depth and length of the decline in property prices. Much of this current oversupply has been purpose built for the holiday market and is not attractive to permanent residents.

To improve this situation, property prices need to increase. In order to increase property prices, demand needs to be increased by attracting more permanent residents, jobs, businesses and visitors. The revised draft TEPPS introduces a variety of planning strategies to address issues such as transport, access, infrastructure, marketing and image to ensure the region has maximum appeal to residents, businesses, visitors and investors.

- Planning controls were generally not found to be major factors for the viability of development according to modelling conducted on a number of sites, except for contributing to the outcomes mentioned in the previous dot point.
- For The Entrance Town Centre, investigations support the exhibited draft TEPPS proposals for zoning with the exception of the vacant site on the corner of The Entrance Road and Marine Parade (commonly referred to as the 'Key' Site). For this site, feasibility would improve marginally if the site was developed for mixed use (retail, commercial and permanent residential) as opposed to being developed for a mixed use (retail, commercial and tourist accommodation) and were rezoned from the current 3(d) Tourist Business to 3(a) Business Centre, largely due to the permissibility of more intensive retail and commercial uses, though feasibility still remains negative in the current market.

There is virtually no change in development feasibility through amalgamating lots on the 3(d) zoned lands, unless high property prices were achieved. However, it is considered not prudent to rezone from 3(d) to 3(a) due to other planning factors and the need to maintain a lower intensity of retail and/or commercial development in this tourist precinct.

- For the 2(g) Residential Tourist zoned lands in The Entrance Town Centre, a mixed use of specialist retail and tourist accommodation is considered more likely to be feasible.

While there are some potential economies of scale to be realised from large scale amalgamation and development of the 2(g), this is likely to be outweighed by the practicalities of financing, marketing and the need to stage such a large development.

- For the 3(a) Business Centre zoned lands in The Entrance Town Centre, there is a need for the area to differentiate itself to approximate a 'high street' experience (not necessarily up-market), comprising optimal local convenience shops, but largely specialist retail, boutique and other businesses with unique offerings that appeal to locals and visitors.

This Centre should also aim to attract more commercial (office) tenants in the long-term. However, development of commercial space is unlikely to be attractive in the near future without a pre-negotiated significant tenant. Future office space development should be consolidated within the existing 3(a) and 3(d) zones to create a functional cluster.

While there are some potential economies of scale to be realised from large scale amalgamation and development of the 3(a) Business Centre zoned lands, this is limited at present by the size of the development that the market can absorb. It would not be viable to develop larger lots in a single stage at present with gains from economies of scale outweighed by the risk of tenancies in new development remaining vacant. The Entrance market needs to grow substantially or latent demand needs to develop for larger developments to justify amalgamating lots.

- For Long Jetty, the proposals in the exhibited draft TEPPS to rezone the 3(a) Business Centre and 3(b) Centre Support lands to 2(c) Medium Density Residential and relocate businesses into a new consolidated centre, were not supported. The outcomes of this study for Long Jetty were discussed earlier in the report under Precinct 11.
- Analysis of the impact of rezoning lands abutting The Entrance Road through Long Jetty from 3(a) Business Centre and 3(b) Centre Support lands to 2(c) Medium Density Residential on the values of affected properties estimates an average decline in land value of between 40% to 60%.

- Residential development is currently not viable in The Entrance Road Corridor through Long Jetty. Significant improvements in the residential property market are required to make residential redevelopment viable. Single and two storey retail developments are currently much closer to being viable than residential and given the high traffic volume of the road, and the relationship between retail and residential development is unlikely to significantly change in the foreseeable future.

Ferry Service between The Entrance and Wyong

Council's Transportation Group carried out a study early in 2008 to determine the viability of a passenger ferry service between The Entrance and Wyong. A briefing session was held with the Councillors on 7 May 2008.

The study considered the following factors affecting the viability of a ferry service between The Entrance and Wyong:

- ***Subsidies:*** Only regular passenger services attract subsidies from the government. These are minimal and only apply to student and senior concessions. For any surety, operators need to enter into a contract with the Ministry of Transport (MOT) to provide a regular service for 5 years. This is not favourable with operators due to tight constraints on routes and timetables and heavy fines for not conforming to the timetable.
- ***Previous Services:*** Previous tourist services on the lake have not been successful. The "Trinity Queen" operated from 1986 to 1992 and the "Wanderer" in the late 1990's. Both ceased operations due to lack of market demand.
- ***Insufficient Patronage.*** Approximately 30 passengers currently catch a bus from The Entrance to Tuggerah or Wyong Railway Stations in the am and pm peak hours. Significantly less use the service outside these peak times. Ferry operators indicated they require somewhere in the order of 30-40 passengers on each commuter service to break even. Transport surveys carried out elsewhere have indicated that when a new public transport system is introduced, there is generally only a shift in the passengers from one public transport system to another. Generally, they do not attract new people from the car to the new public transport service.
- ***Cost of Infrastructure:*** If the ferry cannot pass under the rail bridge at Wyong (maximum height 3.2 metres), then a new wharf will be required in the vicinity of Howarth Street. The cost of a new wharf, together with toilets and other facilities is in the order of \$400,000.
- ***Speed Restrictions:*** Speed restrictions, including a "no wash" regulatory requirement, along Wyong River significantly increases travel time of the journey.
- ***Journey Time:*** Journey time for a ferry from The Entrance to Wyong is in the order of 65-70 minutes (weather dependant). It takes 23 minutes by car and 60 minutes by bus. It takes 50 minutes by bus to Tuggerah Rail Station.
- ***Type of Vessel:*** The type of suitable vessel is restricted because of shallow water. The craft should have a minimum draught of 1 metre and desirably maximum height of 3.0 metres. A hovercraft is not suitable for acoustic reasons.

The study concluded that a ferry service between The Entrance and Wyong would not be viable.

BRIEFINGS**Councillors**

Councillors will recall the Councillor Briefing Session held on 4 February 2009.

At this session, a presentation was given on the:

- Contents of the draft strategy, including the recommended changes to the draft strategy (which was exhibited from the end of November 2007 through to the end of February 2008) as a result of input received during the public exhibition, analysis of the Central Coast Regional Strategy and the findings of The Entrance Peninsula Planning Strategy Economic Feasibility Assessment.
- Future directions for the draft strategy.
- Intention to brief the executives of the main community groups and stakeholders associated with The Entrance Peninsula.

Community and Stakeholders

The executives of the main community groups and stakeholders were briefed on 24 March 2009 on the:

- Contents of the draft strategy, including the recommended changes to the draft strategy (which was exhibited from the end of November 2007 through to the end of February 2008) as a result of input received during the public exhibition, analysis of the Central Coast Regional Strategy and the findings of The Entrance Peninsula Planning Strategy Economic Feasibility Assessment.
- Future directions for the draft strategy.

FUTURE DIRECTIONS

The draft TEPPS includes a number of recommended strategies that will need to be actioned over the next 25 years, following adoption of the draft strategy. These strategies will begin to be rolled out as soon as the draft TEPPS is adopted by Council.

The strategies relating to reviewing Wyong LEP 1991 will be incorporated in the work programme and implementation process for the dLEP 2011.

In conjunction with the above the review of Wyong DCP 2005, Chapter 60 will commence and will follow normal State specified DCP preparation processes, including public consultation.

The physical improvements to the public domain will commence, beginning with the preparation of streetscape plans. When completed these will be incorporated into future works programs. Specific examples include the preparation of a streetscape upgrade plan for the Peninsula and review of public parks and reserves plans of management, such as the Taylor/Shore Park Plan of Management.

Detailed masterplans for The Entrance Town Centre, Long Jetty Village Centre and The Entrance North Waterfront Vicinity will commence and will follow systematic planning processes relating to masterplan preparation, including stakeholder engagement.

Implementation of the strategy will also include a review of pedestrian and bicycle facilities on The Entrance Peninsula, with emphasis on the eastern side of the Peninsula. Also involved is the preparation of a plan for upgrading The Entrance Road Corridor, including improved junction treatments, removal of clutter, landscaping, parking and access arrangements.

Strategies relating to economic and tourism matters will be considered during the preparation of an economic and tourism plan for The Entrance Peninsula to be commenced after the draft TEPPS is adopted by Council. Preparation of this plan will involve stakeholder and community engagement.

Commencement of the implementation strategies referred to above will depend on the availability of resources (personnel and funding). Notwithstanding this, it is intended that the majority of the strategies will commence being rolled out over the next two years.

CONCLUSION

The draft TEPPS has been prepared to guide the future planning of the Long Jetty, The Entrance and The Entrance North suburbs. The draft TEPPS has been exhibited with submissions received and reviewed. 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 the implementation phase which includes revisions to Wyong LEP, DCP 2005: Chapter 60 – The Entrance as well as master planning The Entrance Town Centre, Long Jetty Village Centre and The Entrance North Waterfront vicinity. Other implementation recommendations involve improvements to the public domain and infrastructure. Implementation of the strategy has the potential to significantly assist in raising The Entrance Peninsula's profile as a quality tourist destination and ensure that it continues to be a pleasant place to live and work.

It is recommended that The Entrance Peninsula Planning Strategy be adopted.

Councillors will note that the recommendation of this report does not include the usual items pertaining to the preparation of a draft Local Environmental Plan in accordance with the relevant provisions of the EPA Act 1979, for the purpose of amending Council's current LEP in accordance with the relevant recommendations of the draft The Entrance Peninsula Planning Strategy.

Normally, there would be recommendations that Council:

- In accordance with the provisions of Section 54 of the EPA Act 1979, prepare a draft LEP and notify the Director General of Planning of such a decision.
- In accordance with Section 62 of the EPA Act 1979, undertake consultations with all relevant public authorities and bodies.
- In accordance with Sections 65 and 66 of the EPA Act 1979, publicly exhibit a draft LEP.

The reason for the omission on this occasion is that these matters will be processed as part of the Wyong LEP 2011 process, which has already commenced.

ATTACHMENTS

- 1 Community Issues Analysis Table - (V2 March 2009)
- 2 TEPPS - A vision for The Entrance
- 3 The draft The Entrance Peninsula Planning Strategy - March 2009 Enclosure

THE ENTRANCE PENINSULA PLANNING STRATEGY - ASSESSMENT OF SUBMISSIONS

THE ENTRANCE PENINSULA

Total submissions received for The Entrance Peninsula Planning Strategy = 300

Total submissions concerning The Entrance Peninsula = 117

Number of submissions that raised the issue	Percentage of Total Submissions	Issue	Council Comment / How draft TEPPS addresses the issue
49	16.3%	Supports proposals to improve public domain across The Entrance Peninsula, including proposals for improved signage.	Both the exhibited draft and revised draft strategies propose the preparation of a landscape and public domain action plan to ensure that the amenity, quality, diversity of public domain will be enhanced. Signage is an element that the draft strategy recognises as needing to be upgraded. Signage guidelines for The Entrance Peninsula are to be prepared to procure a coherent signage system to be used across the Peninsula as a whole, including mechanisms to encourage replacement / upgrading. Council's LEP and DCPs will be amended to incorporate signage requirements for The Entrance Peninsula.
30	10%	Supports proposals to improve transport options and arrangements.	Both the exhibited draft and revised draft strategies propose the preparation of Public Transport and Pedestrian and Bicycle Facilities Action Plans to provide long term transport infrastructure recommendations for the Peninsula. Both action plans aim to develop strategic transportation frameworks that reduce the amount of private motor vehicle usage and provides mobility choices. The goals are to make The Entrance Peninsula more accessible and create a more private car free place.
23	7.7%	Supports proposals to improve infrastructure.	Current infrastructure and/or plans to upgrade existing infrastructure will provide adequate capacity over a 25 year period for the projected population on The Entrance Peninsula. The draft strategy also proposes to improve: <ul style="list-style-type: none"> • The Entrance Road corridor. • Linkages to other major centres/areas in Wyong and on the Central Coast. • The amenity and safety of existing facilities. • Storm water quality discharge. • Water sensitive urban design. • Responses in relation to flooding and coastal hazard.

Number of submissions that raised the issue	Percentage of Total Submissions	Issue	Council Comment / How draft TEPPS addresses the issue
21	7%	Concerns regarding over development on The Entrance Peninsula, particularly in regard to the current high vacancy rates throughout the Peninsula.	The background document, supporting the draft strategy, indicates that there is capacity on The Entrance Peninsula to cater for the predicted population targets and that the current high vacancy rates across the Peninsula are expected to decrease over the next 25 years, as the predicted future population moves into The Entrance Peninsula.
15	5%	Concerns regarding the population targets in regard to whether the infrastructure is capable of supporting such population targets.	The revised draft strategy reflects the vision for the future in terms of population targets as indicated in the Central Coast Regional Strategy. The background document, supporting the draft strategy, indicates that there is capacity in either the existing or programmed upgraded infrastructure on The Entrance Peninsula to cater for the population targets over the next 25 year period.
12	4%	Concerns regarding lack of services and facilities on The Entrance Peninsula, particularly in light of the population targets.	Both the exhibited and revised draft strategies aim to maintain adequate provision of services and facilities for the population targets in the Central Coast Regional Strategy. The background document, supporting the draft strategy, indicates that either the existing services and facilities, and/or plans to upgrade existing services and facilities, will adequately cater for the population targets on The Entrance Peninsula, over the next 25 year period. The draft strategy also proposes the provision of additional facilities (eg, the inclusion of a public transport interchange and the provision of youth facilities in The Entrance Town Centre) and services (eg, the inclusion of express bus services between The Entrance Peninsula and other major centres) on The Entrance Peninsula.
9	3%	Concerns that the draft strategy does not go far enough in achieving environmental sustainability.	The revised draft strategy addresses sustainability issues by generally retaining existing zonings and densities across The Entrance Peninsula (particularly in Long Jetty), retaining reserves (particularly those with biodiversity, flora & fauna habitats), improving landscaping and maintenance, and promoting alternative transport modes to the private car. All of these proposals will minimise water use and greenhouse gas emissions, contribute to protecting the environment (including biodiversity, flora & fauna), social and economic aspects.

Number of submissions that raised the issue	Percentage of Total Submissions	Issue	Council Comment / How draft TEPPS addresses the issue
8	2.7%	Generally supports the proposals in the draft strategy and commends Council for reviewing The Entrance Planning Strategy 2000 and associated planning controls and undertaking comprehensive strategic planning of Long Jetty and The Entrance North areas.	This comment is noted.
10	3.3%	Concerns regarding Council's current public consultation processes, particularly in regard to involving the community earlier during strategy preparation and notification.	<p>This issue/comment is acknowledged.</p> <p>In response, Council did involve the community early in the strategy preparation process via a number of community issues identification sessions (i.e., 2005 to 2006), prior to commencing preparation of the draft strategy.</p> <p>However, Council will review current procedures and look at ways it can engage community participation earlier and more effective during strategy preparation and how it can better notify the community and stakeholders (eg, early and via notices attached to rates notices).</p> <p>In accordance with Council's support for enhanced community engagement, the draft TEPPS proposes to facilitate a process of on-going liaison with all relevant stakeholders for the purpose of implementing the various recommendations in The Entrance Peninsula Planning Strategy.</p>
9	3%	Supports proposals to improve and provide more activities and attractions on The Entrance Peninsula.	Both the exhibited and revised draft strategies propose to improve the amenity of streetscapes, landscaping and to facilitate additional activities and attractions throughout the Entrance Peninsula catering for all age groups, for residents and visitors.

Number of submissions that raised the issue	Percentage of Total Submissions	Issue	Council Comment / How draft TEPPS addresses the issue
5	1.7%	Concerns regarding the unequal demographic balance and associated poor planning.	It is unclear as to exactly what is meant by this comment. However, the strategy aims to provide balance by enhancing public domain, improving infrastructure and creating sufficient services and activities for all age groups and people of all abilities.
4	1.3%	Concerns regarding the placement of additional people at risk in flood hazard areas, as proposed by the draft strategy through its rezoning and increased height proposals.	This issue is acknowledged. To mitigate such risks the revised draft strategy no longer proposes rezoning for higher densities in flood hazard areas. For example, the proposed rezoning from 2(a) Residential to 2(c) Medium Density Residential in Long Jetty between Tuggerah Parade and The Entrance Road has been abandoned. The strategy has been changed to now recommend that this area remain zoned 2(a) (Low density) Residential. Other existing zonings affected by the flood hazard can potentially support development designs that mitigate the hazard and/or incorporate effective evacuation procedures.
2	<1%	Concerns regarding the provision of underground parking, particularly in areas with flood hazard and a high groundwater table.	The revised draft strategy no longer proposes rezoning for higher densities in flood hazard areas, areas with potential high groundwater tables or acid sulphate soil areas. For example, the proposed rezoning from 2(a) Residential to 2(c) Medium Density Residential in Long Jetty, between Tuggerah Parade and The Entrance Road, has been abandoned. The strategy has been changed to recommend that this area remain zoned 2(a) (Low Density) Residential. The revised draft strategy proposes that development proposals must address hazard issues including flood hazard, groundwater and acid sulphate soil constraint issues, during preparation of development proposals. To achieve this, LEP and DCP provisions will be reviewed and revised, as required, following the adoption of the strategy, during the LEP and DCP preparation phase.
2	<1%	Concerns regarding poor promotion of The Entrance Peninsula and its attributes.	Improving the awareness of The Entrance Peninsula and its attributes within and outside the study area was a key objective of the publically exhibited strategy and continues to be a key aim of the revised draft strategy, backed by relevant strategies.
2	<1%	Concerns regarding lack of open space and recreation areas on The Entrance Peninsula.	An analysis of open space and recreation areas was carried out prior to the preparation of the publically exhibited draft strategy and reviewed prior to preparing the revised draft strategy. The analysis indicates that generally the total and various categories of open space and recreation land have adequate capacity to cater for the current and future population targets.

Number of submissions that raised the issue	Percentage of Total Submissions	Issue	Council Comment / How draft TEPPS addresses the issue
4	1.3%	Concerns regarding proposals to rezone caravan park sites, as they provide a choice of lower cost holiday accommodation, currently a booming sector.	<p>Both the exhibited draft strategy and revised draft strategy do not propose changes to all current caravan park sites on The Entrance Peninsula.</p> <p>The exhibited draft did propose potential changes in respect to the Two Shores Holiday Village (which caters for tourist and permanent residents), Dunleith Tourist Park (which caters for tourists only), Duncans Tourist Park (which caters for tourists only), Paradise Tourist Park (which caters for tourists only) and Lakeview Tourist Park (which caters for tourist and permanent residents). The Toowoona Bay Tourist Park and Blue Bay Tourist Park (which cater for tourists only) were unaffected.</p> <p>The proposed changes in the exhibited draft are removed from the revised draft in relation to the Two Shores Holiday Village, Duncans Tourist Park, Paradise Tourist Park and Lakeview Tourist Park, primarily due to their location on flood hazard lands, but also in regard to retaining a vibrant sector of the tourist market, the choice of lower cost tourist accommodation.</p> <p>The proposals for Dunleith Tourist Park remain in the revised draft strategy due to the considered strategic importance of the site in terms of the future evolution of The Entrance Channel vicinity as a tourist area.</p>
2	<1%	Concerns regarding minimal involvement and direction from the RTA, particularly in relation to The Entrance Road Corridor.	<p>The RTA and Council have been consulting with one another, prior to, and throughout the preparation of the draft strategy. Traffic modelling of the implications of future development scenarios on the State and local road network has been carried out in co-operative venture. The outcomes of the project indicate that upgrading The Entrance Road [by providing four lanes (two lanes in both directions) with parking removed (at least in peak times) and certain intersections upgraded] is the preferred solution to cater for the future population targets (including residents and tourists).</p> <p>The draft strategy identifies the need to provide adequate and easy accessible free vehicular parking at appropriate locations for all relevant types of vehicles, including motor homes, cars and caravans, cars and trailers, buses and standard cars, to encourage people to The Entrance Peninsula. The draft Strategy identifies specific locations where increased car parking is required (eg, Dunleith Tourist Park, The Entrance North Boat Hire Facility and Boat Ramp) and puts forward some ideas for further investigation.</p>
2	<1%	Concern over the lack of adequate and suitable parking for various types of vehicles, particularly near attractions and tourist venues.	<p>The draft strategy identifies the need to provide adequate and easy accessible free vehicular parking at appropriate locations for all relevant types of vehicles, including motor homes, cars and caravans, cars and trailers, buses and standard cars, to encourage people to The Entrance Peninsula. The draft Strategy identifies specific locations where increased car parking is required (eg, Dunleith Tourist Park, The Entrance North Boat Hire Facility and Boat Ramp) and puts forward some ideas for further investigation.</p>

Number of submissions that raised the issue	Percentage of Total Submissions	Issue	Council Comment / How draft TEPPS addresses the issue
3	1%	Concerns regarding the deficiency of the background analysis, particularly in regard to the population targets, the makeup of that population and the provision of adequate infrastructure and services.	<p>It is considered that all of the necessary research and investigations were carried out to a level relevant for the public exhibition stage of the draft strategy. Following public exhibition, as part of the usual evaluation (review and revision) stage of strategies, it is common practice to review the population targets in light of submissions received and, in this case, the impending release of the Central Coast Regional Strategy.</p> <p>Population figures have now been reviewed. Even though the Central Coast Regional Strategy proposes increased population, dwelling and job targets for the Central Coast Region to those nominated prior to public exhibition of the draft strategy, it is not considered appropriate, due to the constraints (eg, flood hazard, high groundwater table, acid sulphate soils and coastal hazard) to cater for the additional population over and above that nominated in the exhibited draft strategy.</p> <p>The adequacy of the infrastructure and services to cater for the population targets was assessed prior to the public exhibition of the draft strategy. It has been reviewed as part of the normal procedure during the evaluation process. It is clear that current infrastructure and services and/or plans to upgrade existing infrastructure and services will have adequate capacity to cater for the population targets on The Entrance Peninsula, over the next 25 year period.</p>
2	<1%	Concerns regarding the number of 'derelict' buildings on The Entrance Peninsula and Council ignoring the associated social implications.	<p>Both the exhibited and revised draft strategy put forward proposals:</p> <ul style="list-style-type: none"> • To renovate the 'derelict' buildings on the Tuggerah lake Foreshore Reserve for potential future use as restaurants, kiosks, cafes and/or another appropriate use. • To upgrade/renovate the 'derelict' building stock along The Entrance Road corridor, to contribute to improved amenity along this corridor, and any other location on The Entrance Peninsula.
2	<1%	Concerns regarding poor quality developments associated with private building certification.	<p>The strategy encourages high quality development across The Peninsula. Private certification is permitted under Commonwealth / State legislation (Building Code of Australia) and is a matter which cannot be overridden by the draft strategy.</p>
1	<1%	Commends Council on it's improved community consultation processes.	<p>This comment is acknowledged.</p>

Number of submissions that raised the issue	Percentage of Total Submissions	Issue	Council Comment / How draft TEPPS addresses the issue
1	<1%	Concern regarding Council's rejection to some of the recommendations made by the consultants/professional planners, and altering the draft strategy prior to public exhibition.	This comment is noted in relation to future practice.
1	<1%	Concern regarding lack of suitable commercial (office type) development on The Entrance Peninsula. There needs to be more office type development to support viable centres.	Both the exhibited and revised draft strategies promote creating viable and vibrant retail and commercial centres, at different scales, for The Entrance, Long Jetty, Toowoan Bay and The Entrance North. New planning controls are proposed to encourage the development of more appropriately sized spaces to entice good quality commercial development and consequently more office type jobs. The draft strategy considers it important to attract more commercial (office type) development and jobs to The Entrance Peninsula to create and support viable retail/commercial centres and encourage people to move to and live in The Entrance.
1	<1%	Concern regarding the removal of existing planning provisions concerning the ratio of tourist and permanent residential required in resort type development. The concern is that there will be a dearth of tourist accommodation on The Entrance Peninsula as a result.	The justification for the removal of Clauses 42B(3) and 68(4) of WSC LEP 1991 and Clauses 2.4(c) and 5.3 – WSC DCP 2005, Chapter 60, regarding the percentage mix of private residential and tourist accommodation in development permitted in the Residential Tourist and Tourist Business Zones, and for managed resort facilities, is to facilitate the viability of future development on affected lands. There is evidence that the current planning requirements are affecting the long-term viability of developments on affected properties. The intent of the draft strategy's recommendation is to leave it to market forces to determine the appropriate mix of tourist and private residential development so as to achieve economic viability of future development. While there is evidence that removal of these clauses would be successful in achieving the objectives, it is considered that further investigation should be carried out to identify any mechanisms that could be used to achieve the optimal mix of permanent residential and tourist accommodation on The Peninsula.
1	<1%	Supports the inclusion of various healthy-by-design and safety-by- design strategies.	Both healthy-by-design and safety-by-design principles are embedded in many of the strategies proposed in both the exhibited and revised draft strategies.

Number of submissions that raised the issue	Percentage of Total Submissions	Issue	Council Comment / How draft TEPPS addresses the issue
1	<1%	Concerns regarding proposals in the exhibited draft strategy to renovate unused/dilapidated buildings on Tuggerah Lake Foreshore Reserve, in regard to their long-term viability and providing competition to businesses in Long Jetty and The Entrance.	Both the exhibited and revised draft strategies propose to enhance the amenity of, and facilities within, the Tuggerah Lake Foreshore Reserve to improve the opportunity for increased use and enjoyment by residents and visitors of this lakeside environment. This includes proposals to renovate existing unused/dilapidated buildings within the reserve for use as restaurants, kiosks and/or cafes. This has been done successfully over the long-term elsewhere in Australia and has not caused issues to other businesses as a result of competition. The proposal also has the potential to attract more people to experience the Long Jetty Foreshore and area, potentially contributing to the increased viability of nearby businesses.
1	<1%	Concern that the exhibited draft strategy does not have an overall vision for The Entrance Peninsula.	Both the exhibited and revised draft strategies include a vision for The Entrance Peninsula as a whole and visions for each of the 16 Precincts which the Peninsula has been divided into, based on similar zoning and/or characteristics. These visions appear to have been generally accepted by the community and stakeholders. However, a clear vision, that enunciates an overall vision for The Entrance Peninsula, has been included at the beginning of the revised draft. This vision emphasises key themes associated with the Peninsula's unique identity, population, development, natural environment and transport, in particular.
1	<1%	Concern that the exhibited draft strategy does not provide adequate employment opportunities.	Both the exhibited and revised draft strategies promote viable and vibrant retail and commercial centres, at different scales, at The Entrance, Long Jetty, Toowoan Bay and The Entrance North. New planning controls are proposed to encourage the development of more appropriately sized spaces to entice good quality commercial development and consequently more office type jobs. It is considered important to attract more commercial (office type) development and jobs to The Entrance Peninsula to create and support more viable retail/commercial centres and encourage people to move to and live in The Entrance.
1	<1%	Concerns that the draft strategy is not consistent with Council's Residential Development Strategy.	Both the exhibited and revised draft strategies have considered Council's Residential Development Strategy during their preparation. Both strategies are considered to be consistent with the opportunities and recommended action plans for both The Entrance and Long Jetty areas.

Number of submissions that raised the issue	Percentage of Total Submissions	Issue	Council Comment / How draft TEPPS addresses the issue
1	<1%	Support proposals to renovate unused/dilapidated buildings along Tuggerah Lake foreshore.	<p>Both the exhibited and revised draft strategies propose to enhance the amenity of, and facilities within, the Tuggerah Lake Foreshore Reserve to improve the opportunity for increased use and enjoyment by residents and visitors of this lakefront environment.</p> <p>This includes proposals to renovate existing unused/dilapidated buildings within the reserve for use as restaurants, kiosks and/or cafes. This has been done successfully over the long-term elsewhere in Australia.</p> <p>The proposal also has the potential to attract more people to experience the Long Jetty Foreshore and area, potentially contributing to the increased viability of nearby businesses.</p>
1	<1%	Concerns that the draft strategy contradicts Wyong's Shire Wide Vision.	<p>Both the exhibited and revised draft strategies have been prepared in isolation of the Shire Vision Project, primarily due to the fact that they commenced prior to the Shire Vision Project commencing. However, review of the draft strategy indicates that the strategy is largely consistent with the current Shire Vision Project.</p>
1	<1%	Concern that The Entrance Road issues have not been adequately addressed.	<p>The RTA and Council have been consulting with one another, prior to, and throughout the preparation of the draft strategy. Traffic modelling of the implications of future development scenarios on the State and local road network has been carried out in co-operative venture. The outcomes of the project indicate that upgrading The Entrance Road [by providing four lanes (two lanes in both directions) with parking removed (at least in peak times) and certain intersections upgraded] is the preferred solution to cater for the future population targets (including residents and tourists).</p>
1	<1%	Supports the proposal to remove the existing maritime design theme from Council's existing planning controls.	<p>Both the exhibited and revised draft strategies propose to remove the existing maritime design theme requirement from Council's planning controls. The revised draft strategy proposes to replace this requirement with stringent coastal design criteria (involving matters associated with views, scenic context, landscaping, building materials, colours and finishes, coastal amenity, protection and integration in design) that reflect the coastal character of The Entrance Peninsula. These criteria are to be prepared during the LEP and DCP preparation phase, following adoption of The Entrance Peninsula Planning Strategy.</p>

Number of submissions that raised the issue	Percentage of Total Submissions	Issue	Council Comment / How draft TEPPS addresses the issue
2	<1%	Concern that some of the planning controls in the exhibited draft strategy are too inflexible and will not encourage innovative and improved outcomes.	The revised draft strategy acknowledges this comment and proposes increased flexibility for certain sites. The strategy proposes a two pronged approach for certain sites (i.e., those identified as important to the evolution of The Entrance) where a set of conservative 'deemed to comply' planning controls are provided (whereby designs that comply are likely to receive approval) and a set of performance criteria are stipulated (whereby applicants are required to demonstrate that innovative designs provide improved solutions to the 'deemed to comply' scenario utilising masterplanning techniques).
1	<1%	Concern regarding the continued preference towards tourist development over permanent residential development, in the exhibited draft strategy, particularly in regard to its perceived negative impact on the viability of retail and commercial development on The Entrance Peninsula.	The justification for the removal of Clauses 42B(3) and 68(4) of WSC LEP 1991 and Clauses 2.4(c) and 5.3 – WSC DCP 2005, Chapter 60, regarding the percentage mix of private residential and tourist accommodation in development permitted in the Residential Tourist and Tourist Business Zones, and for managed resort facilities, is to facilitate the viability of future development on affected lands. There is evidence that these current planning requirements are affecting the long-term viability of developments on affected properties. The intent of both the exhibited and revised draft strategies recommendations is to leave it to market forces to determine the appropriate mix of tourist and private residential development, so as to achieve economic viability of future development. While there is evidence that removal of these clauses would be successful in achieving the objectives, it is considered that further investigation should be carried out to identify any mechanisms that could be used to achieve the optimal mix of permanent residential and tourist accommodation on The Peninsula.
1	<1%	Concern regarding contradictory proposals for building heights in the exhibited draft strategy.	The exact nature of these concerns is unclear. However, as part of the preparation of the exhibited draft strategy, the appropriate height of buildings across the Peninsula was considered. The usual planning issues relating to height were considered (i.e., overshadowing, overlooking, amenity, visual impact, view sharing, obtrusiveness and area character) prior to recommending heights considered appropriate for the various areas/sites. Some of the heights recommended in the exhibited draft strategy have been changed in the revised draft strategy as a result of input received, and additional studies carried out, during and after the exhibition period. These include changes along The Entrance Road through Long Jetty, along Oakland Avenue through The Entrance and in The Entrance Town Centre.

Number of submissions that raised the issue	Percentage of Total Submissions	Issue	Council Comment / How draft TEPPS addresses the issue
1	<1%	Concern regarding the relative lack of support for small businesses from Council and The Entrance Town Centre Management Corporation.	<p>It is recognised that The Entrance Town Centre Management Corporation has a number of roles, including; promoting The Entrance Peninsula and its attributes, activities, events, etc to markets both within and outside the locality and Wyong Shire; employing event management expertise in The Entrance Town Centre; generating ideas for and organising various events, entertainment, attractions, amenity improvement, business improvement and assistance schemes/programs; improving communication and understanding of established principles and processes between the various stakeholders; maintaining community assets.</p> <p>In accordance with Council's support for enhanced community engagement, the draft TEPPS proposes to facilitate a process of on-going liaison with all relevant stakeholders for the purpose of implementing the various recommendations in The Entrance Peninsula Planning Strategy.</p> <p>The purpose of such arrangements would include:</p> <ul style="list-style-type: none"> • developing comprehensive tourism strategies. • seeking and obtaining various available grants. • providing business coaching/mentoring expertise to assist the management and performance of local businesses. • facilitating the effective liaison of the various stakeholders in generating effective solutions for improving the amenity and function of The Entrance Road Corridor through Long Jetty.
1	<1%	Concern that Magenta Shores was left out of the exhibited draft strategy.	<p>The exact nature of these concerns is unclear. However, both the exhibited and revised strategies recognise the relationship of The Entrance Peninsula with other areas outside the strategy area, including Magenta Shores. Both the exhibited and revised strategies propose strategies for improved relationship and connections between The Entrance Peninsula and major centres and other areas such as Magenta Shores. The impact of the Magenta Shores development was considered in the traffic modelling project.</p>

Number of submissions that raised the issue	Percentage of Total Submissions	Issue	Council Comment / How draft TEPPS addresses the issue
1	<1%	Concern regarding current lack of security in public parks / reserves.	<p>Both the exhibited and revised draft strategies recommend the need to either prepare or review plans of management for all public parks / reserves following adoption of the draft strategy. Security is an issue that is normally addressed in such plans of management.</p> <p>Both the exhibited and revised draft strategies propose that building design, surrounding public parks / reserves, should both be orientated and laid out to provide passive surveillance of the parks / reserves they surround.</p>
1	<1%	Concern regarding proposals in the exhibited draft strategy to provide a walkway along The Entrance Channel, particularly in regards to loss of amenity, privacy, security matters and other impacts on waterfront properties in the vicinity.	<p>The exhibited draft strategy proposes extension of the existing pedestrian and bicycle pathways to connect all areas along the foreshores of Tuggerah Lake, The Entrance Channel and Pacific Ocean, where possible. In relation to The Entrance North, proposals include constructing a promenade for pedestrians and bicycle riders that links with the pedestrian/cycleway facilities in Terilbah Reserve, runs under the Entrance Bridge and along The Entrance Channel to Dunleith Point. Investigations to date indicate that such a proposal is potentially possible without unreasonable impact on neighbouring properties.</p>
1	<1%	Concern regarding the absence of a regional business park on The Entrance Peninsula in the exhibited draft strategy.	<p>Both the exhibited and revised draft strategies do not consider it appropriate to establish a regional business park on The Entrance Peninsula. This view is confirmed by Wyong Shire's Retail Centres Strategy (adopted in 2007), which does not recommend the establishment of a regional business park on The Entrance Peninsula. Regional business parks are located at Tuggerah and North Wyong. A future business park is also planned for land adjacent to the Bay Village Shopping Centre in Bateau Bay.</p>

Number of submissions that raised the issue	Percentage of Total Submissions	Issue	Council Comment / How draft TEPPS addresses the issue
1	<1%	Concerns about proposals in the exhibited draft strategy, regarding potential impacts on the coastal village atmosphere of The Entrance Peninsula.	<p>The exact nature of these concerns is not clear.</p> <p>Both the exhibited and revised draft strategies put forward proposals to achieve high quality planning outcomes that reflect the coastal character of The Entrance and provide a pleasant environment for persons living, working and visiting the Peninsula.</p> <p>Such proposals include improving streetscape amenity, requiring coastal design built form that takes account of the coastal environment and its attributes, coastal themed signage, requiring coastal village style retail/commercial nodes and providing for more coastal type activities.</p>

ASSESSMENT OF SUBMISSIONS

THE ENTRANCE NORTH

Total submissions received for The Entrance Peninsula Planning Strategy = 300

Total submissions concerning The Entrance North = 21

Number of submissions that raised the issue	Percentage of total submissions	Issue	Council Comment / How draft TEPPS addresses the issue
12	4%	Support for proposals to retain low scale development in The Entrance North.	<p>The revised draft TEPPS proposes that low scale development be maintained in The Entrance North. This supported via the desired future character statement for The Entrance North. The strategy recommends restriction of heights to a maximum two storeys for both residential, retail and commercial generally.</p> <p>The only exception to this is the Dunleith Tourist Park site which the strategy proposes (as a 'deemed to comply' solution) to be 4 storeys maximum along Hutton Road and two storeys maximum along The Entrance Channel. Flexibility has also been catered for via the introduction of performance criteria, under which developers are provided opportunity to demonstrate a superior solution/outcome via masterplanning approaches.</p> <p>These concerns are noted. However, this rezoning proposal will provide for future expansion of The Entrance North Village Centre whilst creating additional opportunities to better cater for local and visitor needs. Needs which, are likely to increase in accordance with future population growth and redevelopment of the Dunleith Tourist Park site.</p>
6	2%	Concerned over the proposed rezoning from 2(a) Residential to 3(a) Business Centre on the southern corner of Hutton Road and Hargraves Street, facilitating development that is not viable in the long-term and will adversely impact the neighbourhood.	<p>The revised draft TEPPS addresses these concerns by mitigating potential traffic and parking issues and minimising building heights for the Dunleith Tourist Park and retaining the existing zoning for the Two Shores Tourist Park site.</p>
5	1.7%	Concerned that the proposals encouraging the redevelopment of Dunleith and Two Shores Tourist Parks will adversely impact on neighbourhood residential amenity and have flood hazard issues.	<p>The revised draft TEPPS addresses these concerns by mitigating potential traffic and parking issues and minimising building heights for the Dunleith Tourist Park and retaining the existing zoning for the Two Shores Tourist Park site.</p>

Number of submissions that raised the issue	Percentage of total submissions	Issue	Council Comment / How draft TEPPS addresses the issue
3	1%	Concerns regarding lack of adequate access/egress to and from The Entrance North residential areas during times of flood (Hutton Road is commonly closed off).	The revised draft TEPPS recommends upgrading of the remnant portion of Hutton Road, which currently provides vehicle access/egress from the residential areas of The Entrance North on to Wilfred Barrett Drive in times of flood, into a multiple function facility.
2	<1%	Concerns regarding unacceptable social behaviour in the vicinity of Karagi Reserve, particularly around summer time, intimidating both residents and visitors.	These concerns have been passed onto the relevant section of Council, (i.e., regulation and compliance) for awareness and appropriate action. To assist as much as it can, the draft revised TEPPS encourages redevelopment of Dunleith Tourist Park, and this has potential to increase passive surveillance of the reserve due to an increase of height limits and appropriate orientation. In addition, the strategy highlights the need to either prepare or review Plans of Management for all public reserves. Plans could be strengthened in relation to this particular issue.
2	<1%	Concerns regarding infrastructure capacity (particularly water supply and drainage issues, in particular) for The Entrance North area.	The capacity of infrastructure has been analysed as part of the background investigations to the draft TEPPS and has been assessed as being capable of supporting the predicted population in 2031 (either by existing infrastructure or with upgrades already programmed). The strategy also proposes the need to extend existing pedestrian footpaths and drainage works, including kerb and guttering, where appropriate, particularly in Hutton Road.
2	<1%	Concerns regarding lack of adequate and suitable parking for various types of vehicles, particularly in the vicinity of the Boat Hire / Boat Ramp facility in Terilbah Reserve and Dunleith Tourist Park.	The revised draft TEPPS highlights the need for improved parking facilities in The Entrance North, and proposes investigations into the upgrading of parking facilities in the vicinity of Dunleith Tourist Park, Karagi Reserve, Terilbah and The Entrance North Foreshore Reserves. The strategy also proposes investigations and the upgrading of vehicle and boat trailer parking facilities in the vicinity of the Boat Hire Facility, if determined possible.

Number of submissions that raised the issue	Percentage of total submissions	Issue	Council Comment / How draft TEPPS addresses the issue
1	<1%	Concern regarding lack of parking restrictions, particularly in residential areas and areas surrounding attractions such as beach accesses, The Entrance Channel, the boat ramp, fishing platforms and tourist facilities.	The revised draft TEPPS highlights the need for improved parking facilities in The Entrance North, and proposes investigations into the upgrading of parking facilities in the vicinity of beach accesses, Dunleith Tourist Park, Karagi Reserve, Terilbah and The Entrance North Foreshore Reserves. Part of these investigations includes consideration of the need for parking restrictions and the nature of those restrictions.
1	<1%	Supports proposals for improved connections between the residential areas in The Entrance North and Terilbah Reserve.	The revised draft TEPPS continues to improve awareness of, and connections to, open space and recreation facilities at Terilbah Reserve, The Entrance North Foreshore Reserve and The Entrance Channel via proposals to investigate the installation of additional pedestrian crossings at strategic locations, enhanced information facilities and directional signs.
1	<1%	Concern regarding lack of easy navigable beach access points to The North Entrance Beach.	The revised draft TEPPS proposes to improve awareness of The Entrance North's location adjacent to the foreshores of The Entrance Channel, Lake Tuggerah and the Pacific Ocean. The revised draft proposes to improve access to the foreshores of The Entrance Channel, Lake Tuggerah and the Pacific Ocean, where appropriate. There are safety issues that will need to be carefully considered and/or addressed via investigations following adoption of the draft strategy.
1	<1%	Concern regarding loss of existing public open space areas in The Entrance North to facilitate private development.	Background investigations indicate that there is adequate public open space available on The Entrance Peninsula, well in excess (being approximately 9.5ha per thousand persons) of Council's standard policy of 3ha per thousand persons. The revised draft TEPPS does not propose to reduce any existing areas of public open space, other than to rezone a small portion of land on the Dunleith Tourist Park site to facilitate high quality redevelopment of this site. It is considered that this action is reasonable as the land is owned by Dunleith Tourist Park, is not currently used by the general public and would facilitate a better quality redevelopment of Dunleith Tourist Park.

Number of submissions that raised the issue	Percentage of total submissions	Issue	Council Comment / How draft TEPPS addresses the issue
1	<1%	Concern regarding high vacancy rates in residential developments on The Entrance Peninsula.	A development feasibility assessment report, underpinning the draft planning strategy, indicates that there is currently an oversupply of units on The Entrance Peninsula contributing to high vacancy rates. In response, the strategy is based on a long-term vision (25 years) that anticipates that units will be taken up over that period as economic circumstances improve through normal cyclic changes and the various strategies to improve public domain, planning controls and provide more different attractions are implemented.
1	<1%	Concern regarding the uneven mix of demographics on The Entrance Peninsula.	Background investigations indicate that The Entrance Peninsula Planning Strategy area has an unbalanced demographic mix. It has a relatively aged and aging population. To achieve a more balanced demographic mix, the strategy encourages increased social and economic opportunities by improving public domain, infrastructure and providing more attractions, activities and conditions for more job opportunities.
1	<1%	Support for the proposed height limits in The Entrance North, generally.	This comment is noted.
1	<1%	Concern regarding proposed heritage listed items, particularly No.1 Hargraves Street.	The strategy proposes a review of Council's planning instruments in regard to the protection of heritage significance of properties on The Entrance Peninsula. Further consultation with Council's heritage consultant confirms that No.1 Hargraves Street should not be included on the list of potential heritage items, due to the degree of modification to the building.
1	<1%	Concern regarding the inaccuracy of the existing westerly high water mark, reflected in the zoning for the Two Shores Tourist Park. Submits a plan showing the high water mark more to the west and requests that the area east of the HWM be rezoned to permit tourist development.	The revised draft strategy does not propose any rezoning or rezoning boundary change for the Two Shores Tourist Park, due largely to the extent of the flooding constraints. Council's flood mapping indicates that the entire Two Shores Tourist Park site is subject to the 1% AEP flood hazard. It would not be prudent to encourage redevelopment that would lead to a substantial increase in the number of people at risk in this significantly flood affected area. Also, recent information indicates that the impacts of climate change are liable to exacerbate the situation.

Number of submissions that raised the issue	Percentage of total submissions	Issue	Council Comment / How draft TEPPS addresses the issue
1	<1%	Concern regarding overall proposals.	It is not clear as to what this comment refers to. Generally, the proposals for The Entrance North have been supported, other than those matters listed above. No specific action is proposed in respect of this comment.

ASSESSMENT OF SUBMISSIONS

THE ENTRANCE

Total submissions received for The Entrance Peninsula Planning Strategy = 300

Total submissions concerning The Entrance = 53

Number of submissions that raised the issue	Percentage of Total Submissions	Issue	Council Comment / How draft TEPPS addresses the issue
16	5.3%	Concerns regarding the proposed increased height limits from a maximum 3 storeys to a maximum 18 metres (approximately 6 storeys) immediately along the western side of Oakland Avenue.	The revised draft strategy proposes to retain the existing height controls of up to a maximum 3 storeys immediately along the western side of Oakland Avenue. This action will mitigate the potential impacts (eg, overshadowing or overlooking) higher development will have on abutting neighbours.
11	3.7%	Concerns regarding relocation of The Entrance Library	The strategy does not plan to relocate the library. This concern will be referred to the relevant sections within Council for information.
5	1.7%	Concerns regarding the proposed redevelopment of the Dening Street Carpark site, being too high at 24 metres (approximately eight stories) and will interfere with views from some units to Lake Tuggerah.	These concerns are noted. However, to maintain an appropriate transition for the area, it is considered essential that the building be developed to height of 24 metres, designed to ensure adequate solar access to streets and neighbouring properties.
4	1.3%	Support proposals to improve public domain.	This support is noted. Improvements to the public domain are a cornerstone of the draft strategy, especially in terms of function and amenity, to provide a pleasant living environment for residents and an attractive visitor destination.
1	<1%	Support proposals to maintain or improve access for traders in the vicinity of Lakeside Plaza.	The strategy continues to support a service/delivery laneway providing access to the rear of properties along The Entrance Road for delivery vehicles and patrons of businesses. It is proposed that such access is to be incorporated into any future redevelopment of the Lakeside Plaza site and/or building design, preferably with all access/egress to/from Taylor Street. Alternatively, a new road/laneway could be provided between Taylor Street and The Entrance Road and providing service lanes from this new road to service the buildings (subject to a favourable traffic impact strategy).

Number of submissions that raised the issue	Percentage of Total Submissions	Issue	Council Comment / How draft TEPPS addresses the issue
9	3%	Concerns regarding an overall increase in heights across The Entrance.	<p>Both the exhibited draft strategy and revised draft strategy propose a limited number of height increases for The Entrance area and both documents propose to clarify the height restrictions for particular areas/sites.</p> <p>Height increases are proposed in The Entrance:</p> <ul style="list-style-type: none"> • along the eastern side of The Entrance Road in between Ocean Parade and Warrigal Street where an additional of 6 metres (on top of its current 12 metre limit) is proposed, with buildings designed to ensure adequate solar access to streets and neighbouring properties. • in the area surrounded by Bent Street, Oakland Avenue, Coral Street and Wilfred Barrett Drive. Here, the strategy proposes an amendment to Council's planning controls to allow an additional 6 metres (on top of its current 18 metre limit) to improve the transition between the Waterfront and The Entrance Town Centre, view sharing and provide further incentive to redevelop this area. • on some of the properties surrounding Taylor and Shore Parks (an extra storey). <p>The area currently zoned 2(d)-High Density Residential/and 5(a)-Carpark to the east of the town centre is proposed to have height limits of up to 24 metres (approximately 8 stories) inserted.</p> <p>All these proposals are considered reasonable and will assist in achieving appropriate transitions, providing redevelopment incentives and meeting the population targets in the Central Coast Regional Strategy.</p>
2	<1%	Concerns regarding poor management and performance of local businesses is impacting on the state of The Entrance.	<p>In accordance with Council's support for enhanced community engagement, the draft TEPPS proposes to facilitate a process of on-going liaison with all relevant stakeholders for the purpose of implementing the various recommendations in The Entrance Peninsula Planning Strategy.</p> <p>A purpose of such arrangements would include providing business coaching/mentoring expertise to assist the management and performance of local businesses.</p>

Number of submissions that raised the issue	Percentage of Total Submissions	Issue	Council Comment / How draft TEPPS addresses the issue
3	1%	Concern regarding the repetitive nature and target audience of The Entrance tourism, activities and entertainment.	<p>The draft strategy encourages consideration of a greater variety of quality attractions and activities in The Entrance Town Centre to cater for all age groups, residents and visitors. Examples of types of activities and attractions that could be considered are mentioned in the draft strategy.</p> <p>In accordance with Council's support for enhanced community engagement, the draft TEPPS proposes to facilitate a process of on-going liaison with all relevant stakeholders for the purpose of implementing the various recommendations in The Entrance Peninsula Planning Strategy.</p> <p>The roles of such arrangements would include:</p> <ul style="list-style-type: none"> • Developing comprehensive tourism strategies. • Seeking and obtaining various available grants. • Facilitating business coaching and/or mentoring expertise.
2	<1%	Concern regarding the proposed increased height limits for the properties surrounding Taylor/Shore Parks, being too high.	<p>Both the exhibited draft strategy and revised draft strategy propose that current height limits for the properties surrounding Taylor/Shore Parks and fronting Denning Street remain.</p> <p>Both the exhibited and revised draft strategy propose to increase the height limits for the properties surrounding Taylor/Shore Parks and fronting Yamba and Benelong Streets by one additional storey with the aim of encouraging any redevelopment to be designed with a layout and orientation that provides for effective passive surveillance of these parks. Such design and orientation addresses policies for safety and healthy by design.</p> <p>The proposed height limits also provide an appropriate medium density transition between the higher density development in The Entrance Town Centre and adjoining high density residential areas and the lower densities to the east and south.</p>

Number of submissions that raised the issue	Percentage of Total Submissions	Issue	Council Comment / How draft TEPPS addresses the issue
1	<1%	Supports proposed heights around Jubilee and Taylor Shore Park	This comment is noted. Please refer to the comment above.
1	<1%	Concern regarding loss of existing public open space in The Entrance to facilitate private development.	Background investigations indicate that there is adequate public open space available on The Entrance Peninsula, well in excess (being approximately 9.5ha per thousand persons) of Council's standard policy of 3ha per thousand persons. The revised draft TEPPS does not propose to reduce any existing areas of public open space in The Entrance.
1	<1%	Concerns that the proposed planning controls for height, FSR's, access and parking for the Lakeside Plaza site are not framed to deal with a potential aggregated development site.	<p>The exhibited draft strategy proposes an amendment to planning controls to allow an increased maximum 18 metre high (approximately 5-6 storey) development with upper floors set back from 9 metre high (approximately 2 storey) podium at the property boundary. This setback is to permit adequate solar access to the street and maintain the coastal village character of the Town Centre when viewed from street level.</p> <p>The revised draft strategy proposes to retain these provisions as the 'deemed to comply' scenario, but does propose to insert additional provisions that will provide developers flexibility. To provide them with the opportunity to demonstrate, to the satisfaction of Council, that a superior outcome can be achieved to the 'deemed to comply' scenario, using masterplanning approaches.</p> <p>Amalgamating abutting properties located on the same block as Lakeside Plaza and providing strong functional links to other neighbouring sites, is also encouraged. These provisions are to provide incentive for sustainable redevelopment of the site.</p> <p>The revised draft strategy also recommends that masterplans be prepared for The Entrance Town Centre area and the Lakeside Plaza site.</p>
1	<1%	Concern regarding the recent drop in property values.	This comment is noted. Both the exhibited and revised draft planning strategy put forward proposals to improve the public domain and infrastructure, provide more attractions and activities in The Entrance, as well as include additional planning controls aimed at improving the economic viability and vitality of the area. These proposals should assist with improving the value of the area.

Number of submissions that raised the issue	Percentage of Total Submissions	Issue	Council Comment / How draft TEPPS addresses the issue
1	<1%	Concern that the proposal to continue the laneway (Glovers Lane) between Taylor Street and The Entrance Road will cause traffic issues, compromise access/egress to existing businesses along The Entrance Road and compromise the achievement of an effective active frontage along The Entrance Road.	<p>The revised draft strategy proposes that access and egress issues be thoroughly investigated in regard to maintaining adequate levels of safety and efficiency, not compromising the functioning of active frontages along The Entrance Road and maintaining adequate access/egress to all existing businesses.</p> <p>These matters to be included in consideration of an appropriate development design during the masterplanning stage of the area/site.</p>
1	<1%	Concern regarding the need for a developer agreement and/or modification to existing lease arrangements and a rationalisation of zones covering The Entrance Bowling Club's land to achieve sustainability.	<p>Both the exhibited and revised draft planning strategy propose the preparation of a masterplan prior to consideration of any development or redevelopment of the bowling club lands to establish a consistent design approach that relates and connects to Taylor/Shore Parks and adjoining developments, such as Lakeside Plaza.</p> <p>Both the exhibited and revised draft strategies propose that the bowling club lands be appropriately zoned to facilitate redevelopment of the bowling club lands with maximum heights of up to 6 storeys provided.</p> <p>In addition, a developer agreement and/or modification to existing lease arrangements are yet to be investigated and agreed. This process is already underway and is and can operate separately in achieving the proposals in the draft planning strategy.</p>
1	<1%	Supports proposals in the exhibited draft strategy to improve The Entrance Town Centre.	<p>This comment is noted. The revised draft strategy supports all of the proposals for The Entrance Town Centre included in the exhibited draft.</p>
1	<1%	Concern regarding Council not taking sufficient notice of community input in relation to major developments.	<p>This comment is noted. Council will review its processes and look for ways in which it can improve its community consultation.</p>

Number of submissions that raised the issue	Percentage of Total Submissions	Issue	Council Comment / How draft TEPPS addresses the issue
1	<1%	Concern regarding lack of communication between Council, Central Coast Tourism, Town Centre Management and business owners in The Entrance.	This comment is noted. In accordance with Council's support for enhanced community engagement, the draft TEPPS proposes to facilitate a process of on-going liaison with all relevant stakeholders for the purpose of implementing the various recommendations in The Entrance Peninsula Planning Strategy.
1	<1%	Concern regarding the proposed heritage listings mooted by the exhibited draft strategy, particularly the property at 6 Archbold Road.	<p>Both the exhibited draft strategy and revised draft strategy propose a review of Council's planning instruments in regard to the protection of heritage significance of properties on The Entrance Peninsula. This will take place as part of the LEP / DCP review / revision process, following adoption of The Entrance Peninsula Planning Strategy.</p> <p>As part of this process, a number of properties, which have been identified as having potential heritage value, will be evaluated as to whether they need to be listed in Council's LEP.</p> <p>In the case of 6 Archbold Road, there is sufficient evidence to indicate that this property does not represent an item with sufficient heritage value to warrant listing in Council's LEP. The property has been substantially modified and is no longer representative of its original form. Council's heritage consultant agrees with this assessment.</p>
1	<1%	Concern regarding minimal amounts of commercial (office type) development in The Entrance and the impact on the viability of small businesses and consequently the ability to offer employment.	<p>Both the exhibited and revised draft strategy put forward proposals for the creation of more appropriate commercial (office type) space in The Entrance. These proposals contain additional planning controls regarding the development of suitable floor heights and areas to encourage commercial (office type) development and use in The Entrance.</p> <p>In accordance with Council's support for enhanced community engagement, the draft TEPPS proposes to facilitate a process of on-going liaison with all relevant stakeholders for the purpose of implementing the various recommendations in The Entrance Peninsula Planning Strategy.</p>

Number of submissions that raised the issue	Percentage of Total Submissions	Issue	Council Comment / How draft TEPPS addresses the issue
1	<1%	Concern regarding The Entrance Surf Club not being used for its optimum use.	This comment is noted. The revised draft strategy proposes that investigations be carried out in relation to providing a café, restaurant or kiosk at or in the vicinity of The Entrance Surf Club and/or The Entrance Baths, orientated to take advantage of the outlook over the Pacific Ocean and coast line.
1	<1%	Concern regarding the current restrictions on the extent of the markets permitted.	The revised draft strategy proposes investigations be undertaken into providing a greater variety of (additional) attractions and activities in The Entrance. It is envisaged that this will include a review of current policies, including those affecting the running of markets. The proposed liaison arrangements, mentioned above would potentially play an essential role in such investigations and decisionmaking.
1	<1%	Concern regarding the relative low permissible building heights for the block surrounded by Bent Street, Oakland Avenue, Coral Street and Wilfred Barrett Drive. Suggests raising heights from 18 metres maximum to at least 24 metres maximum compatible with the lands to the north, to contribute to a more appropriate transition and to assist view sharing.	This comment is noted. The revised draft strategy proposes raising the heights on this block from currently 18 metres maximum to 24 metres maximum to provide for a more balanced transition, compatibility with neighbouring lands, to assist view sharing and to provide more incentive for redevelopment of this area.
1	<1%	Concern regarding proposals to close off The Entrance Road along the waterfront, west of The Entrance Bridge. Concern is in relation to loss of access to the waterfront for traditional fishing activity, access to the foreshore generally and access to the existing carpark facility at The Entrance Hotel.	Both the exhibited draft strategy and the revised draft strategy proposes extending the existing waterfront mall along The Entrance Road (west) to Picnic Point Reserve to provide for a variety of recreation activities, including the traditional fishing activity. The revised draft strategy also requires the retention of adequate access to The Entrance Hotel carparking facility and to permit delivery and maintenance vehicles entry to the hotel and waterfront mall area.

Number of submissions that raised the issue	Percentage of Total Submissions	Issue	Council Comment / How draft TEPPS addresses the issue
1	<1%	Concern regarding the lack of planning for bus stops and facilities in The Entrance.	Both the exhibited and the revised draft strategy clearly address this issue. Both contain the same proposals to review the number of bus stops and shelters, and if required, provide more at appropriate locations. The design of bus shelters in terms of practicality, amenity and serving people of all abilities is also addressed by the draft strategy's recommendations. Both strategies also propose investigation into providing a bus interchange facility at either the Residential Tourist zoned land, Ebbtide Mall, Lakeside Plaza or Denning Street Carpark sites.
1	<1%	Supports proposals to improve transport arrangements to and from The Entrance.	This comment is noted. Both the exhibited and revised draft strategies propose various transportation strategies to improve transportation safety, efficiency and choice around and to and from The Entrance Peninsula.
1	<1%	Concern regarding over supply of retail/commercial development in The Entrance Town Centre and the consequent closure of shops and impact on the image of the Entrance Town Centre.	Both the exhibited and revised draft strategies do not propose any further business zoning in The Entrance Town Centre other than to rezone the Denning Street Carpark site 3(a) Business Centre to support a mixed use development incorporating retail, commercial on the lower levels, several levels of internal public and private carparking facilities, with residential accommodation above. This proposed zoning for this mixed use arrangement is considered an important component in facilitating rejuvenation of the southern part of The Entrance Town Centre.
1	<1%	Concerns regarding the lack of community services and facilities in The Entrance, especially medical centres.	This comment is noted. The revised draft strategy proposes that the level of services be reviewed, including medical facilities.

Number of submissions that raised the issue	Percentage of Total Submissions	Issue	Council Comment / How draft TEPPS addresses the issue
1	<1%	Support proposals to encourage more office type development in or around The Entrance Town Centre.	Both the exhibited and revised draft strategy put forward proposals for the creation of more appropriate commercial (office type) space in The Entrance. These proposals contain additional planning controls regarding the development of suitable floor heights and areas to encourage commercial (office type) development and use in The Entrance. The roles of such a committee could include researching and determining appropriate solutions for encouraging offices to establish in The Entrance.
1	<1%	Supports all the proposed height limits for The Entrance.	This comment is noted. However it has been necessary to alter some of the height controls proposed in the exhibited draft strategy (i.e., to remove the mooted 18 metre maximum limit along the western side of Oakland Avenue and to increase the height of buildings in the block surrounded by Wilfred Barrett Drive, Oakland Avenue, Bent and Coral Streets by 6 metres).
1	<1%	Concern that there is a possibility that the Coles Supermarket in Lakeside Plaza will be relocated to Long Jetty.	It is not an objective of the exhibited or revised draft strategy to relocate the Coles Supermarket in Lakeside Plaza to Long Jetty.

ASSESSMENT OF SUBMISSIONS

LONG JETTY

Total submissions received for The Entrance Peninsula Planning Strategy = 300

Total submissions concerning Long Jetty = 187

Number of submissions that raised the issue	Percentage of Total Submissions	Issue	Council Comment / How draft TEPPS addresses the issue
147	49%	<p>Concerns over the proposed rezoning along The Entrance Road from 3(a) Business Centre Zone and 3(b) Centre Support Zone to 2(c) Medium Density Residential with a 4 storey height limit, as proposed in the exhibited draft strategy.</p> <p>Concerns include:</p> <ul style="list-style-type: none"> • unfair treatment and adverse impact on existing businesses. • the construction of 4 storey residential flat buildings along The Entrance Road Corridor will not be occupied and poor amenity will result. • 4 storey residential flat buildings will eventually become occupied by Housing Department tenants. • where will the existing businesses relocate to and who will pay the relocation costs (estimated to be around \$20 million). 	<p>The revised draft strategy proposes to retain all the existing business zonings along The Entrance Road, but introduce appropriate height controls with the aim to provide an attractive gateway along The Entrance Road Corridor that is of an appropriate scale of development that will maintain and/or improve the coastal village character of The Entrance Peninsula.</p> <p>The proposed height controls are as follows:</p> <ul style="list-style-type: none"> • For the 3(b) zone in the existing bulky goods/light industrial strip, along The Entrance Road, between Minto Avenue/McLachlan Avenue and Surf Street, height controls are to be introduced to permit mixed use development up to 8.1 metres (approximately 2 storeys). • For the 3(a) zone in the existing retail/commercial strip, along The Entrance Road, between Surf Street and Pacific Street height controls are to be introduced to permit mixed use development up to 11.1 metres (approximately 3 storeys). • For the 3(a) zone, north of Thompson Street, along The Entrance Road, height controls are to permit mixed use development up to, 11.1 metres (approximately 3 storeys). • Properties facing The Entrance Road in between Thompson and Pacific Street will remain their existing 3(a) zone however a height map will be introduced to allow up to 14.1 metres (approximately 4 storeys).

Number of submissions that raised the issue	Percentage of Total Submissions	Issue	Council Comment / How draft TEPPS addresses the issue
55	18.3%	<p>Concerns regarding the proposed rezoning along The Entrance Road and in between The Entrance Road and Tuggerah Parade from 2(a) Low Density Residential to 2(c) Medium Density Residential with a 4 storey height limit, as proposed in the exhibited draft strategy. Concerns include:</p> <ul style="list-style-type: none"> • placing a significantly increased number of people at potential risk in a known flood hazard area. • destroying the current low scale coastal character of the area. 	<p>The revised strategy proposes to retain the existing 2(a) and 2(b) zoning to minimise the number of residents placed in a flood hazard area and to preserve the low scale coastal character of the area.</p>
16	5.3%	<p>Supports the proposals to improve infrastructure and the public domain in the exhibited draft strategy.</p>	<p>This support is noted. Improvements to the public domain are a cornerstone of the revised draft strategy, as well as the exhibited draft, especially in terms of function and amenity, to provide a pleasant living environment for residents and an attractive visitor destination. The strategy continues to propose improvements to the provision, condition and quality of buildings, landscape treatments, road and footpath pavements, public and alternative transport services/facilities, etc.</p>
13	4.3%	<p>Concerns that the proposed consolidated shopping centre for Long Jetty, between Thompson Bay Road and Pacific Street on the western side of The Entrance Road, is too large, as proposed in the exhibited draft strategy. It will not be sustainable and/or will impact adversely on businesses in The Entrance Town Centre and/or Bay Village Shopping Centre.</p>	<p>The revised draft strategy proposes a smaller consolidated shopping centre for Long Jetty, between Thompson and Pacific Streets on the western side of The Entrance Road. The strategy highlights the need to rezone this area from 2(a) Residential to 3(a) Business Centre Zone. The consolidated shopping precinct in the exhibited draft strategy proposed approximately 28,500 square metres of 3(a) zoned land. The revised strategy proposes approximately 16,500 square metres. The reduced area is large enough to support the additional 5,000 square metres of retail space, recommended by the retail centres strategy, to service the projected population increase over the next 25 years.</p>

Number of submissions that raised the issue	Percentage of Total Submissions	Issue	Council Comment / How draft TEPPS addresses the issue
9	3%	<p>Concerns that removal of all vehicle parking along The Entrance Road, as proposed by the exhibited draft strategy, will adversely impact on the viability of existing businesses along The Entrance Road, that rely on such parking.</p> <p>Supports the proposals to improve road, traffic and transport arrangements in the exhibited draft strategy.</p>	<p>The revised draft strategy no longer proposes the removal of all vehicle parking along The Entrance Road. Instead, clearway arrangements are proposed to be introduced during peak times (e.g. peak hours, special events, special days etc.), such arrangements to be reviewed regularly to evaluate success or otherwise. The revised draft strategy also requires that off-street parking facilities be provided on sites where it is possible to provide such facilities.</p>
9	3%	<p>Supports the proposals to improve road, traffic and transport arrangements in the exhibited draft strategy.</p>	<p>The revised draft strategy continues to recommend the same proposals to improve road, traffic and transport arrangements, except for the change to introduce clearway arrangements during peak times, with retention of some on-street parking to support existing businesses that rely on such parking and cannot physically provide off-street parking, such arrangements to be reviewed regularly. The proposals include:</p> <ul style="list-style-type: none"> • The creation of four trafficable lanes (two lanes in both directions) along The Entrance Road, between Wyong Road and the Gosford/Oakland Avenue intersection. • All vehicle parking to be removed from The Entrance Road Corridor during peak times under clearway arrangements. Such arrangements to be reviewed regularly for success or otherwise. • The preparation of a strategic transportation framework that contains strategies to reduce the number of private vehicle use, ease traffic congestion on major road corridors, improve the public transport network and provide alternative transport options.
7	2.3%	<p>Concerns regarding the proposed location of the proposed shopping centre, as proposed in the exhibited draft strategy, primarily in regard to flood hazard and impact on existing businesses.</p>	<p>The location of the proposed shopping centre is to take advantage of the site's topography, relationship to Tuggerah Lake foreshore and views to and across the Lake. In the revised draft strategy, however, the area of the site has been reduced, as mentioned above, to fit in with the revised strategy's proposal for relatively low scale mixed use development along The Entrance Road Corridor and provide adequate area to accommodate the Retail Centres Strategy's recommendations for Long Jetty.</p>

Number of submissions that raised the issue	Percentage of Total Submissions	Issue	Council Comment / How draft TEPPS addresses the issue
7	2.3%	<p>Concerns regarding the exhibited draft strategy's proposal to provide four lanes along The Entrance Road.</p> <p>Concerns relate mainly to the loss of on-street parking, the impact on current service levels to the community and adverse impacts on existing businesses that rely on such parking.</p>	<p>Following detailed investigations, considering various potential options, it is assessed that the creation of four lanes is essential to cater for the population growth targets and to improve traffic flows and mitigate traffic congestion on The Entrance Peninsula.</p> <p>The revised draft strategy continues to propose the creation of four trafficable lanes along The Entrance Road, but also proposes to introduce clearway arrangements for peak times, as mentioned above, to address the concerns relating to loss of parking along The Entrance Road. This strategy to be reviewed regularly to evaluate success or otherwise.</p>
4	1.3%	<p>Supports the exhibited draft strategy's proposals for a consolidated shopping precinct that connects between Lake Tuggerah and The Entrance Road.</p>	<p>The revised draft strategy continues to support the proposal for a consolidated shopping centre that connects between Lake Tuggerah and The Entrance Road (although reduced in area) while retaining the 3(a) and 3(b) zonings along The Entrance Road, as described above.</p>
4	1.3%	<p>Concern regarding the proposed heritage listings mooted by the exhibited draft strategy, particularly the property at 364 The Entrance Rd, Long Jetty.</p>	<p>Both the exhibited draft strategy and revised draft strategy propose a review of Council's planning instruments in regard to the protection of heritage significance of properties on The Entrance Peninsula. This will take place as part of the LEP / DCP review / revision process, following adoption of The Entrance Peninsula Planning Strategy.</p> <p>As part of this process, a number of properties, which have been identified as having potential heritage value, will be evaluated as to whether they need to be listed in Council's LEP.</p> <p>In the case of 364 The Entrance Road, there is sufficient evidence to indicate that this property does not represent an item with sufficient heritage value to warrant listing in Council's LEP. Further research and information indicates that the building was transported to Long Jetty from Sydney and used for residential and physiotherapy purposes only. The research indicates that the property was never used as a guest house as originally thought. Council's heritage consultant agrees with this assessment.</p>

Number of submissions that raised the issue	Percentage of Total Submissions	Issue	Council Comment / How draft TEPPS addresses the issue
3	1%	Concern over Council's neglect of Long Jetty over the past years.	This comment is noted. Long Jetty was included in the draft strategy to address such concerns over the current poor condition and amenity of Long Jetty. The revised draft strategy puts forward a number of proposals to improve the condition and amenity of Long Jetty.
2	<1%	Concerns regarding the exhibited draft strategy's proposals and their potential impacts on The Anglican Church.	The only proposals put forward by either the exhibited or the revised draft strategies that will impact the Anglican Church site are the proposed public domain streetscape improvements. It is difficult to see how these will adversely impact the Anglican Church.
2	<1%	Concerns that the proposals for rezoning in the exhibited draft strategy will result in the relocation of the Senior Citizens Club, currently located between Toowoon Bay Road and Thompson Street.	The revised draft strategy does not propose to change the zoning for the Senior Citizens Club site. This has resulted from reconsideration of proposals along The Entrance Road. It is now proposed to retain the existing business zonings along The Entrance Road and provide a smaller consolidated centre surrounded by Thompson Street, Pacific Street, The Entrance Road and Tuggerah Parade.
2	<1%	Concerns regarding Council's consultation process, particularly in regard to poor notification of property and business owners and early involvement of the community.	This comment is noted. While early consultation was carried out and Council did give notice, Council will review its processes and look for ways in which it can improve its community consultation.
1	<1%	Supports the height limit, proposed by the exhibited draft strategy, of up to 6 storeys for the existing timber yard site on the corner of Toowoon Bay Road and Kitchener Street.	This is noted. However, review of the exhibited draft strategy indicates that such heights will not fit in with the character of the surrounding area, being relatively low scale medium density (up to 3 storeys maximum). The revised strategy recommends a change to Council's planning controls to rezone the existing 2(d) High Density Residential zoned land surrounded by Toowoon Bay, Kitchener and Archbold Roads to 2(c) Medium Density Residential to be consistent with the low to medium residential character of the vicinity.

Number of submissions that raised the issue	Percentage of Total Submissions	Issue	Council Comment / How draft TEPPS addresses the issue
2	<1%	Supports the proposed heights of up to 4 storeys residential development along The Entrance Road Corridor.	This is noted. However, review of the exhibited draft strategy indicates that such heights will not provide the outcomes desired (i.e., to improve amenity along The Entrance Road Corridor). Feedback from the public exhibition period and subsequent economic feasibility study, indicates that it is unlikely that such an incentive for redevelopment will be sufficient (the proposed residential zoning and development would have lower value/feasibility than existing business zoning) and will adversely impact existing businesses unfairly, when unnecessary. Alternative strategies are now proposed. It is now proposed to retain the existing business zoning, with 2 to 3 storey height limits and establish improved liaison arrangements, mentioned above, to stimulate and ensure the timely redevelopment of existing businesses along The Entrance Road Corridor. It is considered that these strategies, combined with the retained proposals (from the exhibited draft strategy) for upgrading the public domain and providing four lanes with diminished parking along The Entrance Road corridor, will provide the change required to provide an attractive gateway to The Entrance Peninsula.
1	<1%	Request to include 19 Surf Street in the proposals for The Entrance Road Corridor (i.e., to be rezoned from 2(b) Multiple Dwelling Residential to 2(c) Medium Density Residential with permissible heights up to 4 storeys).	This request is not supported. Review of the exhibited draft strategy indicates that such rezoning and permissible heights will not provide the outcomes desired to improve amenity along The Entrance Road Corridor. Feedback from the public exhibition period, and subsequent economic feasibility study, indicates that such an incentive for redevelopment is not likely to be effective (the proposed residential zoning and development would have lower value/feasibility than existing business zoning) and will adversely impact existing businesses unfairly, when unnecessary. Alternative strategies are now proposed. It is now proposed to retain the existing business zoning, with 2 to 3 storey height limits and establish improved liaison arrangements, mentioned above, to stimulate and ensure the timely redevelopment of existing businesses. It is considered that these strategies, combined with the retained proposals (from the exhibited draft strategy) for upgrading the public domain and providing four lanes with diminished parking along The Entrance Road corridor, will provide the change required to provide an attractive gateway to The Entrance Peninsula.

Number of submissions that raised the issue	Percentage of Total Submissions	Issue	Council Comment / How draft TEPPS addresses the issue
1	<1%	Concerns that proposals put forward in the exhibited draft strategy will not sufficiently provide for the long term viability of the Tuggerah Lakes Golf Club, particularly in regard to the proposed zoning [i.e., 6(a) Open Space and Recreation Zone, proposed height restrictions (of 2 stories maximum) and tourist accommodation only limitation].	<p>It is an objective of the exhibited draft strategy to facilitate redevelopment of the Tuggerah Lakes Golf Club to permit the golf club to improve and continue as a viable operation, but without adverse impact on natural elements and the amenity of neighbouring residential and recreational areas.</p> <p>The revised draft strategy retains the same objective and proposes rezoning to provide an appropriate zoning (i.e., 5(a) Special Use – Golf Club). The revised draft strategy also proposes a conservative 'deemed to comply' scenario for this site, where buildings are to be a maximum 11.1 metres high (approximately 3 stories) with appropriate setback, floor space ratio and open space requirements.</p> <p>The new zoning will accommodate a high quality mixed use development that caters for various uses, potentially including uses such as hotel/tourist accommodation, permanent residential accommodation, restaurants, conference facilities, sporting facilities as well as the normal golf club facilities.</p> <p>The revised draft strategy also proposes to insert additional provisions that will provide developers flexibility. To provide the opportunity to demonstrate, to the satisfaction of Council, that a superior outcome can be achieved to the 'deemed to comply' scenario, using masterplanning approaches.</p>
1	<1%	Concerns regarding the proposal, by the exhibited draft strategy, permit development of up to 6 storeys on the existing timber yard site on the corner of Toowoomba Bay Road and Kitchener Street.	<p>Review of the exhibited draft strategy indicates that such heights will not fit in with the character of the surrounding area, being relatively low scale medium density (up to 3 storeys maximum).</p> <p>The revised strategy recommends a change to Council's planning controls to rezone the existing 2(d) High Density Residential zoned land surrounded by Toowoomba Bay, Kitchener and Archbold Roads to 2(c) Medium Density Residential, to be consistent with the low to medium residential character of the vicinity.</p>

Number of submissions that raised the issue	Percentage of Total Submissions	Issue	Council Comment / How draft TEPPS addresses the issue
1	<1%	Concerns regarding loss of existing parking facilities in the Thompson Street vicinity.	Both the exhibited and revised draft strategies do not propose to decrease car parking facilities in the vicinity of Thompson Street. Any future redevelopment will be required to incorporate adequate car parking facilities to cater for the expected demand.
1	<1%	Concerns regarding expansion of the Toowoon Bay Shopping Centre to cover a greater area.	Neither the exhibited or revised draft strategies propose expansion of the Toowoon Bay Shopping Centre over and above what is already provided for by existing zoning. The revised draft strategy retains the existing zoning. Heights for this site are proposed to be limited to two stories, 7.5 metres, maintaining an appropriate scale of development that will maintain the relatively low scale coastal village character of the centre.
1	<1%	Various concerns raised over the Mooers development application.	The Mooers development application has been approved.
1	<1%	Concern regarding past neglect of the Blue Bay Beach area.	This comment is acknowledged. Both the exhibited and revised draft strategies have objectives which include improved awareness of public access to Blue Bay Beach, upgrading beach access points (including new signage), refurbishment or replacing the existing public toilet facilities, improving the public domain (i.e., streetscapes and open space/recreation areas) and carrying out more frequent maintenance.
1	<1%	Supports proposals for a consolidated shopping precinct in Long Jetty as proposed by the exhibited draft strategy, provided there is no Coles Supermarket	This comment is noted. The revised draft strategy proposes a smaller consolidated shopping centre for Long Jetty than the exhibited draft, between Thompson and Pacific Streets on the western side of The Entrance Road. The strategy highlights the need to rezone this area from 2(a) Residential to 3(a) Business Centre Zone. The consolidated shopping precinct in the exhibited draft strategy proposed approximately 28,500 square metres of 3(a) zoned land. The revised strategy proposes approximately 16,500 square metres. The reduced area is large enough to support the additional 5,000 square metres of retail space, recommended by the retail centres strategy, to service the projected population increase over the next 25 years. The detail regarding the appropriate mix of uses will be determined as part of the masterplanning process for this area, proposed by the revised draft strategy.

Number of submissions that raised the issue	Percentage of Total Submissions	Issue	Council Comment / How draft TEPPS addresses the issue
1	<1%	Concern that the proposed consolidated shopping centre for Long Jetty will not be able to compete with Bay Village and Tuggerah Westfield	<p>Wyong Council's Retail Centres Strategy (adopted in 2007) highlights the need for an additional 5000 square metres of retail space in Long Jetty over the next 25 year period. This strategy has considered future retail development on a shirewide basis, including the optimal amount of retail that can be supported in each particular centre.</p> <p>Both the exhibited and revised draft strategies propose to implement the proposals in Wyong Council's Retail Centres Strategy by providing for an additional 5000 square metres of floor space.</p> <p>The revised draft strategy proposes a smaller consolidated shopping centre for Long Jetty than the exhibited draft, between Thompson and Pacific Streets on the western side of The Entrance Road. The consolidated shopping precinct in the exhibited draft strategy proposed approximately 28,500 square metres of 3(a) zoned land. The revised strategy proposes approximately 16,500 square metres. The reduced area is large enough to support the additional 5,000 square metres of retail space, recommended by the retail centres strategy, to service the projected population increase over the next 25 years. The detail regarding the appropriate mix of uses will be determined as part of the masterplanning process for this area, proposed by the revised draft strategy.</p>
1	<1%	Concern over the progressive loss of carparking around the Toowoomba Bay Shopping Centre.	<p>The revised draft strategy proposes that, wherever possible, vehicle access is to be off-street and accessible only from streets with the lowest hierarchy rating. Awareness of existing carparking facilities (such as the one at the northern end of centre, behind the shops fronting the north side of Toowoomba Bay Road) is to be improved by installing suitably located decorative signage.</p> <p>The revised draft strategy proposes that any future development will be required to incorporate adequate car parking facilities, preferably on-site, to cater for the expected demand.</p>

Number of submissions that raised the issue	Percentage of Total Submissions	Issue	Council Comment / How draft TEPPS addresses the issue
1	<1%	<p>Concerns regarding redevelopment of the Tuggerah Lakes Golf Course. Need to ensure that any redevelopment does not adversely impact on neighbouring properties.</p>	<p>It is an objective of the exhibited draft strategy to facilitate redevelopment of the Tuggerah Lakes Golf Club to permit the golf club to improve and continue as a viable operation, but without adverse impact on natural elements and the amenity of neighbouring residential and recreational areas.</p> <p>The revised draft strategy retains the same objective and proposes rezoning to provide an appropriate zoning (i.e., 5(a) Special Use – Golf Club). The revised draft strategy also proposes a conservative 'deemed to comply' scenario for this site, where buildings are to be a maximum 11.1 metres high (approximately 3 stories) with appropriate setback, floor space ratio and open space requirements.</p> <p>The new zoning will accommodate a high quality mixed use development that caters for various uses, potentially including uses such as hotel/tourist accommodation, permanent residential accommodation, restaurants, conference facilities, sporting facilities as well as the normal golf club facilities.</p> <p>The revised draft strategy also proposes to insert additional provisions that will provide developers flexibility. To provide the opportunity to demonstrate, to the satisfaction of Council, that a superior outcome can be achieved to the 'deemed to comply' scenario, without unreasonable adverse impact on neighbouring properties, using masterplanning approaches.</p>

Attachment 2:

Extract from The Entrance Peninsula Planning Strategy detailing “A Vision for The Entrance Peninsula”

A Vision for The Entrance Peninsula

Our Vision is to establish the Entrance Peninsula, with its remarkable natural and built attributes, as one of Australia’s most renowned liveable and tourist coastal destinations, for all ages and groups. It will be a highly desirable place to live and work and an inviting place for return visits.

The area’s unique coastal beauty and assets will remain a valued and integral part of community life and a strong source of local identity.

Supported by a strong economy based on tourism, local light industry, retail and commercial enterprises, our vision is for a cohesive community enjoying easy access to and supporting vibrant local centres at The Entrance, Long Jetty, Toowoan Bay and The Entrance North.

These local centres and their immediate surrounds will have a relatively high development density (more and higher buildings). But densities will decrease away from the centres (lesser and lower buildings). All types of future development will be sustainable and contribute to the Peninsula’s coastal village character and lifestyle.

Future development will integrate with and/or contribute to the protection of the area’s natural attributes and attractions, including the beaches, estuary, ocean and lake foreshores, islands, open space areas, biodiversity, wildlife and fish habitats, cultural heritage, exceptional sunsets and views.

The community will benefit from a growing variety of inclusive services and activities that cater to all ages and groups.

Supported by the existing attractions of the lake, ocean, foreshores, open space, malls and main streets, the Entrance Peninsula will evolve into a more vibrant and viable locality, renowned for being alive with activity and attractions and a range of retail, commercial, cultural, entertainment and recreational facilities.

The local community and visitors will enjoy a picturesque destination - with its unique and diverse attributes being better connected to other major centres and transport facilities by an efficient public transport.

The Entrance Peninsula vision includes the following main elements:

- **Our vision** is that the Peninsula has a clear and unique Identity based on:
 - *It’s unique ocean channel with naturally forming mini beach areas, shallow and deeper water providing for swimming, paddling, fishing and other water-based activities.*
 - *Ocean beaches providing for swimming, surfing, fishing, kite-surfing, other water and beach based activities.*
 - *Islands - providing scenic value, boating refuges, fishing, wildlife refuges.*
 - *Shopping, including boutique style, restaurants, coffee shops, local convenience stores...*
 - *Entertainment events -country music festival, weekend and free events*
 - *Heritage buildings and other items and places of historic value.*

A Vision for The Entrance Peninsula

- *Biodiversity including various threatened species and environments and habitats, and improved linkages between the urban environment and the 'natural' features.*
- *Open space areas - Memorial Park, Picnic Point Reserve, Saltwater Creek Reserve, Swadling Park, Tuggerah Lakes Foreshore Reserve, The Entrance North Foreshore Reserve and Karagi Reserve.*
- *Expansive water views across Tuggerah Lake, The Entrance Channel and the Pacific Ocean.*
- *Exceptional sunrises and sunsets.*
- *Unique waterside location between Tuggerah Lake and the Pacific Ocean, providing a unique sense of place and ambience.*
- *Inviting streetscapes including a waterfront mall and water play centre and pedestrian friendly main streets.*
- **Our vision for the People** of the Peninsula is that the area will be an attractive and highly desirable place to live work and play, where the quality of life is improved for everyone now, and for future generations to come.
- **Our vision for Development** of the Peninsula is that the community will have plans, infrastructure and utilities that proactively attract and support ongoing future sustainable development. Key themes to support this vision include:
 - *The Entrance Peninsula locality will have a population of approximately between 29,000 and 33,800.*
 - *The major concentration of population in the locality will be around The Entrance Town Centre.*
 - *The town, village and neighbourhood centres and their roles will be clearly defined.*
 - *The locality's centres will maximise existing infrastructure and services in a strategic manner, avoiding out of sequence development and inappropriate development of sensitive areas.*
 - *All streets will be well designed and landscaped to reflect the character and charm of the locality and its community.*
 - *The Entrance Road corridor will provide a grand gateway to and from the Peninsula. It will be designed to ensure traffic flows are efficient and safe. All development and landscaping along this route will enhance the visual appeal.*
 - *There will be a variety of housing styles and environments, reflecting the coastal character of the locality. These will range from attractive and consolidated medium to high density clusters close to the major centres of The Entrance and Long Jetty, to low density residential areas away from these centres.*
 - *Residents and visitors throughout the peninsula will have access to affordable essential services and facilities and a diverse range of community assets.*
 - *Sustainable development will have six fundamental objectives:*
 - *social cohesion*
 - *effective protection, conservation and management of the 'natural' environment, biodiversity and cultural heritage.*
 - *effective energy management.*
 - *effective management of hazards, including those associated with sea level rise, ocean processes, flooding, acid sulphate soils and groundwater resources.*
 - *prudent use of The Entrance Peninsula's attributes and resources.*

A Vision for The Entrance Peninsula

- *achievement and maintenance of stable levels of economic growth and employment.*
- *Adding to economic development through an increased number and variety of interesting tourism, retail and commercial attractions and activities throughout the year.*
- *Achieving the highest practical level tourism visitations via visitors enjoying the widest range of interesting attractions and activities, both passive and active.*
- *The Peninsula's industrial and bulky goods needs will be served by retaining the existing areas zoned 3(b) Centre Support, along The Entrance Road through Long Jetty, and 4(b) Light Industrial, on the corner of The Entrance Road and Gosford Road.*
- *The Entrance Town Centre will be the primary activity centre on The Peninsula providing a wide range retail, commercial, financial, community service recreation and entertainment opportunities, to serve the needs of residents and tourists.*
- *Convenience centres including Long Jetty, Toowoan Bay and The Entrance North provide limited retail and commercial facilities for local residents.*
- *Key areas and sites will be master planned, including development and infrastructure needs for future generations.*
- *Retail, commercial, light industrial and residential areas on the Peninsula will be clearly identified.*
- *There will be sensitive integration between the urban development areas and the Peninsula's 'natural' environment, attributes, open space areas, and cultural heritage.*
- *Growth will be balanced with quality of life measures to ensure that the Peninsula keeps, and is increasingly noted for, its high quality environment and cultural amenities, assets that encourage people to live, visit, work and invest in the locality.*
- **Our vision** for the Peninsula's **Natural Environment** is for a healthy and sustainable natural environmental system. Key themes in support of this vision include:
 - *Managing land and water systems effectively to meet the community's needs and expectations.*
 - *Utilising best practice energy management.*
 - *Minimising air and noise pollution and nuisance.*
 - *Achieving sensitive Integration between the Peninsula's 'natural' environment, attributes, open space areas, cultural heritage and the urban development areas.*
 - *Preserving and enhancing remnant vegetation and habitat and controlling environmental weeds on public land, encouraging the same on private land*
 - *Recognising, protecting and promoting public land for its environmental, cultural and economic value.*
 - *Preserving and highlighting the history and culture of the locality, contributing to the charm and attractiveness of the Peninsula.*
- **Our vision** for **Transport** on the Peninsula is to:
 - *increase public transport efficiency and use, particularly between the locality and the centres of Tuggerah, Wyong and Gosford.*

- provide for relatively free flowing traffic throughout the Peninsula to minimise traffic congestion, noise and air pollution impacts.
- Key themes in support of this vision include:
 - *Residents and visitors will be utilising a comprehensive mix of safe and efficient transport services to travel within and to and from the Peninsula.*

3.1 Sale of Council Land at 27 Emerald Place, Berkeley Vale

TRIM REFERENCE: D01863059

AUTHOR: SJL

SUMMARY

Approval is sought for the sale of Lot 295 DP 28398, 27 Emerald Drive, Berkeley Vale owned by Wyong Shire Council.

RECOMMENDATION

- 1** *That Council authorise the sale of Lot 295 DP 28398, 27 Emerald Drive, Berkeley Vale for an amount not less than the market value as determined by an independent registered valuer.*
- 2** *That Council authorise the Common Seal of the Wyong Shire Council to be affixed to the formal documents for Sale and Transfer of the land.*
- 3** *That Council authorise the Mayor and the General Manager to execute all documents.*

BACKGROUND

Council acquired Lot 295 DP 28398, 27 Emerald Place, Berkeley Vale on the grounds of hardship in 17 July 1995 for the amount of \$130,000. The property including the living areas in the dwelling experienced excessive flooding exacerbated by inadequate drainage in the area at the time.

Drainage in Emerald Place, Berkeley Vale was significantly upgraded in 2002. The new drainage system has design capacity for a 1 in 5 year event to be contained within the drainage pipes and a 1 in 20 year event within the road reserve. As part of the 2002 upgrade, the pipes that ran adjacent to 27 Emerald and through to Colleen Street were disconnected from the main drainage network, and now only function as inter-allotment drainage.

On the basis that the drainage affecting the property has now been upgraded the property could be offered for sale. The property remains flood prone from lake level rises as are many of the residences in this area.

Lot 295 DP 28398 has an area of 575.4m², is zoned 2(a) Residential and is classified as "operational land."

The property has improvements comprising a three bedroom brick and tile cottage with carport and detached garage. Council currently lets the property as a residential tenancy and receives a net rental of \$11,700 per annum.

Council may sell the property subject to the current tenancy. Council is currently responsible for the cost of maintaining and insuring the property and payment of Council rates. The current residential lease can be terminated with one month's notice.

THE PROPOSAL

The property was originally acquired for reasons that no longer exist and no other operational need is identified warranting a continuation of capital investment.

It is proposed that Council offer the land and improvements for sale by public auction in the first instance and thereafter by agreement with prospective purchasers entering into a Contract for Sale. The sale price of the land is to be set at the market valuation as determined by an independent qualified registered valuer.

The property is not linked to any of Council's Management Plans and the disposal of the land has been recommended by Council's Shire Services Department.

The expected return is addressed in the confidential attachment to this report.

OPTIONS

- 1 Council sell the property . subject to the sale price reaching the value set by an independent valuer.
- 2 Council retain the property and continue to let as a residential tenancy, for rental income of \$11,700 per annum with Council being responsible for maintenance, insurance and rates payments for the premises. Capital gains may be available however such investment is outside Council policy.

FINANCIAL IMPLICATIONS

Recent sales in the area have reflected firm prices on the back of interest generated from the first home buyer's scheme. The Federal Government is currently advising that this scheme will end on 30 June 2009. If the scheme ceases on that date prices in this sector of the market are expected to drop significantly and remain depressed for some time.

If the sale price fails to reach the price set by an independent valuer Council should continue to lease the property until the property market firms.

GOVERNANCE

The land is classified as Operational land for the purposes of the Local Government Act 1993 and there is no impediment to the sale. Sale will be in accordance with the provisions of the Real Property Act 1900.

CONCLUSION

The property is not required for operational purposes and as an investment it is not consistent with Investment Policy. Disposal will terminate Council's interest.

The property is recommended for sale at this time to take advantage of the first home buyers market created by the Federal Governments first home buyer's assistance package and the waiving of stamp duty in NSW. The First Home Buyers Grant applies to homes sold prior to 30 June 2009 only.

ATTACHMENTS

- 1 Location of Lot 295 DP 28393, 27 Emerald Drive Berkeley Vale
- 2 Confidential enclosure - expected return on sale (under separate cover) Enclosure



FOR INTERNAL USE ONLY Scale 1:1199

4.1 Contract CPA 153228 - Construction of Woongarra Sports Facility

TRIM REFERENCE: D01775535

AUTHOR: JP

SUMMARY

Evaluation and selection of tenders for Contract CPA 153228 - Construction of Woongarra Sports Facility.

RECOMMENDATION

- 1** *That Council accept Tender No. 9 from Maincon Pty Ltd in the lump sum amount of \$4,620,995 (excl GST).*
- 2** *That Council approve a contract budget of \$5,083,095 (excl GST) that provides for a contingency amount of \$462,100 (excl GST), representing approximately 10% of the contract value, to provide for any unforeseen additional works that may become necessary during the course of the project.*

BACKGROUND

This contract is for the construction of the Woongarra Sports Facility. The facility provides sporting and recreational facilities that are designed to encourage use by the local community as a gathering point. It is designed to meet the objectives of Council's Warnervale/Wadalba Community Support and Human Services Strategies.

The five hectare site is located off Hakone Road, Woongarra, opposite the Waterside Drive intersection. A plan of the facility is included in this report as Attachment 1.

The contract works include construction of two rugby playing fields and a turf cricket wicket, practice cricket wickets, paved multipurpose courts, sports field and site lighting, an amenities building, car parking, landscaping, water harvesting and interim intersection works.

Tender Process

Tenders were invited by way of public invitation. Tenders were published on Council's e-tendering website and advertisements were placed in the Sydney Morning Herald on 11 and 18 November 2008 and the Central Coast Express Advocate on 12 November 2008. The advertised closing date was 18 December 2008.

The invitation documents called for lump-sum tenders, based on detailed documentation.

A compulsory pre-tender meeting was held at the proposed work site on 27 November 2008 to allow tenderers to become familiar with site conditions.

The following addenda were issued to all prospective tenderers during the invitation period.

- 1** Alterations to the specification (included with the main invitation document) (31 October 2008.)
- 2** Alterations to the specification (omitted drawing) (27 November 2008)
- 3** Minutes of mandatory site meeting (2 December 2008)

4 Revised attachment for Addendum No.3 (3 December 2008)

5 Alterations to specification and clarifications (10 December 2008)

Tenders closed at Council Chambers at 2 pm on 18 December 2008

EVALUATION OF TENDERS

Tenders were evaluated by a panel of three staff members (one of which was from a unit other than the one managing the procurement process) using the following threshold and weighted criteria:

- Conformance with the requirements of the tender documents
- Ability to manage financial and safety risk
- Price
- Experience of tenderers with contracts of similar size and nature
- Past contract performance of tenderers
- Experience and performance of tenderers or tenderer’s proposed playing surface subcontractor in sports field construction.

The evaluation criteria and their weightings were documented in the Contract Development Plan and approved by the Director Shire Services prior to tenders being invited. The Contract Development Plan is available on file.

To assess tenders against the evaluation criteria, the panel used information obtained from the tender documents and related correspondence, referees, external advisors and presentations made by the shortlisted tenderers.

The evaluation was conducted according to the following process.

- Assessment of receipt of tenders
- Assessment of conformance of tenders
- Shortlisting of tenders
- Detailed weighted evaluation of shortlisted tenders
- Due diligence checks on preferred tenderers
- Independent review of the tender selection process.

Assessment of Receipt

The following tenders were received and are listed in alphabetical order.

	Tender	Tendered Lump Sum (Ex. GST)	Status
1	Bolte Civil Unit Trust	\$5,105,610.10	Submitted on time
2	Builtform Constructions Pty Ltd	\$5,520,870.00	Submitted on time
3	Classic Group Pty Ltd	\$4,997,884.60	Submitted on time
4	Daracon Constructions Pty Ltd	\$5,328,545.90	Submitted on time
5	Keller Civil Eng Pty Ltd	\$5,492,636.30	Submitted on time
6	Kingston Civil Construction. Pty Ltd	\$3,432,482.70	Submitted on time
7	Landscape Solutions Australia Pty Ltd	\$5,205,288.80	Submitted on time

	Tender	Tendered Lump Sum (Ex. GST)	Status
8	Landscape Solutions Australia Pty Ltd – Alternative	\$4,936,570.20	Submitted on time
9	Maincon Pty Ltd	\$4,620,995.00	Submitted on time
10	Merhis Constructions Pty Ltd	\$6,031,093.20	Submitted on time
11	Projectcorp Aust Pty Ltd	\$4,726,718.10	Submitted on time
12	Robson Civil Projects Pty Ltd	\$5,527,984.30	Submitted on time
13	Scape Constructions Pty Ltd	\$4,920,220.80	Submitted on time
14	Thomas & Coffey Ltd	\$4,986,667.00	Submitted on time

All tenders were submitted on time and progressed to an assessment of conformance.

Assessment of Conformance

Tenders were assessed for conformance with the general tender requirements, including the specification. All firms attended the mandatory pre-tender site meeting.

Shortlisting

Due to the large number of tenders received, a shortlisting process was undertaken to enable more effort to be put into analysis of the more attractive and financially competitive offers. A sensitivity analysis determined the effect of varying scores for the non-price criteria on the resulting ranking of tenders. This analysis indicated that the higher priced tenders remained uncompetitive even if very high scores were assigned to the non-price criteria because these tenders rated so poorly on price. As a result, the lowest seven tenders were shortlisted for further consideration.

Assessment of Conformance of Shortlisted Tenders

The shortlisted tenders were assessed for conformance in terms of tender pricing anomalies, alternatives submitted or tender qualifications. Tenderers were requested to clarify aspects of their tender and these matters are included in the panel's detailed evaluation notes on file.

The Contract Development Plan states that non-conforming tenders will be eliminated, except where they represent an overall advantage to Council or where minor issues can be readily resolved. The shortlisted tenders were examined in detail in regard to the extent and impact of any anomalies, alternatives and qualifications and taking account of any clarification received from the tenderers. Where the alternative, qualification, anomaly or clarification was considered to have an impact on the overall cost to Council in regard to that tender, an assessment was made of the valuation of that cost impact (positive or negative) on the tendered price.

The details of the assessed valuations of the alternatives, qualifications, anomalies or clarifications are included in the panel's detailed evaluation notes on file.

The following tabulation shows the tendered prices for the lowest seven tenders and the adjusted price after corrections for clarification of omissions and/or errors and estimates of the assessed cost of tender qualifications or tender alternatives have been considered.

	Tender	Tendered Lump Sum (Excl GST)	Adjusted Lump Sum (Excl GST)
6	Kingston Civil Construction. Pty Ltd	\$3,432,482.70	\$3,564,300.90
9	Maincon Pty Ltd	\$4,620,995.00	\$4,646,258.10
11	Projectcorp Pty Ltd	\$4,726,718.10	\$4,726,718.10
1	Bolte Civil Unit Trust (alternative- Hanson Sand)	\$5,105,610.10	\$4,876,610.00
13	Scape Constructions Pty Ltd	\$4,920,220.80	\$4,920,220.80
7	Landscape Solutions Aust. Pty Ltd (alternative)	\$4,936,570.20	\$5,147,479.30
14	Thomas & Coffey Ltd	\$4,986,667.00	\$4,986,667.00

Tender No. 6 (from Kingston Civil Construction Pty Ltd) did not comply with a threshold criteria in that the tenderer requested an additional 10% be added to its tendered price to allow for GST. This firm has completed a number of civil projects, primarily for local Government over the last two years. Those works have typically included footpath reconstruction, street furniture replacement, stormwater drainage, signage and landscaping, with contract values up to \$2.5m. Kingston Civil Constructions was formed in early 2007 after the purchase of the civil division from Kingston Industries by a holding company associated with the managing director. The firm owns its own plant and includes a landscaping section. The firm has not undertaken the construction of any buildings under the current management nor larger scale multidiscipline projects like the Woongarra Sports Facility. Kingston's prices for the majority of the major work items were less than 60% of the average of all tenders. There is concern that this company has not demonstrated sufficient prior experience in sports field construction to provide assurance that the work could be completed satisfactorily without undue risk to Council. Accordingly this tender was eliminated and not progressed to the next stage of the evaluation.

Of the remaining six tenders, three are conforming, two are substantially conforming and one contains significant non-conformances.

Tender No. 11 (from Projectcorp Australia Pty Ltd) is conforming and has been progressed to the next stage of evaluation.

Tender No. 13 (from Scape Constructions Pty Ltd) is conforming and has been progressed to the next stage of evaluation.

Tender No. 14 (from Thomas & Coffey Ltd) is conforming and has been progressed to the next stage of evaluation.

Tender No. 9 (from Maincon Pty Ltd) contains two non-conforming elements which have been assessed and judged to be of a minor nature only, able to be assessed and valued as part of the evaluation process. As a result this tender has been progressed to the next stage of the evaluation because the tender potentially represents superior value to Council.

Tender No. 1 (from Bolte Civil Unit Trust) contains some non-conforming elements which have been assessed and judged to be of a minor nature only, able to be assessed and valued as part of the evaluation process. As a result this tender has been progressed to the next stage of the evaluation because the tender potentially represents value to Council.

4.1 Contract CPA 153228 – Construction of Woongarra Sports Facility

Tender No. 7 (from Landscape Solutions Australia Pty Ltd (alternative)) contains a number of significant non-conforming elements some of which constitute substantial departures from the design. As a result this tender was eliminated and not progressed to the next stage of the evaluation.

Weighted Evaluation of Shortlisted Tenders

Tenders Nos. 9, 11, 1, 13 and 14 (from Maincon Pty Ltd, Projectcorp Pty Ltd, Bolte Civil Unit Trust, Scape Constructions Pty Ltd and Thomas & Coffey Ltd) tendered competitive prices that were within 10% of Council's pre-tender estimate, which was \$5,000,000.00. These five tenders were progressed to a full weighted evaluation.

Tenders were scored against each of the weighted evaluation criteria (including price and non-price elements), and are listed below in descending order of weighted evaluation scores.

	Tender	Lump Sum (Ex. GST) (as adjusted)	Weighted Evaluation Score
9	Maincon Pty Ltd	\$4,646,258.10	88
13	Scape Constructions Pty Ltd	\$4,920,220.80	83
14	Thomas & Coffey Ltd	\$4,986,667.00	83
1	Bolte Civil Unit Trust (alternative – Hanson Sand)	\$4,876,610.00	75
11	Projectcorp Aust Pty Ltd	\$4,726,718.10	63

Tender No. 9 (from Maincon Pty Ltd) is from a long-established firm with long term repeat clients with a primary focus on the building component but which has experience with external works, including golf course and school sports field work. The proposed subcontractors for the playing field portion have considerable experience with this type of work and have previously worked with Maincon. Referees report very favourably. The adjusted tender price allows for the nominated (minor) exclusions.

Tender No. 13 (from Scape Constructions Pty Ltd) is from a locally based firm with a primary focus on landscape works and lesser experience with building work or work of the multidisciplinary nature of this contract. Referees report favourably.

Tender No. 14 (from Thomas & Coffey Ltd) is from a firm with considerable building and external works experience. No stated experience in sports field construction. Referees report very favourably.

Tender No. 1 (from Bolte Civil Unit Trust) is from a locally based firm with considerable civil experience. This firm was the major subcontractor to Projectcorp for the Wadalba project that experienced a number of difficulties.

Tender No.11 (from Projectcorp Pty Ltd) is from a firm which has completed a number of multi-component projects (but with a building focus) and was Council's contractor on the recently completed Wadalba Sports Facility. This contract experienced a number of difficulties. Overall this tender received the lowest score of the remaining tenders.

Tenderers were required to submit Rate Only rates for importing and disposal of fill should the designed balanced cut/fill quantities not eventuate. The rates tendered by Maincon Pty Ltd and Scape Constructions Pty Ltd (tenders No. 9 and 13 respectively) were subjected to an assessment of their potential impact on the overall cost of the tender to Council by applying the rates to estimated minor quantities of fill/spoil. The adjustment of the tenders to allow for this eventuality does not alter the relative evaluation rankings of these tenders. Calculations are included in the detailed evaluation notes on file.

Tender No. 9 (from Maincon Pty Ltd), being the highest scoring tender, was progressed to the due diligence stage of the evaluation.

Due Diligence

Tender No. 9 (from Maincon Pty Ltd) was subjected to a financial assessment, an in-house safety/environment system assessment, a tender interview and referee checks.

On the basis of the information provided by the tenderer, Council's independent financial assessor Kingsway Financial Assessments, and independent referees, it is considered that Maincon Pty Ltd possesses all of the technical, financial and managerial resources necessary to satisfactorily complete the works.

Maincon Pty Ltd is a Sydney based contractor with a history of successfully completed contracts similar in value and scope to the current works. The company has in place documented Occupational Health Safety and Rehabilitation Management and Environmental Management systems. The company proposes to use well regarded specialist playing field construction and turf subcontractors who have extensive experience in projects that include Schofields Golf Course, Knox Grammar sports field and the Sydney Cricket Ground.

The amount tendered by Maincon Pty Ltd is within 8% of Council's pre-tender estimate and is considered to represent a reasonable price for the contract works.

RISK ASSESSMENT

General

When letting a contract, various risks exist that may result in the final contract cost exceeding the initial contract sum. These risks vary depending upon the type of work being undertaken; for example, design work versus construction work; and the type of contract, for example Lump Sum versus Schedule of Rates.

Generally, the contract is structured to have the party best placed to manage the risk responsible for that risk outcome. Some risks are passed on to the contractor, with the cost of those risks reflected in the tendered price. Other risks are best managed by Council rather than the contractor, as they would inflate the tender price whether the risk eventuated or not. For this reason Council retains and is required to manage some risks. These are minimised by Council's contract administration processes. However, to manage these risks it is necessary to provide a contingency sum in addition to the tender price to allow for unforeseen additional works that may become necessary during the course of the project.

Contract Risks

Contract risks include Generic Risks (generally found in most contracting situations) and Specific Risks leading to contract variations that have particular application to an individual contract. These major risks are summarised below for this contract.

Generic Risks

These are risks that Council manages through its contract administration procedures and processes. Major generic risks and mitigation measures for this contract include:

- Contractor experiences financial difficulties or goes into liquidation, leading to additional project delays and costs. Mitigated through financial and referee checks before contract award and timely progress payments.

4.1 Contract CPA 153228 – Construction of Woongarra Sports Facility

- Completion time exceeds target leading to delays and damage to Council's reputation. Mitigated through close supervision and prompt directions where required.
- Liability for injury and/or damage to people, property and the environment. Mitigated through on-going validation of contractor's insurances, safety and environmental management systems, together with close supervision including site audits.
- Contract dispute over rights and obligations of the parties. Mitigated through use of Australian Standards' General Conditions of Contract, which include dispute resolution mechanisms.

Specific Risks Leading to Contract Variations

The following are the major risks that Council bears in relation to this contract:

- The quality of the design is sub-standard resulting in additional costs during the construction phase. Mitigated by appropriate technical reviews in house and by others to ensure design meets requirements.
- Changes to regulatory design standards requiring project re-design. Mitigated by using latest information in tender documents and minimising delays in award of contract.
- Sub-surface ground conditions differ significantly from the geotechnical report, leading to the need for additional works or amendment of documented works. Mitigated by having tender rates for importing and disposing of fill.

Risk Contingency

The above risks are considered to be Medium for this contract given the value of the contract and the nature of the work. Accordingly, it is recommended that a contingency sum of \$462,100 (excl GST) representing approximately 10% of the contract sum be approved. This amount will also allow for variations that may arise from the minor non-conformances identified in the tender evaluation process.

Based on previous experience with contracts of this nature and analysis of the risks involved, it is estimated that there is a reasonable probability that the contract budget of \$5,083,094 (excl GST), which incorporates the contingency allowance, will not be exceeded.

BUDGET

The tender sum submitted is a fixed lump sum that may increase or decrease depending on variation claims that arise during the course of the works. Provision for funding the project has been made in the Management Plan and is funded from Section 94 contributions.

TIME-FRAME

The contract period is 45 weeks from the date of award, which, for award on 13 April 2009, would see the contract completed in February 2010. An allowance of at least six weeks should be made for delays due to wet weather, noting that the project is primarily external.

LOCAL CONTENT

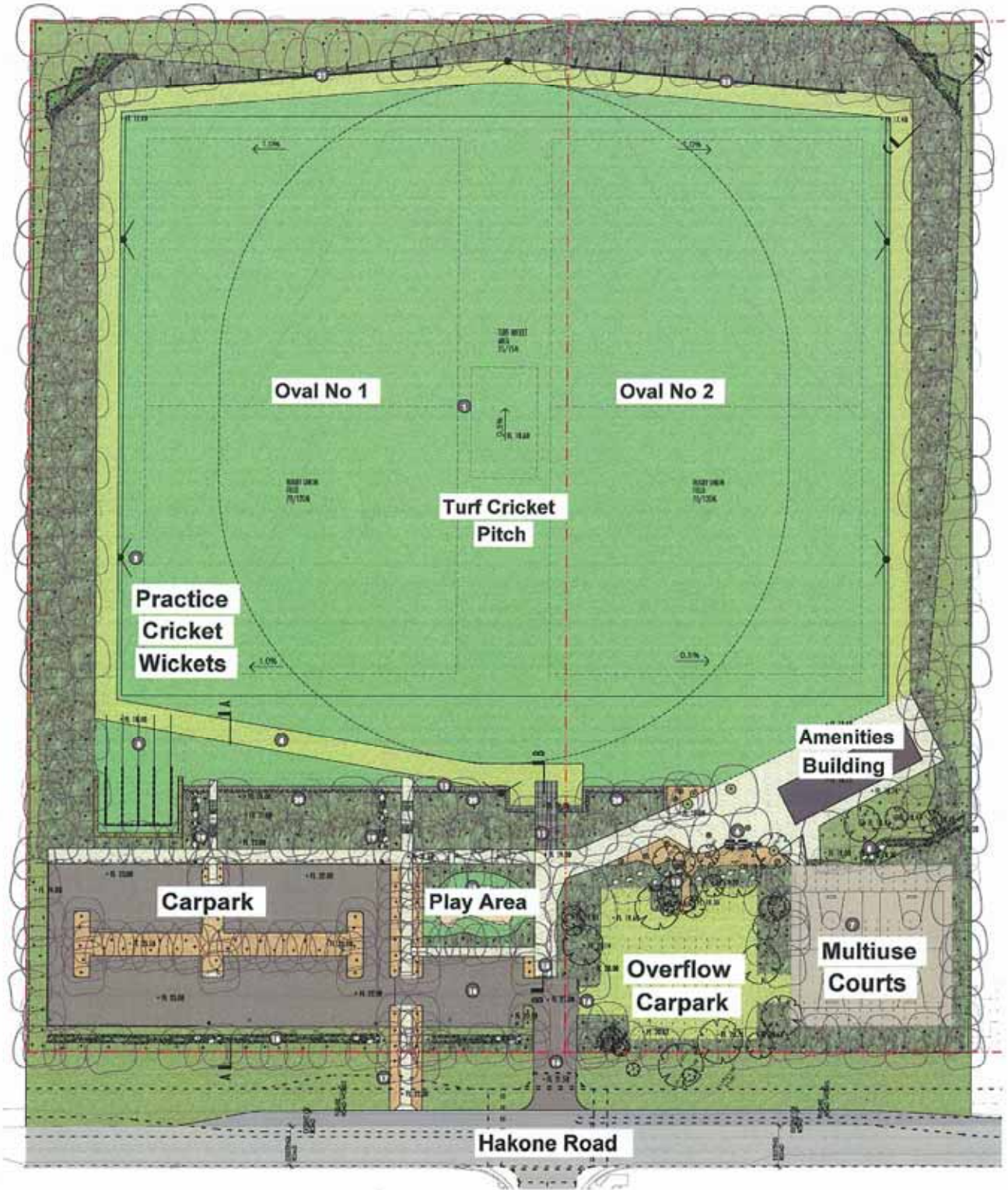
The tenderer has indicated that wherever practicable local labour and subcontractors would be employed on the contract works. Maincon's Operations Manager is locally based.

CONCLUSION

Tender No. 9 from Maincon Pty Ltd is the highest scoring tender and meets all of Council's requirements for this contract. On balance, this tender represents the best value-for-money for Council. It is recommended that the tender be accepted.

ATTACHMENTS

- 1 Woongarra Sports and Recreation Park
- 2 Woongarra Sports Facility Locality Plan



Wyong Shire Council
85A/86A HAKONE ROAD, WOONGARRAH

WOONGARRAH SPORTS & RECREATION PARK

4.2 Contract CPA 155267 - Hamlyn Terrace Community and Sporting Facility

TRIM REFERENCE: D01862820

AUTHOR: JP

SUMMARY

Evaluation and selection of tenders for Contract CPA/155267 – Hamlyn Terrace Community and Sporting Facility - Design.

RECOMMENDATION

- 1 That Council accept Tender No 17 from Quinn O'Hanlon Architects in the lump sum amount of \$347,855 (excl GST).**
- 2 That Council approve a contract budget of \$382,855 (excl GST), that provides for a contingency amount of \$35,000 (excl GST), representing approximately 10% of the contract value, to provide for any unforeseen additional works that may become necessary during the course of the design.**

BACKGROUND

At the Ordinary Meeting held on 26 September 2007 Council resolved to accept the recommendation to plan for a joint sporting and community facility on Minnesota Road, Hamlyn Terrace. This project is to deliver a Community and Sporting Facility for public use on land owned and administered by Wyong Council. This project is identified as one of three local sporting facilities to be provided through Section 94 Contribution funds as part of the development of the Warnervale Wadalba Release.

The site is located on the eastern side of Minnesota Road in the Warnervale/Wadalba urban release area. It is zoned 10A (Investigation) and 1C (Non Urban Constrained Lands) and covers an area of 50,800m² (5.08ha). The site is vacant and has been used as rural grazing land. The site was acquired by Council by compulsory acquisition in December 2008. The Hamlyn Terrace Primary School has recently been constructed on land immediately adjacent to the north of the site. The site is outlined in red on the Site Location Plan shown on Attachment 1.

This project will provide the Hamlyn Terrace Community and Sports Facility within a budget of \$9.7M comprising of Section 94 contributions being \$8.3m (Section 94 - Open Space) and \$1.4m (Section 94 - Community Facility). The project will include a local Community Centre, sportsfields, courts and ancillary infrastructure. The Preliminary Site Master Plan is included as Attachment 2.

Providing a network of community facilities is an important way by which Council can meet the social outcomes as described in the Wyong Shire Community Plan (2008). The co-location of the community facility building with the sportsfield will provide advantages in the shared use of resources such as the carpark and provision of services with this project providing a valuable community asset.

This report is to consider awarding a contract to design and document all facilities to optimise use of this site.

Tender Process

Tenders were invited by way of public invitation. Advertisements were placed in the Sydney Morning Herald on Tuesday 25 November 2008, the Central Coast Express Advocate on Wednesday 26 November 2008, and Newcastle Herald on Saturday 29 November 2008. The advertised closing date was Thursday 18 December 2008. The tender was also published on Council's e-tendering website.

The invitation documents called for lump-sum tenders based on a detailed design Brief (specification).

A compulsory pre-tender meeting was held at the Wyong Council office on 8 December 2008 to allow tenderers to become familiar with Request For Tender requirements and conditions.

The following addenda were issued to all prospective tenderers during the invitation period.

- 1 Minutes of the pre-tender meeting (8 December 2008).
- 2 Responses to Tenderer Queries (10 December 2008).

Tenders closed at Council Chambers at 2:00pm on Thursday 18 December 2008.

EVALUATION OF TENDERS

Tenders received were initially reviewed and assessed by the Project Manager. Tenders were then evaluated by a panel of four staff members (two of whom were from a unit other than the one managing the procurement process) using the following threshold and weighted criteria:

- * Conformance with the requirements of the tender documents.
- * Ability to manage financial, environmental and safety risk.
- * Past Performance.
- * Skills, qualifications and experience of key personnel.
- * Price.
- * Experience and capacity.

The evaluation criteria and their weightings were documented in the Contract Development Plan and approved by the Director Shire Services prior to tenders being invited. The Contract Development Plan is available on file.

To assess tenders against the evaluation criteria the panel used information obtained from the tender documents and related correspondence, referees, external advisors and presentations made by the shortlisted tenderers.

The evaluation was conducted according to the following process.

- Assessment of receipt of tenders.
- Assessment of conformance of tenders.
- Shortlisting of tenders.
- Detailed weighted evaluation of shortlisted tenders.
- Due diligence checks on preferred tenderers.

4.2 Contract CPA 155267 - Hamlyn Terrace Community and Sporting Facility (contd)

- Independent review of the tender selection process.

Assessment of Receipt

The following tenders were received and are listed in alphabetical order.

No	Tender	Tendered Lump Sum (Ex. GST)	Status
1	ACOR Consultants Pty Ltd	\$450,000.00	Submitted on time
2	BHI Architects	\$399,500.00	Submitted on time
3	Bonacci Group	\$324,800.00	Submitted on time
4	Caldis Cook Group	\$260,650.00	Submitted on time
5	Cardno NSW Pty Ltd	\$448,000.00	Submitted on time
6	Complete Urban Pty Ltd	\$499,844.50	Submitted on time
7	Connell Wagner Pty Ltd	\$474,066.50	Submitted on time
8	Crone Partners Architects	\$498,569.00	Submitted on time
9	Day Bukh Architects / TTW	\$322,750.00	Submitted on time
10	Gelder	\$423,650.00	Submitted on time
11	GHD Pty Ltd	\$329,100.00	Submitted on time
12	Hyder Consulting Pty Ltd	\$635,096.00	Submitted on time
13	Kinsley & Associates	\$299,530.00	Submitted on time
14	LFA (Pacific) Pty Ltd	\$537,052.00	Submitted on time
15	Northrop Consulting	\$482,500.00	Submitted on time
16	PDT Architects NSW Pty Ltd	\$427,460.00	Submitted on time
17	Quinn O'Hanlon Architects	\$347,855.00	Submitted on time
18	Ryan Consulting	\$377,173.00	Submitted on time
19	SARM Architects Pty Ltd	\$315,000.00	Submitted on time
20	Suters Architects Pty Ltd	\$415,640.00	Submitted on time
21	Tompkins MDA Architects	\$384,480.00	Submitted on time
22	URS Australia	\$433,000.00	Submitted on time

All tenders were submitted on time and all were progressed to an assessment of conformance.

Assessment of Conformance

All tenders were assessed for conformance with the general tender requirements, including the design Brief.

Tender No 10 (Gelder) excluded quantity surveying services, and as this is an essential requirement of the Brief the tender was deemed non-conforming and eliminated from further consideration.

Tender No 19 (SARM Architects) excluded landscaping design and EIS/REF services, and as these are essential requirements of the Brief the tender was deemed non-conforming and eliminated from further consideration.

Tender No 20 (Suters Architects) advised an error in the original tendered price, and submitted a revised tender amount after the tender had closed. The tender was deemed non-conforming and eliminated from further consideration.

Tender No 22 (URS Australia) excluded allowances for all services designs, and as these are an essential requirement of the Brief the tender was deemed non-conforming and eliminated from further consideration.

The remaining 18 tenders were deemed to conform to the tender requirements and were progressed to the next stage of evaluation.

Shortlisting

Tenders were shortlisted against Criteria No 3 – Price. A number of tenderers tendered competitive prices that were within Council’s pre-tender estimate for this work. Six of these tenders were progressed to a full weighted evaluation.

Tender No 18 (Ryan Consulting Group) tendered an amount 45% higher than the lowest priced tender and all other tenders higher than that again. Regardless of how they rated on non-price criteria, the substantial price difference would make it impossible for any of these tenders to rate as the preferred option after a full weighted evaluation. These tenders were therefore eliminated to allow the panel to concentrate its assessment efforts on the six remaining competitive tenders (Tender Nos 3, 4, 9, 11, 13 and 17).

Weighted Evaluation

The three lowest shortlisted tenderers, Tender No 4 (Caldis Cook Group), Tender No 9 (Day Bukh Architects / TTW), and Tender No 13 (Kinsley & Associates), were subjected to a financial assessment by Council’s independent financial assessor, Kingsway Financial Assessments, to review their performance against the financial criteria as a further step in the analysis process.

On the basis of these financial assessments it was recommended that Tender No 9 (from Day Bukh Architects / TTW) be eliminated from further consideration.

The five remaining tenders were then scored against each of the weighted evaluation criteria (including price and non-price elements) and are listed below in descending order of weighted evaluation scores.

No	Tender	Lump Sum (Ex. GST)	Weighted Evaluation Score
17	Quinn O’Hanlon Architects	\$347,855.00	78
13	Kinsley & Associates	\$299,530.00	71
4	Caldis Cook Group	\$260,650.00	70
3	Bonacci Group	\$324,800.00	67
11	GHD Pty Ltd	\$329,100.00	66

Tender No 17 (Quinn O'Hanlon Architects) received excellent references in relation to the quality of their work and service in the provision of community facilities over an extended period. Their nominated design team also had extensive experience with similar sporting facilities. The score reflects these factors. Details of the assessment are on file.

Tender No 13 (Kinsley & Associates) and Tender No 4 (Caldis Cook Group), the next two most competitive tenders with relevant experience were reviewed. These tenderers received similar scores based on the information provided. These scores were significantly below that of Tender No 17. Details of these assessments are on file.

Tender Nos 4, 13 and 17 were progressed to the next stage of the evaluation.

Due Diligence

Tender No 4 (Caldis Cook Group), Tender No 13 (Kinsley & Associates) and Tender No 17 (Quinn O'Hanlon Architects), were subjected to a financial assessment, an in-house safety/environment system assessment and referee checks. Tender No 17 (Quinn O'Hanlon Architects) received superior and impressive referee feedback, and their nominated design team demonstrated superior relevant experience with design of community centres and similar sporting facilities. Details of these assessments are on file.

The weighted evaluation scores of Tender No 4 (Caldis Cook Group) and Tender No 13 (Kinsley & Associates) were very similar but significantly below that of Tender No 17 (Quinn O'Hanlon Architects). Importantly, these scores reflect the Tender Panel's assessment of the skills, experience, capacity and likely performance of these two tenderers based on all of the information provided and discussions with referees. In particular, it was considered that these tenderers did not have the same level of experience in the areas of sportsfield and community centre design, where Tender No 17 (Quinn O'Hanlon Architects) was able to amply demonstrate its project team had designed multiple similar projects.

This consultancy requires a high level of skill to ensure that Council receives the best possible product for the community. It is considered that the broader experience and level of expertise of Tender No 17, with superior referee reports, will provide Council with the project results it is seeking at a fair and reasonable price. Details of the assessments are provided on the tender file.

A tender review meeting was subsequently conducted with Quinn O'Hanlon Architects and their nominated engineering consultant Northrop, to discuss and confirm issues regarding the tender submission, relevant similar experience of the consultant team, relevant similar experience of key staff and other related issues. The meeting confirmed the ability of this Tenderer to deliver the required product and to meet all of Council's requirements.

On the basis of the information provided by the tenderer, Council's independent financial assessor Kingsway Financial Assessments, and independent referees, it is considered that Quinn O'Hanlon Architects possesses all of the technical, financial and managerial resources necessary to satisfactorily complete the works.

Quinn O'Hanlon Architects is a Newcastle based consultant with a history of successfully completed contracts similar in nature and scope to the current works. The company has in place fully documented Occupational Health Safety and Rehabilitation Management and Environmental Management systems.

The amount tendered by Quinn O'Hanlon Architects is well within Council's pre-tender estimate and is considered to represent a reasonable price for the contract works.

Process Review

This evaluation process and recommendations have been endorsed by the Contract Systems Co-ordinator.

RISK ASSESSMENT

General

When letting a contract, various risks exist that may result in the final contract cost exceeding the initial contract sum. These risks vary depending upon the type of work being undertaken; for example, design work versus construction work; and the type of contract, for example Lump Sum versus Schedule of Rates.

Generally, the contract is structured to have the party best placed to manage the risk responsible for that risk outcome. Some risks are passed on to the contractor, with the cost of those risks reflected in the tendered price. Other risks are best managed by Council rather than the contractor, as they would inflate the tender price whether the risk eventuated or not. For this reason Council retains and is required to manage some risks. These are minimised by Council's contract administration processes. However, to manage these risks it is necessary to provide a contingency sum in addition to the tender price to allow for unforeseen additional works that may become necessary during the course of the project.

Contract Risks

Contract risks include Generic Risks (generally found in most contracting situations) and Specific Risks leading to contract variations that have particular application to an individual contract. These major risks are summarised below for this contract.

Generic Risks

These are risks that Council manages through its contract administration procedures and processes. Significant generic risks and mitigation measures for this contract include:

- Contractor experiences financial difficulties or goes into liquidation, leading to additional project delays and costs. Mitigated through financial and referee checks before contract award and timely progress payments.
- Completion time exceeds target leading to delays and damage to Council's reputation. Mitigated through close supervision and prompt directions where required.
- Liability for injury and/or damage to people, property and the environment. Mitigated through on-going validation of contractor's insurances, safety and environmental management systems, together with close supervision including site audits.
- Contract dispute over rights and obligations of the parties. Mitigated through use of Australian Standards' General Conditions of Contract, which include dispute resolution mechanisms.

Specific Risks Leading to Contract Variations

The following have been prioritised as some of the more significant specific risks that Council bears in relation to this contract:

4.2 Contract CPA 155267 - Hamlyn Terrace Community and Sporting Facility (contd)

- Changes to regulatory design standards requiring project re-design. Mitigated by using latest information in tender documents and minimising delays in award of contract.
- Brief does not adequately cover all required work and additional design services and/or site investigations are found to be necessary during the consultancy. Mitigated by preparation of comprehensive Brief and peer review of documentation prior to inviting tenders.
- Changes to planning zones of adjacent properties which may lead to additional design services and/or site investigations being required. Mitigated by liaison with Planning Department for re-zoning applications and minimising delays in award of contract.
- Latent site conditions or existing site services issues which may require additional design services and/or site investigations. Mitigated by detailed site survey, existing services investigations and geotechnical investigations completion prior to commencement of design.

Risk Contingency

The above risks are considered to be in the lower category of risk value for this contract given the size of the contract and the nature of the work. Accordingly, it is recommended that a budget contingency sum of \$35,000 (excl GST) representing approximately 10% of the contract sum be approved.

Based on previous experience with contracts of this nature and analysis of the risks involved, it is estimated that there is a high probability that the contract budget of \$382,855 (excl GST), which incorporates the contingency allowance, will not be exceeded.

BUDGET

Because the contract is of the nature of a one off contract, progress payments shall be funded from an allocation made to this contract. The tender sum submitted is a fixed lump sum that may increase or decrease dependant on variation claims that may arise during the course of the works. Provision for funding the project has been made in Management Plan line item 1.7.6, and the work will be funded from Section 94 contributions.

TIME-FRAME

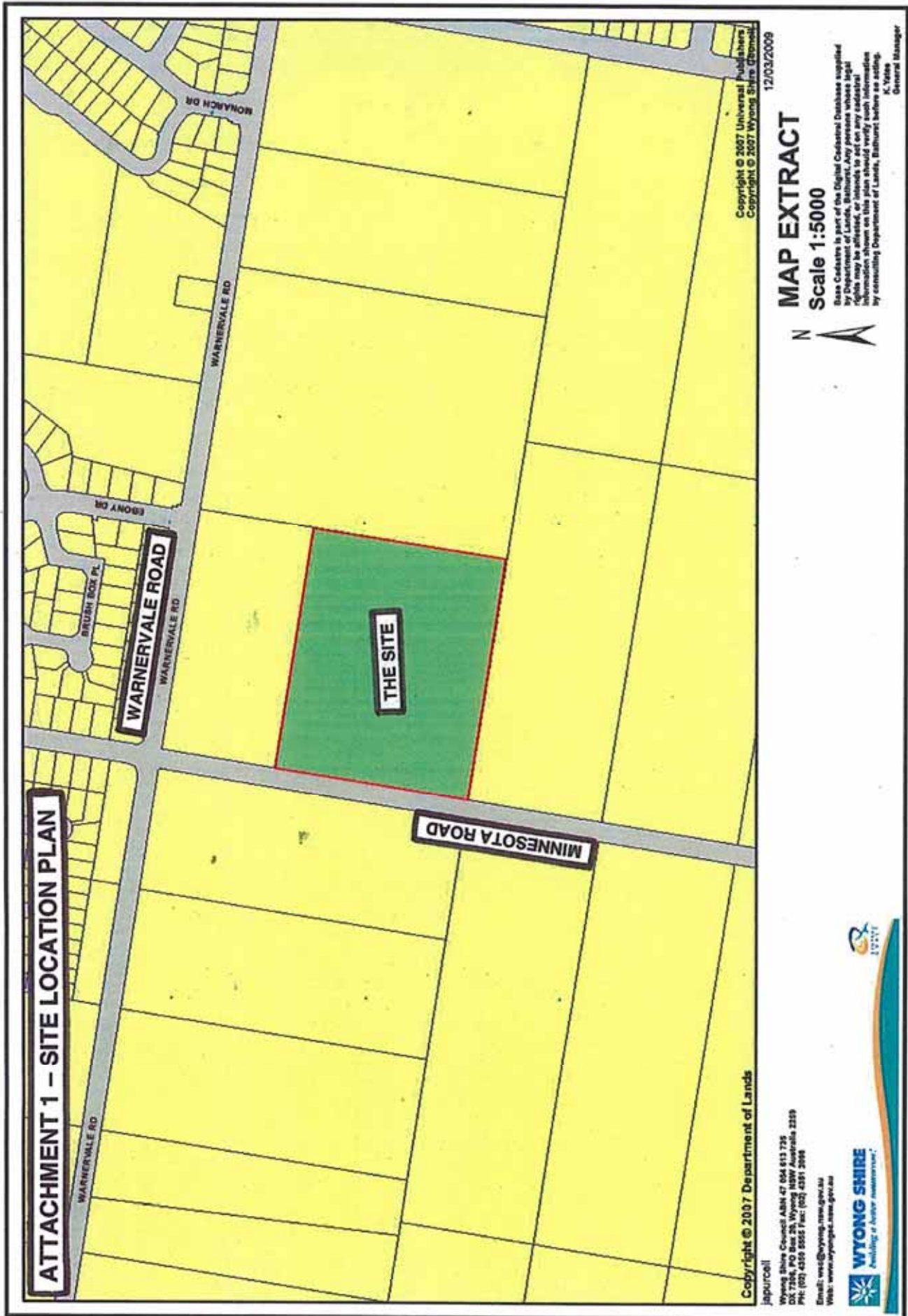
The design works are proposed to commence immediately following approval. The contract duration is 30 weeks.

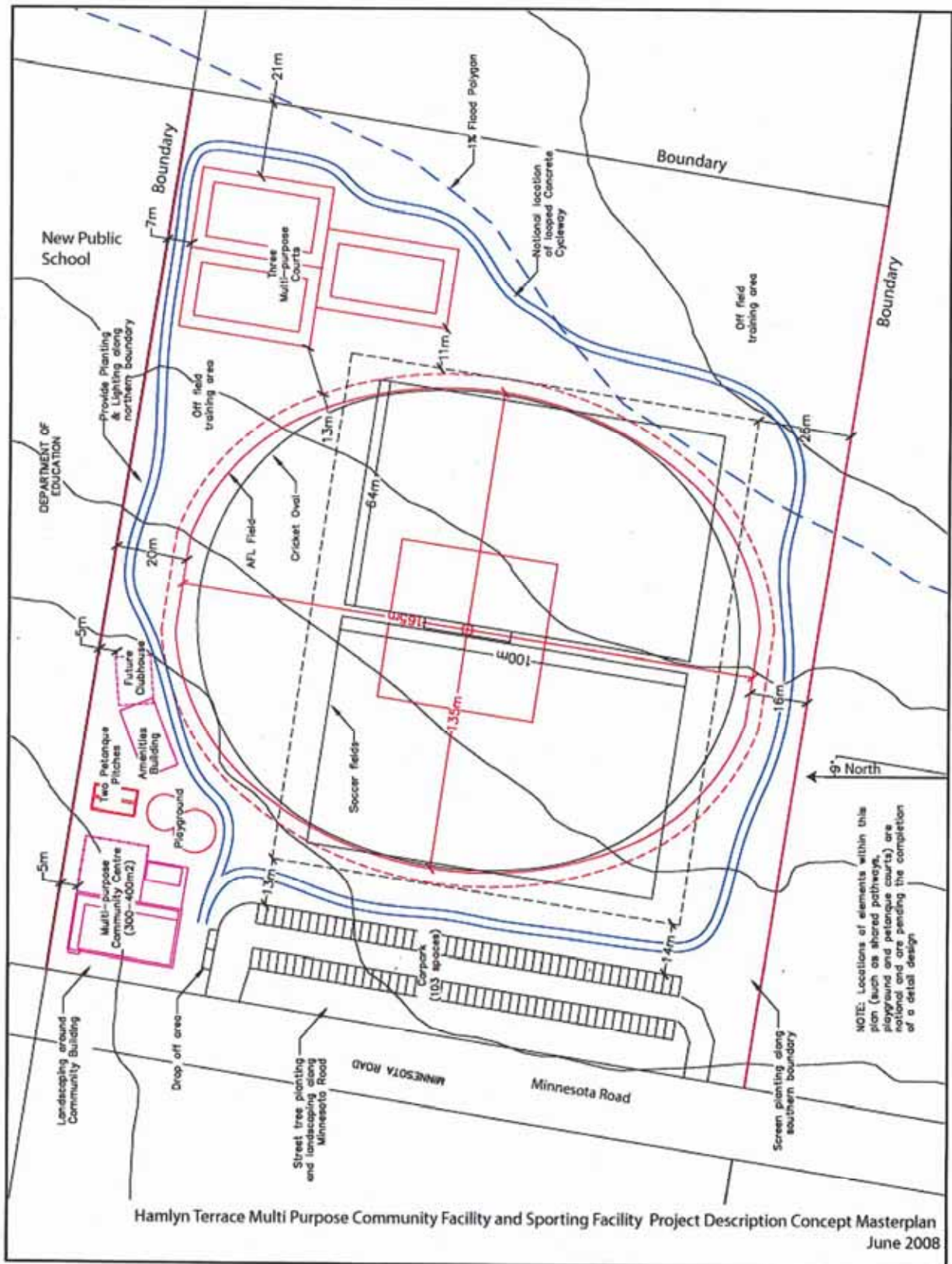
CONCLUSION

Tender No 17 (Quinn O'Hanlon Architects) is the highest scoring tender and meets all of Council's requirements for this contract. On balance this tender represents the best value-for-money for Council. It is recommended that this tender be accepted.

ATTACHMENTS

- 1 Hamlyn Terrace Community and Sporting Facility - Site Location Plan
- 2 Hamlyn Terrace Community and Sporting Facility - Preliminary Concept Master Plan





5.1 Wyong Council Community Environment Network and WyCare Liaison Group

TRIM REFERENCE: D01845605

AUTHOR: GW

SUMMARY

Council facilitates a liaison group between environmental care groups WyCare and the Community Environment Network (CEN). Councillor representation is requested to Chair the bi-monthly meetings. The Liaison Group is not a formal Committee of Council, however, minutes of the meetings of the Liaison Group are circulated to Councillors for their information.

RECOMMENDATION

That Council nominate a Councillor delegate to the Wyong Council Community Environment Network and WyCare Liaison Group.

BACKGROUND

WyCare Inc is the management arm of the Wyong Shire Landcare Network. It is managed by a committee of representatives of various Landcare groups and is involved in many varying activities.

The Community Environment Network (CEN) was formed in 1997 as an over-arching body to support individuals and groups in Lake Macquarie, Wyong and Gosford who are working to support and promote environmental and sustainability issues.

Council, the CEN and WyCare representatives have been meeting regularly since 2005 as part of a Council initiative to ensure that members of the two environmental care groups remain better informed about Council's activities. Membership of the liaison group includes nominated representatives of CEN and Wycare.

The liaison group enables members to exchange community and environmental information and provides an opportunity to discuss any issues of concern with Council.

Liaison group members have welcomed the opportunity for improved communication between the environmental care groups and Council and acknowledge that at times there will be a diversity of views and that their advocacy roles would not change.

Typical issues of interest for general discussion have included:

- The Wyong Employment Zone (WEZ) (and possibly affected Endangered Ecological Communities (EEC's));
- The Native Vegetation Act (and its implications);
- Issues across the three LGA's, associated with the Catchment Management Authority (CMA) and water management, environmental flows of rivers and streams, water cycle management; and
- Council's State of the Shire Report (SoS), previously State of the Environment report.

5.1 Wyong Council Community Environment Network and WyCare Liaison Group (contd)

The Liaison group meets on a bi-monthly basis, with a Councillor as the Chairperson. The meetings are supported by the Manager and staff from the Natural Resources Unit. The Liaison Group has not had a Councillor representative since the elections in September 2008. Meetings prior to this were chaired by former Councillor Neil Rose.

ATTACHMENTS

Nil.

5.2 Budgewoi, Buff Point, Halekulani Community Precinct Committee

TRIM REFERENCE: D01838941

AUTHOR: TAD

SUMMARY

This report seeks to appoint the Executive Members of the newly formed Budgewoi, Buff Point, Halekulani Community Precinct Committee.

RECOMMENDATION

- 1 That Council consent to the formation of a Community Precinct Committee to serve the areas of Budgewoi, Buff Point and Halekulani.**
- 2 That Council appoint the following Executive Members of the Budgewoi, Buff Point, Halekulani Community Precinct Committee in accordance with the provisions of Section 355 of the Local Government Act 1993:**
 - **Chairperson, Phil Heaton**
 - **Senior Vice Chairperson, Matthew Ross**
 - **Junior Vice Chairperson, Sam Benge**
 - **Secretary, Joy Brown**
 - **Assistant Secretary, Patricia Dalton**
 - **Treasurer, Helen Burkette**
 - **Assistant Treasurer, Kerri Denning**
 - **Publicity Officer, Melissa Burrows**
 - **Executive Officer, Ian Purdie**

BACKGROUND

Two community meetings were held on 19 February and 19 March 2009 to consider the formation of the Budgewoi, Buff Point, Halekulani Community Precinct Committee. The community meetings were held in accordance with the requirements set out in the Wyong Shire Council Community Precinct Committee Information and Guidelines Booklet. The meetings each demonstrated widespread community support for the formation of a new Community Precinct to represent the Budgewoi, Buff Point and Halekulani areas.

THE PROPOSAL

At the community meeting on 19 March 2009 it was recommended that Council appoint a new Community Precinct Committee to serve the areas of Budgewoi, Buff Point and Halekulani.

The following nominations have been submitted to fill the executive member positions of the Committee to be appointed by Council in accordance with the requirements of Section 355 of the Local Government Act:

- Chairperson Phil Heaton
- Senior Vice Chairperson, Matthew Ross
- Junior Vice Chairperson, Sam Benge
- Secretary, Joy Brown
- Assistant Secretary, Patricia Dalton

- Treasurer, Helen Burkette
- Assistant Treasurer, Kerri Denning
- Publicity Officer, Melissa Burrows
- Executive Officer, Ian Purdie

CONCLUSION

Formation of the Budgewoi, Buff Point, Halekulani Community Precinct Committee fulfils the community's wishes to have a local focal point for managing local issues. The process is in accordance with Council's requirements and there is no impediment to the formation of the Committee proceeding.

ATTACHMENTS

Nil.

5.3 Proposed Councillors' Community Improvement Grants

TRIM REFERENCE: D01863194

AUTHOR: SG

SUMMARY

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

RECOMMENDATION

That Council allocate an amount of \$4,124 from the 2008-09 Councillors' Community Improvement Grants as outlined in Attachment 1.

BACKGROUND

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

Donations may also be made to individuals or groups in pursuit of excellence, including sporting and cultural excellence, subject to CCIG Policy. Funds may also be allocated for emergency assistance in the event of natural disasters such as bushfires, flood or drought anywhere in Australia, subject to CCIG Policy. The funds are granted subject to approval of the Council as a whole.

THE PROPOSAL

To allocate funding to community groups or individuals in accordance with the CCIG Policy.

OPTIONS

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

STRATEGIC LINKS

Management Plan

<i>Principal Activity</i>	<i>Key Issue(s) and Objective (s)</i>	<i>Financial Line Item No and Description</i>
A better community	Enhance the quality of life of the Shire's residents	1.1.11 – Community Financial Support

Contribution of Proposal to the Principal Activity

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

Financial Implications

At the Ordinary meeting on 11 February 2009, Council considered a motion of urgency from the Mayor dealing with the Victorian bushfire tragedy. In response to this motion, Council unanimously resolved (in part) as follows:

- "3 That Council donate an amount of \$10,000 plus a matching amount, on a dollar for dollar basis, equal to that raised by the staff with the funds to be allocated from Councillors' Community Improvement Grants."*

The final contribution by staff amounted to \$8,790 and based on the outcome from the above resolution Council has contributed \$18,790 to the Appeal.

In the report of Proposed Councillors Community Improvement Grants (CCIG) prepared for the Ordinary meeting on 11 March 2009, a total of \$18,790 (\$1,879 per Councillor) was included in the total expenditure of \$30,831 incurred up until 25 February 2009.

The CCIG account has now been amended by increasing the total available funds by the amount Council resolved to donate to the Bushfire Appeal ie. \$18,790.

This treatment ensures that the allocation available for each Councillor for the period 1 December 2008 to 30 June 2009 remains at \$7,500. The attachment to this report takes into account the reinstatement of the above funding to each Councillor.

In addition to the Council donation, individual Councillors further allocated a total of \$4,000 from their personal CCIG allocation. This brought the total contribution to the Victorian Bushfire Appeal by Council to \$22,790. Combined with the staff donation, the total contribution by Council and staff has been \$31,850.

CONSULTATION

Applications that met the criteria were distributed to Councillors for their consideration. Applications received directly from Councillors were not distributed to other Councillors.

GOVERNANCE

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

CONCLUSION

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

ATTACHMENTS

- 1 Proposed Councillors' Community Improvement Grants Allocations 2008-09

COUNCILLORS' COMMUNITY IMPROVEMENT GRANTS ALLOCATION	Best	Eaton	Graham	Matthews	McBride	McNamara	Symington	Vincent	Webster	Wynn	SUB TOTAL
Allocation 01/12/2008 - 30/06/2009	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 11/03/2009	600	250	2,865	2,430	1,431	1,900	0	500	2,490	2,600	15,066
Available allocation as at 11/03/2009	6,900	7,250	4,635	5,070	6,069	5,600	7,500	7,000	5,010	4,900	59,934
Proposed Allocations for 8 April 2009											
Brackets and Jam Central Coast Inc								800			800
Glengara Retirement Village Residents Craft Group				100							100
Koori Kids	50										50
Lifeline Central Coast NSW				100	200						300
Norah Head Hockey Club	50										50
Toukley Adult Day Care				75							75
Tuggerah Lakes Memorial Pistol Club		200									200
Tuggerah Tufts Winter Swim Club Inc			299								299
Warnervale Family and Community Centre	50					500		500			1,050
Warnervale Family and Community Centre	50					250		700			1,000
Yarralong Rural Fire Brigade		200									200
Total Proposed Allocations for 08/04/2009	200	400	299	275	200	750	0	2,000	0	0	4,124
Total Accumulated Allocations as at 08/04/2009	800	650	3,164	2,705	1,631	2,650	0	2,500	2,490	2,600	19,190
Pending Allocations to next meeting or requiring further information	25					350					375
Total of Pending Allocations	25					350					375
Balance of Accumulated and Pending Allocations	825	650	3,164	2,705	1,631	3,000	0	2,500	2,490	2,600	19,565
Balance of Uncommitted at 08/04/2009	6,675	6,850	4,336	4,795	5,869	4,500	7,500	5,000	5,010	4,900	55,435

6.1 Exhibition Draft Management Plan 2009-10

TRIM REFERENCE: D01867016

AUTHOR: MJM

SUMMARY

Section 405 of the *Local Government Act 1993* requires Council to place its Draft Management Plan on public exhibition for 28 days.

RECOMMENDATION

That Council adopt the Draft 2009-10 Management Plan for the purpose of public exhibition in accordance with Section 405 of the Local Government Act 1993.

BACKGROUND

The Draft 2009-10 Management Plan has been prepared in accordance with the *Local Government Act 1993*.

In the absence of an adopted long-term strategy, Council's Management Plan has traditionally incorporated both longer-term strategic and shorter-term planning elements.

In late 2007 Council resolved to develop a "Shire Strategic Vision" to set the direction for the community over the next 20 years. A key component of the Shire Strategic Vision process is the community determining what the Shire could and should look like in 20 years time. It is anticipated that the Shire Strategic Vision document will be completed in late-2009.

This Draft Management Plan represents a short-term slice of Council's longer-term strategy. It provides information to the community (and direction to staff) about Council's activities and strategic direction.

The Management Plan outlines Council's key programs, performance measures, and resource requirements. It also incorporates information relating to Council's budget and Revenue Policy for the coming year.

The Draft 2009-10 Management Plan includes an expenditure budget of \$405m. Details of significant expenditure items are detailed later in this report.

Developer Contributions

A major risk to the financial result forecast in the 2009-10 Management Plan is the uncertainty surrounding developer contributions (Section 94 contributions) as a source of funds. In June 2008, the NSW Parliament passed new legislation affecting what Councils can collect contributions for and spend contributions on. In summary, the new legislation will only allow Councils to collect development contributions for local and district roads, bus facilities, parks, car parking, drainage and stormwater management works, land for any community infrastructure (except land for riparian corridors) and local sporting, recreational, cultural and social facilities and only if there is a direct connection with the development to which a contribution relates. Along with the new legislation, detailed guidelines clarifying a number of unresolved issues are yet to be released. These are expected to be released shortly. .

In addition in December 2008 the State Government announced further changes to developer contributions legislation. These changes will have serious ramifications for Council and, in particular, its ability to collect sufficient funds for future works. The State Government proposes to cap developer contributions at \$20,000 per lot/dwelling from 30 April 2009.

Subsequent to this, in late January 2009, the Department of Planning asked Council to review Contribution Plans for Warnervale, Wyong Employment Zone, The Entrance and Shire-wide with a view to reducing contributions to \$20,000 per lot/dwelling. These plans have been submitted to the State Government who will decide whether Council can continue to collect above \$20,000 per lot/dwelling in these areas. If a \$20,000 cap is enforced, this will have a significant impact on Council's ability to fund essential community infrastructure in the Warnervale-Wadalba release areas and the Warnervale Town Centre. In Warnervale this would result in a loss of 50%+ of projected future income (in the order of \$35m+). If Council is unsuccessful in its request and contributions are capped at \$20,000 per lot/dwelling, Council will have to amend affected contribution plans to reduce the cost of infrastructure proposed to be provided, or remove the facilities from the contribution plans. Council will be forced to provide the essential hard infrastructure (such as roads and drainage) at the expense of community centres, sports facilities, parks and playgrounds. In Warnervale this could affect projects such as local playgrounds, parks and ovals.

The Draft Management Plan demonstrates that Council continues to manage its finances responsibly and maintains a stable and sustainable financial position. It is widely acknowledged that many local government authorities are under significant financial pressure and this is exacerbated by State Government activities such as cost shifting to Councils, rate pegging, the increased costs of legislative compliance and reductions in levies for developers.

The Draft 2009-10 Management Plan has also incorporated increases in a range of costs outside of Council's control including electricity charges and contributions to employee superannuation. To assist in the funding of these increases in 2009/10, payments to the RTA for Pacific Highway upgrade works at Ourimbah and Tuggerah have been deferred and will recommence in 2010/11.

Format

The Draft 2009-10 Management Plan is presented in a two- volume format.

Volume I provides details of Council's Key Focus Areas, strategic directions, strategic targets and performance measures. It also includes the financial forecasts for the coming year and the rolling works program.

Volume II contains the Revenue Policy that details the proposed rates and annual charges for 2009-10, as well as a schedule of proposed fees.

Inflation

Traditionally Council has inflated its non-salary expenditure budgets based on the forecast for the Consumer Price Index (CPI). This is in line with the current rate pegging methodology of the State Government that takes into account the Australian Bureau of Statistics Consumer Price Index (CPI) and the index of Average Weekly Ordinary Time Earnings (AWOTE) when determining rate increases.

However, the Local Government Association of NSW and the Shires Association of NSW have found that "alone these indices do not appear to reflect the changing structure of Council costs and when considered jointly have not moved consistently with movements in local government expenses".

It is clear that the real rate of increase in costs for Council's activities significantly exceeds both CPI and the rate pegging limit. It is therefore considered that Council should always, as a minimum, increase rates in line with the rate pegging limit as, even then, this will not keep up with the real increases in costs.

In developing the draft 2009-10 financial forecasts inflation has been estimated at 2%, which is in line with current financial forecasts for 2009-10.

Rates and Charges

Ordinary Rates

The rating proposals for Ordinary Rates, detailed in the 2009-10 Draft Management Plan, have been calculated on an estimated rate pegging limit of 3% pending the determination by the Minister for Local Government.

In 2009-10 Council must use the latest valuations from the Valuer-General's Department for the calculation of ordinary rates. These valuations have a base date of 1 July 2008, as a general revaluation of land was undertaken in Wyong Shire for the 2009-10 rating year. Revaluations occur on average every three-four years for local government rating purposes. In this revaluation, the total value of all properties in Wyong Shire decreased by 9.7% (or \$1.44 billion). A more detailed analysis shows:

- 60% of properties decreased in value by 10% or more
- 24% of properties decreased in value by less than 10%
- 2% of properties did not change in value
- 14% of all properties in the Shire actually increased in value
- Residential property values decreased, in total, by 12.1%
- Business properties increased, in total, by 13.6%

It is important to understand that whilst a revaluation will have an effect on the amount of rates payable by individual ratepayers, it does not increase (or decrease) the total amount of rates that Council can raise. A revaluation results in a redistribution of the amount of rates levied across properties. Accordingly the revaluation itself does not have any impact on Council's budget.

This means that, all else being equal, properties that have decreased in value by more than the average decrease in valuations across the Shire will pay less in ordinary rates, and properties that have decreased by less than the average decrease (or increased) in value will pay more in ordinary rates.

Mining and Business Rates

In 2009-10 it is proposed to increase the yield from the ordinary Mining rate by 25% in comparison to the yield for 2008/09 in recognition of the increased costs to Council and the community caused by mining operations and proposal for additional mines. This will result in additional rate income of \$55,000 from the ordinary Mining rate. Council proposes to use this additional income from mining rates to assist general business. It is clear that the global financial crisis will continue to impact local businesses and that unemployment will continue to rise for some time. This initiative will result in a small reduction of \$10 (or 0.7%) for the typical business ratepayer.

Special Rate - The Entrance Town Centre

It is proposed to continue the special rate on all non-residential properties in The Entrance for 2009-10 and increase it by the Minister's rate pegging determination (estimated at 3%). It will apply to:

- All land categorised and used for business purposes in the suburb known as The Entrance.
- All land used as Major Facilities servicing tourists including Service Stations, Camp or Caravan Sites, Registered Clubs, Tourist Accommodation and Hotels/Motels as defined in Council's current Local Environmental Plan (LEP) and District Shopping Centres as defined in Council's current Retail Strategy in the suburbs known as The Entrance North, The Entrance, Blue Bay, Long Jetty, Toowoan Bay, Shelly Beach, Bateau Bay and Magenta.
- All land used as rental accommodation that is rented or leased for periods of three months or less in the suburbs known as The Entrance North, The Entrance, Blue Bay and Toowoan Bay.

Revenue from this rate is lower than in previous years, due to a reduction in the number of properties to which this rate applies, therefore expenditure on The Entrance Town Centre has been adjusted accordingly.

Special Rate - Non-Residential Properties Toukley Area

It is proposed to continue special rate on all non-residential properties in the Toukley/Canton Beach/Noraville/Norah Head areas for 2009-10 and increase it by the Minister's rate pegging determination (estimated at 3%).

Special Rate - Non-Residential Properties Wyong Area

It is proposed to continue the special rate on all non-residential properties in the Wyong/North Wyong/Watanobbi areas for 2009-10 and increase it by the Minister's rate pegging determination (estimated at 3%).

Waterways Environmental Levy

It is proposed to continue the Waterways Environmental Levy in 2009-10 to provide funds towards the continued implementation of the Tuggerah Lakes Estuary Management Plan, as well as undertake works on the Shire's other waterways. The Waterways Environmental Levy (formerly known as the Stormwater Levy) applies to the urban area of the Shire – defined as the area to the east of the F3 Freeway plus the Highway Service Centre and any industrial-zoned land to the west of the Freeway. Vacant properties (i.e. those without impervious surfaces) are not subject to this levy.

Additional funds for the implementation of the Estuary Management Plan in 2009-10 are also provided from operational surpluses from Council's Holiday Parks (\$887,000) and Federal Government Grant funds (\$5m).

The implementation of the Estuary Management Plan will continue to target the most important issues for the health of the lakes to ensure a sustainable future for the Shire's waterways.

Domestic Waste Management Charge

The proposed domestic waste management charge for 2009-10 is \$321.15, a proposed increase of 8.86% (or \$26.15) over 2008-09. The increase above the estimated inflation rate is due to the increase in the Environmental Protection Authority (EPA) Waste Levy and increased costs associated with Council's Tip Rehabilitation Program. The EPA levy is a charge levied by the State Government which is increasing by \$12.00 per tonne to \$52.40 per tonne in 2009-10 – a 30% increase. Council's tip rehabilitation program has been accelerated and now includes the rehabilitation of closed landfills at Warnervale and Toukley. This has resulted in a \$7 increase in the Domestic Waste Management Charge in 2009-10.

The proposed charges for 2009-10 are as follows:

Service	2009-10 Proposed Charge Per annum (\$)	2008/09 Current Charge Per annum (\$)
Domestic Waste Charge	321.15	295.00
Domestic Waste - West Freeway	258.45	239.00
Domestic Waste - Additional Garden Bin	73.50	71.00
Domestic Waste - Additional Waste Bin	167.80	141.00
Domestic Waste - Additional Recycling Bin	61.50	54.00

Commercial Waste Charges

The proposed commercial bulk bin service charges for 2009-10 are as follows:

Bin Size	2009-10 Proposed Charge Per annum (\$)	2008/09 Current Charge Per annum (\$)
140 Litre	190.75	167.00
240 Litre	290.50	265.00
660 Litre	1067.30	858.00
1.1 cubic metre	1,586.85	1,330.00
1.5 cubic metre	2146.45	1,802.00

Water Supply and Sewerage Service Charges

Wyong Shire Council is constituted as a Water Supply Authority under the *Water Management Act 2000 No 92* and charges for water and sewer are levied under this Act. As a Water Authority, Council's water and sewerage charges are subject to approval by the Minister for Energy and Utilities, following determination by the Independent Pricing and Regulatory Tribunal (IPaRT).

IPaRT has just completed a review of the charges for water, sewerage and drainage services provided by the Water Supply Authority and on 5 March 2009 released a draft determination of charges to apply from 1 July 2009 to 30 June 2013.

Council has reviewed the draft determination and provided comments to IPaRT. Latest indications are that the IPaRT will release its final determination in May 2009.

Water and sewerage charges included in the proposed 2009-10 Draft Management Plan are in line with IPaRT's draft determination and may change as a result of the final IPaRT determination.

Council, as a Water Supply Authority, is not required to place its water and sewer charges on public exhibition as the price path is set by IPaRT after a public consultation process. However Council, since the introduction of the *Local Government Act 1993*, has included water and sewer charges in its Management Plan public exhibition process.

A summary of the water and sewerage prices in the draft IPaRT determination for 2009-10 are below:

	2009-10 Charge (\$)	2008/09 Charge (\$)
Water Usage Charge	1.76 per KI	1.67 per KI
Water Service Charges (access) *	116.72	112.16
Sewer Service Charges (access)	425.19	412.67
Drainage Service Charge **	82.40	0.00

Notes:

* Council is required to make an annual contribution to the State Government's 'Climate Change Fund' which is used to provide assistance to business, government and households to save water and energy. Council's Water Service Charge incorporates this contribution to the State Government. In 2008/09 the contribution was \$14.86 per property and in 2009/10 the contribution is \$15.78 per property. The money contributed into this fund by Wyong and Gosford Councils is used for water saving activities in the local area.

** In 2009-10 a drainage service charge will be introduced for all residential properties. The creation of this separate identifiable charge is to fund drainage capital renewals and operational costs that were previously funded by water and sewerage income.

Typical Residential Ratepayer

The impact of the proposed increases in rates and annual charges on a typical residential ratepayer is shown in the table below.

Average Property Valuation

The average residential ratepayer has a property value of \$200,000 (compared with an average property value of \$228,000 in 2008-09) and water usage of 153KI per annum (which is the average residential demand for all residences).

The increase for the average residential ratepayer, as shown below, is \$168.22 per annum or approximately \$3.20 per week. Most of this increase is outside of the control of Council and is determined by the State Government. In fact of the total increase of \$168.22 per annum, \$120 (or just over 70%) is dictated by the NSW State Government.

	2008/09 (\$)	2009-10 (\$)	Increase in \$	Increase as a %
Average Property Valuation	228,000	200,000		
General Rates	775.98	804.49	28.52	3.67%
Water Service Charge	112.16	116.72)	
Sewerage Service Charge	412.67	425.19) 99.48	24.11%
Drainage Service Charge	0	82.40)	

	2008/09 (\$)	2009-10 (\$)	Increase in \$	Increase as a %
Domestic Waste Charge	295.00	321.15	26.15	8.86%
Waterways Environmental Levy	25.00	25.00	0	0%
Sub-Total	1,620.81	1,774.95	154.15	9.51%
Water Usage (153Kl)	255.20	269.28	14.08	5.52%
Total	1,876.01	2,044.23	168.22	8.97%

Changes to Other Fees and Charges

The following is a summary of the most significant changes that have been proposed to Council's other Fees and Charges for 2009-10.

Animal Care Facility

Council undertook a strategic and operational review of the Animal Care Facility in late 2008. The review led to the development of a revised fee structure designed to encourage increased re-homing of animals and to decrease the number of abandoned animals. Therefore the range of re-homing fees (depending on the size of dog) have been decreased by up to \$20, while similarly, the range of animal abandonment fees have been increased by up to \$130.

Cemetery Fees

The existing fee structure is proposed to be expanded to better reflect the types of services available at Council's Cemeteries, for example Noraville Cemetery has been upgraded and now includes a memorial garden for which there is a new range of fees. A change has also been made to Burial Rights fees whereby the previous fee has been split into four sub categories: single plot, double plot, childrens and destitute grave sites. In addition to continued business growth these changes have resulted in additional budgeted revenue of \$33,000 in 2009-10. This additional income will be used to undertake Stage 4 of upgrade works at Noraville cemetery which include expansion of the memorial gardens and the creation of more niches in the niche wall at an estimated cost of \$25,000 and the installation of a security gate and light at an estimated cost of \$5,000 - \$10,000. As a result of the upgrade works future maintenance costs will increase. Therefore any additional surpluses that are achieved above budget expectations will be set aside in the Cemetery Reserve to contribute towards future increased maintenance costs.

Development Assessment

In developing the income budget for 2009-10 similar income levels have been projected as in 2008-09 and there is no substantial increase in the volume of development applications and complying development certificates anticipated in the coming year.

A review has been undertaken of the feasibility and resourcing of Construction Certificates to ensure that they are cost neutral to Council. Whilst Council cannot set its own fees for DA assessment, Council is able to do so for Construction Certificates. The review, which included comparative analysis of adjoining and similar sized councils, has seen a more user friendly fee structure proposed for 2009-10. Income from Construction Certificates is budgeted to increase by \$50,000 in 2009-10.

It is also proposed to introduce an Environmental Assurance Levy which is anticipated to generate approximately \$70,000 in 2009-10. The Environmental Assurance Levy is a fee to recover costs associated with investigating complaints or conducting audits associated with development under construction or after completion. During the construction phase Council will investigate matters relating to hours of construction, vehicle parking, obstruction of footpaths and sedimentation. At completion Council will inspect to ensure that the development conditions have been met. The Environmental Assurance Levy is mandatory for commercial development but other forms of development can opt to avail themselves of this service.

In addition, a number of minor amendments have been made to Development Assessment fees which reflect legislative changes for 2009-10.

Significant Expenditure Items

Water and Sewerage Capital Works

The Draft 2009-10 Draft Management Plan includes water, sewerage and drainage capital works programme of \$145.2m including the following projects:

Water Supply

- Mardi-Mangrove Transfer System
- Mardi Dam Transfer
- Mardi High Lift Pump Station and high voltage ring main
- Mardi Power supply upgrade
- Warnervale Town Centre water
- Warnervale Employment Zone water mains and second supply
- Effluent re-use and groundwater projects
- Reservoir, mains and pump station refurbishments

Sewerage Services

- Warnervale Town Centre sewerage trunk mains
- Warnervale Employment Zone sewerage trunk mains
- Treatment Plant and pump station refurbishment

Drainage Construction

- Network rehabilitation and drainage construction works are proposed to be undertaken at various locations across the Shire.

Road Construction

Secondary Road Construction

The major road construction project for 2009-10 is Railway Road Warnervale (Link Road Stage 1) with budgeted expenditure of \$4.5m in next financial year. The other significant project is Minnesota Rd Warnervale (\$1.8m). These projects are funded from developer contributions and, as noted earlier, the proposed changes by the State Government to this legislation (Section 94 of the Environmental Planning & Assessment Act) may put this funding source at risk.

Holiday Parks Improvement Works

Council's Holiday Parks are part of Council's entrepreneurial activities and one area of focus for them is to improve their commercial and financial status. In August 2006, Council adopted a Business Strategy with the aim of significantly enhancing the financial contribution of the four holiday parks to the community and to the management of reserve lands.

The predicted surplus for the Holiday Parks in 2009-10 is \$2,168,000, which is \$121,000 above original Business Strategy expectations. The actual surplus will be allocated to the Open Space Cluster Plan, the Estuary Management Plan and a return to Council for administrative and management costs as approved by the Department of Lands.

The Business Strategy includes a capital upgrade program for each of the Holiday Parks. \$1.2m is budgeted to be spent in 2009-10 on the following projects:

- Toowoomb Bay – general landscaping, cabin landscaping, barbecue shelter, swimming pool and recreation facility
- Norah Head – general landscaping, cabin landscaping and recreation facility
- Canton Beach – general landscaping, cabin landscaping, barbecue shelter and recreation facility and
- Budgewoi – recreation facility.

Estuary Management Plan

\$7.6m has been allocated in the Draft 2009-10 Management Plan for implementation of the Tuggerah Lakes Estuary Management Plan. This amount is made up of \$1.7m from the Waterways Environmental Levy, \$5m in Federal Grant funding and a \$887,000 contribution from the surpluses from Holiday Park operations.

Works to be undertaken in 2009-10 include construction, planning and maintenance of stormwater treatment measures and drainage systems in urban areas, around lake edges and in coastal areas; works to redress the impacts of stormwater on bushland and natural wetlands; restoring rivers and creeks; improving boat access to rivers and improving lakeside recreation facilities; works on Buff Point shared pathway and undertaking community stormwater pollution education campaigns.

Open Space Capital Improvements

The Draft 2009-10 Management Plan includes \$12.3m for open space improvements, oval and facility construction and playground construction. Major projects to be undertaken include Woongarra sporting fields stage 2, Hamlyn Terrace fields and courts, Mannering Park oval amenities block and access pathway, netball courts at Baker Park Wyong and a playground at Canton Beach.

Floodlight Upgrades

The Draft 2009-10 Management Plan includes \$1.2m for floodlight upgrades at Ourimbah Soccer Oval, Ourimbah Rugby Oval, Joseph Banks Oval Bateau Bay, Slade Park Budgewoi, Kurraba Oval Berkley Vale, Watanobbi Oval and EDSACC Netball Courts Bateau Bay.

Beach Improvements

\$1.65m has been allocated in the draft 2009-10 Management Plan for rebuilding and refurbishment costs for Surf Life Saving Clubs including investigation, design and approval costs. The works program for 2009-10 and 2010-11 includes minor refurbishment of The Lakes and North Entrance Surf Clubs, major refurbishment of The Entrance and Soldiers Beach Surf Clubs and the replacement of Shelly Beach Surf Club. A consultant is currently undertaking a needs analysis to determine the scope and priorities of works to be undertaken. The outcome of the needs analysis is expected to be received in May 2009.

The success of the surf club refurbishment/ replacement program is reliant on grant funding. If significant grant funding is secured, the scope is likely to include a comprehensive reconstruction program. Without grant funding, only a partial refurbishment program is likely to proceed. Works are anticipated to commence in the second quarter of the 2009-10 financial year.

Community Building Construction

The Draft 2009-10 Management Plan includes \$2.3m for community buildings, including Hamlyn Terrace Community Centre (in conjunction with Hamlyn Terrace Sports fields), Tunkuwallin Hall Toilet and change rooms, ongoing design and investigation works for the Performing Arts Centre, design of Warnervale Knowledge Centre (library) and Warnervale Integrated Child and Family Centre within Warnervale Town Centre.

Budget Result

The draft budget included in Volume I of the Management Plan forecasts a small deficit of \$37,000.

This result may be impacted during the public exhibition period (for example when the Minister announces the rate pegging limit) and any changes in the forecast result will be reported when the Management Plan is referred back to Council for adoption.

Public Exhibition

The Draft Management Plan is required to be publicly exhibited for 28 days. It is proposed that the public exhibition period will be from Wednesday 15 April to Wednesday 13 May 2009. During the exhibition period, copies of the draft plan will be made available for viewing at the Civic Centre in Wyong, at Council's Library and Information Centres, and on Council's website.

In addition a Community Briefing will be conducted on Thursday 30 April 2009 to explain the Draft 2009-10 Management Plan.

Following the exhibition period and the consideration of submissions, it is anticipated that Council will adopt the 2009-10 Management Plan on 10 June 2009.

ATTACHMENTS

- 1 Draft Management Plan 2009-10 (Volume I) (Under Separate Cover) Enclosure
- 2 Draft Management Plan 2009-10 (Volume II) (Under Separate Cover) Enclosure

8 April 2009

Board/Committee/Panel Meeting
Report

To the Ordinary Meeting

Corporate Services Department

7.1 Minutes - Wyong Shire Grants Committee meeting - 18 March 2009

TRIM REFERENCE: D01843849

AUTHOR: ED

SUMMARY

A meeting of the Wyong Shire Grants Committee was held on 18 March 2009.

RECOMMENDATION

That Council receive the minutes of the Wyong Shire Grants Committee meeting held on 21 January 2009 and adopt the recommendations contained therein.

A meeting of the Wyong Shire Grants Committee was held on 18 March 2009 to distribute funds under the Community Benefit grant program. All expenditure recommended is permissible under Sections 24 and 356(1) of the Local Government Act 1993.

ATTACHMENTS

- 1 18-03-09 Minutes of Wyong Shire Grants Committee Meeting

MINUTES OF THE WYONG SHIRE GRANTS COMMITTEE MEETING

Held in the Committee Rooms,
Wyong Civic Centre, Hely Street, Wyong on
WEDNESDAY 18 MARCH 2009
COMMENCING AT 1.34PM

PRESENT

Councillor L A Mathews
Councillor D P Vincent
Mr T Drowley (Manager Corporate & Administration Services)

IN ATTENDANCE

Ms J Vaughan (Community Development Manager)
Ms M Dallow (Community Development Worker)

ELECTION OF CHAIRPERSON

COMMITTEE RESOLUTION

The Committee resolved that due to the absence of the Chairperson that Councillor D P Vincent be appointed to chair the meeting.

APOLOGIES

Mayor Councillor R L Graham
Councillor D J Eaton

COMMITTEE RECOMMENDATION

That the apologies from Councillor Graham and Councillor Eaton for their inability to attend the meeting due to being on overseas business be accepted.

1.1 Disclosure of Interests

3.1 Community Benefit Grants – Applications for Trimester 2 2008/09

COUNCILLOR VINCENT DECLARED A NON PECUNIARY INSIGNIFICANT CONFLICT OF INTEREST IN THAT PART OF THE REPORT RELATING TO THE CENTRAL COAST COMMUNITY COUNCIL AS HE IS A PARTICIPANT IN THE BUDGEWOI GROUP AND THE SAN REMO NEIGHBOURHOOD CENTRE AS HE IS A MEMBER OF THE COMMITTEE AND HE PARTICIPATED IN CONSIDERATION OF THE MATTERS.

COUNCILLOR VINCENT STATED:

I CHOOSE TO REMAIN IN THE COMMITTEE ROOM AND PARTICIPATE IN DISCUSSION AND VOTING AS THE CONFLICT HAS NOT INFLUENCED ME IN CARRYING OUT MY PUBLIC DUTY.

2.1 Confirmation of Minutes of Previous Meeting

COMMITTEE RECOMMENDATION

That the minutes of the previous Wyong Grants Committee Meeting held on 21 January 2009 be accepted.

3.1 Community Benefit Grants – Application for Trimester 2 2008/09

COMMITTEE RECOMMENDATION

1 *That Council consider funding the GOATS Family Festival from the Line Item “Pre Approved Community Sponsorship” in Council’s Management Plan and refer this matter for consideration in the 2009/10 Management Plan.*

2 *That subject to staff confirming that:*

the Wyong Neighbourhood Centre proposes to use the grant funds to Contract a Youth Insearch group to run a mentoring group and does not propose to use the grant funding for the payment of wages,

Council allocate \$34,850.20 from the 2008-09 Community Benefit Grant program as follows:

ORGANISATION	AMOUNT ALLOCATED
<i>Country Womens Association NSW – Mannering Park Branch</i>	<i>\$1,036.95</i>
<i>Gwandalan Lions Club Inc</i>	<i>\$500.00</i>
<i>Long Jetty Hospital Auxiliary</i>	<i>\$726.00</i>
<i>San Remo Neighbourhood Environment Projects Inc.</i>	<i>\$1,909.00</i>
<i>San Remo Neighbourhood Centre</i>	<i>\$7,500.00</i>
<i>Stroke Recovery Association of NSW</i>	<i>\$3,000.00</i>
<i>Wyong Neighbourhood Centre</i>	<i>\$3,060.00</i>
<i>Wyongah Progress Association</i>	<i>\$1,812.80</i>
<i>Yarramalong School of Arts Inc.</i>	<i>\$305.45</i>
<i>YC Industry Link</i>	<i>\$15,000.00</i>
TOTAL	\$34,850.20

- 3 ***That Council decline the following applications for funding as indicated in the table below and the applicants be advised and where relevant they be directed to alternate funding programs:***

ORGANISATION	AMOUNT SOUGHT
<i>Brackets & Jam North</i>	<i>\$5,000.00</i>
<i>Central Coast Community Council</i>	<i>\$5,000.00</i>
<i>Central Coast Emergency Accommodation</i>	<i>\$9,360.00</i>
<i>Coast Community Tenancy Scheme</i>	<i>\$11,000.00</i>
<i>First Mannering Park Sea Scouts</i>	<i>\$2,000.00</i>
<i>Gosford City Family Support Services Inc.</i>	<i>\$5,000.00</i>
<i>NSW Active Retirees & Mentors Inc, Central Coast</i>	<i>\$1,397.55</i>
<i>Our Lady of the Rosary School P&C</i>	
<i>Step to the Future Foundation</i>	<i>\$7,500.00</i>
<i>Tuggerah Lakes Potter Inc.</i>	<i>\$4,619.00</i>
<i>Wadalba Community School</i>	<i>\$19,100.00</i>
<i>TOTAL</i>	<i>\$69,976.55</i>

THERE BEING NO FURTHER BUSINESS THE MEETING CLOSED AT 2.45PM

8.1 Information Reports

TRIM REFERENCE: D01866590

AUTHOR: MR

SUMMARY

In accordance with Council's Code of Meeting Practice reports for the Information of Council are provided for adoption either by nominated exception or englobo.

RECOMMENDATION

That Council deal with the following Information Reports by the exception method.

ATTACHMENTS

Nil.

8.2 Disclosure of Interest Returns

TRIM REFERENCE: D01775279

AUTHOR: ED

SUMMARY

The Local Government Act, 1993 requires Disclosure of Interest (DOI) Returns for Councillors and Designated Persons to be lodged with the General Manager who, in turn is required to keep a register of the Disclosure of Interest Returns.

The Act further requires the DOI Returns lodged with the General Manager to be tabled at a meeting of Council.

RECOMMENDATION

That Council receive the report on Disclosure of Interest Returns.

In accordance with the Local Government Act 1993, staff are required to lodge a Return within three months of being appointed to a designated position. Newly elected Councillors had until three months after election to submit a Disclosure. Councillors and staff are also encouraged to lodge an amended return if circumstances change during the year.

Section 450A(2)(a) also specifies that the General Manager must table the returns lodged under Section 449(1). The returns for the period 1 January to 31 March 2009 are now tabled.

NB

Sections 449(1) and (5) of the Local Government Act, 1993 - Disclosure of Interest Returns for Councillors and Designated Persons to be lodged with GM

Section 450A(1) – register required of the Disclosure of Interest Returns lodged.

Section 450A(2) - Returns lodged with the General Manager under section 449(1) to be tabled at a meeting of Council.

ATTACHMENTS

- 1 Disclosure of Interest Returns 1 January to 31 March 2009

**Disclosure of Interest Register
1 January – 31 March 2009**

Amended Return

Clarke I
Evans G
Fulcher R
Norris R

New Designated Persons – Staff

Crawley L
Dziwulski T
Gale S
Godden, T
Kornev S
Meloy P
O'Dowd, B
O'Malley K
Ralph S
Sheath P
Spinks L

8.3 Minutes - Wyong Shire Senior Citizens' Council Meetings - 17 December 2008 and 29 January 2009

TRIM REFERENCE: D01844868

AUTHOR: AE

SUMMARY

Report on the Minutes of Senior Citizens' Council meetings held 17 December 2008 and 29 January 2009.

RECOMMENDATION

That Council receive the report on Minutes - Wyong Shire Senior Citizens' Council Meetings - 17 December 2008 and 29 January 2009.

BACKGROUND

Council, at its meeting of 14 March 2007 resolved unanimously on the motion of Councillor Stevens and seconded by Councillor Rose:

- "1 That further to Council's support for the formation of a Shire Youth Council, Council afford a similar opportunity to our senior citizens through formation of the Wyong Shire Senior Citizens Council with a view to facilitating and strengthening the important information flows on key issues affecting our senior citizens.*
- 2 That staff prepare a charter of committee for the Senior Citizens Council that includes:*
 - a Meetings held fortnightly on the 2nd and 4th Fridays of each month at 1.00pm*
 - b That the Mayor as per Council policy be the Chair with Councillor Best appointed as Deputy Chair with any other interested Councillors invited to attend.*
 - c That the minutes of the Senior Citizens Council be reported to Council.*
 - d The Charter to include a process of selecting a membership of the Seniors Council that represents the diversity of Seniors in Wyong Shire."*

At a further meeting held on 13 February 2008, Council resolved unanimously on the motion of Councillor Pavier and seconded by Councillor Stevens:

- "1 That Council rescind item 2a of resolution 113 of 14 March 2007 forming the Wyong Shire Senior Citizens Council:*
 - a meetings held fortnightly on the 2nd and 4th Fridays of each month at 1.00pm.*

- 2 *That Council confirm its decision to adopt the proposed terms of reference and model charter for the Wyong Shire Senior Citizens Council and that Wednesday is the preferred day for meetings. The interval between meetings should be no more than fortnightly and will not exceed three months. "*

ATTACHMENTS

- 1 Minutes of Wyong Senior Citizens Council Meeting held 17 December 2008
- 2 Minutes of Wyong Senior Citizens Council Meeting held 29 January 2009

MINUTES OF WYONG SENIOR CITIZENS COUNCIL

Date:	17 December 2008
Location:	Blue Haven Community Centre
Time:	1pm – 3pm
Present:	Dawn Thompson, Chris Brotherston, June Goss, John Cochrane, Don Flint, Alan Booth, Annette Evans, Luigi Bruni, Georgette Bruni (guest) Don Thompson (guest), Bruce Kirkness, Mary Dallow
Apologies	Juliet Axford, Bruce Pyke, Dorothy Brown, Patricia Parperis, Cr Doug Eaton, Cr Greg Best
Acknowledgement	Acknowledge the Traditional Custodians of the land and pay our respects to the Elders both past and present.
Declaration of Pecuniary Interest	No significant conflict of interest issues noted by any members

Item Ref	Action Item Description	Responsibility
1 ADOPTION OF PREVIOUS MINUTES		
1.1	That the minutes of the meeting of November be amended for spelling and grammar corrections and thereafter be adopted as read.	Moved: J. Goss Seconded: B.Kirkness
Item Ref	Action Item Description	Responsibility
2 BUSINESS ARISING FROM PREVIOUS MINUTES		
1.1	Seniors Week: 15 – 22 March 2009 Alan reported on his negotiations with Wyong Race Club. They have agreed to offer free entry to the Racecourse and the Members Stand to any Seniors Card holder on 26 th March 2009. Alan has negotiated with some other Seniors groups who are interested in promoting their activities at the races on that day. Alan has negotiated \$500 from Flight Centre, Tuggerah which will be used as a lucky draw prize. It was suggested that this might be able to be used as incentive to complete surveys.	INFO
1.2	Seniors Week: 15 – 22 March 2009 Suggestion that a Survey be developed for distribution at a range of key events during Seniors Week. It was proposed that SCC members consider what questions they need to ask the (senior) community about 'quality ageing priorities' and a sub-committee would work with Annette to draft the survey. Members to bring ideas to new year meeting.	ALL
1.3	Seniors Week: 15 – 22 March 2009 Bruce Kirkness reported on the planned multi-cultural event for Saturday 21 st March at Toukley Senior Citizens Club	INFO

Item Ref	Action Item Description	Responsibility
2	Media update The Seniors Newspaper published a positive article on the SCC on page 13 in the Nov-Dec issue after their Features Editor: Natalie Williams interviewed Chris and Annette. The story was headlined as "leading the way in planning for ageing" by the very existence of the group It did suggest that Council has written it's Ageing Strategy but that isn't the case as yet.	CB & AE
3	Transport: The Council's Senior Transport Engineer: Mr Bob Burch will meet with Bruce Pyke as the author of the draft Public Transport document and any other interested SCC members to discuss the report. He will make himself available to speak to the SCC committee on our request.	INFO
4	Recreation Facilities Strategy Consultation notes. Summary of consultation with Boyd Macmillan was distributed.	INFO
5	Recreation – Proposed Modified Seating Design Brief Awaiting responses from schools in the new year.	INFO
6	Northern Sydney Central Coast Area Health Community Consultation Committee Briefing Alan attended the briefing session. He did not find the experience beneficial as there was no opportunity for input from any of the participants. The session consisted of NSCCAHS representatives giving glowing reports of the programs that they offered. Discussion followed about what impact Councils have on State dept's (like Health) and their policies.	AB

Item Ref	Action Item Description	Responsibility
3 CORRESPONDENCE		
3.1	Correspondence –In None recorded	AE
3.2	Correspondence –out None recorded	

Item Ref	Action Item Description	Responsibility
4 GENERAL BUSINESS		
4.1	Media: That the lead up to Seniors Week will be a good opportunity for the next Seniors Council report to go into the newspaper.	ALL
4.2	Review and Planning: should this be at the first meeting in 2009 or after 12 months which would be at the beginning of April and after Senior's Week.	ALL
4.3	Orientation: there was general agreement that it would be useful if Mary presented a paper that described the roles, responsibilities and relationships between each level of government. This will be available at the January 09 meeting.	ALL

Item Ref	Action Item Description	Responsibility
4.4	<p>Information Sharing: John alerted SCC members to news reports of interest to the ageing community. They were:-</p> <ul style="list-style-type: none"> • Dr Peter Lipski who is a Central Coast Geriatrician will deliver a paper proposing a model of geriatric care based on his work at Gosford Hospital • Recognition for local broadcaster Mike Kenard. • Publication of a history of the Central Coast by Mr John Hill <p>Alan provided a press release from David Harris MP regarding transport planning.</p>	<p>JC</p> <p>AB</p>

Item Ref	Action Item Description	Responsibility
5 NEXT MEETING DATE		
	<p>NEXT MEETING: 29th January, 2008 depending on availability of rooms and admin 1.00pm - 4.00pm. Refreshments Provided WYONG COUNCIL CIVIC CENTRE</p>	INFO

VENUE: Committee Rooms at Council Chambers

PLEASE PHONE 43505524 with any GENERAL BUSINESS you want included.

	Item Description	Responsibility
2.2	Wait for response from NSCCAHS and decide then if necessary to contact David Harris in regards to the group's role.	INFO
2.3	<p>NSCCAHS – Other Issues:</p> <p>From this discussion it became apparent that it would be useful to link with other seniors groups that have local interests. (e.g. Wyong Hospital Auxiliary). When issues become a 'hot topic' then the most appropriate role is to become more informed so as to better advocate to another level of government.</p> <p>Another response to 'hot topics' might be to host bigger events highlighting specific topics with guest speakers.</p>	INFO
2.4	<p>Transport:</p> <p>Bruce Pyke recommended that more exploring needs to be done before he completes a draft report to be considered by the meeting.</p> <p>Don Flint and Bruce Pyke will talk and incorporate ideas and discuss who the group may need to talk to next.</p> <p>Bob Burch (WSC Senior Transport Engineer) has been approached and is keen to talk. Don Flint and Bruce Pyke to set up an appointment with him after 14 February to explore Councils position around transport issues.</p> <p>Request that Bob Burch also address the full SCC meeting before final draft is adopted.</p> <p>The group was reminded that the Ministry of Transport holds a regular monthly meeting at Gosford Golf Club. Attendees include both bus companies and Central Coast Taxis as well as a wide range of transport interest groups. The focus is on those regarded as transport disadvantaged e.g. people living in northern isolated villages of the Shire; seniors groups; disability groups. Alan Booth has previously represented the SCC at this meeting.</p>	AE/BP
2.4	<p>Dates for Meetings 2009:</p> <p>It was agreed to meet on the fourth Thursday of the month.</p> <p>Meeting times in March will need to be adjusted for Seniors Week 15-22 and Race Day. New times to be confirmed at next month's meeting.</p>	AE
3.	Presentation: Government Responsibilities- Mary Dallow	

Item Description		Responsibility
	<p>Mary Dallow used a diagram to outline the responsibilities of each level of government including local, state and federal. Each member of the Seniors Council received a copy of the chart.</p> <p>She used the examples of employment and health to describe state responsibilities and outlined how local government can voice issues of local area concerns when they are on the table with the state government.</p> <p>Advocacy is therefore part of the local government role. When advocating we should acknowledge the positives, list what WSC have done and also list what WSC needs and doesn't have yet.</p> <p>Mary also commented that there will be some variations in responsibilities from council to council and state to state.</p> <p>Mary made the group aware that WSC priorities are guided by the Management and Community Plans which are made 2 years in advance and define what the budget restraints are. That funding requirements need to be in by November to be included in each financial year.</p> <p>The Community Plan is done in 5 year increments and includes social and community development. It fits into the Management Plan which allocates the money. A copy of the Management Plan and Community Plan will be brought to the next meeting. It was also recommended that a copy of the Organizational Chart be made available to the group.</p> <p>From this discussion it was proposed that an organised program of representative from various Council departments come and describe the work of their team/department and what their roles are. The SCC members will also be interested to find out what they have in place for seniors and how their work is influenced by the interests of an ageing population.</p>	INFO
5. CORRESPONDENCE		
5.1	<p>Correspondence – In Chris Brotherston informed the meeting of her resignation. She is moving to the Goulborn area. This was accepted with regret. Chris has contributed a lot and will be greatly missed.</p> <p>Moved: Bruce Pyke Seconded: Patricia Parperis</p>	
5.2	<p>Correspondence – Out</p> <p>Nil</p>	
6. GENERAL BUSINESS		

	Item Description	Responsibility
6.1	<p>Seniors Race Day: Allen Booth negotiated with Wyong Race Club for free entry for Seniors Card holders to Race Course and Members Stand 26 March.</p> <p>Alan has also negotiated with Central Coast Express and received a free ½ page of advertising worth \$3000.00 to be used for Race Day and Seniors Week Launch. He has also secured \$500.00 worth of promotional material from Glengara for flyers/banners etc.</p> <p><u>Arrangements for the 26th March:</u></p> <ul style="list-style-type: none"> • There will be a Flight Centre stand with 2 staff and they have donated a \$500.00 travel voucher as a lucky prize for a Seniors Card holder. • The Probus, Bowling Clubs and National Seniors will have information tables set up on the day. • Alan is talking with the Mariners to see if they will have some players present as well as a stand with banners, flyers and freebies. • There will be 2 notice boards of general senior's information. • \$500.00 worth of other lucky prizes on the day. • Free radio advertising. Also on WSC website, Seniors website. • Annette acknowledged and applauded all of Allen's' hard work. • Volunteers for the day to help with surveys and be the face of Seniors Council: Dawn Thompson, Alan Booth, Don Flint. • Allen and Dawn to meet on 3 February 10am with Annette & Cynthia to do letters and other follow ups for Race Day. 	AE/AB
6.2	<p>Seniors Week Survey: a simple survey to be handed out at various events with the aim of getting informed about what other seniopr's say are their priorities. Everyone to bring ideas for questions on survey to next meeting.</p>	
6.3	<p>Seniors Week Launch:There will be a lunch on 13 March to be held at WSC with the Seniors Council, Darkinyung representatives, WSC Mayor and Councillors to be invited. With the possibility of a performance by a high school dance group. This lunch will set the tone for Seniors Week.</p>	AE
6.4	<p>Information Sharing: Medical Tourism: John Cochrane presented information on Medical Tourism and Private Medical Centres. John puts it in as a motion and not seconded. Annette suggests the group accept it as info only. Mary Dallow states it is a state government issue and suggested that within council a synopsis is made and given as information and update only. Local government only has interests in local tourism. Mary also queried as to how this is linked to seniors & Seniors Council? The group needs to keep focused on highlighting direct aging health issues.</p>	JC
NEXT MEETING		
	<p>Thursday 26 February 2009</p> <p>1.00pm - 4.00pm</p> <p>WSC Civic Centre</p>	

8.4 Recycle/Re-use Initiative - Tip Shop/Re-Use Centre

TRIM REFERENCE: D01864802

AUTHOR: EB

SUMMARY

Report on the recycle/re-use initiative of Cessnock and Lake Macquarie City Councils known as the Tip Shop/Re-use Centre hosted at the Councils' respective waste management facilities.

RECOMMENDATION

That Council receive the report on Recycle/Re-use Initiative – Tip Shop/Re-Use Centre.

BACKGROUND

Council at its meeting held on 25 February 2009 resolved unanimously on the motion of Councillor Wynn and seconded by Councillor Best

“That staff provide a preliminary report to Council on the recycle/re-use initiative of Cessnock and Lake Macquarie City Councils known as the Tip Shop/Re-use Centre hosted at the Councils' respective waste management facilities.”

Re-use Centres

A number of Councils in NSW including Cessnock and Lake Macquarie Councils operate Re-use Centres at their Waste Management Facilities. Re-use Centres accept second-hand goods at no cost including furniture, white goods, toys, bikes or building materials. These items are sold for a small fee to customers in need of such items thus diverting these items from landfill.

Operation of Re-use Centres

The following table provides a summary of the operation of Re-use Centres at Cessnock and Lake Macquarie Councils.

	Cessnock City Council	Lake Macquarie City Council
Location of Re-use Centre	Awaba Landfill	Cessnock Waste and Re-use Centre, Old Maitland Rd
Operator	Contractor	Contractor
Facilities provided	Council provides site shed and receives rental revenue	Council provides site shed and receives rental revenue
Operation	Re-use Centre staff inspect loads prior to entering the weighbridge and divert any reusable material to the Centre. Customers are not required to pay tipping fees for these items.	Council permits Re-use Centre staff to scavenge in unloaded materials at the landfill face. Minor quantities are directly received at the Re-use Centre.

	Cessnock City Council	Lake Macquarie City Council
Materials diverted	Scrap metal, white goods, building materials,	Scrap metals, computers, furniture, building materials
Diversion rate	Unknown	Approximately 1,300 tonnes/yr
Disposal of waste (items that cannot be sold in Re-use Centre)	Contractor is required to pay tipping fees	Contractor is required to pay tipping fees.

Buttonderry Waste Management Facility

There is currently no Re-use Centre in operation at Council's Buttonderry Waste Management Facility (BWMF). However, an extensive recycling system is available that ensures significant quantities of materials are diverted from landfill. The following table provides a summary of materials recycled at the BWMF in 2008:

Recyclables	Quantities collected during 2008 (t)	On-site / off-site recycling/processing
Concrete, bricks and tiles	4,200	Concrete is crushed and used on site to weather proof unsealed access roads
Scrap Metal	935	Metals are transported by a Contractor to a metal recycling facility.
Household recyclables (glass, paper, cardboard, aluminium)	223	Recyclables are transported to a Material Recover Facility at Somersby for sorting
Vehicle batteries	25	Batteries are transported by a Contractor to a metal recycling facility.
Gas bottles	9	Gas bottles are collected by a licensed contractor
Vegetation	30,000	Vegetation is processed and composted on site by a Contractor
Timber	2,300	Timber is processed and composted on site by a Contractor
Biosolids	13,100	Biosolids are composted on site by a Contractor
Tyres	18	Tyres are removed by licensed tyre carrier for recycling
Used engine oil	17	Oil is collected by oil recycling contractor
Total	50,810	

In addition to the 50,000 tonne diverted as shown in the table above, Council also collects approximately 15,000 tonne per annum from kerbside recycling and combined these figures represent 30% of the total waste stream diverted from landfill.

The site of the BWMF is zoned 5(a) Special Uses (Waste Disposal), as such any use proposed needs to be consistent with the zone objectives. An independent shop would not be permissible and to be consistent with the Local Environmental Plan the re-use centre would only be able to sell goods that were diverted from the tip face. The reuse centre would not be able to become the dominant use of the site.

Discussion

Cessnock and Lake Macquarie Councils' waste facilities do not provide facilities for the source separated collection of scrap metal for recycling at their landfill. Instead, scrap metal is accepted at their Re-use Centres. For many years, ferrous and non-ferrous materials attracted a high value in the scrap metal market. Although scrap metal prices have plummeted in recent time, metal recyclers have been paying up to \$400 per tonne in early 2008 to collect it. Source separated scrap Metal is accepted at the BWMF and Council received revenue of \$368,000 from metal recyclers in 2007-08. In order for a Re-use Centre to be viable, it is considered essential to permit the Contractor to collect the scrap metal therefore removing an important income stream for Council.

The Re-use Centre at Lake Macquarie diverts approximately 1,300 tonnes of materials including scrap metals from landfill per annum. At BWMF approximately 900 tonnes of scrap metal are collected every year. Assuming that Lake Macquarie residents generate a similar quantity of scrap metal as Wyong residents, the amount of waste diverted by the Re-use Centre in addition to scrap metal is only 400 tonnes per annum (representing less than 1% of Wyong Shire Council's total waste stream).

The Cessnock and Lake Macquarie Re-use Centres also accept building materials including timber and fence palings. Timber is also accepted at BWMF for mulching at the composting facility.

Many Re-use Centres are already established and often operated by charities such as St Vincent de Paul Society and Salvation Army generating important revenue. Establishing a Re-use Centre at BWMF may provide competition to these charity facilities and reduce their income stream.

The effectiveness of the Re-use Centres for the long-term diversions of waste is difficult to assess. Materials bought at the Re-use Centre may be found to be inoperable, unfit for purpose or otherwise unsuitable and are then returned to the landfill via Council's bulk kerbside collection system.

CONCLUSION

While Re-use Centres at landfills divert minor quantities of waste from landfill, they may compete with established centres often operated by charities. The effectiveness of Re-use Centres to divert waste is difficult to assess as the turnaround time, until the waste items are returned to the landfill, is unknown.

ATTACHMENTS

Nil.

8.5 Outstanding Questions Without Notice and Notices of Motion

TRIM REFERENCE: D01863186

AUTHOR: SG

SUMMARY

Report on outstanding Questions Without Notice and Notices of Motion.

RECOMMENDATION

That Council receive the report on Outstanding Questions Without Notice and Notices of Motion.

Question Asked / Councillor	Department	Meeting Asked	Status
Q123 – Darcy Smith Court Case former Cr Pavier	Shire Planning	12 December 2007	A response will be reported to Council when the case has been finalised in the Land and Environment Court.
Q068 - Education Program into Toddler Drowning Cr Best	Shire Planning	26 November 2008	A response to this question will be prepared after the briefing workshop on current coverage and resources required to patrol beaches is held. This briefing is scheduled to be held in April 2009.
Q008 - Draft Community Facilities Strategy Cr Matthews	Shire Planning	25 February 2009	A Councillor Briefing is being proposed for May 2009 which will provide details of recommendations and actions arising from Stage 1 of the Strategy.
Q014 – Costs Incurred for Performing Arts Centre Cr McBride	Shire Planning	25 February 2009	A report on the proposed Performing Arts Centre will be forwarded to Council in April this year. This report will include the total costs incurred by Council on investigation, planning and reports for the proposed centre.
Q016 – Community Reserve near Applegum Place, Woongarra Cr Vincent	Shire Services	11 March 2009	A response will be submitted to Council's meeting on 22 April 2009.
Q017 – Submission on Variation of the \$20,000 Section 94 Cap Cr Eaton	Shire Planning	25 March 2009	A response will be submitted to Council's meeting on 22 April 2009.

Question Asked / Councillor	Department	Meeting Asked	Status
Q018 – Amalgamation of Central Coast Area Consultative Committee (CCACC) and Business Central Coast (BCC) Cr Eaton	General Manager's Unit	25 March 2009	A response will be submitted to Council's meeting on 10 June 2009.

Notice of Motion	Department	Meeting Resolved	Status
326 - National Natural Disaster Funding <i>Report required on climate change impacts.</i>	Shire Planning	8 August 2007 Cr Eaton / Cr Best	A report will be submitted to Council when response from Department of Environment and Climate Change (DECC) is received. Finalisation of Coastline Management Plan is not anticipated until January/February 2010.
231 – Poll on Popularly Elected Mayor and Electricity Privatisation <i>A further report be reported to Council at a briefing session outlining the ramifications of a popularly elected Mayor detailing exactly how the numbers equate in three wards concerned.</i>	Corporate Services	28 May 2008 former Cr Stewart / Cr Graham	A report will be subject to future briefing session for Council. The report will provide an outline of possible ward boundaries.
295 – Wyong Pool Maintenance Policy <i>That Council defer any further decisions regarding Wyong Pool pending discussions with the Wyong Tennis Club Administrator. That the Mayor and General Manager report to Council on discussions.</i>	General Manager's Unit	25 June 2008 former Cr Pavier / Cr Graham	A meeting was held with the Administrators for Wyong Tennis Club. Awaiting further information once received a report will be submitted to Council.
298 – Long Jetty Café <i>That Council receive a briefing as part of the Long Jetty master planning on the permissibility and benefits / disbenefits of considering sub leasing an area of the Long Jetty to cater for a commercial operation.</i>	Shire Planning	25 June 2008 Cr Best / Cr Eaton	To be given further consideration following the adoption of the Draft Entrance Peninsula Planning Strategy. (The TEPPS encourages this type of potential development).
383 – Central Coast Regional Strategy – Toukley <i>That as a result of the recent release of the Central Coast Regional Strategy by the Department of Planning, staff report on the implications of the strategy on existing Council projects. In particular, the report should address the impacts on the Future Planning Unit's work program and staff should also report on the now likely timelines and processes required to deliver the Toukley Strategy.</i>	Shire Planning	13 August 2008 Cr Best / former Cr Stevens	A briefing workshop is expected to be held with Councillors in May 2009.

Notice of Motion	Department	Meeting Resolved	Status
<p>384 – Central Coast Regional Strategy</p> <p><i>That Council, in conjunction with Shire Planning staff, workshop the Central Coast Regional Strategy with a view to determining a position statement for the Department of Planning.</i></p>	Shire Planning	13 August 2008 former Cr Pavier / Cr Eaton	A briefing workshop is expected to be held with Councillors in May 2009.
<p>498 - Central Coast Tourism Inc (CCTI) Funding</p> <p><i>That Council report on funding for Central Coast Tourism Inc (CCTI).</i></p>	General Manager's Unit	12 November 2008 Cr Eaton / Cr Graham	A report will be submitted to Council's meeting on 27 May 2009.
<p>499 - Wyong Parking Initiatives</p> <p><i>That Council congratulate the Member for Wyong, Mr David Harris MP, on his support for a joint venture between Council and the State Government to construct additional car parking around the Civic/Justice/Police precinct of Wyong Town Centre.</i></p> <p><i>That Council request staff to contact appropriate State Government agencies to address this matter.</i></p>	Shire Planning	12 November 2008 Cr Eaton / Cr Best	A report will be submitted to Council upon response from State Government Agencies.
<p>541 – Extended Safety of Surf Patrol Beaches</p> <p><i>That having regard to the increasing incidence of unseasonably warm weather associated with global warming and the resultant high beach usage outside current patrol hours Council take a proactive approach with a view to providing our residents and ratepayers with greater coverage of patrolled surf beaches.</i></p> <p><i>That Council receive a briefing on current coverage and resources required to patrol our Shire's beaches including any recommendation for Council to consider a more flexible approach to beach patrol timetables.</i></p>	Shire Services	26 November 2008 Cr Best / Cr Eaton	A briefing workshop is scheduled to be held in April 2009 on current coverage and resources required to patrol beaches.

Notice of Motion	Department	Meeting Resolved	Status
<p>9.1 – NSW State Body Board Championships</p> <p>1 That Council allocate \$10,000 from the 2008-09 budget for Community Support and Development to secure major sponsorship of the NSW State Body Board Championships and Australasian Pro Tour to be held on 2, 3, 4 and 5 April 2009 at Soldiers Beach.</p> <p>2 That Council transfer the \$10,000 from the amount allocated in the 2008-09 budget to the “Central Coast Pro Surfing Competition” which has been cancelled.</p> <p>3 That Council consider allocating a similar amount to the “NSW Body Board Championships” in the 2009-10 budget provided it can be demonstrated that the event continues to provide significant benefit to the Shire.</p> <p>4 That a report on attendance, economic benefits etc of the event be presented to Council at the completion of the championships.</p>	Shire Services	11 February 2009 Cr McNamara / Cr Best	A report will be submitted to Council’s meeting on 27 May 2009.
<p>9.4 – Precinct Support Program</p> <p>1 That Council reaffirm its support and commitment to its Precinct Committee network while recognising their valuable contribution to the community.</p> <p>2 That Council, in partnership with our local Precinct Committees, review its current level of assistance with a view to growing and supporting this important community network and its membership.</p> <p>3 That staff report to Council, after the Precinct Committee Forum to be held on Wednesday 1 April 2009, on past, current and future recommendations regarding levels of support required to achieve 2 above.</p>	Corporate Services	11 February 2009 Cr Best / Cr McNamara	A report on the forum will be submitted to Council’s meeting on 13 May 2009.
<p>9.5 – Closed Circuit TV Toukley</p> <p>1 That further to the continuing and escalating incidents of vandalism and graffiti in and around the Toukley and Toukley East areas, staff report on the findings of the recently conducted Toukley Community Safety Audit soon to be released.</p> <p>2 That staff report to Council on the feasibility of installing a Closed Circuit TV network in the Toukley area similar to the recently federally funded 27 camera system now being installed in the Woy Woy business district.</p>	Shire Services	11 February 2009 Cr Best / Cr Wynn	Safety Audit to be conducted by NSW Police. Staff will liaise with NSW Police to determine when the Safety Audit will be made available.

Notice of Motion	Department	Meeting Resolved	Status
<p>9.1 – Motor Sports Facility</p> <p>1 <i>That Council recognise in principle the need to establish a regional motor sport and driver education facility with a view to catering for a broad range of activities including driver education and training opportunities.</i></p> <p>2 <i>That Council determine, in partnership with the relevant Government Departments and various peak motor sport organisations, the level of industry support for the establishment of such a regional community facility.</i></p> <p>3 <i>That Council seek Expressions of Interest from potential user groups to provide User Group requirements including their potential usage level of such a facility and indicative list of potential events which may be attracted including races showcasing vehicles using alternative technologies.</i></p> <p>4 <i>That Council investigates possible locations for a motor sport and driver education facility based on user group requirements.</i></p> <p>5 <i>That Council seek Expressions of Interest to build, operate and manage the facility including any alternate Financial Models including any benefits and revenue to the community and Council. Responses should include how they intend to offset green house gas emissions to make the motor sport carbon neutral.</i></p>	Shire Planning	25 February 2009 Cr McNamara / Cr Vincent	Councillors will be updated as information is obtained.
<p>9.2 – The Entrance Channel WebCam</p> <p>1 <i>That Council investigate the possible benefits of utilising the growing web technology known as “webcam” in The Entrance Channel to assist various organisations, departments and the general public to gain important information vital to improved channel management.</i></p> <p>2 <i>That Council also investigate the possibility of sponsorship financing the channel webcams, instead of Council funding.</i></p>	Shire Services	25 February 2009 Cr Best / Cr Webster	A report on this matter will be submitted to Council's meeting of 27 May 2009.

Notice of Motion	Department	Meeting Resolved	Status
<p>9.4 – Council’s Animal Care Facility Review</p> <p>1 <i>That Council acknowledge the strategic and operational review of the Animal Care Facility undertaken by the Regulation and Compliance Unit in late 2008.</i></p> <p>2 <i>That Council reiterate the earlier congratulations extended to the Manager of Regulation and Compliance and his team for “the complex review” undertaken which led to the Wyong Animal Care Facility “being nationally identified as a best case example of restructure and operation” as advised by Councillor Best in his Question Without Notice to the Ordinary Meeting held on 12 November 2008.</i></p> <p>3 <i>That staff report to Council on further options for the future management of the facility following the completion of the RSPCA’s strategic review of its operations which Council is advised will take approximately 12 months.</i></p> <p>4 <i>That in response to the success of the joint efforts of staff and animal rescue groups resulting in increased re-homing rates, Council acknowledge the need to provide additional kennels and cattery space and therefore give consideration to the provision of capital funds for the extension of the facility as part of its consideration of the 2009/2010 Management Plan. However, should additional funds be voted, that the expenditure of such funds not occur until the outcome of the RSPCA strategic review.</i></p> <p>5 <i>That Council embark on a public awareness campaign focusing on responsible pet ownership.</i></p>	Shire Planning	25 February 2009 Cr Best / Cr Matthews	A report will be submitted to Council following completion of the RSPCA Strategic Review.
<p>9.5 – Extending the Lapsing Period of a Consent</p> <p>1 <i>That Council, in determining applications for employment generating development extend the lapsing period of a Consent under Section 95 of the Environmental Planning and Assessment Act 1979 to three years for the purpose of assisting local employment during the current economic downturn.</i></p> <p>2 <i>That the fees for extending a consent for a further one year period be reviewed in conjunction with the next Management Plan.</i></p>	Corporate Services	25 February 2009 Cr Eaton / Cr Graham	Fees for extension of consent to be reviewed in conjunction with the Management Plan for 2009-10.

Notice of Motion	Department	Meeting Resolved	Status
8.1 – Community Recycling Initiative “freecycle.com” <i>That Council investigate the benefits to our community of Council supporting and promoting the Free Cycle recycling initiative.</i>	Shire Services	11 March 2009 Cr Best / Cr Graham	A report on this matter will be submitted to Council's meeting of 13 May 2009.

Questions Without Notice and Notices of Motion Removed from the Above Lists since the Previous Meeting

Question without Notice / Notice of Motion	Date Asked / Resolved	Outcome
Q009 – Recreation Smoke Free Policy Publicity Cr Webster	25 February 2009	Response included in this business paper
Q010 – Central Community Group Database Cr Vincent	25 February 2009	Response included in this business paper.
Q011 – Waste Management Facility Telephone Number Cr Wynn	25 February 2009	Response included in this business paper.
Q012 – Maintenance of Fire Trails Cr Eaton	25 February 2009	Response included in this business paper.
Q013 – Hazard Reduction in the Shire Cr Eaton	25 February 2009	Response included in this business paper.
470 – Ferry Service between Wyong and The Entrance <i>Report to be provided on investigation of a wharf and passenger ferry service between Wyong and The Entrance.</i>	14 November 2007 Cr Eaton / Cr Best	Included as part of report in this paper.
293 – The Entrance Long Jetty Strategy Meeting <i>That Council facilitate a meeting with Key Stake holders – The Entrance Bowling Club, Lakeside Plaza and Wyong Shire Council. That the Mayor chair the meeting, report back on the progress or otherwise.</i>	25 June 2008 former Cr Pavier / Cr Graham	Included as part of report in this paper.

Question without Notice / Notice of Motion	Date Asked / Resolved	Outcome
<p>541 – Extended Safety of Surf Patrol Beaches</p> <p><i>That having regard to the increasing incidence of unseasonably warm weather associated with global warming and the resultant high beach usage outside current patrol hours Council take a proactive approach with a view to providing our residents and ratepayers with greater coverage of patrolled surf beaches.</i></p> <p><i>That Council receive a briefing on current coverage and resources required to patrol our Shire's beaches including any recommendation for Council to consider a more flexible approach to beach patrol timetables.</i></p>	<p>26 November 2008 Cr Best / Cr Eaton</p>	<p>A briefing workshop was held on 1 April 2009 on current coverage and resources required to patrol beaches.</p>
<p>570 – Joint Council Meetings with Gosford Council</p> <ol style="list-style-type: none"> 1 <i>That Council support regular joint meetings with Gosford Council to determine major water policy and other common issues.</i> 2 <i>That any such meetings to be convened as formal council meetings of both Councils to enable prompt efficient and consistent decision making.</i> 3 <i>That a copy of this resolution be forwarded to Gosford City Council for its consideration and support.</i> 	<p>10 December 2008 Cr Eaton / Cr Best</p>	<p>First meeting scheduled to take place on 15 April 2009.</p>
<p>9.3 - Recycle/Re-use Initiative</p>	<p>25 February 2009 Cr Best / Wynn</p>	<p>Report included in this business paper.</p>
<p>8.2 – Buy Local Jobs Initiative</p> <ol style="list-style-type: none"> 1 <i>That further to the Federal Government's recent announcement of injecting some \$42 billion into the national economy in response to the global financial crisis, the Council in partnership with our local Federal Members, business and the community, capitalise on this spending initiative through promoting a "buy local goods and services" campaign with a view to locally harnessing the \$200m now earmarked for Central Coast expenditure to support and generate local jobs.</i> 2 <i>That Council invite Gosford City Council to join it thereby making this a regional "buy local goods and services" job initiative.</i> 3 <i>That Council formally congratulate the local Federal Members for their support of our region in this economic global crisis.</i> 4 <i>That Council request the Business Enterprise Centre (BEC) be the lead agency in partnership with key stakeholders to facilitate this initiative.</i> 	<p>11 March 2009 Cr Best / Cr Wynn</p>	<p>Letters issued to local Federal Managers and the Business Enterprise Centre.</p>

ATTACHMENTS

Nil.

9.1 Answers to Question Without Notice

TRIM REFERENCE: D01865411

9.1 Q009 - Recreation Smoke Free Policy Publicity

The following question was asked by Councillor Webster at the Ordinary Meeting on 25 February 2009:

"I have received representations from business owners, particularly outdoor dining, stating that they are unaware of Wyong Shire Council's recreation smoke free policy – could staff advise what future actions could be taken to educate the community about the policy?"

BACKGROUND

At the Ordinary Meeting of 25 June 2008, Council resolved on the motion of Councillor Welham and seconded by Councillor Stewart:

- "1 That Council adopt the amended "Recreation Smoke-Free" Policy and implementation strategy.*
- 2 That the policy be amended to provide the promoters of events held on Council managed land or sponsored by Council, be encouraged to operate the events as smoke-free.*
- 3 That public notice is given of the decision.*
- 4 That those people who made a submission during the exhibition be informed of Council's decision.*
- 5 That Council recognise the outstanding contribution that the NSW Cancer Council provides our community and that Council donate to the NSW Cancer Council \$1,000 in recognition of our support.*

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

AGAINST: COUNCILLORS EATON, PAVIER AND VEUGEN."

The draft policy outlined Council's plans to declare smoke-free zones on a variety of Council owned and managed land with the objective of creating a healthier community.

In accordance with Council's procedures, the Draft Recreational Smoke Free Policy was placed on public exhibition from Friday, 28 March until Monday, 28 April 2008 and stakeholders were invited to make written representation by 8 May 2008.

The draft policy was placed on exhibition at the following venues:

- Council's Administrative building in Hely Street, Wyong;
- Tuggerah Library, Westfield Shopping Town, Tuggerah;
- Lake Haven Library and Council Services, Goobarabah Avenue, Lake Haven
- Bateau Bay Library, Bay Village Shopping Centre, The Entrance Road, Bateau Bay

- The Entrance library, The Entrance Road, The Entrance
- Toukley Library, Corner Victoria and Main Road, Toukley.
- Council's website www.wyong.nsw.gov.au

During the exhibition period, the hardcopy draft policy could be inspected between 9.00am and 4.30pm Monday to Friday.

The draft policy was also advertised via Council's Noticeboard Advertisement in the Central Coast Express Advocate on Friday, 28 March 2008, Wednesday, 2 April 2008 and Wednesday, 23 April 2008.

Proposed Actions

Council staff are currently formulating a strategy to address further community education and are targeting to complete this strategy by 30 June 2009. Staff will confirm future actions at that time, however, are considering the following as possible options:

- Liaise with the Sports Committee to communicate the new policy to Sports Clubs
- Gradual changes to signage to include smoking ban.
- Advertising on Council's Community Page in the Central Coast Express Advocate.
- Ensuring that event planners are aware of the policy as part of the booking/approval process.
- Council's properties section writing to specific external businesses and stakeholders, emphasizing key points of the policy and how the implementation of the policy may impact these businesses.
- Policy to be included as an attachment to future lease agreements or licence approvals.
- Signage to be erected at smoke-free areas throughout Wyong Shire as part of Council's signage replacement program.

The purpose of the Recreation Smoke Free Policy is to protect residents, in particular children, from the harmful effects of passive smoking. The policy is further evidence of Council's commitment to a partnership which will see Wyong Shire Council staff work with the NSW Cancer Council and Northern Sydney Central Coast Area Health to highlight the health benefits of smoke-free areas.

Council has the ability to regulate activity in a public place by means of regulatory notices on council owned and controlled land by virtue of Section 632 of the NSW Local Government Act 1993.

Smoke-Free Zones are declared on the following Council owned and managed land:

All sports grounds and their associated infrastructure including:

- Amenities buildings and car parks;
- Tennis court and netball courts;
- Skate and BMX parks;
- Swimming centres; and
- Golf driving ranges.

These have not yet been signposted.

Zones will also apply at:

- Council events
- Within 30m of playgrounds on all parks and reserves
- Within 10m to the side and rear of red and yellow swimming flags on all patrolled beaches when patrols are present

- Within 10m of rock pools; lake and ocean baths; BBQs; picnic furniture areas; alfresco dining areas.
- Within 10m of entrances to Council owned or managed buildings, including balconies and covered areas
- Within 10m of all bus stops
- All Council owned and managed pedestrian malls and plazas
- Within 10m of all covered taxi ranks located on Council owned or managed land.
- Promoters of events held on land managed by Council or under the sponsorship of Council will also be encouraged to operate as smoke-free.

Council does not have the statutory authority to apply this policy to privately owned land, unless that land falls within the boundaries laid out above. Privately owned land is subject to the NSW Smoke Free Environmental Act, which prohibits smoking in a wide range of public places. This Act was amended in 2001 and July 2007.

The creation of the Smoke Free Zones is supported by an education campaign in partnership with health authorities, community groups, sporting clubs and associations.

Communication and implementation plans/strategies for the recreation smoke-free areas will also be included in Council's Open Space and Recreation Operation's Plan for 2009-10.

The objective of the policy is education rather than enforcement. However, the policy will be reviewed after two years to determine if enforcement measures should be considered.

ATTACHMENTS

Nil.

9.2 Answers to Question Without Notice

TRIM REFERENCE: D01862632

9.2 Q010 - Central Community Group Database

The following question was asked by Councillor Vincent at the Ordinary Meeting on 25 February 2009:

"As part of Council's ongoing effort to improve community consultation, could staff please advise if there is a central community group database that has been compiled and regularly maintained for community consultation purposes, for example, Precinct, Progress, Rate Payers, Enviro Groups, Business Groups?"

The Central Coast Community Information Directory can be accessed from Council's Website, under the tab "Community". The Directory is a public service database maintained by the Library Services section of Shire Services. Regular updates of the entries in the Directory are undertaken and new services are added as they are identified or supplied by Community Groups.

The link to this site in Council's website is [Community Database](#).

The directory is continually updated by Library Services. Services and Groups can notify Council of new services or errors by clicking on a link in the directory. An email is then sent to change or add new services and groups to Council.

The site allows searches on the following top level subjects:

- Accommodation
- Animal Services
- Arts and Culture
- Communication
- Community Organisation
- Conservation and Environment
- Education
- Emergency Services
- Government
- Health
- Income and Employment
- Law and Justice
- Philosophies
- Practical Support Services
- Public Safety
- Sport and Leisure
- Target Groups
- Transport
- Utilities
- Volunteering

Searches can also be run for specific services and contacts.

Precinct Committees, Progress Associations, Rate Payer Associations and Chambers of Commerce are included in the database.

Individual businesses are not included in the Directory as it is a community based directory.

ATTACHMENTS

Nil.

9.3 Answers to Question Without Notice

TRIM REFERENCE: D01862702

9.3 Q011 - Waste Management Facility Telephone Number

The following question was asked by Councillor Wynn at the Ordinary Meeting on 25 February 2009:

"As our waste management facility only provides a 1300 number and in light of the fact that 1300 numbers cost 27 cents per call from a landline, and a local call is approximately 18 cents, could Wyong Shire Council publicise the fact that the public can ring Council and be transferred to waste services and save the extra cost to the ratepayers of our Shire, or suggest the waste facility provide its own local number?"

BACKGROUND

The current waste collection and recycling contract commenced on 1 February 2008. The waste services are provided by Thiess Services. During the planning stage for this contract Wyong and Gosford Councils agreed to pursue a regional contract to exploit anticipated economies of scale. While separate contracts for Wyong and Gosford were eventually signed, there are a range of regional components common to both Councils. These include bins labelled with the Central Coast logos, rather than individual Council logos; a regional Material Recovery Facility and a joint advertising campaign. Maintaining this regional focus is considered pertinent and important.

Following are a range of issues that must be considered prior to implementing any decision to change the current telephone number arrangement for residents to contact Thiess Services.

Promotion

All advertisements, calendars and brochures produced to promote the regional waste services display the 1300 1Coast number. As the promotion materials are produced for both Wyong and Gosford Councils it is considered beneficial to continue to use and promote a joint telephone number. A separate telephone number for Wyong residents would be confusing and detract from the regional focus of the waste services.

Branding

Extensive advertising has been conducted over the last 18 months to create the brand "1Coast" to reflect the regional focus of the waste collection services. "1Coast" has been successfully used to create the Thiess Services webpage www.1coast.com.au and to create the easy to remember telephone number 1300 1Coast. Many residents are now familiar with the 1300 1Coast number and a change may destroy the efforts made in creating an easy to remember telephone number and webpage.

Low Number of Phone Calls per Household

During February 2009, Thiess received on average 414 calls per day, amounting to a total of 108,000 calls per year. About 200 calls per day or 52,000 calls per annum can be attributed to Wyong Shire residents. With approximately 55,000 domestic premises in the Shire, the number of calls to Thiess Services would on average be less than one call per household per annum. In light of this, the financial burden to residents is considered minimal as a result of the slightly higher call charge for using a 1300 number.

Web Page

All promotion materials list the web page www.1coast.com in addition to the 1300 phone number for waste related inquiries or requests. Thiess Services was contractually required to create an interactive webpage that allows residents to book kerbside collections, report missing or damaged bins and lodge complaints regarding missed services. About 25% of residents utilise this convenient service and therefore do not incur the higher charge applicable to the 1300 number.

Impact on Council's Customer Service

Advising residents to contact Council's Customer Service in order to be transferred to Thiess Services would increase the number of telephone calls received each day by approximately 10%, assuming all waste calls will be received by Customer Services staff. This will cause resource constraints and may require additional staff.

Phone Call Charges

Not all telecommunication companies charge 27 cents per local call to a 1300 number. The charge depends on the specific telephone plans of each resident. Under some plans charges are the same irrespective of the type of number called. Other plans allow a certain amount of free calls before charges apply. Charges are also the same if a mobile telephone is used.

CONCLUSION

In light of the anticipated confusion from advertising a different telephone number for Wyong residents in promotion materials, the risk of destroying a regional focus in waste management, impacts on Council's Customer Service Section and the relatively low financial impact on residents, it is recommended that the use of 1300 1Coast number is continued and promoted as the central contact for waste related inquiries and requests.

ATTACHMENTS

Nil.

9.4 Answers to Question Without Notice

TRIM REFERENCE: D01844876

9.4 Q012 - Maintenance of Fire Trails

The following question was asked by Councillor Eaton at the Ordinary Meeting on 25 February 2009:

"Can staff advise on the maintenance of fire trails throughout the Shire?"

Bushfire Risk Management Committee (BFMC)

Managing the bushfire hazard across the Shire requires the coordination of many stakeholders including: the Local Aboriginal Land Council, environmental groups, Department of Environment and Climate Change (DECC), private land holders, fire fighting agencies/authorities and many other government departments responsible for land management. The Rural Fire Service (RFS) generally facilitates the process through the BFMC. The executive member of the BFMC has been contacted and asked to provide a response regarding this Question without Notice on behalf of all other relevant stakeholders across the Shire. However it is noted that key personnel of the BFMC, in particular RFS staff, have been involved with the recent fires in Victoria. Therefore, it is recommended that Council respectfully allow the BFMC additional time to prepare their response.

Wyong Shire Council

The system of fire trails throughout the Shire occur across many land tenures linking both private and government departments such as DECC, NSW Forests and the Lands Department. In regards to the land under the care and control of Council, we can report as follows:

Fire trails provide fire fighters with a safe strategic operational advantage when undertaking fire fighting and hazard reduction activities. They enable compartmentalisation of burns and assist in back-burning activities. Maintenance of fire trails generally involves regrading the trail surface to improve access by managing surface water run-off. Maintenance also includes the removal of fallen timbers, clearing of encroaching vegetation, provision for passing bays and lifting the canopy of the trees for vehicle clearances. Fire trail maintenance also involves access management to exclude unauthorised vehicles by installing secure gates, locks and signage.

All fire trail upgrades are in accordance with the design description and criteria as outlined in Fire Trails – Planning for Bushfire Protection – NSW Rural Fire Service.

Planning

Many bushland reserves have a complex, strategic system of fire trails constructed and maintained by Council. The exact number, length and condition of all fire trails managed by Council is at this stage unknown, however, maintenance of fire trails continues on a priority basis in consultation and with grant funds provided by the RFS. The RFS maintains a database of all fire trails in the Shire currently utilised for fire fighting purposes.

The Wyong BFMC recently resolved to establish a working group composed of both private and government land managers to specifically investigate the current status of fire trails in the Shire and report back findings to the BFMC. The scope of the Fire Trail Working Group is currently being considered but it is envisaged it will initially include the classification of a hierarchy of fire trails from primary, secondary and dormant. The classification will allow for subsequent condition assessment of those high priority trails, with work plans developed thereafter. It is also envisaged that the identified primary trails will attract priority funding through the various RFS grants over the coming years.

Agencies have been exchanging information to compile a cross tenure database in GIS format to assist spatial planning and coordination with other bushfire protection measures.

Construction of new fire trails requires full environmental assessment and approval under the relevant legislation, based on demonstration of need, consideration of need and the results of the review of environmental factors. Maintenance of existing trails needs to be undertaken within the bounds of the approval.

Implementation

Between 2006 and 2009 in consultation with the RFS and approved by the BFMC, Council completed the maintenance and minor upgrade of eight primary fire trails that included the installation of fencing, security gates and signage.

The works were funded by the Bush Fire Coordinating Committee through the Fire Mitigation Works fund at a cost of \$100,000 and are listed as follows:

- Mardi Fire Trail – 1.7km
- Beckingham Fire Trail - 1.5km
- Elizabeth Bay Fire Trail – 0.8km
- Frances Byrnes Fire trail - 2.1km
- Gamban Fire Trail - 0.9km
- Chain Valley Bay Fire Trail - 1.25km
- Beckingham Extension Fire Trail - 0.36km
- Legacy Hostel Fire Trail - 0.3km
- Installation of 12 Fire Trail and Prohibited Activities signs
- Installation of 33 Asset Protection Zone signs
- Installation of 8 security gates and associated bollards.

ATTACHMENTS

Nil.

9.5 Answers to Question Without Notice

TRIM REFERENCE: D01844878

9.5 Q013 - Hazard Reduction in the Shire

The following question was asked by Councillor Eaton at the Ordinary Meeting on 25 February 2009

"Can staff in conjunction with the RFS, provide information on the amount of hazard reduction carried on in the Shire over the last three years?"

Bushfire Risk Management Committee (BFMC)

Managing the bushfire hazard across the Shire requires the coordination of many stakeholders including: the Local Aboriginal Land Council, environmental groups, Department of Environment and Climate Change, private land holders, fire fighting agencies/authorities and many other government departments responsible for land management. The Rural Fire Service (RFS) generally facilitates the process through the BFMC. The executive member of the BFMC has been contacted and asked to provide a response regarding this Question without Notice on behalf of all other relevant stakeholders across the Shire. However it is noted that key personnel of the BFMC, in particular RFS staff, have been involved with the recent fires in Victoria. Therefore, it is recommended that Council respectfully allow the BFMC additional time to prepare their response.

Wyong Shire Council

In regards to bushfire hazard reduction activities on land under the care and control of Council, we can report as follows:

Council manages an estimated 2,500ha of bushland. The 2,500ha is composed of 50 parcels greater than 10ha in size that are considered to be of high conservation value. This figure does not include a significant amount of smaller fragmented natural areas that also represent a fire hazard. The bushland area involves a total of 47.5km of boundary at the urban bushland interface. There are 6,169 houses located in bushfire prone areas adjacent to Council managed reserves. With an average of 2.51 people per house, there are about 15,484 people living adjacent to Council managed reserves considered to represent a significant fire hazard to the community. This program is about their safety and protection.

Council's Hazard Reduction Schedule of Works is prepared in accordance with the Bushfire Risk Management Plan and the Four Year Urban Interface Plan. Council's Fire Hazard Reduction Works are submitted as proposals for approval by the Wyong BFMC annually and implemented thereafter. All of the Asset Protection Zones (APZs) maintained by Council have been mapped within Council's Geographical Information System.

Over the past two years Council, in cooperation with the RFS, has been reviewing our Fire Hazard Reduction Program. Several key areas of operations have been improved. In particular, all bushfire operational responsibilities have been centralised, hazard reduction works prioritised and resources increased. Prior to 2007 less emphasis was placed on the program and little Hazard Reduction information was recorded.

In 2007 Council developed work schedules for the maintenance of its 140 APZs totalling 47.535km. Approximately 31km of APZ was maintained four times per year by mechanical means using a tractor slasher. A further 16km of APZ located in areas inaccessible to machinery was slashed manually at least twice a year using Council's Bushfire Mitigation Team. Council maintains a register of APZs with detailed quantitative information such as specific location, length, width and number of assets protected. Qualitative information captured includes a fire hazard risk ranking, service completion dates and time taken to complete.

Council's Bushfire Fuel Management program also involves a dedicated Fire Mitigation Team consisting of one full time supervisor and up to three Corrective Service Order Workers provided by the Department of Corrective Services. This is a successful collaboration between the Department of Corrective Services and Council and has proven to be a cost effective way of undertaking fire hazard reduction works in some situations. The fire mitigation team is responsible for maintaining approximately 16km of APZ by manual means using hand tools and minor plant. These areas are generally inaccessible to machinery due to steep terrain, but mostly due to the presence of wetlands running right up to the rear of private property fences.

The challenge for Council is to maintain adequate property protection by maintaining APZs by mechanical means in inaccessible, sensitive ecological areas.

Community Education

Council, in cooperation with the NSW Fire Brigade and the RFS, has almost completed a brochure titled "Wyong Shire Council Bushland Reserves Managing the Risks of Bushfire". The brochure is due to be distributed over the winter period prior to the commencement of the fire danger period in spring 2009. The brochure will be distributed to all house holders within fire prone areas at the urban bushland interface. The purpose of the brochure is to briefly outline what each control agency is responsible for and provide advice on property preparedness for fire protection.

Fire Mitigation Works Funding

Each year, in accordance with the Bush Fire Coordinating Committee's Policy No 2/01, Bush Fire Management Committees are given the opportunity to claim for Fire Mitigation Works Funding. In 2008-09 Council, in consultation with the Wyong Bushfire Management Committee, received two grants totalling \$141,000. Council is on track in expending the total amount by June 2009.

ATTACHMENTS

Nil.

10.1 Notice of Motion - Safety Fencing at The Entrance Bridge

TRIM REFERENCE: D01869938

AUTHOR: MR

Councillor L Webster has given notice that at the Ordinary Meeting to be held on 8 April 2009 she will move the following Motion:

- "1 That Council support the North Entrance Progress Association in pursuing safety fencing on The Entrance bridge between the footpaths and the travelling lanes.*
- 2 That Council make representation to the Minister for Roads and the State Member for The Entrance in support of the Progress Association."*

10.2 Notice of Motion - Council Facility Fees

TRIM REFERENCE: D01871536

AUTHOR: MR

Councillor L Matthews and Councillor E McBride have given notice that at the Ordinary Meeting to be held on 8 April 2009 they will move the following Motion:

- "1 That Council staff investigate and report on the fees, including bonds levied on community groups, NGO's and sporting associations for the use of Council facilities including open space.*
- 2 That staff conduct a comprehensive audit of the fee structure with a view to minimising the financial impact on community groups working within the Wyong Shire to achieve social engagement."*

10.3 Notice of Motion - Change of Start Time of Council Meetings

TRIM REFERENCE: D01871541

AUTHOR: MR

Councillor E McBride and Councillor L Matthews have given notice that at the Ordinary Meeting to be held on 8 April 2009 they will move the following Motion:

- "1 That, in order to encourage wider community participation and engagement, Council propose to amend the adopted Code of Meeting Practice to change the commencement time of the Ordinary Meeting of Council and the Extraordinary Meeting for the Election of the Mayor to 6.00pm.*
- 2 That Council advertise the proposed amendment for public comment.*
- 3 That a further report be brought to Council following exhibition. "*

10.4 Notice of Motion - Speaker Protocols

TRIM REFERENCE: D01871629

AUTHOR: ED

Councillor D Eaton has given notice that at the Ordinary Meeting to be held on 8 April 2009 he will move the following Motion:

- "1 That Council advise invited speakers that they will be required to answer fair and reasonable questions at the end of their address.*
- 2 That Council not permit speakers to address Council if they advise that they will not answer questions."*